



MODERATOR'S MESSAGE ON TOWN MEETING PROCEDURES

Belmont's Town Meetings are conducted in accordance with the Massachusetts General Laws, our Representative Town Meeting statute, the General Bylaws, and traditional customs and practices that we have followed for many years, with guidance provided by the principles and rules of conduct in *Town Meeting Time, a Handbook of Parliamentary law*. Several matters of procedure are summarized below.

- An **article** in the Warrant provides notice to the Town Meeting of a matter to be considered. The article itself is not a specific proposal for action. A **motion** is a proposal for action by the Town Meeting and must be within the scope of the notice provided by an article in the Warrant. An article may not be amended but a motion may be amended by vote of the Town Meeting.
- Formal seconding will not be required on **main motions** under articles in the warrant. Seconding will be required on all other motions.
- All **main motions and proposed amendments** involving the expenditure of money must be in writing. All other motions and proposed amendments must also be in writing unless they are brief and simple as to be easily understood when stated orally.
- All substantive amendments and motions to be offered under an article in the Warrant must be submitted to the Town Clerk in writing not later than the close of business on the third (3rd) business day before the commencement of the session at which the Article is considered, in order to provide sufficient time for review by Town Counsel and the Moderator and to be made available for distribution to the Town Meeting Members before the commencement of such session. The Moderator may allow exceptions to the advance filing requirement in case of motions that are easy to understand, but such exceptions are within the exclusive discretion of the Moderator.
- Except for motions involving the expenditure of money or Bylaw amendments, the Moderator will first recognize the maker of the motion, if he or she wishes to speak.
- Before commencing discussion on motions involving the expenditure of money or Bylaw amendments, the Moderator will first call for committee reports as follows:
 - **Expenditure of Money** – Warrant Committee,
 - **Capital Improvements** – Warrant Committee, then Comprehensive Capital Budget Committee,
 - **General Bylaw amendments** – Bylaw Review Committee,
 - **Zoning Bylaw amendments** – Planning Board.
- Town Meeting Members wishing to speak should come to a microphone. When recognized by the Moderator, the Member should state his or her name and precinct number before commencing.

- Registered voters of the Town who are not Town Meeting Members may speak at the Town Meeting under special circumstances, but must seek permission of the Moderator in advance of the Meeting.
- Persons who are not Town Meeting Members may be admitted to the floor by invitation **but may not vote.**
- All discussion must be relevant to a motion before the town meeting. All speakers must address the Moderator; questions may be asked only through the Moderator. Speakers are limited to an initial question and one follow-up question. A Town Meeting Member who wishes to make a motion that is debatable must first make the motion and, after it is seconded, if required, the Moderator will recognize the maker of the motion to speak to it. The Moderator will not recognize a motion made at the conclusion of a speech. This, by definition, includes a motion that would terminate debate, such as a motion for the previous question.
- The Moderator will try to recognize Town Meeting Members in the order in which they come to the microphones. While our General Bylaws do not set a time limit for Town Meeting Members when speaking for the first time, the Moderator has established a limit of three minutes. Unless the Town Meeting consents no person may speak more than twice upon any question, except to correct an error or to make an explanation of a previous statement. No person should seek recognition to speak for a second time until others who have not yet spoken have had an opportunity to be recognized.
- Section 30-115 (F) of our General Bylaws requires that all votes shall be taken in the first instance by electronic roll call vote, except those motions that are privileged, subsidiary, incidental or non-binding,
- Our Bylaws require that a Town Meeting Member who wishes to speak on an issue in which he or she or a member of his or her family has a direct financial interest, or in which he or she is engaged as an attorney or consultant, must first disclose this interest to the Town Meeting.
- A motion to reconsider a vote adopted at one session of a Town Meeting may not be made at an adjourned session of the same Town Meeting unless the mover has given notice of his or her intention either at the session at which the vote was passed or by written notice delivered to the Town Clerk by 12 o'clock noon on the first business day following the commencement of the session at which the vote sought to be reconsidered was passed. If the vote to be reconsidered was taken by roll call vote, a motion to reconsider will not be in order unless it is made by a Town Meeting Member who had voted with the prevailing side. A two-thirds vote is required for reconsideration; no vote may be reconsidered more than once.
- Action on our general budget article will not be considered final so as to require a two-thirds vote for reconsideration, or any other procedures relating to reconsideration, until all action under that Article has been completed.

Any citizen who has questions about Town Meeting procedures is encouraged to email me at mike.j.widmer@gmail.com.

Michael J. Widmer
Moderator

You are invited to attend the:

LWV Warrant Briefing

Thursday, November 7th, 2024

at 7:00 PM

Viewing Options:

<https://us02web.zoom.us/j/87097616823>

Zoom meeting ID: 870 9761 6823

Live broadcast: Belmont **Ch 8 (Comcast); Ch 28 (Verizon)**
Livestream or on-demand: belmontmedia.org/watch/govtv

Opportunity to ask questions about:

Warrant Articles

prior to

Special Town Meeting

November 18th

**Town Officials and Department Heads
will be present to provide information**

Paul Rickter

Chair of the Warrant Committee will preside

**Cosponsored by: the Warrant Committee
and the**



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**TOWN OF BELMONT
WARRANT FOR 2024 SPECIAL TOWN MEETING
NOVEMBER 18, 2024
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To any of the Constables of the Town of Belmont in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in elections and Town Affairs, to convene on **MONDAY, NOVEMBER 18, 2024, at 7:00 P.M.** in person at the Belmont High School Auditorium and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles.

Interested members of the public may see and hear the proceedings by tuning in to the Belmont Media Center's live broadcast of the proceedings on Belmont cable television (Comcast channel 8, Verizon channel 28) or by live-streaming at www.belmontmedia.org.

ARTICLE 1

REPORTS

To hear the report of the Select Board and other Town Officers, any Committee heretofore appointed and to act thereon.

This article accepts the reports of Town departments appearing in the Annual Town Report and allows the Select Board and other Town officers, boards and committees to report orally to the Town Meeting on appropriate matters not otherwise appearing on the Warrant. This article stays "on the table" throughout the Town Meeting to allow Town officials and committees to report at the call of the Moderator.

Majority vote required for passage.

ARTICLE 2 NEW ZONING BYLAW(S): ZONING MAP & MBTA COMMUNITIES MULTI-FAMILY HOUSING OVERLAY DISTRICT

To see if the Town will create a MBTA Communities Multi-family Housing Overlay District (MOZ) to allow multi-family housing as of right, subject to site plan review, in accordance with M.G.L. c. 40A, § 3A, by adding a new Section 9, substantially in the form set forth in Appendix 1 to this Town Meeting Warrant, and by amending the Belmont Zoning Map to include the MOZ District, or in any way act thereon.

Submitted by the Planning Board

The Select Board and the Planning Board will report on this Article.

Majority vote required for passage.

ARTICLE 3 AMEND ZONING BYLAW(S): SPECIAL REGULATIONS SECTION 6.10 INCLUSIONARY ZONING

To see if the Town will vote to amend the Zoning Bylaws Section 6.10 Inclusionary Zoning as follows;

Text that is underlined is proposed for inclusion.

Text that is ~~stricken out~~ is proposed for deletion

A **yellow highlighting** is also provided to emphasize proposed text changes.

SECTION 6. SPECIAL REGULATIONS

6.10 Inclusionary Housing

Note: §6.10 was adopted under Article 17 at the 2013 Special Town Meeting.

6.10.1 Purpose

The purposes of this Section are to encourage the expansion and upgrade of the Town's affordable housing stock, in order to provide for a full range of housing choices for households of all incomes, ages and sizes; to prevent the displacement of low- to moderate-income Town residents; to increase the production of Affordable Units to meet existing and anticipated employment needs within the Town; to establish standards and guidelines in order to implement the foregoing; and to meet the requirements of MGL c. 40B and the Local Initiative Program.

6.10.2 Definitions

For purposes of this Section 6.10 of the Zoning By-Law, capitalized words shall mean as defined elsewhere in this By-Law or as defined below:

Affordable Housing Trust Fund - An account established and operated for the exclusive purpose of creating or preserving affordable housing in the Town. The Affordable Housing Trust Fund may be used for the following purposes within the Town: the purchase and improvement of land and Housing Units for the development of new and/or rehabilitated Housing Units for purchase or rental by Qualified Affordable Housing Purchasers or Tenants or to preserve existing affordable housing. Expenditures from the Affordable Housing Trust Fund shall be authorized by a majority vote of the Belmont Housing Trust.

Affordable Housing Unit - A Housing Unit that by Deed Restriction is and shall remain affordable to and occupied by a Qualified Affordable Housing Unit Purchaser or Tenant, and is eligible for inclusion in the Chapter 40B Subsidized Housing Inventory through the Local Initiative Program.

Belmont Resident – Since there is a “local preference” for some of the Affordable Housing Units, the people or households that may qualify for the local preference must be Belmont Residents, defined as follows:

- a. an individual or family maintaining a primary residence within the Town of Belmont;
or
- b. an individual who is employed within the Town of Belmont; or
- c. a parent or guardian with children attending the Town of Belmont Public Schools.

Comparable Unit - When used with respect to quality, character, and room size, means that there are sufficient features in common between the Affordable Housing Unit and the Market Rate Housing Unit so as to render the units similar in nature. Moreover, while the actual design or finishes provided in the Affordable Housing Units versus the Market Rate Housing Unit may differ in a non-material fashion and still constitute Comparable Units, the same amenities proposed for the Market Rate Housing Unit must be provided for the Affordable Housing Units, including without limitation full kitchen, full bath, and parking.

Further, the actual room size for the Affordable Housing Unit may not differ in any significant manner to that of the Market Rate Housing Unit.

Notwithstanding the foregoing, when used with respect to external appearance, location and bedroom distribution, means that the external appearance of the Affordable Housing Unit and the Market Rate Housing Unit must be so similar in nature so as to render them indistinguishable while the location of the Affordable Housing Units and the bedroom distribution of such units must be no different from that of the Market Rate Housing Unit.

Deed Restriction - A provision, acceptable in form and substance to the Town of Belmont, in a deed to real property that runs with the land in perpetuity or for the longest period of time allowed by law, so as to be binding on and enforceable against any person claiming an interest in the property. Any Restriction created under this Section 6.10 shall survive any bankruptcy, insolvency, foreclosure, or other action, and shall not be subject to nullification for any reason. Additionally, the Restriction shall provide that in the event that any affordable rental unit is converted to a condominium unit, the

condominium unit shall be restricted in perpetuity to ensure that it remains affordable to households in the same income range as prior to the condominium conversion.

Development - A single parcel or set of contiguous parcels of land held in common ownership for which one or more building permits will be sought within a 24-month period of time. The number of Housing Units to be counted from any project shall be calculated as the net increase in the number of Housing Units as compared to the number of Housing Units in existence on such land as of the date that the building permit application is filed with the Town of Belmont Office of Community Development Planning and Building.

Dwelling Unit - A building or portion of a building intended as living quarters for a single family, having a single set of kitchen facilities (a stove plus either or both refrigerator and sink) not shared with any other unit; or quarters for up to five persons in a dormitory, congregate dwelling, or similar group dwelling.

Housing Unit -

- a. A Dwelling Unit; or
- b. A habitable unit within a senior or assisted living facility.

Market Rate Housing Unit – Housing Units available to the general public on the open market, without price restrictions or consumer income limitations.

Area Median Income – the mid-point of incomes of households in the Boston Standard Metropolitan Statistical Area, adjusted for household size, as determined annually by the United States Department of Housing and Urban Development and regardless of housing type or ownership.

~~**Mixed-Use Residential Development** – A Development consisting of a combination of residential and non-residential uses.~~

Qualified Affordable Housing Unit Purchaser or Tenant - A household with total annual income that does not exceed eighty percent (80%) of the **Area Median Income**, except where affordability is targeted to a lower level.

~~**Residential Development** – A Development consisting exclusively of Housing Units.~~

6.10.3 Applicability

This Section 6.10 shall apply to any Development with six (6) or more new Housing Units. Development with a residential component that requires a Special Permit pursuant to Section 3.3 of the Zoning By Laws, Schedule of Use Regulations, or pursuant to any overlay district.

6.10.4 Requirements

- 1) Residential Developments that result in with six (6) or more new Housing Units shall provide Affordable Housing Units as outlined in the table below:

Size-New Housing Units in the of Residential Development	Percent of Affordable Housing Units Required for Residential the Developments
6 to 12 Housing Units	10%
13 to 20 Housing Units	12%
More than 20 Housing Units	15%

Note: §6.10.4 was amended under Article 3 at the 2019 Annual Town Meeting.

- 2) Where the calculation of Affordable Housing Units results in a fractional unit greater than one-half (.5), the fraction shall be rounded up to the next whole unit. ~~Where the calculation results in a fractional unit less than or equal to one-half (.5), the fraction shall be rounded down to the next whole unit.~~
- 3) Rental Developments with for-rent housing units for households at 50% or less of Area Median Income may reduce the total number of required Affordable Housing Units by an amount equal to the number of for-rent units available to households at 50% or less of Area Median Income, or by 25% of the Affordable Housing Units required, whichever is less.
- 4) Except for cash payments permitted in under Section 6.10.5 with respect to for-sale Developments, Affordable Housing Units shall be provided within the Development that requires the Affordable Housing Units.

6.10.5 Cash Payment Option for For-Sale Affordable Units

In exceptional circumstances, the Planning Board may allow the applicant for a Development of 6 or more for-sale new Housing Units to make a cash payment to the Affordable Housing Trust Fund in lieu of providing Affordable Housing Units required under this Section 6.10.

Such cash payment shall be equal to 5% of the projected total sale price of the Housing Units based on an appraisal satisfactory to the Planning Board. In making its decision, the Planning Board shall seek a recommendation from the Belmont Housing Trust.

Note: §6.10.5 was amended under Article 3 at the 2019 Annual Town Meeting.

