

**Warrant Committee FY06 Meeting Minutes**  
**April 19, 2006**  
**7:30 p.m. Chenery Middle School Community Room**

*Handout(s) distributed tonight are:*

1. *Historic Accessory Building Preservation (including two floor amendments)*
2. *The changes of the Historic Accessory Building Preservation bylaw since its prior year's introduction*
3. *April 7 memo RE: Article 16 – Disposition of McLean Land and presentation*

Member(s) absent: Callanan, Curtis, Fitzgerald, and Hobbs

Also present: Town Administrator Thomas Younger, Assistant Town Administrator Jeff Conti, Town Treasurer Floyd Carman, Historic Accessory Building TM Article Supporters Kit Dreier & Sally Alcorn, Senior Planner Jeffrey Wheeler, Town Assessor Dick Simmons, and Roger Colton

WC Chair Jones called the meeting to order at 7:32 PM. He reminded the Committee that the League of Women Voters Warrant Night is Thursday, April 20, at 7:30 in the Wadsworth Room of the Belmont Hill School.

**Historic Accessory Building TM Article 30 “The Barn Bylaw” (Handout 1)**  
***Sally Alcorn, Kit Dreier & Jeffrey Wheeler***

This article was on the warrant last year and withdrawn. Ms. Dreier stated the purpose is to enable the process that the owner of a separate structure may apply for a special permit to adapt the building for a different use. Only about 20 of these buildings remain, and a small portion of the owners of those structures will choose to adapt them to other uses. Our common concern is for the enhancement for Belmont's quality of life. Ms. Dreier gave some history of the Town of Belmont regarding its economy and buildings. This bylaw creates a mechanism to save some of these remnants of our Belmont heritage.

The Planning Board and Historic District Commission unanimously support this bylaw. The Planning Board is challenged to uphold the preservation, economic forces, and the inherent goals of our zoning bylaws.

Mr. Wheeler distributed the latest amendments approved by the Planning Board last night. The changes are underlined within the document. He reviewed the proposed amendments and changes from last year's document. The accessory building age now has to be built before 1921. The structure has to be deemed historic. The Historic Commission has the ability to review and recommend, not approve. This now limits to it to accessory dwelling units and home occupations. Also, the procedure has been changed. The HDC reviews the proposed exterior treatments and how the proposed reuse of the building affects the landscape, the building itself, and the structure. The Planning Board wants to ensure that

specific criteria are met in order to grant such a permit. How will the original architectural features be preserved? How will landscaping be affected? How will the structure be changed? This is only an accessory dwelling – not a primary one. The Planning Board may also require a restrictive covenant be put on the property.

Member Heigham disclosed that he has filed with the Town Clerk a proposed amendment eliminating the ability for an accessory dwelling, leaving only a home occupation as the only option.

Mr. Wheeler clarified that only one person may own the property and accessory structure.

Member Allison asked how many candidates are eligible for this identification. Ms. Dreier noted there are about “20 plus,” but she does not expect many will go forward with this new bylaw. Member Allison disclosed that she owns a historic home.

Mr. Wheeler pointed out the accessory building needs to be on the National Register. Zoning is not static; it's always changing. Ms. Dreier added the original version of the bylaw included a later construction date (around 1940), but that would have included many more eligible buildings.

Member Brusch clarified the building must be on the National Registry, not necessarily in just the Historic District. Also, the original architectural features must remain in tact and structure must not be relocated.

Mr. Wheeler said a special permit could be conditioned to prohibit the sale of the accessory dwelling unit. The usage has to be incidental to the primary dwelling unit. They cannot be condominium-ized. The structure and the use and ownership have to be part of the principal structure.

Member Heigham had other objections: extending the HDC beyond its own district, a prior Planning Board rejected bylaw this in total, the condominium dwelling may still be able to be done, if so it will be done in a district where the present single-family zoning district, and the original objective of this original proposer was to actually subdivide the lot.

Ms. Alcorn believes a person who owns a barn ought to be able to use it in an economically feasible way. The original uses for those barns and carriage houses cease to be important at the beginning of the automobile area.

Member Oates asked who makes the decision that the building is preserved or restored to the “maximum extent practicable” (6.11.4.c.3). Mr. Wheeler said it is the review of the HDC and decision of the Planning Board.

