

MINUTES
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BOARD OF SELECTMEN
WEDNESDAY, OCTOBER 19, 2005
REGULAR SESSION

-- Continued Session --

Call to Order

The Board of Selectmen reconvened to continue its October 17, 2005 session at 6:05 PM in the Community Room of the Chenery Middle School. All members were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present. Town Counsel John Giorgio also attended.

Action by Appointment

Discussion of Special Town Meeting Articles:

Disposition of Central Fire Station Property including RFP (Article 5)

Historic District Commission (HDC) Member Michael Smith and Co-Chair Lydia Ogilby, Belmont Center Planning Group (BCPG) Member Sarah Oaklander, and Planning Coordinator Jeffrey Wheeler appeared before the Selectmen.

The Board of Selectmen discussed the summary of the provisions to be included in a Request For Proposals for the Central Fire Station property. Selectman Firenze reported that the BCPG had weighed in on the summary as had the HDC. All three of the main issues are addressed in this document: 1) Lease vs. sale of the property, 2) mixed use vs. commercial use, and 3) historic preservation.

Selectman Firenze stated that a promise was made to the voters that this property would be sold when the fire station project was approved.

Ms. Oaklander reported that while there was some interest in the lease option, the BCPG understands the Board's position regarding sale of the property and is comfortable with this.

Selectman Firenze noted that the LB I zoning does allow residential for a building of this size. However, there is virtually no land around the building so a mixed-use building would pose a parking issue. If residential was not excluded, someone could try to make the whole building residential and use the first story for a parking

facility. The Selectmen could not see a practical way to limit this except by excluding a residential option.

Mr. Wheeler reported that the BCPG was very concerned that the whole building be used and all its space taken advantage of. Ms. Oaklander added that unused space is a missed opportunity to add vitality to the downtown area. BCPG is most interested in a commercial use and not interested in a fully residential use, but wanted to leave open the possibility of a mixed-use proposal.

Selectman Firenze suggested that the Board of Selectmen receive the HDC, Warrant Committee, and Capital Budget Committee's opinion on this issue before making a decision of its own. Chairman Solomon agreed but wanted to avoid creating a precedent for mixed-use development elsewhere in the center. Selectman Brownsberger suggested to simply add the words "on the first floor" to the wording banning residential proposals.

The Board of Selectmen agreed to take Selectman Brownsberger's proposal to the HDC, Warrant Committee, and Capital Budget Committee and decide whether to make the change based on their input.

Mr. Smith and Ms. Ogilby stated that the HDC has not had a chance to look at what could fit in that space and are therefore neutral on this issue.

Selectman Firenze noted that the document requires preserving the façade of the building through a deed restriction, but it does not say what authority would evaluate compliance with the standard of rehabilitation.

Chairman Solomon pointed out that the Tower is not part of the façade. Selectman Firenze said that the document will be amended to include preserving the Tower.

Ms. Ogilby said that the HDC would prefer to see the entire building preserved as they did with the Waverley Fire Station.

Selectman Brownsberger recommended the wording just say "the exterior of the building" and noted that the rehabilitation standards don't prevent changes from being made. This would mirror what was done with the Waverley Fire Station.

Mr. Smith stated that the addition on the back of the fire station has no particular architectural value. The HDC is concerned with the original 1899 portion of the building.

The Board of Selectmen agreed to change the wording to state that the exterior of the 1899 structure shall be preserved, and this was approved by Mr. Smith and Ms. Ogilby.

The Board of Selectmen discussed whether to give the authority over enforcing the historic preservation aspect to the HDC alone or to the Planning Board with the assistance of the HDC as was done with the Waverley Station.

The Selectmen agreed to give the authority to the HDC in the deed restriction.

The Board of Selectmen discussed language requiring a town meeting vote on any change in use of the property. It was decided to change the language to say that only a change to residential use on the first floor would require a majority vote of Town Meeting. Any other change in use may already require a special permit process under the zoning by-law.

Ms. Ogilby and Mr. Wheeler praised the developer of the Waverley Station for their helpfulness and cooperation with the process.

The Selectmen discussed the process of ranking and approving the proposals. Ms. Oaklander expressed concern that the public input will be less if it is only a part the BCPG's ranking while two separate rankings are also being done.