6.10.6 Selection of Qualified Affordable Housing Unit Purchasers or Tenants

The selection of Qualified Affordable Housing Unit Purchasers or Tenants shall be pursuant to the Local Initiative Program and shall be administered as follows:

- a. The selection process shall include a plan for marketing of the Affordable Housing Units created under this Section 6.10. The duration and design of this plan shall reasonably inform all those seeking affordable housing, both within and outside the Town, of the availability of such units.
- b. Belmont Residents shall be given preference for seventy percent (70%) of the Affordable Housing Units created under this Section 6.10.
- c. Owners of Developments may sell or lease Affordable Housing Units to the Town of Belmont, the Belmont Housing Trust, the Belmont Housing Authority, or to a private nonprofit entity serving Belmont for the purpose of providing affordable housing opportunities within the Town, in order that such entity carry out the steps needed to market the Affordable Housing Units and manage the choice of buyers or renters.

6.10.7 Timing of Construction

- 1) Occupancy permits for any new Market-Rate Housing Units or nonresidential space shall be issued at an equal ratio of occupancy permits for required Affordable Housing Units.
- 2) Affordable Housing Units shall be dispersed throughout the building(s) and shall be comparable to Market-Rate Housing Units. Affordable Housing Units provided under terms of this Section 6.10 shall be provided on-site in the subject Development.

For an Affordable Housing Unit within a senior or assisted living facility, a comparable Affordable Housing Unit shall include the provision of mandatory living services.

- 3) ~~All documents necessary to ensure compliance with this Section 6.10 and the Local Initiative Program provisions shall be subject to the review and approval of the Special Permit Granting Authority and Town Counsel. Such documents shall be a condition of the Special Permit and executed prior to the issuance of any Certificate of Occupancy.~~

6.10.8 Rental Development Annual Oversight and Monitoring

- 1) There shall be a monitoring agent for rental Developments with Affordable Housing Units, to be agreed upon by the owner of the Development and either the Special Permit Granting Authority, or if there is none, the Planning Board. In making its decision, the Special Permit Granting Authority or Planning Board shall seek and follow a recommendation from the Belmont Housing Trust, in the absence of extenuating circumstances.
- 2) The owner shall be responsible for all payments charged by, or related to, the monitoring agent.

- 3) An annual independent compliance audit shall be submitted to the Town by the monitoring agent to ensure compliance with this Section 6.10 and the Local Initiative Program provisions.

6.10.9 General Provisions

- 1) All documents necessary to ensure compliance with this Section 6.10 and, as applicable, the Local Initiative Program provisions, including a fair housing marketing plan, a lottery plan, and a rental application shall be subject to the review and approval of the Special Permit Granting Authority, or if there is none, the Planning Board and Town Counsel.
- 2) Prior to rendering its decision, the Special Permit Granting Authority or Planning Board shall solicit a recommendation from the Belmont Housing Trust. In light of the Trust's expertise on and knowledge of affordable housing requirements, in the absence of extenuating circumstances the Special Permit Granting Authority or Planning Board shall give the Belmont Housing Trust recommendation substantial weight. The recommendation from the Housing Trust shall be provided prior to the commencement of the Planning Board's deliberations on the application.
- 3) The compliance documents shall be a condition of the any Special Permit, or if there is none, Design and Site Plan Review, and executed prior to the issuance of any Certificate of Occupancy.
- 4) Enforcement of this Section 6.10, as it applies to all Developments, shall be the responsibility of the Building Inspector.
- 5) Provision of accessible Housing Units shall be as determined by Federal Regulations. Standards for accessible units shall comply with 24 C.F.R. Section 8.32.
- 6) This Section 6.10 shall not apply to the rehabilitation of any building or structure, all of or substantially all of which is destroyed or damaged by fire or other casualty or a natural disaster; provided, however, no rehabilitation nor repair shall increase the density, bulk, or size of any such building or structure which previously existed prior to the damage or destruction thereof except in conformance with this Section 6.10.
- 7) This Section 6.10 shall not apply to Developments under Massachusetts General Laws (MGL) Chapter 40B.

6.10.10 Severability, Conflict with Other By-Laws

- 1) If a court of competent jurisdiction holds any provision of this Section 6.10 invalid, the remainder of this Section shall not be affected thereby. The invalidity of any section or sections, or parts of any section or sections, of this Section shall not affect the

validity of the remaining sections or parts of sections or the other By-Laws of the Town of Belmont.

- 2) Nothing contained in this Section 6.10 shall be construed to apply to the use of land or structures for religious or educational purposes if doing so would violate the applicable provisions of M.G.L. Chapter 40A, Section 3.
- 3) To the extent this Section 6.10 is silent on a particular issue or conflicts with the Local Initiative Program, the requirements of the Local Initiative Program shall govern.

or in any way act thereon.

Submitted by the Planning Board

The Select Board and the Planning Board will report on this Article.

Two-thirds vote required for passage.

ARTICLE 4 AMEND ZONING BYLAW(S): ADMINISTRATION SECTION 7.3 SITE PLAN REVIEW

To see if the Town will vote to amend the Zoning Bylaws Section 7.3 Site Plan Review as follows;

Text that is underlined is proposed for inclusion.

Text that is ~~stricken out~~ is proposed for deletion

A **yellow highlighting** is also provided to emphasize **proposed text changes**.

SECTION 7. ADMINISTRATION

7.3 Design and Site Plan Review

Note: §7.3 was amended by Article 16 at the 2005 Annual Town Meeting.

7.3.1 Purpose

- a) To maintain the integrity and character of all zoning districts and adjoining zones by **insuring** ensuring that proposed development fulfills the purposes and complies with the requirements of the Belmont Zoning By-Law (“these By-Laws”).
- b) To **insure ensure** that development which is subject to this review is planned and designed to minimize impacts on its abutters, the neighborhood, and the environment.

- c) To provide an orderly review procedure where site plans of proposed projects can be approved with reasonable conditions ~~which that will~~ further the purposes of these By-Laws.

7.3.2 Applicability and Waiver

The Planning Board shall hear and decide all petitions for Design and Site Plan Review in accordance with the provisions of this Section 7.3.

- a) Design and Site Plan Review is required for any new building or addition or change in use of a predominantly non-residential building greater than 2,000 2,500 gross square feet gross floor area; ~~change in use of a non-residential or multi-family predominantly non-residential building greater than 2,000 2,500 gross square feet gross floor area in any zoning district;~~ or a proposal that results in the need for six requires five (65) or more parking spaces on the lot; ~~or a or if the proposal that~~ reduces the number of on-site parking spaces or changes ~~to~~ the configuration of off-street parking, screening, egress, utilities, drainage or lighting.

~~For addition or alterations of less than 2,500 gross square feet, the Planning Board may waive any or all of these requirements.~~

- b) Design and Site Plan Review is not required for those uses which require a Special Permit (for use) from either the Planning Board or the Zoning Board of Appeals. If a Special Permit is required per Section 1.5 of these By-Laws, it shall be obtained prior to the submittal of an application for Design and Site Plan Review.
- c) Upon written request, the Planning Board may waive any or all of these requirements for an addition to, or alteration of, an existing structure affecting less than 2,000 gross square feet, or a reconstruction or change in use of an existing structure, if it determines that the addition, alteration, reconstruction, or change in use will not have a significant impact on: vehicular and pedestrian movement within the site and on adjacent streets; public services and infrastructure; environmental, unique and other resources; abutting properties; and community needs.

7.3.3 Application Procedures

Each application for Design and Site Plan Review shall be submitted to the Office of ~~Community Development~~Planning and Building (OCDOPB) during regular business hours and shall contain all of the information noted below. Applicants are encouraged to meet with ~~OCD OPB~~ staff planners, abutters to the proposal and informally with the Planning Board to discuss the proposal prior to submittal.

- a) Required application materials include the following:
 1. ➤ A completed application form and the applicable fees to address the administrative, advertising and review costs of the Town,

2. ➤ An original and thirteen (13) copies of the application package and plans, and
 3. ➤ Site information as required in Section 7.3.4 below.
- b) Within ten (10) days of receipt of the application package, the Office of **Community Development Planning and Building** shall provide copies to the **Board of Selectmen Board**, Board of Health, Zoning Board of Appeals, Department of Public Works and the Fire and Police Departments **to requesting** written comments prior to the hearing date. **If proposed buildings include housing units that are new or newly affordable housing units, the OPB shall also provide copies refer the application to the Affordable Housing Trust.** The application may also be provided to other appropriate boards or committees (the Traffic Advisory Committee, **Housing Trust**, or Conservation Commission for example). Comments received by **OGD-OPB** shall be made available to the Applicant upon request prior to the hearing.
- c) The Planning Board shall hold a public hearing within 45 days of **OGD-OPB** receiving the application. Notice of the public hearing shall be placed in a newspaper of general circulation, by posting at Town Hall and the **OGD-OPB** website at least seven (7) days before the hearing. Notice shall be sent by mail to the Applicant and abutters (within 300 feet) prior to the hearing date.
- d) **In reviewing the application, the Planning Board shall review whether the proposal adheres with the provisions of the Zoning By-law, including whether:**
1. **The dimensions of the proposed building(s), lot and lot coverage comply with the requirements provided in table form per Section 4 of this By-Law.**
 2. **The arrangement of parking and loading spaces, internal traffic circulation and traffic controls in relation to the proposed uses of the building(s) and adjacent uses comply with Section 5.1 of this By-Law.**
 3. **All Signs comply with Section 5.2 of this By-Law.**
 4. **All Landscaping complies with Section 5.3 of this By-Law.**
 5. **Any screening of exterior dumpsters or similar trash receptacles complies with Section 5.3 of this By-Law, and**
 6. **All Environmental Controls comply with Section 5.4 of this By-Law,;**
 7. **The proposal conforms to any special site plan provisions in applicable overlay or special districts.**
- e) **The Planning Board may also review:**
1. **Protection of directly adjacent premises against significantly detrimental uses by provision for surface water drainage, sound and sight buffers and screening, and preservation of views, light and air;**
 2. **Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and,**

~~when necessary, compliance with other regulations for the handicapped, minors and the elderly; vulnerable populations.~~

3. ~~Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;~~
 4. ~~Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;~~
 5. ~~Adequacy of the method of exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky;~~
 6. ~~The relationship of structures and open spaces to neighboring buildings, the natural landscape, parks and other recreational areas or facilities, or other community assets in the area;~~
 7. ~~The project's incorporation of sustainability and resiliency principles; and~~
 8. ~~Any other applicable non-discretionary criteria to be considered during Design and Site Plan Review as set out elsewhere in the By-Law.~~
- f) ~~For any proposed project involving only the creation of ten or fewer new housing units, a change in use of up to 5,000 gross square feet of floor area, reconstruction of an existing building, or changes to the configuration of off-street parking, screening, egress, utilities, drainage, or lighting, the Planning Board's review should generally focus on the layout of and conditions on the site, and sound and sight buffers and screening, and not on other impacts on nearby properties or any aspect of the site plan which will not change from a prior use.~~
- g) Within 20 days following the close of the public hearing, the Planning Board shall act on the application. Approval shall require a majority vote of the five (5) members. The associate Planning Board member shall sit on the Board for the purposes of acting on a Design and Site Plan Review application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board or in the event of a vacancy on the Board. This time period may be extended at the request of the Applicant.

Note: §7.3.3 c) was amended by Article 6 at the 2010 Special Town Meeting.

- h) ~~As appropriate, the Applicant may also be required to receive an Order of Conditions from the Conservation Commission, approval from the Board of Health, or a Stormwater Permit from the Town Engineer, prior to the Planning Board acting upon an application.~~

~~The Design and Site Plan Review application shall be approved provided that all of the requirements of these By-Laws are fulfilled. The Board may attach reasonable conditions to any approval. An approval does not relieve the applicant of the~~

responsibility of obtaining other required approvals and/or permits from local boards, state or federal agencies.

If the Design and Site Plan Review application does not conform to the requirements of these By-Laws, the Planning Board shall identify these deficiencies in writing and may deny approval. A new application and hearing process will then be required for further consideration of the proposal.

- i) Any appeal may be filed with Zoning Board of Appeals (ZBA) in conjunction with an appeal from the denial or grant of a Building Permit for the subject site.
- j) No Building Permit shall be issued to the Applicant (or his/her designee) until the Planning Board has filed its written decision with the Town Clerk or after 20 days has elapsed from the close of the public hearing without a decision being filed.
- k) The Planning Board is authorized to establish rules and regulations for Design and Site Plan Review consistent with the provisions of this Section 7.3 and the remainder of this By-Law.
- l) Provided that they meet the following criteria, any rules and regulations established pursuant to Section 7.3.3(k) may include provisions for the assessment of reasonable fees for the use of outside consultants for peer review in accordance with G.L. c. 44, § 53G:
 1. **Fee Schedules:** the rules and regulations shall include a schedule of reasonable fees or cost limits.
 2. **Consultant Engagement:** the rules and regulations shall provide that the Planning Board may engage outside consultants to evaluate applications in order to:
 - Assess the necessity and appropriateness of proposed mitigation measures.
 - Determine the scope and details of required mitigation measures.
 - Review compliance with the conditions and standards outlined in this Section 7.3 and other applicable By-law provisions.
 3. **Standardization:** the rules and regulations shall provide a process for the Planning Board or its designee to solicit or engage outside consultants. They may include provisions for the Planning Board or its designee to maintain a list of pre-approved outside consultants.
 4. **Selection Criteria:** the rules and regulations shall provide that the Planning Board shall select outside consultants and determine the scope of their services based on:
 - Clearly-defined needs, issues, or questions;
 - The consultant's qualifications and expertise, including whether the consultant meets the minimum qualifications set out in G.L. c. 44, § 53G; and
 - The absence of a conflict of interest as required by G.L. c. 44, § 53G.

5. **Use of Consultant Findings:** the rules and regulations shall provide that the Planning Board shall review and consider the outside consultants' findings, recommendations, or other work product in deciding whether to grant Design and Site Plan Approval, and if so, whether to impose conditions, for the application for which the outside consultant was engaged.
6. **Appeals:** as required by G.L. c. 44, § 53G, the rules and regulations shall provide for an administrative appeal on the basis that the consultant has a conflict of interest or does not possess the minimum, required qualifications.