Selectman Solomon mentioned the Board of Selectmen will take a vote on this at Monday's meeting. While there is a concern about the HDC, there's an advantage to have their input since it is not the final word.

Ms. Dreier said the whole point of adaptive use is to make the building and property economic viable. That income is a preservation tool to help owners support the costs of a historic structure. It would be a great loss, almost to emasculate the bylaw, to have it limited to only home occupation use (through Member Heigham's possible proposed amendment).

Member Brusch asked for a list of the twenty properties in question. It would be important for Town Meeting members to have that information before the vote. Ms. Dreier circulated a short list, but it is not conclusive of everyone.

Assessing Administrator Simmons added there is no intrinsic increase in value that would occur with the passing of this bylaw. If the permit was granted, and the person invested money in converting the barn, the property value should then increase.

*Members who voted in favor to **recommend approval of Article 30:**  
Solomon, Widmer, and Gibson*

*Members who voted to **not recommend Article 30:**  
Heigham, Oates, Allison, Jones, White, Paolillo, Hofmann, Brusch, Tillotson,  
and Allison*

## **Article 26: Senior Property Tax Deferral Program**

### **Assessing Administrator Simmons and Board of Brendan Noonan III**

Assessing Administrator Simmons introduced Brendan Noonan III, newly elected to replace Angelo Borelli. Mr. Simmons then explained the proposed bylaw. Traditionally, this deferral has an 8% simple interest rate attached to it. The Legislature has allowed individual communities to change that percentage rate annually from 8% - 0%. The Board of Assessors is requesting to change that interest rate to 4.5% simple interest. Approximately 17 people currently take advantage of this program with a cumulative tax deferral of about \$100K. The program has been in effect since the late 1970s or early 1980s. The deferral becomes a lien on the property and that will be paid off plus interest.

Member Widmer asked why we should be rewarding a person's estate when there is a huge value built up in the home. What are we doing giving them a break on the interest rate? We are trying to find every penny in this Town right now. We are subsidizing the heirs to this issue.

Mr. Simmons pointed out the intent is to make it more appealing for people to defer their taxes if they qualify.

Member Oates asked why this is not attached to the prime interest rate. The flat 4.5% is unacceptable. Mr. Simmons added that rate is reviewable on an annual basis. The human cry we hear in the Assessing Department is that people feel they are being forced out of Town due to the increase in taxes.

Member Hofmann would like this changed to using the Prime Rate for the interest. Mr. Conti does not believe it would allow us to peg to Prime Rate; it has to be an actual number.

The Board of Selectmen unanimously supported this article. This is incentive for more people to join this program. Selectman Solomon personally supports this article as well.

Member Hofmann pointed out that the 17 people on this program shows there is no real incentive to join this program. The only people who win or lose here are the heirs and the people who buy the house.

Member Widmer pointed out the interest rate is not the issue here. Chair Jones thinks the incentive to join the program may increase if we raise the income threshold instead of changing interest rate. Mr. Simmons noted that would require a special act to change the income criteria. As an aside, the Prime Rate is currently at 7.75%.

*Members who voted in favor to **recommend approval of Article 26:***  
Solomon

*Members who voted to **not recommend Article 26:***  
Gibson, Heigham, Oates, Allison, Jones, White, Paolillo, Hofmann, Bruschi, Tillotson, Widmer, and Allison

Mr. Noonan noted that the Board of Assessors will ask that Article 27 be withdrawn at Town Meeting.

## **Article 16 Disposition of the McLean Land**

### **Roger Colton**

☞ Member Heigham made a motion, Member Bruschi seconded said motion and the Warrant Committee voted unanimously to **recommend approval of Article 16 to Town Meeting.**

## **Continue discussion of STM/ATM Articles**

### **STM Article 2**

☞ Member Hofmann made a motion, Member Tillotson seconded said motion and the Warrant Committee voted unanimously to **recommend approval of Article 2 to Special Town Meeting.**

### **STM Article 7**

Treasurer Carmen reviewed the background of this article.

☞ Member Hofmann made a motion, Member Brusch seconded said motion and the Warrant Committee voted unanimously to **recommend approval of Article 7 to Special Town Meeting.**

#### ATM Article 10 Position Classification

This article will be deferred to the meeting prior to Town Meeting.