The Selectmen agreed to change the language to reflect that the BCPG will produce one consolidated ranking after consulting with and receiving the recommendations of the Department of Community Development and the Town Administrator, and present the ranking to the Board which will make the final decision.

The Board moved: to approve the presentation of the summary of the RFP to Town meeting as revised.

The motion was carried unanimously (3-0).

Woodfall Road Land Swap

The Board of Selectmen discussed the draft of the Term Sheet agreed to by the Belmont Country Club and Selectman Firenze and Mr. Younger on behalf of the Town, and a letter written by Town Counsel to the Belmont Country Club President stating this agreement.

The Board moved: to endorse Town Counsel's letter on this matter.

The motion was carried unanimously (3-0).

Other Articles

The Board of Selectmen discussed with Town Counsel the contents of and process of the amendment to the motion on Article 7 (Senior Center) previously voted on by the Board. It was agreed to get the text of the amendment to the Moderator and the Town Clerk.

The Board of Selectmen agreed to put a final version of Selectman Brownsberger's capital presentation on the Town's web site so that the voters may review it before the election.

Other

The Board of Selectmen agreed to meet in special session on Friday, October 28th at 10:00 AM to interview the Planning and Economic Development Manager candidates.

Mr. Younger reviewed with the Board the resumes of the two final candidates for the position. Both candidates have been approved by all the parties who participated in the interviews.

The Board of Selectmen expressed its intention to make a decision after conducting its interviews.

The Board moved: to recess until the Warrant Committee meeting begins and to stay in session during that meeting so that all Selectmen may legally be present.

The motion was carried unanimously (3-0).

The meeting was recessed at 7:25 PM for five minutes. The Warrant Committee meeting began at 7:30 PM.

[During the Warrant Committee meeting, there was discussion of Town Meeting Articles. Selectman Firenze spoke on behalf of the Woodfall Road land swap (Article 3) and the Committee voted unanimously to approve the article. Chairman Solomon and Selectman Firenze spoke on the Fire Station (Article 5) and reviewed the changes to the draft RFP summary made earlier by the Board. There was extensive discussion of the changes concerning historic preservation and significant opposition by Committee members to the role of the HDC. Selectman Brownsberger spoke in favor of the HDC's role. The Warrant Committee voted against Article 5, then voted for the Senior Center article (Article 7). The Committee adjourned at 9:30 PM, automatically recessing the Board of Selectmen's meeting.]

The Board of Selectmen re-convened its meeting at 9:36 PM. All members were present, as were Mr. Younger, Mr. Conti, and Mr. Giorgio. Also present were Warrant Committee members Pat Bruschi, Geoffrey Tillotson, and James Heigham.

The Board of Selectmen discussed what to do about the fire station article in light of the Warrant Committee's rejection of the article. The Board agreed that it was the role of the HDC in the process that had caused the majority of Warrant Committee members to oppose the article. The Board discussed how to alleviate this opposition.

The suggestion was made to allow the developer to appeal HDC decisions on this matter to the Board of Selectmen who would have the final say. All three Warrant Committee members present felt that this would constitute a major improvement and could alter the outcome if another vote was held. Ms. Bruschi also noted that the wording in the document about prior experience with commercial conversions might significantly reduce the number of bids from private citizens.

The Board of Selectmen agreed to incorporate the change in the role of the HDC, as well as information about the opportunity cost of all the restrictions in the RFP into a new draft, and give the new language to the Warrant Committee, HDC and BCPG for their review. Selectman Firenze will speak with members of the HDC tomorrow. Both drafts will be presented to the Capital Budget Committee tomorrow night. The Board of Selectmen will meet next at 6:00 PM on Monday, October 24 at the Chenery Middle School prior to Town Meeting and vote on approval of the new draft. Chairman Solomon will urge Warrant Committee Acting Chairman White to convene the Warrant Committee at 6:30 PM on Monday, October 24 prior to Town Meeting for the purpose of taking a vote on Article 5 based on the new draft, noting that all three members of the Warrant Committee (Bruschi, Tillotson, and Heigham) felt that such a vote would be in order.

The Board moved: to adjourn the meeting.

The motion was carried unanimously (3-0).

The meeting was adjourned at 10:15 PM.

Thomas G. Younger
Town Administrator