7.3.4 Design and Site Plan **Submittal Application** Requirements

Each application for Design and Site Plan Review shall include the following information unless, prior to submittal, the Planning Board has determined that certain materials are not germane to the decision being made, and authorizes their omission:

- a) Site plans at a scale of 1"=20' prepared and stamped by a professional engineer (P.E.) or a Registered Professional Land Surveyor (RPLS). (The Board may approve another scale or waive the PE/RPLS requirement in specific circumstances.) The plans shall show
 1. All new buildings, additions, adjacent structures
 2. Streets, sidewalks and crosswalks
 3. All existing and proposed open spaces
 4. Site development details shall include existing and proposed walls, fences, outdoor lighting, street furniture, new paving and ground surface materials.
 5. Points of vehicular and pedestrian access/egress shall be shown.
 6. All utilities, easements or service facilities, insofar as they relate to the project, shall be shown.
 7. Proposed site grading, including existing and proposed grades at property lines shall be shown.
- b) Building elevations or drawings shall be provided at a scale of 1/8" = 1' or other appropriate scale.
- c) A brief narrative describing the proposal ~~and its potential impacts on its abutters and the neighborhood.~~ The narrative should address issues such as the hours of operation, the number of seats for restaurants, clubhouses, or places of public assembly, anticipated number and frequency of events at clubhouses, places of public assembly, or anticipated pupil enrollment and use schedule for schools for profit, number of parking spaces, the square footage of the site and buildings, and potential impacts on open spaces. For multi-family proposals a table with the number, type and size of dwelling units should be ~~discussed~~ provided. The Planning Board may, at its discretion, require an estimate of municipal revenues and costs expected to be generated by the project, including anticipated real estate valuation and public service needs.

- d) The proposed method of stormwater removal accompanied by calculations for a 20-year storm event. All efforts shall be made to meet the most current Department of Environmental Protection Stormwater Management Design Guidelines. A brief narrative describing the applicability or non-applicability statement explaining how the proposed project meets the requirements of the Stormwater Management and Erosion Control Bylaw and, if the Bylaw applies, how the applicant intends to comply. This requirement may be satisfied by demonstrating that the applicant has received a Stormwater Management and Erosion Control Permit in accordance with Section 60-325 of the General Bylaws of the Town of Belmont.

7.3.5 Decision Criteria Approval Guidelines:

At its discretion, the Planning Board may require the completion of a Development Impact Report pursuant to Section 7.5 of these By-Laws prior to acting on the application. The Applicant may also be required to receive an Order of Conditions from the Conservation Commission and/or approval from the Board of Health prior to the Planning Board acting upon an application.

- a) The Planning Board must grant Design and Site Plan Approval if the proposed project fulfills all requirements of these By-Laws. The following criteria and requirements must be fulfilled:
- The dimensions of the proposed building(s), lot and lot coverage shall comply with the requirements provided in table form per Section 4 of these By-Laws,
 - The arrangement of parking and loading spaces, internal traffic circulation and traffic controls in relation to the proposed uses of the building(s) and adjacent uses shall comply with Section 5.1 of these By-Laws,
 - All Signs shall comply with Section 5.2 of these By-Laws,
 - All Landscaping requirements shall comply with Section 5.3 of these By-Laws,
 - The method to dispose of refuse and other waste if it is not within the structure shall be defined. Screening of exterior dumpsters or similar trash receptacles shall comply with Section 5.3 of these By-Laws, and
 - All Environmental Controls shall comply with Section 5.4 of these By-Laws.
- b) The Board may establish reasonable conditions for mitigation or for other regulatory purposes to any Design and Site Plan Approval. The Board may require that some or all of any conditions of Approval be secured by a deposit of money or an Irrevocable Letter of Credit in the Town's favor. This performance guarantee shall bear a reasonable relationship to the expected costs of completing the specified work being secured.
- c) If the Design and Site Plan Review application does not conform to the requirements of these By-Laws, the Planning Board shall either deny the application, or approve the application subject to conditions sufficient to ensure compliance. If the Planning

- Board denies the application, it shall, at the applicant's request, identify the deficiencies in writing.
- d) Design and Site Plan ~~Review~~ Approval shall lapse if on-site construction is not commenced within ~~two-three~~ (23) years from the date of Approval. The Planning Board, in its sole discretion, may extend this date for good cause shown. If the Approval lapses, a new submittal and hearing will be required.
- e) Upon completion of the project, the developers shall submit "as-built" plans to the Office of Community Development Planning and Building for review. Upon acceptance of the plans by Office of Community Development Planning and Building and the Planning Board, the developer may submit a written request for a release of the performance guarantee, as may be applicable. This provision may be waived by the Planning Board in certain circumstances when it is deemed unnecessary based on the scale or scope of the project or when as-built plans specifically will not provide any meaningful new information.
- f) An approval does not relieve the applicant of the responsibility of obtaining other required approvals and/or permits from local boards, state or federal agencies.

7.3.5 Revisions to an Approved Site Plan:

- a) The Applicant, property owner, Building Commissioner or the Planning Board may petition to ~~change or~~ modify a Design and Site Plan Approval based on. This may occur in the event of unforeseen site characteristics, infrastructure or economic problems/issues, or other unexpected circumstances, or other appropriate circumstances. Any such petition that proposes changes to the approved plan shall include a revised site plan.
- b) OPB shall review each petition and, if it determines that the proposed modification is de minimis, shall approve the petition. Otherwise, it shall refer the petition to the Planning Board.
- c) The Planning Board shall review each petition referred to it to determine whether the proposed modification is minor, material, or major. In undertaking such review, the Planning Board may consider the reason for the petition. All proposed changes shall be reviewed and discussed by the Planning Board at a regularly scheduled meeting prior to the initiation of such on the property.
1. ➤ If the Planning Board determines the proposed modification is minor, the Planning Board may approve the changes by majority vote without a public hearing. Minor changes, as determined by the Planning Board, may be approved without a public hearing.
 2. ➤ If the Planning Board determines the proposed modification is material but not major, the Planning Board may hold The Planning Board reserves the right to require a new public hearing at the expense of the Applicant.

3. ~~If the Planning Board determines the proposed modification is major, it may require the applicant to submit a new application for Design and Site Plan Approval. it determines that a proposed change or modification is major and/or significant.~~
4. ~~Upon approving a petition to make a minor or material modification to a Design and Site Plan Approval, the Planning Board shall detail the approved modification in writing and the applicant shall submit a revised site plan consistent with the Planning Board's decision. All approved changes or modifications shall be detailed in writing by the Planning Board. All changes or modifications shall be shown on a revised plan and if approved, shown on the "as-built" plans.~~

7.4 Special Permits

Note: §7.4 was adopted by Article 17 at the 2005 Annual Town Meeting.

7.4.1 Special Permit Granting Authority

At various places in this By-Law, authority for acting on particular Special Permits is assigned to the Planning Board or the Board of Appeals. Where no Board is specifically designated, the Board of Appeals shall act as the Special Permit Granting Authority (SPGA).

Pursuant to Chapter 40A, Section 9 of the General Laws, the Planning Board shall have an associate member for the purposes of acting on a Special Permit application in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board or in the event of a vacancy on the Board. Said associate member shall be appointed by the ~~Board of Selectmen~~ Board.

Note: §7.4.1 was amended by Article 6 at the 2010 Special Town Meeting.

7.4.2 Applicability

Special Permits are required for

1. Specified expansions, alterations and/or changes to non-conforming structures and uses as defined in Section 1.5. The criteria listed therein shall apply to those petitions.
2. Those uses noted in Section 3.3 and,
3. Where otherwise specifically provided for within these By-Laws.

Where a Special Permit is required to allow a use, no Design and Site Plan Review pursuant to Section 7.3 is necessary from the Planning Board.

7.4.3 Special Permit Criteria

The following shall be the basis for decisions on Special Permits, except as may be more specifically provided elsewhere in this By-Law. Special Permits shall be granted only if the Special Permit Granting Authority determines that the proposal's benefits to the Town will outweigh any adverse effects for the Town or the vicinity, after consideration of the following preferred qualities, among other things:

a) Location

1. There shall be adequate provisions for water, sewerage, stormwater drainage for the proposed use and no additional adverse impacts should be created.
2. The site should be able to accommodate the proposed use without substantial environmental impacts, impacts to valuable trees or other natural resources.
3. The site should be able to accommodate the proposed use without substantial impacts on municipal infrastructure and with minimum traffic impacts on abutting residential neighborhoods.

b) Activity Type and Mix

1. Residential proposals should serve housing needs of local residents, broaden the diversity of housing within the Town and/or provide affordable housing opportunities pursuant to Section 6.10 of these By-Laws.

Note: §7.4.3 b) 1 was amended by Article 26 at the 2003 Annual Town Meeting.

2. The use should complement the character and the scale of existing buildings/uses/activities in the neighborhood and not create undesirable impacts.
3. The use shall be beneficial to the Town and fulfill a need.

c) Visual Concerns

1. Views from public ways and developed properties should be considerably treated in the site arrangement.
2. The visual impact of parking and service areas should be minimized and should be screened from abutting premises.
3. Departure from the architectural scale of buildings on abutting and nearby premises should be minimized, except where the departure would serve a town purpose.

d) Access

1. Vehicular and pedestrian access/egress should be safe and convenient and shall be designed to minimize impacts on the abutting public ways.
2. Pedestrian and vehicular movement within the site should be safe and convenient, and arranged to minimize impacts on abutters.

e) Process

1. A proposal that has been developed in consultation with municipal staff and those likely to be substantially impacted by it is preferred.
2. Mitigation to ameliorate negative impacts is required.

f) Special Permit applications for use shall comply with the criteria within Section 7.3.5 Design and Site Plan Review.

At the time of application, the Applicant shall submit documentation regarding each of the above considerations which are germane, including information regarding consultative efforts made with municipal staff, neighborhood groups or other affected parties.

7.4.4 Procedures

- a) It is recommended that the Applicant meet with municipal staff and abutters to the proposal prior to the application being filed.

Each application for Special Permit shall be filed with the Town Clerk. Ten (10) copies of said application and supporting plans or other materials, including one having the date and time of filing certified by the Town Clerk, shall be filed forthwith by the petitioner with the Office of ~~Community Development~~Planning and Building.

- b) The Office of ~~Community Development~~Planning and Building shall refer the application to the SPGA and the Planning Board (if not acting as the SPGA), ~~Board of Selectmen~~Board, Board of Health, Fire and Police Departments, Department of Public Works and/or other boards or authorities, as appropriate, for technical review and comment. **If proposed buildings include housing units that are new or newly affordable based on compliance with Section 6.10, the OPB shall also refer the application to the Housing Trust.** Failure of a department or board to make recommendation within 35 days of receipt of the application shall be deemed a lack of opposition thereto.
- c) The Special Permit Granting Authority shall hold a public hearing within 65 days of the filing of the application and shall render a decision within 90 days from the date the public hearing is closed. The required time limits for a public hearing and for rendering a final decision may be extended by written agreement between the petitioner and the Special Permit Granting Authority. A copy of such agreement shall be filed in the Office of the Town Clerk.
 - Failure of the Special Permit Granting Authority to take final action within 90 days from the date of the close of the public hearing or within any extended time, if applicable, shall be deemed to be a grant of the Special Permit subject to the procedures found in MGL, Chapter 40A, Section 9.

7.4.5 Special Permit Limitations

A Special Permit, if granted, shall be subject to any general or specific rules prescribed herein, and may be made subject to appropriate conditions, safeguards, and limitations on time or use. A Special Permit shall lapse within a two-year period or a shorter period if so specified by the Board, not including any time required to pursue or await the determination of an appeal pursuant to MGL, Chapter 40A, Section 17 if a substantial use thereof has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun within the period except for good cause.

7.5 Development Impact Report

Note: §7.5 was adopted under Article 13 at the 2003 Special Town Meeting.

7.5.1 Purpose

The purpose of a Development Impact Report (DIR) is to enable the applicable board and municipal officials to identify the environmental/social/physical and/or infrastructure impacts of the requested activity and to determine if the impacts can be mitigated. The DIR shall identify the methods to be used to mitigate and to minimize adverse impacts on the neighborhood and the Town.

7.5.2 Applicability

A DIR may be required by the Planning Board or Zoning Board of Appeals during a review of any application for a special permit or a variance for a non-residential or multi-family structure or use which could have significant, deleterious environmental, physical or social impacts on the neighborhood and/or the Town and its infrastructure. This provision is adopted pursuant to Section 53G, Chapter 44, MGL and as such, the DIR shall be at the expense of the Applicant.

At their discretion, the Planning Board or the Zoning Board of Appeals may require a DIR upon the submittal of any application for a Special Permit, Design and Site Plan Review Approval or a Comprehensive Permit.

If the Applicant is required to file an Environmental Impact Report with the MEPA Unit of the Executive Office of the Environmental Affairs, the Draft or Final Environmental Impact Report may be submitted to fulfill the requirements of this Section. This decision is at the discretion of the Board reviewing the application.

7.5.3 Consultant Selection and Requirements

The appropriate Board shall develop a Scope of Work to guide the completion of the DIR. This Scope may be coordinated with other boards and/or professional staff. Upon the completion of the Scope of Work, the Board shall send out a "Request for Proposal" to at least three (3) qualified consulting firms. The Board shall review all responses and choose the optimum proposal.

7.5.3.1.1 The selected consultant must have an educational degree in or related to the field at issue, or

7.5.3.1.2 Have three or more years of practice in the field at issue, and

7.5.3.1.3 Provide suitable references for similar activities in other communities.

The Applicant may appeal the selection of the consultant to the ~~Board of Selectmen~~ Board if they believe that the selected consultant has a conflict of interest or does not possess the minimum required qualifications. The time required for action on the application is extended pending the appeal. The ~~Selectmen~~ Board ~~hasve~~ has one (1) month from the date of the appeal to render a decision.

The Applicant shall then be required to make a payment to the Town of Belmont in the exact sum of the proposal selected. This money shall be placed in a separate, interest-bearing escrow account administered by the Town Treasurer pursuant to Section 53G, Chapter 44, MGL. An annual report on such accounts shall be submitted by the Treasurer to the Town Administrator.

7.5.4 Contents of the Scope of Work

The appropriate Board may waive or add to the list of concerns noted below pursuant to the specifics of each application. It is recommended that the Applicant work with the Board to participate in the preparation of the Scope. The contents could include the following:

7.5.4.1 Physical Environment

- 7.5.4.1.1 Provide a description and impact analysis that the development will have on the general topography, vegetation, geologic, scenic and historical features and open space of the site.
- 7.5.4.1.2 Provide a description and impact analysis on properties abutting the site. This analysis may include traffic, lighting, noise, shadowing and emissions impacts.
- 7.5.4.1.3 Identify historic archeological sites, geological, botanical, existing or potential trails and accesses to open space areas and how they will be maintained or enhanced.