#### ATM Article 12

The Board of Selectmen voted to accept the recommendation of rates.

☞ Member Hofmann made a motion, Member Heigham seconded said motion and the Warrant Committee voted unanimously to **recommend approval of Article 12 to Town Meeting.**

#### Article 13

☞ Member Heigham made a motion, Member Hofmann seconded said motion, and the Warrant Committee voted unanimously to **recommend approval of Article 13 to Town Meeting.**

#### Article 20

Member Widmer checked on the status on any legislation proposed at the State House. Apparently, the broader legislation is running into roadblocks from the unions. It is good for Belmont to go forward with Home Rule petitions to put some pressure on the Legislature ultimately. Almost no community can even fund this.

☞ Member Hofmann made a motion, Member Oates seconded said motion, and the Warrant Committee voted unanimously to **recommend approval of Article 20 to Town Meeting.**

### **Continued Discussion on Reduced Service budget**

#### Library

There will be a meeting on the discussion of closing the Benton Library within the May 8 BOS meeting. Town Administrator Younger said there is somewhat of a budget savings, but he wants to look at the long run possibilities. He added the City of Lynn is in the process of closing three of their branch libraries. Chair Jones noted that Wellesley is also considering this option. Town Administrator Younger mentioned that out of all the items mentioned for cutting, this is one that has gotten the most response.

Member White added we should consider the possibility of closing the Library on Mondays and/or Tuesdays. A technical contractual issue may arise that involves the full-time employees work schedule. Member Brusch said we could make changes fit when people could conceivably work.

Town Administrator Younger said the building and land is assessed close to \$800K, but he expects a lower actual number. Member Heigham mentioned it is a small, non-conforming lot. Changing that use might hurt the \$800K quite a bit.

Member Brusch asked if the concern is keeping it from being closed or from being sold. Town Administrator Younger thinks most residents have been requesting it remain open.

### Other Reductions

Town Administrator Younger also mentioned that his intention is to institute most of the reduced services already proposed. One area is a combination of an Engineer/Building inspector in Community Development. We are looking within our departments to see what we can do to still achieve our goals. With the Police Chief change, we may be able to shift some funds around in that department.

Selectman Solomon added that the Board has not discussed this since the failed override, but it will be discussed at a meeting in the near future.

### Senior Center

Town Administrator Younger gave the status of the Senior Center lease and the Archdiocese of Boston. They have not responded to yesterday's deadline. He has instructed Building Services Director Kevin Looney to get costs to move back into the modulars. The modulars are less cost than staying at Our Lady's. Costs gained are: \$90K/year in lease payments. June 2006 lease payment could go towards moving expenses. Also, there is ~\$30K less in operating costs. We would not be funding a person to work as a janitorial service as well. We can now tax the Senior Center and parking lot, which is about \$16K in additional revenue. The Archdiocese is a religious organization with real estate holdings and is therefore taxable.

### State Aid

Town Administrator Younger mentioned some possible changes in State Aid. Mr. Widmer said the State does not have the money to do this, but he expects something will be done to a lower degree.

### School Department Reductions of \$1,063,000 (Sorry, but I did not catch everything.)

- ☉ Increasing use of Athletic Revolving Funds
- ☉ No Middle School 5<sup>th</sup> grade teacher
- ☉ Cut 10% off supplies budget from level service
- ☉ Eliminate and reduce textbook amounts from level service (decrease ~ 71%)
- ☉ Reduce 65% of all equipment largely concerning computers
  - May impact staff morale
- ☉ Reduce 22% of building and grounds from level service
- ☉ Eliminate skiing and winter cheerleading
- ☉ Eliminate library aides
- ☉ Reduction in staff development (some concern with State law requirements)
- ☉ Cutting 3 High School FTEs, 1 Middle School and 2 Elementary School positions

- Larger class sizes at High School
- Some electives will not be offered
- ☛ No change in administration
- ☛ No change in overhead

Town Administrator Younger added there might be a group volunteering to do the delta maintenance on one area of Town.

### **Other**

Member Heigham moved adjournment at 9:37 p.m.

### **Next Meeting**

Monday, April 24 at 6:30 PM before Town Meeting in the High School Teacher's Lounge