

**TOWN OF BELMONT
PLANNING BOARD**

**MEETING MINUTES
APRIL 25, 2013**

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8:05 a.m. Meeting called to order.

Present: Sami Baghdady, Chair; Michael Battista, Vice-Chair; Elisabeth Allison, Charles Clark, Joseph DeStefano; Jeffrey Wheeler, Staff Liaison to the Planning Board

8:05 a.m. Continued Public Hearing: Demolition Delay General By-Law

Mr. Baghdady reviewed Town Counsel's response to the enforcement questions raised at the Board's last meeting. Specifically, members of the Board and audience were concerned that litigation could be brought directly by the Historic District Commission (HDC) to enforce the By-Law. Moreover, fines for demolishing a Significant Building without a demolition permit would be \$300 per day with no end since it would be impossible to restore the building.

Mr. Baghdady reported that according to Town Counsel these provisions are typical within Demolition Delay By-Laws. Practically speaking, the HCD would not have the funds to hire legal counsel on its own and to commence litigation, and any penalties imposed would have to be reasonable. Mr. Baghdady also compared the proposed language of the By-Law with the state model By-Law, which he found was almost identical. Finally, the Board discussed Robert McGaw's and the By-Law Review Committee's proposed amendments.

Moved by Mr. Clark to close the Public Hearing on the Demolition Delay General By-Law. Seconded by Mr. DeStefano. Motion passed unanimously.

Moved by Ms. Allison to recommend adoption by Town Meeting of the Demolition Delay By-Law as printed in the Annual Town Meeting Warrant. Seconded by Mr. Clark. Motion passed unanimously.

8:30 a.m. Adjournment