7.5.4.2 Surface Water

- 7.5.4.2.1 Provide a narrative on the following:
 - i. the methods and degree to which water is recycled back into the ground. Estimate increase of peak run-off and volume of run-off over a 24-hour period caused by altered surface conditions;
 - ii. the maintenance and improvement of the flow and quality of surface waters including Best Management Practices (BMP) to be employed; and,
 - iii. methods to prevent flooding onto adjacent properties.
- 7.5.4.2.2 Describe the location, extent and type of existing water bodies or wetlands on the site and the proposed alterations to such, including both existing and proposed surface drainage characteristics within and adjacent to the site.

7.5.4.3 Erosion Controls

- 7.5.4.3.1 Describe the erosion control and soil stabilization methods, timing and locations to be used during construction.

- i. approximate the size and location of land to be cleared at any given time and the length of time soil will be exposed;
- ii. identify methods for protecting soil stockpiles; and
- iii. detail any other erosion control issues.

7.5.4.3.2 Evaluate the effectiveness of the proposed soil erosion control methods on the site and on the surrounding areas. Also review the permanent methods to be used to control erosion and sedimentation.

7.5.4.4 Town Services and Infrastructure

7.5.4.4.1 Estimate traffic flow at peak periods employing ITE standards and procedures. Detail the proposed on-site and projected off-site circulation patterns to the project. Detail pedestrian and bicycle movements and any proposed enhancements. Are new traffic controls (re: signals, signage, striping, etc.) or upgrades to existing controls necessary?

7.5.4.4.2 Estimate the effect/impacts of the project on police and fire protection services, public works, educational services, sewer capacity, and the water supply system.

7.5.4.5 The appropriate Board may require the submission of information which could be required by the MEPA Unit if an EIR were required under applicable MEPA regulations.

7.5.5 Results of the DIR Process

The selected consultant shall complete the Scope of Work developed in Section 7.5.4 above and submit ten (10) copies of a written report to the appropriate Board and the Applicant. This Report and any accompanying maps shall also be submitted in electronic format.

The Board shall employ the Report in reaching its decision on the application. Mitigation recommendations from the Report may be incorporated into a final decision on the application. If the DIR demonstrates that one or more of the decision-making criteria, objectives or standards cannot be met, the DIR may be the basis for disapproval of the application.

Upon the satisfactory completion of the Scope of Work, the consultant shall be compensated the agreed upon fee and the Applicant shall receive any remaining interest from the account. In no case shall the fee exceed the agreed upon amount unless authorized in advance by the Applicant and the appropriate Board.

or in any way act thereon.

Submitted by the Planning Board

The Select Board will report on this Article.

Two-thirds majority required for passage.

**ARTICLE 5 APPROPRIATE FOR STUDENT INFORMATION SYSTEM REPLACEMENT
AND AUTHORIZE CONTRACT TERM**

To see if the Town will raise and appropriate funds for the Belmont Public Schools to replace its Student Information System and authorize a 6-year term for the contract; or in any way act thereon.

This article will fund the transition to a new Student Information System (SIS) for the Belmont School Department. The current system (Rediker) does not meet the needs of the department. Both systems will need to be run in tandem during the transition, so this request will fund the transition time period, after which point it will transition to the School operating budget. It also authorizes the School Department to enter into a 6-year contract for the system to reduce the annual subscription rate or lock-in the annual increase over the 6 years, or both.

Submitted by the Select Board

The Select Board, School Committee and the Warrant Committee will report on this Article.

Majority vote required for passage.

ARTICLE 6 TRANSFERS TO STABILIZATION FUNDS

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums of money to the Override Mitigation Stabilization Fund, the Capital Stabilization Fund, or the General Stabilization Fund; or in any way act thereon.

This article will authorize transfers to the Override Mitigation, Capital or General Stabilization Funds for later appropriation by Town Meeting.

Submitted by the Select Board

The Select Board, Warrant Committee and the Comprehensive Capital Budget Committee will report on this Article.

Majority vote required for passage.

ARTICLE 7 AUTHORIZATION FOR LEASE OF LAND AT 780 CONCORD AVENUE FOR CELL TOWER

To see if the Town will authorize the Select Board to lease the land at 780 Concord Avenue owned by the Town and currently occupied by a Cell Tower for a term of up to twenty (20) years; or in any way act thereon.

This article will authorize the Town to enter into a long-term Lease for town-owned land currently used for a cell tower at 780 Concord Avenue, adjacent to the Highland Meadow Cemetery. The tower is privately owned, and houses communication equipment used by Police, Fire and Public Works in addition to other carriers. The existing lease has expired, and authorization is required from Town Meeting in order to execute a successor lease.

Submitted by the Select Board

The Select Board and Warrant Committee will report on this Article.

Majority vote required for passage.

ARTICLE 8 ADOPT M.G.L. CHAPTER 200A, SECTION 9A

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 200A, Section 9A, or in any way act thereon.

State Law allows the Treasurer to go through a process to reissue "stale" checks - those that are more than one year old. Town Meeting has to accept the provisions of state law to allow the Treasurer to implement a detailed outreach and advertising process. Afterwards, the Town is able to retain any unclaimed funds.

Submitted by the Select Board

The Select Board will report on this Article.

Majority vote required for passage.

ARTICLE 9 ACCEPT PROVISIONS OF CHAPTER 60, SECTION 3D

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 60, section 3D.

This article will authorize a new tax check-off donation program for low-income seniors and those with disabilities, to be administered by a committee of 3 residents, the Treasurer and the Assessor, as outlined in state law.

Submitted by Select Board

The Select Board, Warrant Committee and Senior Tax Relief Working Group will report on this Article.

Majority vote required for passage.

ARTICLE 10 CITIZEN’S PETITION: TRANSITION SELECT BOARD FROM 3 TO 5 MEMBERS

To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation to expand the membership of the Select Board from three to five, substantially in the form below, and further to authorize the Select Board to approve amendments to the bill before enactment by the General Court which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto:

AN ACT INCREASING THE MEMBERSHIP OF THE SELECT BOARD IN THE TOWN OF BELMONT

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. The number of members of the Select Board of the Town of Belmont shall be increased to 5. Each Select Board Member shall serve for a 3-year term with not more than 2 Select Board Members terms to run concurrently. Notwithstanding the preceding sentence, at the next annual town election following at least 65 days after the effective date of this act, 1 additional member shall be elected to an initial 2-year term and 1 additional member shall be elected to a 3-year term. Nothing in this act shall affect the terms of those members serving as Select Board Members on the effective date of this act

Submitted by Paul Joy

The Petitioner will report on this Article.

Majority vote required for passage.



Given under our hands this 28th day of October, 2024

BELMONT SELECT BOARD

Elizabeth H. Dionne
Elizabeth Dionne, Chair

Matt Taylor
Matt Taylor, Vice Chair

Roy Epstein
Roy Epstein, Member

A True Copy, Attest
Ellen O'Brien Ashman
Town Clerk of Belmont, MA

Appendix 1 – Zoning Map & MBTA Communities Multi-Family Housing Overlay District

Section 9 Multifamily Housing Overlay District (“MOZ”)

§9.1 District Purpose and Intent
§9.2 District Establishment
§9.3 Applicability
§9.4 Definitions
§9.5 Dimensional Standards
§9.6 Development and Design Standards
§9.7 Design Guidelines
§9.8 Affordable Housing Provisions
§9.9 Density Bonus.
§9.10 Allowed Uses
§9.11 Administration

§9.1 District Purpose and Intent.

- A. To respond to the local and regional need for housing by enabling development of a variety of housing types, which is intended to expand the diversity of housing options available in Belmont;
- B. To respond to the local and regional need for affordable housing by allowing for a variety of housing types with affordable housing requirements;
- C. To promote a diverse mix of Multi-Family Housing located near retail services, offices, civic, and personal service uses, that establishes compact, pedestrian-oriented districts;
- D. To allow the development of Buildings and uses appropriate to Belmont’s commercial centers, areas immediately adjacent to centers, and transit-served areas, in a manner that aligns with the vision of the Town’s long-range plans and other policy documents;
- E. To allow sufficient density and intensity of uses to promote a lively and active pedestrian environment, public transit, and variety of land uses that serve the needs of the community;
- F. To promote the health and well-being of the community by reducing automobile dependency and encouraging physical activity, encouraging the use of alternative modes of transportation;
- G. The utilization of good planning principles and regulatory tools to create a strong sense of place;
- H. To encourage environmental and climate protection sensitive development;
- I. To encourage economic growth in the redevelopment of properties;
- J. To encourage residential uses to provide a customer base for local businesses;
- K. To encourage the preservation and reuse of existing Buildings, as may be applicable; and

- L. To facilitate compliance with the multi-family zoning requirement for MBTA communities pursuant to M.G.L. Chapter 40A, Section 3A.

§9.2 District Establishment.

The Multifamily Housing Overlay District (“MOZ”) is an Overlay Zoning District as defined in §9.4 below that does not replace the underlying zoning districts but is superimposed over them. The MOZ has been divided into seven (7) subdistricts:

- A. **Multifamily Overlay Subdistricts 1A and 1B** (“MOZ1A” and “MOZ1B”). Both MOZ1A and MOZ1B subdistricts facilitate the preservation of existing homes through conversion to multiple Units and new, smaller-scale, multi-family Buildings similar in size to the surrounding residential neighborhoods including triple-deckers and other configurations. MOZ1A lots are limited to three Units per Lot while MOZ1B lots do not have a three-Unit limit.
- B. **Multifamily Overlay Subdistrict 2** (“MOZ2”). The MOZ2 subdistrict facilitates the development of 2.5 story townhouses and apartment Buildings of a small to moderate scale.
- C. **Multifamily Overlay Subdistrict 3A and 3B** (“MOZ3A” and “MOZ3B”). The MOZ3A subdistrict facilitates the redevelopment of certain Belmont Housing Authority properties into 5 story apartment blocks interspersed with open space. The MOZ3B subdistrict facilitates a mix of scales allowing the redevelopment of certain Belmont Housing Authority properties into small scale and moderate scale Buildings interspersed with Open Space.
- D. **Mixed Use Development Overlay Subdistrict 4** (“MXDZ4”). The MXDZ4 subdistrict facilitates mixed-use development. This subdistrict contributes new housing and commercial space in certain existing mixed-use centers and corridors, particularly those with access to mass transit. Buildings are typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground Story Active Uses address the needs of residents and employees in the immediate neighborhood, the larger Belmont community, and regional visitors.
- E. **Multifamily Overlay Subdistricts 5A and 5B** (“MOZ5A” and “MOZ5B”). The MOZ5A subdistrict facilitates the development of multifamily Buildings as apartments or condominiums at three and a half (3.5) stories with a limited footprint per Building. The MOZ5B subdistrict facilitates the development of multifamily Buildings as apartments or condominiums at 4.0 stories. A Ground Story commercial option is available to allow 5.5 total stories.

§9.3 Applicability

- C. The MOZ is established pursuant to the authority of Massachusetts General Law, Chapter 40A, Section 3A and shall be deemed to overlay the parcels depicted on the Zoning Map, as amended. The zoning rules applicable to the Base Zoning Districts shall be in effect except where the property owner elects to utilize the provisions of this Section 9, Multifamily Housing Overlay District.
- D. The owner of one or more parcels within the MOZ may use the base zoning provisions, the provisions of this §9, but not both simultaneously. An owner may choose to use the Section 9 provisions or revert to Base Zoning District provisions, as frequently as desired, provided that appropriate site plans and/or Special Permits are granted. Note that a reversion from the MOZ back to the Base Zoning District may result in the creation of a legal non-conformity.

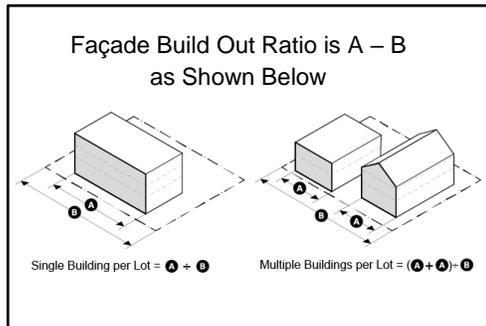
- E. In the event of a conflict between the provisions of the MOZ and the Base Zoning District in which the parcel is located, the provisions of this §9 prevail. All other applicable provisions in this By-Law shall be adhered to within the MOZ.
- F. The invalidity, unconstitutionality, or illegality of any provision of this §9 or boundary shown on the Zoning Map shall not have any effect upon the validity, constitutionality, or legality of any other provision or boundary in this Zoning By-Law.

§9.4 Definitions.

Capitalized terms in this Section 9 have the meanings as set forth below or in §1.4. The definitions below do not modify definitions in §1.4 or apply to other sections of this By-Law.

- A. **Balcony** - An unenclosed and uncovered platform with a railing, wall, or balustrade that provides outdoor amenity space on upper stories.
- B. **Base Zoning District** – Refers to any one of the non-Overlay Zoning Districts established pursuant to the Zoning By-Law as depicted in §2.1 of the Zoning By-Law and as shown on the Zoning Map, and as the same may be lawfully changed or modified from time to time.
- C. **Bay** - A window assembly extending from the main body of a Building to permit increased light, provide multi-direction views, and articulate a Building wall. Two Bays can connect around corners.
- D. **Bicycle Parking, Long-Term** - Accommodations for the parking of a bicycle for two (2) or more hours.
- E. **Bicycle Parking, Short-Term** - Accommodations for the parking of a bicycle for less than two (2) hours.
- F. **Building Footprint** - Area of the largest above-grade floor of a Building as measured to the exterior faces of the walls.
- G. **Building Line, Principal** – A line measured at the Building wall of a Structure between parallel Lot Lines. For the purposes of establishing a Building line, the Building wall does not include permitted encroachments or architectural features unless so specified in this §9. A front Building line is that Building line that abuts or is parallel or generally parallel to a front Lot Line.
- H. **Design and Site Plan Review** – Site plan review establishes criteria and procedures for review and approval for the potential impacts of Development such as layout, scale, appearance, safety, and environmental impacts of commercial or multifamily residential development.
- I. **Dormer** - A projection built out from a sloping roof, usually containing a window or vent.
- J. **Elevation, Front** - The Building's exterior wall that is oriented in whole or in part toward a Street.
- K. **Elevation, Side** – A Building exterior wall that is oriented toward a Side Lot Line.
- L. **Façade** – The face of a Building, in particular, the principal front face that looks onto a Street or public Open Space.

- M. **Façade Build Out Ratio** - The ratio of the width of the entire Front Elevation of a structure to the Lot Width along the Street.



- N. **Fenestration** - The openings in the Façade of a Building, including windows and doors. Fenestration is measured from the inside face of the jambs on any window or door trim.
- O. **Furnishing Zone** - The portion of the sidewalk between the back of curb and the walkway that is used for street trees, landscaping, transit stops, streetlights, and site furnishing.
- P. **Ground Story Active Uses** - Ground Story Active Uses are uses that are located along a Street and are directly accessible from a sidewalk or Open Space, and that is intended to attract pedestrian activity.
- Q. **Ground Story Semi-Active Accessory Uses** - Shall mean accessory communal use areas, amenity areas, or services for the Building residents only.
- R. **Lot Line** – The legal boundary line of a lot according to the deed or recorded plan of a Lot that separates one Lot from another or the Street.
- S. **Lot Line, Front** - The Lot Line abutting a Street.
- T. **Lot Line, Primary Front** - Where there is only one Front Lot Line, it shall be the Primary Front Lot Line. Where there are multiple Front Lot Lines, the Primary Front Lot Line shall be the one the Principal Entrance faces. Where there are multiple Front Lot Lines and the Principal Entrance does not face a street or right of way, the Primary Front Lot Line shall be determined by the Inspector of Buildings or their designee.
- U. **Lot Line, Rear** - Any lot line, other than a lot line that is a Side Lot Line of an abutting property, that is parallel to or within forty-five (45) degrees of being parallel to a Front Lot Line. While there may be exceptions, typically the Rear Lot Line connects to two Side Lot Lines.
- V. **Lot Line, Secondary Front** – Where there are multiple Front Lot Lines, the Secondary Front Lot Line shall be the one where the Principal Entrance does not face.
- W. **Lot Line, Side** - Any Lot Line other than a front or Rear Lot Line.
- X. **Lot Width** - The average horizontal distance between the Side Lot Lines, or in the case of a corner lot, the minimum horizontal distance between the Side Lot Line and the opposite Lot Line.
- Y. **Mixed-Use Priority Street** - A portion of a Street that requires Ground Story Active Uses within the MOZ subdistricts as shown on the Zoning Map.

- Z. **Open Space, Useable** - Outdoor areas within the development envelope open to the sky designed and accessible for outdoor activity, pedestrian access, landscaping, or recreation and used by residents or tenants or the general public.). Useable Open Space does not include streets, public or private surface easements, accessory Buildings, open parking areas, driveways, access ways for the dwellings, land area utilized for garbage and refuse disposal or other servicing maintenance, or required front or corner side yards. This does not include any space with a dimension of less than 10 feet in any direction or an area of less than 100 square feet. "Developed Recreational Open Space" including recreational structures designed to be consistent with the intent of this definition are included in the calculation of the area of required Useable Open Space. This definition is limited in applicability to the provision in §9.6 A. 3. regarding the calculation of the Façade Build Out Ratio.
- AA. **Multi-Family Housing** – A Building with 3 or more residential Dwelling Units or 2 or more Buildings on the same Lot with more than 1 residential Dwelling Unit in each Building.
- BB. **Overlay Zoning District** – Overlay Zoning Districts are zoning districts that have been superimposed over existing Base Zoning Districts, in accordance with the Zoning Act, to create new requirements and/or development opportunities. They are often used to protect sensitive environmental features, such as aquifers and wetlands, to promote the adaptive reuse of historic properties, and to allow greater flexibility or additional uses, particularly with residential or commercial use.
- CC. **Porch** - An unenclosed platform connected to a principal Building that provides outdoor amenity space. A Porch may be bordered with a railing, screened or covered, but permanent enclosure to create habitable space is prohibited.
- DD. **Primary Front Lot Line** - Any Lot Line abutting a Street is a Primary Front Lot Line.
- EE. **Principal Entrance** - The main point of access for pedestrians into a Building, Upper Story use, or Ground Story tenant space.
- FF. **Residential District** - Residential Districts include lots located in the Single Residence A (SRA), Single-Residence B (SRB), Single-Residence C (SRC), Single-Residence D (SRD), General Residence (GR), and Apartment House (AH) zoning districts. For the purposes of applying MOZ standards to a Lot, the abutting Lots in the MOZ shall be considered to be in a Residential District regardless of whether such abutting Lot has elected to utilize the MOZ option.
- GG. **Right-of-Way** – Refers to a strip of land given to the public for specific uses including streets and roadways, bridge structures, public utilities, etc. Right-of-Ways are available for use by the public at large and are administered by the Town.
- HH. **Screening** - A natural occurrence, such as a berm or hedge, or a constructed device, such as a fence, that shields from view various land use activities.
- II. **Setback, MOZ Adjacent** – A Setback is where an MOZ lot is directly adjacent to a residentially-zoned Lot outside of an MOZ subdistrict.
- JJ. **Step-Back** - A recess of an Upper Story Façade a set distance behind the Façade of the Story below.
- KK. **Story, Ground** - The lowest Story of a Building with a finished floor at or above the average grade plane adjacent to the Building.

LL. **Story, Half** - See §9.6 B. 5. for definition of a Half Story for a pitched roof and §§9.6 B. 6. for definition of a Half Story for a flat roof Step-Back, notwithstanding the definition set forth in §1.4.

MM. **Story, Upper** - Any full story above the Ground Story of a Building.

NN. **Unit** – Refers to a Dwelling Unit (See §1.4).

§9.5 Dimensional Standards.

A. Site Dimensional Standards.

	MOZ1A & B	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Lot Area (min.)							
	2,700 sf MOZ1A 6,500 sf MOZ1B	6,500 sf	N/A	N/A	N/A	N/A	20,000 s.f.
Open Space (min.)							
	30%	30%	30%	40%	20%	20%	20%
Lot Frontage (min.)							
	35'	35'	80'	70'	20'	45'	50'
Building Setbacks							
Front (min.)	10'	10'	10'	10'	None	10'	None
Side (min.)	7.5' ¹	7.5' ¹	Interior = 7.5' Street = None	10'	None	None	None
Abutting a Residential District	10'	10'	10'	15'	20'	20'	20'
Rear (min.)	15'	15'	10'	15'	15'	15'	15'
Abutting a Residential District	20'	20'	20'	20'	20'	25'	25'
Building Separation for Multiple Buildings on Lot (min.)							
	20'	20'	15'	15'	20'	20'	25'
Façade							
<i>Façade Build Out Ratio (min.)</i>							
Primary Front Lot Line	75%, or Lot Width within side setbacks minus 15', whichever is less	75%, or Lot Width within side setbacks minus 15', whichever is less	NA	NA	75%, or Lot Width within side setbacks minus 15', whichever is less	75%, or Lot Width within side setbacks minus 15', whichever is less	75%, or Lot Width within side setbacks minus 15', whichever is less
Front Lot Line	50%	50%	NA	NA	50%	50%	50%
Parking Placement							

	MOZ1A & B	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Parking Setbacks (min.)							
Facing ROW	10'	10'	10'	10'	10'	10'	10'
Not Facing ROW	3'	3'	3'	3'	3'	3'	3'
Parking Ratio	1.0 space / Unit	1.0 space / Unit	0.4 space / Unit	0.4 space / Unit	0.5 space / Unit	0.5 space / Unit	0.25 space / Unit 1 space / 350 sf Ground Story retail

¹ Refers to MOZ Adjacent Setback (See Section 9.4 above)

² Standard 7.5' setback may be substituted by providing a 12' and 5' setback alternative for allowance for a driveway as may be required.

B. Building Dimensional Standards

	MOZ1A & 1B ²	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Building Massing							
Building Footprint (max.)							
	1,800 sf	4,000 sf	None	None	10,000 sf	5,000 sf	15,000 sf
Building Height in Stories / Feet (max.) Maximum Number of Stories and Maximum Building Height in Feet^c							
Pitched Roof	3 stories / 42' (See Note ^a)	2 ½ stories / 36'	NA	NA	3 ½ stories / 55'	3 ½ stories / 48'	NA
Flat Roof w/ Step Back ¹	NA	NA	NA	NA	3 ½ stories / 49'	3 ½ stories / 42'	Mixed-Use 5 ½ stories / 65 (65)
Flat Roof w/ No Step Back	3 Stories 36'	NA	5 Stories 57'	5 Stories 57'	NA	NA	All Residential 4 stories / 46'
Development within 50' of lot line abutting R district	NA	NA	Requires use of pitched or step back method	Requires use of pitched or step back method	NA	NA	NA

^a Includes non-occupiable 6'8" peak.

	MOZ1A & 1B ^a	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Ground Story Height in Feet (min. / max.)^b							
	11' min. / 12' max.	11' min. / 12' max.	11' min. / 12' max.	11' min. / 12' max.	13' min. / 15' max. ^c	11' min. / 12' max.	11' min. / 15' max.
Half Story Height in Feet (max.)							
Pitched Roof	6'7" Non-Habitable	17'	NA	17'	17'	17'	17'
Flat Roof w/ Step Back	NA	11'	11'	NA	11'	11'	11'
Half Story Step-Back in Feet (min.)¹							
	NA	7' on all sides of the Building	NA	NA	10' on all sides of the Building	10' on all sides of the Building	10' on all sides of the Building
Façade							
Ground Story Fenestration, As Applicable (min.)							
Non-residential uses	NA	NA	NA	NA	70%	NA	70%
Residential uses	15%	15%	15%	15%	15%	15%	15%
Ground Story Active or Semi-Active Accessory Use (min./max.)[*]							
Active (min)	NA	NA	NA	NA	100%	NA	100% if Mixed-Use
Semi-Active (max.)	NA	NA	NA	NA	10%	NA	10%
* See Section 9.6.B.8. for application of this provision.							
Articulation							

^b Note that if using maximums, Building Height maximums must still be adhered to. Commercial Ground Stories must be a minimum of 13' in height.

^c The Building Height in feet shall not exceed the maximum specified, regardless of the number of Stories.

	MOZ1A & 1B ²	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Length of Continuous Façade (max.)	45'	35'	65'	65'	65'	65'	65'
Use and Occupancy							
Dwelling Units Per Lot (max.)	< 6,500 sf = 3 ≥ 6,500 sf = None	NA	140	Belmont Village ¹ = 200 Waverley Oak ² = 140	NA	NA	NA

¹ Any subdistricts indicating a Half Story require either a pitched roof or a Building Step-Back of at least 7 feet. A flat roof without a Step-Back may be granted by a waiver of the Planning Board.
 Note: NA refers to not applicable/allowed

C. Mixed-Use Development

1. Mandatory Mixed-Use – Subdistrict 4 (MXDZ4) designated parcels require a vertical mixed-use development type with a Ground Story commercial component and 2.5 floors of residential above.
2. Mixed-Use Option – Subdistrict 5B (MOZ5B) allows 4 stories of residential only or an option to build 5.5 stories if a commercial Ground Story is provided. These two options are both by-right and do not require a Special Permit.

§9.6 Development and Design Standards.

A. Site Design Standards.

This §9.6 provides the development and design standards for Development or land use within the MOZ subdistricts, defines how to measure certain standards, and provides other requirements and information.

1. Lot Frontage

- a. Lots in an MOZ subdistrict must have the minimum Lot Frontage specified in the Site Dimensional Standards set forth in §9.5.
- b. Lot Frontage is defined in §1.4 and shall be measured as per §4.2 Lot Frontage.

2. Setbacks

- a. Buildings shall comply with the Setback requirements set forth in §9.5.
- b. Buildings abutting a Residential zoning District or use that is outside of MOZ subdistricts shall be set back a greater distance as per the provisions of §9.5 A. Site Dimensional Standards, Building Setbacks.
- c. Buildings in the MXDZ4, MOZ5A, and MOZ5B subdistricts must be set back from any Lot Line abutting a sidewalk a sufficient distance so that at least twelve (12) feet in width is provided between the gutter line and exterior Façade of the Building, at all points. Excluding the Furnishing Zone, the area of the Lot that is within twelve (12) feet of the curb shall be paved so as to be in compliance with the Town's sidewalk standards and shall serve as a contiguous and consistent sidewalk facility³ with no obstructions.
- d. For the limited purposes of determining the applicable Setback requirements, if an abutting property is within a MXDZ4, MOZ5A, or MOZ5B subdistrict, then the abutting property shall be deemed to be in such Overlay Zoning District and not the underlying zoning district regardless of whether such abutting property is subject to the Overlay District.

3. Building Placement

- a. The width of the Front Elevation must be a percentage of the Lot Width as specified by the Façade Build Out Ratio in the Site Dimensional Standards for each MOZ subdistrict.
 - 1) The Façade Build Out Ratio may be met cumulatively by multiple Buildings on a lot.
 - 2) Useable Open Space between the Front Lot Line and Front Elevation is considered part of the Building for the purposes of calculating the Façade Build Out Ratio.

4. Number of Buildings

Multiple Buildings are permitted by-right on each Lot but shall comply with the minimum Open Space requirements and minimum Building separation.

³ A solid walking surface 12' from gutter line to principal Building line.

5. Building Separation

- a. Multiple Buildings on a single Lot must comply with the Building separation distance at all points as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. Abutting Buildings on separate Lots may not be interconnected so as to be internally accessible from one to the other at or above Grade level.

6. Open Space

- a. Lots must provide the minimum percentage of Open Space as specified in the Site Dimensional Standards for each MOZ subdistrict. See §1.4 for the definition of Open Space.
- b. The Planning Board may allow variations in the placement of Open Space based on the constraints of the site.

7. Street Trees

- 1) Installation of a street tree within the public Right-of-Way must be approved by the Tree Warden or their designee. Also see §9.6.D.6.

8. Signs

- 1) Signs located in residential MOZ subdistricts shall adhere to the requirements of §5.2 a. of this By-Law.
- 2) Signs in MXDZ4, MOZ5A, and MOZ5B (with a commercial component only) shall adhere to the requirements of §5.2 a) and b) as applicable.

B. Building Design Standards.

This ~~section~~ §9.6.B provides the design standards for Buildings within the MOZ subdistricts, defines how to measure certain standards, and provides other requirements and information.

1. Building Footprint

- a. Buildings must comply with the maximum Building Footprint (see Figure 1 below) as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. Building Footprint includes:
 - 1) All enclosed spaces whether for habitation or storage.
 - 2) Any parking area that is covered by a roof is included in the Building Footprint.
 - 3) Decks that extend more than eight (8) feet from the Building face.
- c. Building Footprint does not include:
 - 1) Non-exposed portions of the Building below the average Grade and not visible from any Street or adjacent Lots. This exception shall not apply to the Front ~~yard~~ Setback.
 - 2) Architectural features, as defined in §9.4.

- 3) Structures, as defined in §1.4 with the exception of any element listed in 1.b. above.

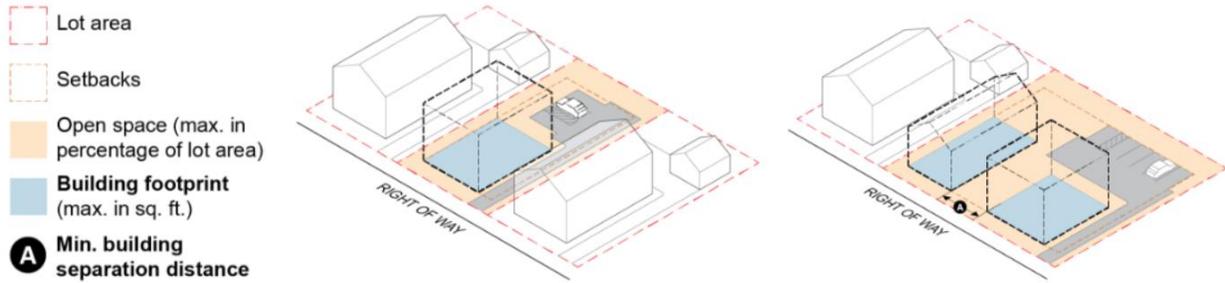


Figure 1 - Maximum Footprint Explanation

2. Building Height

- a. Buildings may not exceed the maximum Building Height in feet specified in the Building Dimensional Standards for each MOZ subdistrict. Building Height is measured as defined in §1.4. Height, Building.
- b. Not included in such measurements are:
 - 1) Cornices which do not extend more than 5 feet above the roof line;
 - 2) Chimneys, vents, ventilators and enclosures for machinery such as elevators or stair headhouses which do not exceed 15 feet in height above the roof line;
 - 3) Enclosures for tanks which do not exceed 10 feet in height above the roof line and do not exceed in aggregate area 10 percent of the area of the roof;
 - 4) Solar panels which do not extend more than 1 foot above the ridgeline or in the case of a flat roof, no more than 4 feet above the parapet, unless greater extensions are allowed by Special Permit.

No space above the maximum height shall be habitable.

3. Story Height

- a. The Ground Story of a Building must comply with the minimum story height requirements specified in the Building Dimensional Standards for each MOZ subdistrict and Subsection 2. b. e. above.
- b. The height of the Ground Story and Upper Story(ies) of a Building is measured vertically from the surface of the finished floor to the surface of the finished floor above, or to the top face of the highest roof beam if no finished floor is immediately above, at all points.
- c. The height of a Half Story is measured vertically from the surface of the finished floor to the top face of the highest roof beam above.

4. Number of Stories

- a. Buildings may not exceed the maximum number of stories as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. For the limited purposes of determining the allowable number of Stories for a Building, if an abutting property is within a MXDZ4, MOZ5A, and MOZ5B subdistrict the abutting property shall be deemed to be in

such Overlay Zoning District and not the Base Zoning District regardless of whether such abutting property has elected to employ the MOZ.

5. Full Story with Pitched Roofs

- a. In MOZ1, the ridge of pitched roofs may not exceed 6'8" in height.

6. Half Story for Pitched Roofs**

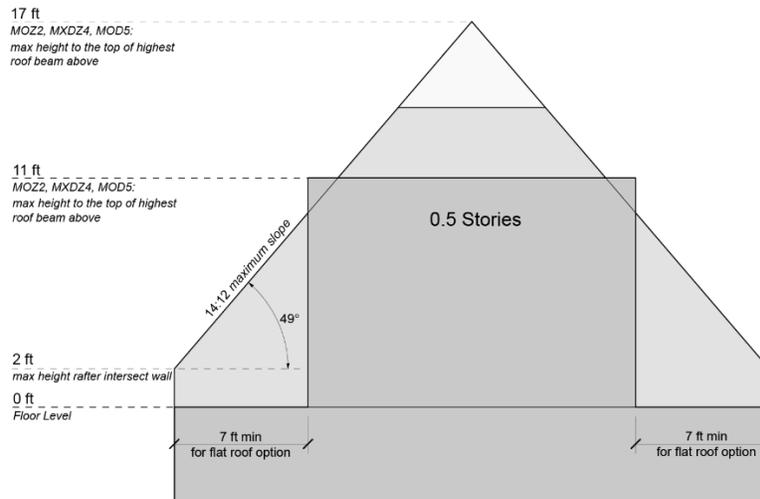
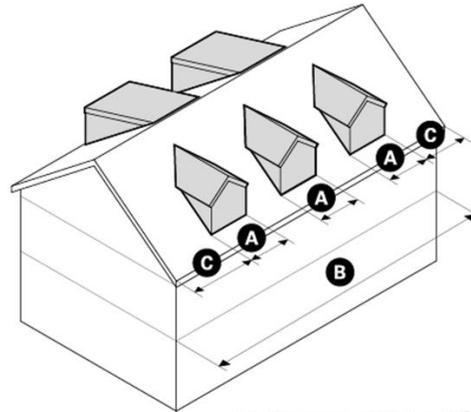


Figure 2 – Half Story Explanation

- a. Space located directly under a pitched roof is counted as a Half Story ~~half (0.5) story~~ (See Figure 2 above), provided the following standards are all met:
 - 1) At least two (2) opposite roof planes are pitched toward each other.
 - 2) A pitched roof may be composed of roof planes with different slopes.
 - 3) The slope of any pitch must be no greater than 14:12 (49.4 degrees); otherwise, this Story shall be counted as a full Story.
 - 4) The roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two (2) feet above the finished floor of the Half Story ~~half (0.5) story~~; otherwise, this Story is counted as a full Story.
 - 5) Dormers above the second Story in MOZ2, above the third Story in MXDZ4, and above the fourth Story in MOZ5B must comply with the requirements set forth below:



- A ≤ Narrower of 10 ft and B x 50%
- A + A + A ≤ B x 50%
- C ≥ 3 ft

Figure 3 - Dormers

- a) A Dormer may be no wider than ten (10') feet or 50 percent of the length of the exterior wall of the Story next below, whichever is narrower. Where more than one Dormer is located on the same side of the roof, the width of all Dormers combined may not exceed 50 percent of the length of the exterior wall next below.
- b) The vertical plane of the side wall of any Dormer shall not be closer than three (3) feet from the vertical plane of the intersection of the roof and the main Building end wall nearest the Dormer.
- c) No Dormer may project above the main ridgeline of the roof.
- d) No Dormer may project beyond the vertical plane of the Building wall below.

7. Half Story Step-Back for Flat Roofs

a. For Buildings in the MOZ3A and MOZ5B subdistricts, the required Step-Backs must be provided above the fourth story.

b. For Buildings in the MOZ3B and MXDZ4 subdistricts, the required Step-Backs must be provided above the third story.

- a. For the limited purposes of determining the applicable Step-Back requirements, if an abutting property is within a MXDZ4, MOZ5A, or MOZ5B subdistrict, the abutting property shall be deemed to be in such Overlay Zoning District and not the Base Zoning District regardless of whether such abutting property has elected to use the MOZ.
- b. Buildings in MOZ3A, MXDZ4, MOZ5A, and MOZ5B subdistricts must meet the Upper Story Step-Back requirement along any lot line abutting a Residential District.
- c. Exceptions.
 - 1) Sections of Buildings that are on a portion of a Lot where the Lot depth is less than seventy (70) feet are exempt from the Upper Story Step-Back requirement along the Rear Lot Line, except when the Rear Lot Line abuts a Residential District.
 - 2) Any portion of the Half Story set back more than twenty-five (25) feet from any Lot Line is exempt from the Upper Story Step-Back requirement, except when the Lot Line abuts a Residential zoning District.

8. Ground Story Active Uses



Figure 4 – Ground Story Active Uses

- a. Any lot in: MXDZ4 or MOZ5B where the commercial story option outlined in §9.5 C. is applied, must:
 - 1) Provide Ground Story Active Use for the entire width of the Front Elevation(s) of the Building facing the Street (if one Street frontage) or the primary Street (if a corner lot facing two Streets) with the exception of subsection 2. below. Streets where Ground Story Active Uses are located are referred to as Mixed-Use Priority Streets.
 - 2) No more than ten (10%) percent of the required primary Street frontage in subsection 1. above may be dedicated to Semi-Active Accessory Uses listed below. Any secondary Street frontages may be any combination of Ground Story Active Use, other commercial uses, or Semi-Active Accessory Uses.
 - 3) The remainder of the Ground Story shall contain leasable space for other commercial uses as permitted in the Use Table in §9.10 to the extent feasible except that podium parking provided as part of the required parking ratio may be provided along rear or non-street facing side yards with appropriate Screening.
 - 4) Parcels developed with multiple Buildings may establish an internal public or private street network that maximizes street frontage for the provision of Ground Story Active Uses.
- b. Active uses include only:
 - 1) Retail sales

- 2) Banking, retail
- 3) Office uses
- 4) Food service establishment
- 5) Entertainment uses (e.g., theatres or amusement arcades)
- 6) Personal service establishment (e.g., hairdresser, bank, dry cleaning)
- 7) Art gallery / arts studio, provided a publicly accessible gallery is included
- 8) Community use space
- 9) Publicly facing government services (e.g., post office)
- 10) Health and fitness facilities
- 11) Craft beverage establishment or tavern (by Special Permit)

c. Semi-active accessory uses include only:

- 1) Lobbies and common areas serving or associated with active use or residential uses
- 2) Sales or leasing office
- 3) Access to accessory parking, loading, or service areas

9. Architectural Features

- a. The structural and architectural elements that extend outward from a Building Façade, including awnings, Bays, Balconies, and Porches.
- b. Architectural features that fully comply with the dimensional standards in this Section are not considered part of the Building Footprint.
- c. Architectural features may project into the front Setback (and/or sidewalk in the case of awning) only based on the following standards:

- 1) Bay

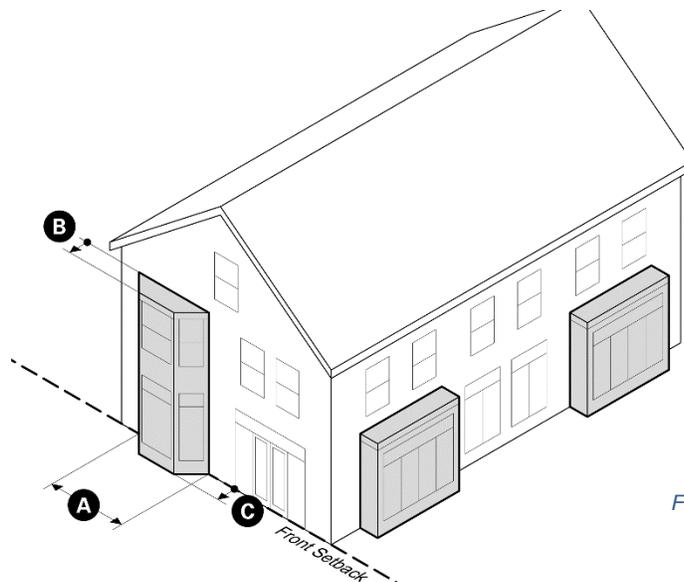


Figure 5 – Bay Windows

Dimensions

(A) Width of each Bay (max)	10 ft
Sum of widths of all Bays (max)	50% of wall length
(B) Depth, (max)	3 ft
(C) Front setback encroachment at the Ground Story (max)	3 ft
Fenestration (min)	60%

Note that side yard Bay windows are permitted on a street side yard. Bays may be no closer to a Residential District facing side yard than the minimum side yard setback. Front Bay windows may not encroach into the Street, sidewalk, or any public Right-of-Way and do not conflict with the requirements of §4.3.3 of the Zoning By-Law.

2) Balcony

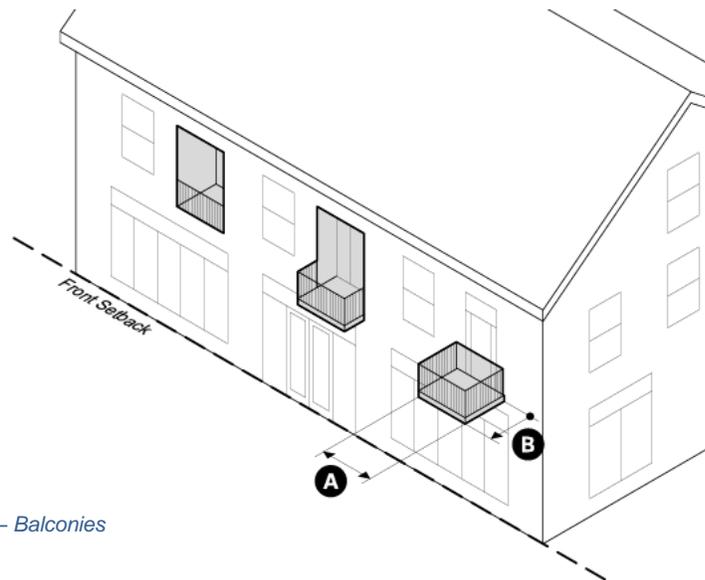


Figure 6 – Balconies

Dimensions	
(A) Width of each balcony (min / max)	5 ft / 12 ft
Sum of widths of all Balconies (max)	50% of wall length
(B) Depth (min / max)	4 ft / 6 ft

Note that side or rear yard Balconies are permitted on a street side yard or rear yard. Balconies may be no closer to a Residential District facing side or rear yard than the minimum side or rear yard Setback and in no case shall a Balcony encroach into the Street, sidewalk, or any public Right-of-Way.

3) Awning

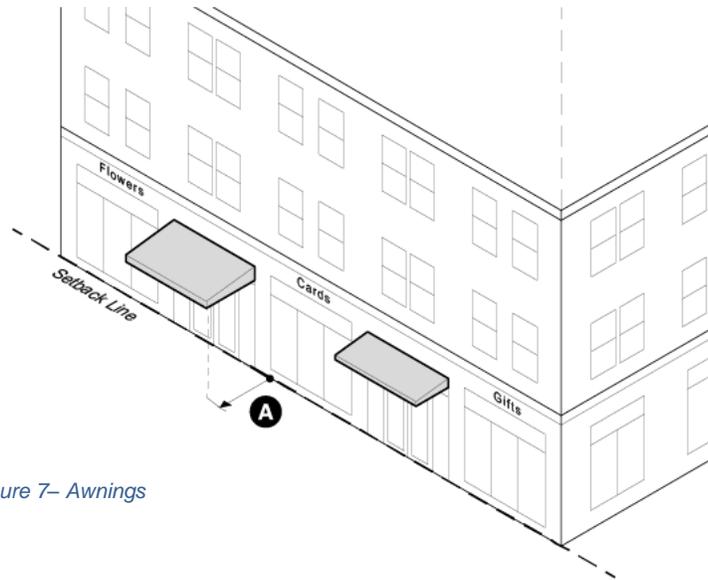


Figure 7– Awnings

Dimensions	
Width of each awning, (min)	–
Clearance above grade (min)	8 ft
Depth (max)	3 ft
Extension into the sidewalk, Principal Entrance, (max)	6 ft
Extension into the sidewalk, other, (max)	3 ft
Front setback encroachment, (max)	100%

4) Porch

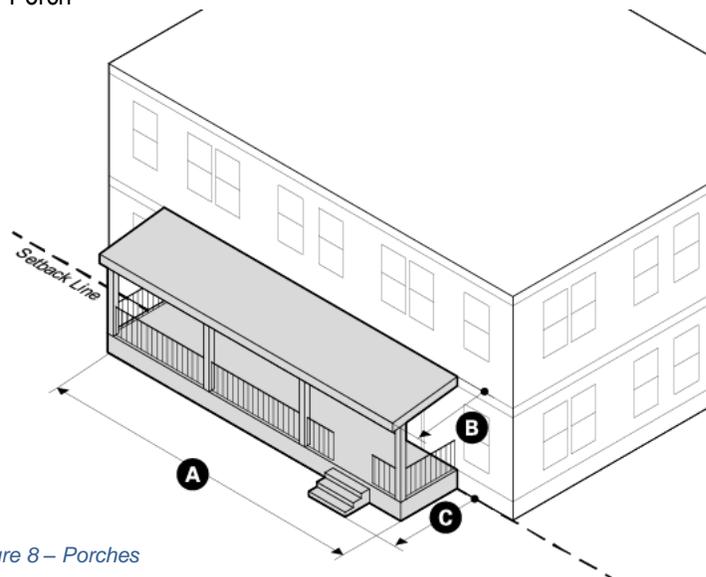


Figure 8– Porches

Dimensions	
(A) Width, front (max)	60% of wall length
(B) Depth, front (max)	8 ft
Depth, side (max)	4 ft
(C) Front setback encroachment (max)	8 ft for the Porch; stairs may extend beyond 8 ft only if the Porch level is less than 3 ft above grade. No portion of the Porch, including stairs and required landing zone, may extend into the public ROW.

10. Façade Articulation

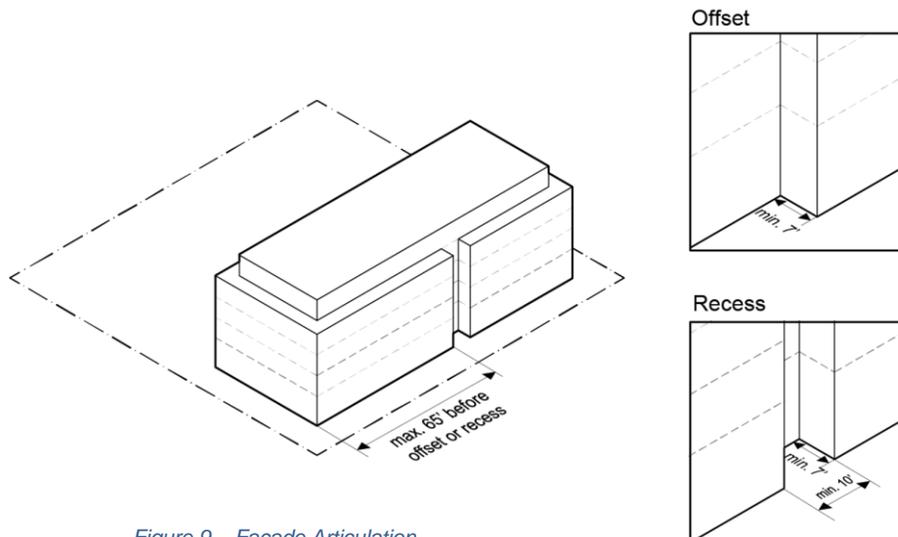


Figure 9 – Façade Articulation

- a. The Front Elevation of any Building greater than sixty-five (65') feet in width must be divided vertically by a recess or an offset at least seven (7) feet deep and ten (10) feet wide for the full height (measured in feet) of the Building, excluding:
 - 1) The Half Story.
 - 2) Any portion of the Ground Story with Ground Story Active Uses as defined in §9.6.B.9.
- b. Balconies and awnings may be located within the recess or adjacent to the offset.
- c. Balconies and Bays may be utilized to satisfy the Façade articulation requirements in this §9.6.B.10.

11. Ground Story Fenestration

- a. Fenestration must be provided as specified in the Building Dimensional Standards for each MOZ subdistrict and is calculated as a percentage of the area of the Front Elevation at the Ground Story.

- b. For Buildings with Ground Story Active Use spaces, Ground Story Fenestration is measured between two (2) feet and ten (10) feet above the finished floor of the Ground Story.
- c. For Ground Story Fenestration, glazing must have a minimum sixty percent (60%) Visible Light Transmittance (VLT) and no more than fifteen percent (15%) Visible Light Reflectance (VLR) as indicated by the manufacturer.

12. Building Entrances

- a. For Lots with Street frontage, Buildings must have their Principal Entrance(s) from that Street. For Lots without Street frontage, Buildings must have their main entrance(s) on the side wall oriented toward a secondary Street or parking lot provided for the Building.
- b. Within the MXDZ4, MOZ5A, and MOZ5B subdistricts, Principal Entrances must either be recessed or projected from the plane of the Façade, or have a projecting awning, to signal Building entry and provide adequate protection from the elements.

13. Mechanical Equipment

- a. Roof-mounted mechanical equipment must be screened and set back at least ten (10) feet from the intersection of the roof and wall plane immediately below.
- b. Wall-mounted alarm devices, cable boxes, and utility meters shall not be mounted on a wall plane facing a Street. However, security cameras may be so permitted.
- c. Wall-mounted mechanical, plumbing, and/or electrical equipment such as louvers, exhaust equipment, and duct vents along the front and side elevations must be architecturally integrated into the design of the Building and located to minimize adverse effects on pedestrian comfort along sidewalks and within Open Spaces.
- d. All free-standing mechanical and/or electrical equipment are prohibited between any Front Lot Line and Front Elevation and within side or rear yards, no closer to front Building line than 15'. Such equipment must be fully screened at height and from the street and include noise reducing elements.

14. Building Additions

- a. Existing Buildings may be extended vertically or horizontally to add additional Dwelling Units provided that all applicable dimensional requirements and applicable per-lot Unit caps of this By-Law are adhered to.
- b. Basements, attics, or Porches in existing Buildings also may be finished into Dwelling Units, either fully within the Building Footprint or including additions that meet the By-Law dimensional criteria, provided that all applicable Building and other code requirements are met in full.
- c. Building additions intending to utilize the provisions of this By-Law must meet all requirements of this §9 and shall so state this intent in their Building permit application.

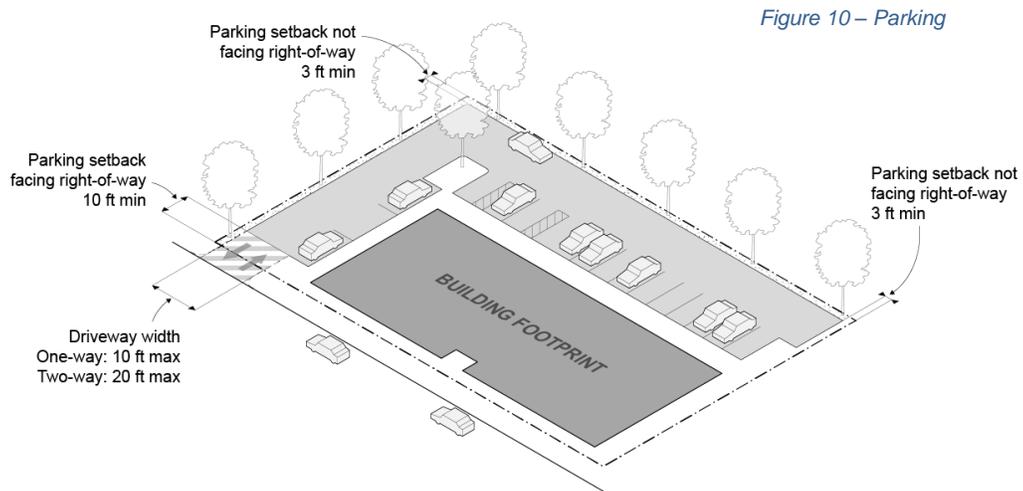
C. Parking Design Standards

1. Required Off-Street Parking Spaces

- a. The motor vehicle parking minimums within the MOZ are provided in §9.5 A., plus the following, as applicable:
 - 1) Fractional numbers: Where the computation of required Parking Spaces results in a fractional number only the fraction of one-half or more shall be counted as one (1).
 - 2) A half (0.5) parking stall per residential Unit is required within the MOZ5 subdistrict for Lots over twenty-thousand (20,000) square feet unless appropriate traffic generation mitigation measures are proposed that offset the additional Parking Spaces required herein.
 - b. Bicycle Parking must be provided as specified below,
 - 1) No Bicycle Parking is required for Ground Story non-residential uses with five-thousand (5,000) square feet or less of gross leasable floor area or residential Buildings with three (3) Units or less.
 - 2) Multi-family residential (4 Units or more) shall provide 0.60 short-term Bicycle Parking spaces per Dwelling Unit and 0.10 long-term spaces per Dwelling Unit.
 - ~~2) Retail or service use shall provide 0.10 short term Bicycle Parking spaces per Dwelling Unit and 1.50 long term Bicycle Parking spaces per Dwelling Unit.~~
 - ~~3) Office use shall provide 1.00 short term Bicycle Parking spaces per Dwelling Unit plus 0.50 long term spaces per Dwelling Unit.~~
 - 3) Bicycle Parking must be provided at no fee to customers, visitors, employees, tenants, and residents
 - 4) Bicycle Parking may be provided through any combination of racks and lockers.
 - 5) Bicycle Parking serving multiple uses may be combined into a single area or accessory structure.
 - 6) Short-Term Bicycle Parking must be provided outside of a principal Building and within one-hundred (100) feet of the Building served by the parking.
 - 7) Long-Term Bicycle Parking must be provided in a well-lit, secure location within the same Building as the use the parking is intended to serve or within an accessory structure located within two-hundred (200) feet of the Building.
 - c. Motor vehicle Parking Spaces for persons with disabilities must be provided per 521 CMR 23.00 Parking and Passenger Loading Zones.
 - d. Centralized parking facilities must provide signage identifying the permitted users.
 - e. Pedestrian access to a motor vehicle parking lot must be via a paved sidewalk or walkway.
2. Vehicular Parking space Dimensions.
- a. For vehicular Parking Space requirements, see § 5.1.

- b. Alternative compliance. The provisions of this §9.6.C may be modified by Special Permit to accommodate alternative technologies and methods for providing Bicycle Parking so long as the Special Permit Granting Authority makes a finding that the alternative Bicycle Parking provides equal or greater benefits to bicycle users.

3. Parking Access.



- a. Vehicular access to parking lots and structures along the Primary Front Lot Line is prohibited when vehicular access along another Lot Line is available.
- b. Shared use of vehicular parking lots, by multiple uses and/or developments on multiple parcels, is permitted.
- c. If the entrance to a parking area is along the Primary Front Lot Line, the width of the entrance may be no more than 40% of the Front Elevation along the Primary Front Lot Line.

4. Curb Cuts and Driveways.

- a. Curb cuts are prohibited along the Primary Front Lot Line when vehicular access along another Lot Line is available. Notwithstanding the foregoing, a curb cut along a Primary Front Lot Line on a corner lot is permitted if the Commissioner of Public Works, or their designee, determines:
 - 1) A one-way vehicular access along the Primary Front Lot Line and a one-way vehicular access along the secondary Front Lot Line improves safety and traffic flow.
- b. Each Lot is limited to one curb cut per Street Frontage.
- c. The maximum width of a driveway for vehicular access to parking lots and Structures is as follows:

Access Type	Width (max)
One-way	12 ft

Two-way	20 ft
---------	-------

- d. The interior width of a driveway apron (between curb stones) may be no wider than the driveway, vehicular entrance, or loading facility it serves.
 - e. The grade, cross slope, and clear width of the walkway of a sidewalk must be maintained between the driveway apron and the abutting driveway.
 - f. Curb cuts for driveways must be at least twenty (20) feet from an intersection that does not have a traffic-control signal and at least forty (40) feet from an intersection with traffic-control signals. The distance between the curb cut and the intersection shall be measured from the point of intersection of the tangent lines of the curve. The Director of Public Works, or their designee, may modify the minimum allowable distance of a proposed curb cut from an intersection and the location of a proposed curb cut upon their determination that such modification will improve vehicular and pedestrian safety.
5. Vehicular Parking Placement.
- a. Unless otherwise specified in this §9.6.C., all vehicular Parking Spaces must be located at or behind any required parking setback as specified in the Site Dimensional Standards for each MOZ subdistrict.
 - b. No vehicular Parking Spaces are allowed between the Front Elevation and the Primary Front Lot Line.
 - c. The Planning Board, based on site constraints, may, by Special Permit, grant parking relief for required handicapped Parking Spaces.
6. Screening. Surface vehicular Parking Spaces and outdoor loading facilities must be separated from the Street by a Building or Screening within the parking setback as specified in the Site Dimensional Standards for each MOZ subdistrict. Screening shall consist of one or a combination of the following:

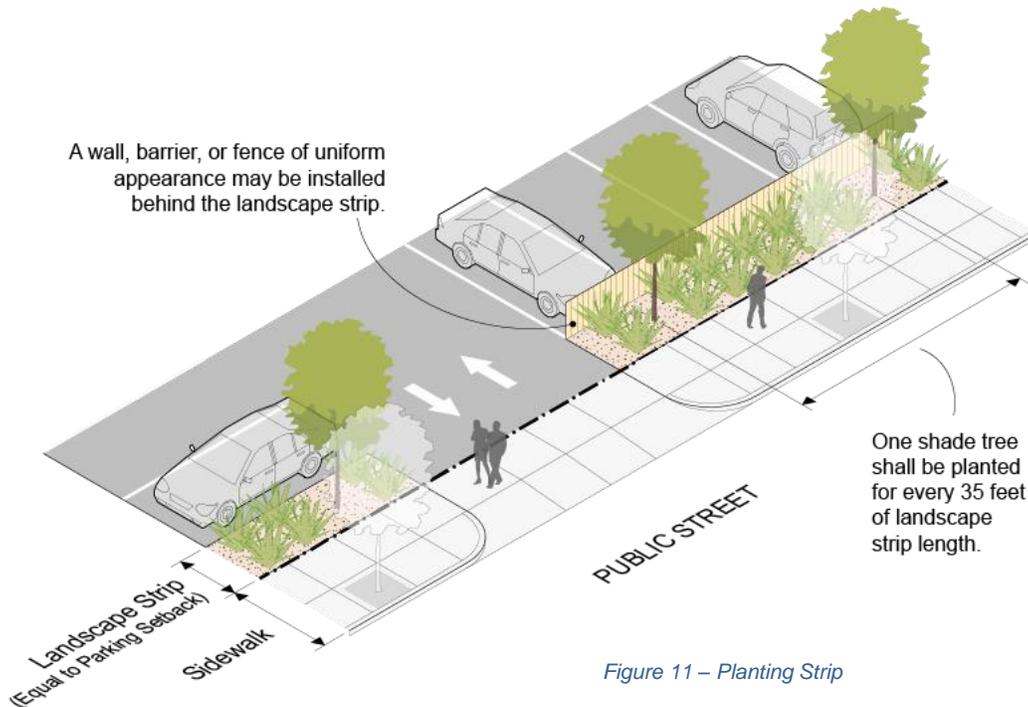


Figure 11 – Planting Strip

- a. A landscape strip at least five (5) feet in width, running the full length of the parking lot along the Street, excluding curb cuts and driveways (see above image).
 - 1) The landscape strip must be planted with trees, shrubs, perennials, native grasses, and other planting types that provide a buffer from the Street.
 - 2) Deciduous large shade trees must be planted for every thirty-five (35) feet of landscape strip length, spaced linearly and parallel to the Street. Shade trees must be a minimum of two (2) inches in tree caliper when planted.
 - 3) The Tree Warden of the Town of Belmont shall be consulted for the selection of species for street trees.
- b. A wall, barrier, or fence of uniform appearance. Such a wall, barrier, or fence may be opaque or perforated provided that not more than fifty (50) percent of the face is open. There shall be a landscaped strip with a minimum width of 3 feet between the base of the wall, barrier, or fence and Right-of-Way. The wall, barrier, or fence shall comply with the provisions of the Zoning By-Law and other applicable Bylaws, codes, or regulations addressing the placement of fences.
- c. The required Screening shall be located so as not to conflict with any corner visibility requirements or any other Town ordinances. Such Screening may be interrupted by entrances or exits.
- d. Parking lots in the MOZ3, MXDZ4, MOZ5A, and MOZ5B subdistricts on a Lot abutting properties in any Residential Districts along any Side or Rear Lot Line must be screened, per the standards in this §9.6.Ċ.6.

7. Lighting

Lighting shall comply with the provisions of the §5.4.3 of the Zoning By-Law.

8. Loading.
 - a. For off-street loading requirements, see §5.1.3 and other applicable loading provisions of the Zoning By-Law.
 - b. Access to loading docks or service areas along the Primary Front Lot Line is prohibited, except when the loading docks and service areas are internal to the Building or fully behind the Building.
 - c. Outdoor loading facilities, including all docks and areas used for the storage and staging of goods or materials, that are visible when viewed from a height below 6' from a Street or public space, or from abutting properties in any Residential Zoning District must be screened from view. See §9.6.C.6. above.
9. Service Areas.
 - a. Buildings containing five (5) or more Dwelling Units must provide facilities for private trash and recycling pick up.
 - b. Trash collection, trash compaction, recycling collection, and other similar service areas must be fully enclosed within a Building or located to the side or rear of the Buildings within fully locked enclosures.
 - c. Outdoor service areas are not permitted along any Primary Front Lot Line.
 - d. Outdoor service areas that are visible when viewed from a height below 6' from a public street, public space, or from abutting properties in a Residential zoning District must be fully screened from view. See §9.6.C.8. above.
10. Parking Relief.
 - a. The Planning Board is the exclusive Special Permit Granting Authority for all parking relief within the MOZ subdistricts.
 - b. In particular instances, a Special Permit may be granted to allow for exceptions to this §9.6.C. if it is determined that literal compliance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the Lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features.
 - c. A Special Permit may not be granted to allow exceptions to the minimum parking setbacks or to allow parking between the Primary Front Lot Line and Front Elevation where not otherwise permitted.

§9.7 Design Guidelines.

The Planning Board may adopt, and periodically amend as deemed necessary, design guidelines as part of the Planning Board Rules and Regulations. These guidelines shall provide direction, not requirements, for the design of new Development within the MOZ subdistricts resulting in a cohesive pattern over time. The intent is to define expectations for new Development while allowing for flexibility and fostering high quality design. The Planning Board Rules and Regulations shall not be interpreted as an amendment to the Zoning By-Law.

§9.8 Affordable Housing Provisions.

Except as expressly modified herein, the provisions of §6.10 Inclusionary Housing shall apply in the MOZ.

§9.9 Density Bonus

This §9.9 provides for one density bonus for the MOZ5B subdistrict. As follows: A property owner may be eligible for a 1.5 Story residential density bonus if the Ground Story is restricted to a mix of Active Story and Semi-Active Accessory Uses as provided in §9.6.9B.8. above. This would allow for a 5.5 Story Building at a maximum height of 65 feet.

§9.10 Allowed Uses.

Uses permitted in the MOZ subdistricts are described below.

A. Permitted Uses

1. The use of real property is subject to the provisions of this §9.810., Allowed Uses.
2. Uses are permitted as specified in this §9.810, Allowed Uses.
3. Non-residential uses are permitted as specified in the table below, only in combination with a permitted residential use.
4. Use categories not expressly authorized are prohibited.

B. Accessory Uses

1. The use of real property is subject to the provisions of the Use Table in §9.810.C. Permitted Uses.
2. Accessory Uses are permitted as specified in §9.810.C., Accessory Uses.
3. Accessory Uses not expressly authorized are prohibited.

C. Use Table

	MOZ1A	MOZ1B	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Residential Use								
Single-Family, Detached	--	--	--	--	--	--	--	--
Two-Family, Detached	--	--	--	--	--	--	--	--
Multi-Family Residential	P	P	P	P	P	P	P	P
Assisted Living Facility	--	--	SPP	SPP	SPP	--	SPP	SPP
Nursing Home	--	--	SPP	SPP	SPP	--	SPP	SPP
Congregate Care Facility	--	--	--	SPP	SPP	--	SPP	SPP
Senior Housing w/ Services	--	--	P	P	P	--	P	P
Live/Work Space	--	--	--	--	--	SPP	--	SPP
Lodging/Boarding	SPP	SPP	SPP	--	--	SPP	--	--
Civic/Institutional Use								
Day Care Center	SPP	SPP	SPP	P	P	P	P	P

Library, Museum	--	--	--	P	P	P	--	P
Public Use	P	P	P	P	P	P	P	P
Religious Institution	P	P	P	P	P	P	P	P
Education, Non-Profit	P	P	P	P	P	P	P	P
Education, For-Profit	--	--	--	--	--	P	--	SPP
Theatre or Performance Space	--	--	--	--	--	P	SPP	SPP
Commercial Uses								
Bank	--	--	--	--	--	P-A	--	P-A
Business Incubator	--	--	--	--	--	P	--	P
Business Services	--	--	--	--	--	P	--	P
Car Sharing or Rental	--	--	--	--	--	SPP	--	SPP
Bicycle or Scooter Rental	--	--	--	--	--	P	--	P
Car Charging Station (accessory)	--	--	--	--	--	P	--	P
Craft Beverage Establishment or Tavern	--	--	--	--	--	SPP	--	SPP
Dry Cleaning or Laundry, Retail	--	--	--	--	--	P-A	--	P-A
Food Service Establishment	--	--	--	--	--	P-A	--	P-A
Funeral Home	--	--	--	--	--	SPP	--	SPP
Health and Fitness Facility	--	--	--	--	--	P	--	P-A
Hotel and Lodging Establishment	--	--	--	--	--	SPP	--	SPP
Printing or Photocopying	--	--	--	--	--	P-A	--	P-A
Office	--	--	--	--	--	P	--	P
Open Air Business	--	--	--	--	--	SPP	--	SPP
Food Truck	--	--	--	--	--	SPP	--	SPP
Parking Facility, Accessory	--	--	--	--	--	P	--	SPP
Parking Facility, Non-Accessory	--	--	--	--	--	P	--	P
Personal Services	--	--	--	--	--	P-A	--	P-A
Entertainment Uses, Indoor	--	--	--	--	--	P-A	--	P-A

Radio or TV Broadcasting Studio	--	--	--	--	--	P	--	SPP
Retail Sales	--	--	--	--	--	P-A	--	P-A
Veterinary Hospital	--	--	--	--	--	P	--	SPP
Industrial and Related Uses								
Commercial Art Studio	--	--	--	--	--	SPP	--	SPP
Craft and Artisan Manufacturing or Assembly	--	--	--	--	--	SPP	--	SPP
Wireless Telecommunications Facility	--	--	--	--	--	SPP	--	SPP
Brewery, Cidery, Winery, Meadery, Distillery (non-micro)	--	--	--	--	--	SPP	--	SPP
Accessory Uses								
Home Occupations	SPP							
Leasing or Management Office	--	--	--	P	P	P	P	P-S
Common Area Lounge or Meeting Space	--	--	--	P	P	--	P	P-S
Common Laundry Facilities, Gym, Janitorial and Maintenance Space specifically intended for use of occupants and/or staff only.	--	--	--	P	P	P	P	P
Accessory Parking Facility or Access Area to Same	P	P	P	P	P	SPP	--	P-S
P = Permitted -- = Not-Permitted L = Allowed w/ Limitations SPP = Special Permit Planning Board SPZ = Special Permit ZBA A = Active Use. S = Semi-Active Accessory Use								

§9.11 Administration.

A. Development Review Generally

1. Applicability. The density and dimensional controls of the MOZ apply to all Buildings, Structures, and uses on a Lot where the owner has elected to utilize a listed MOZ subdistrict to be subject to the zoning requirements of the said subdistrict.
 - a) Electing to utilize the MOZ provisions of this §9 shall so state this intent specifically as part of a Building permit application and Design and Site Plan Review application.

- b) Owners of Lots developed or using MOZ provisions seeking to revert ~~back~~ to the Base Zoning District provisions shall so state this intent specifically as part of a Building permit application, Design and Site Plan Review application, or Special Permit application, as applicable.

2. Approval Process.

- a) Development that requires Design and Site Plan Review shall be reviewed in accordance with §9.911, B. below.
- b) Development that requires a Special Permit shall be reviewed in accordance with §9.911, C. below.
- c) Design and Site Plan Review shall be required for all MOZ development or land use within a MOZ subdistrict
- d) The Planning Board is the granting authority for all development that requires Design and Site Plan Review.
- e) Special Permit Applicability.
 - 1) Long-Term Bicycle Parking alternative.
 - 2) Parking Relief.

B. Design and Site Plan Review

- 1. Purpose. Design and Site Plan Review is the administrative review and approval of a Development under the provisions of the MOZ to identify and address any potential impacts from the proposed Development.
- 2. Applicability. Design and Site Plan Review for MOZ eligible Development or use is required as per the provisions of §7.3 of the Zoning By-Law. Lots electing to develop or use land subject to MOZ criteria shall also adhere to all applicable requirements of the Zoning By-Law and other Bylaws, codes, and regulations.
- 3. Authority. The Planning Board or their designee is the exclusive review and approval authority for Design and Site Plan Review.
- 4. Submission Requirements, Process, and Review Criteria. Whenever Design and Site Plan Review is required under the provisions of the MOZ, the provisions of §7.3, Design and Site Plan Review, shall be followed.

C. Special Permit Review

Any Special Permit application based on the provisions of §9.11.A.2.e. above, shall be submitted and reviewed in accordance with §7.4 of the Zoning Bylaw.



MOTIONS
2024 SPECIAL TOWN MEETING
NOVEMBER 18, 2024
Draft as of November 7, 2024
(Subject to Change)

PRELIMINARY MOTION

ORDER OF THE ARTICLES

MOVED: That the Town Meeting hear the motions in the following order:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10

(Majority vote.)

ARTICLE 1

REPORTS

MOVED: That Article 1 be taken from the table.
MOVED: That Article 1 be laid on the table.

(Majority Vote)

Submitted by the Select Board

Reporting: The Select Board will report on this Article.

ARTICLE 2 NEW ZONING BYLAW(S): ZONING MAP & MBTA COMMUNITIES MULTI-FAMILY HOUSING OVERLAY DISTRICT

MOVED: That the Town amend the Belmont Zoning Bylaw by adding a new Section 9, as printed in the document entitled "2024 Belmont Special Town Meeting Warrant Appendix 1 - Revised November 6, 2024" (attached), and to further amend the Belmont Zoning Map to include the MOZ district as shown on the plan entitled "Belmont Multifamily Overlay District and Subdistricts, November 18, 2024 Special Town Meeting, Map 1" (attached).

(Majority Vote)

Submitted by the Planning Board

Reporting: The Select Board and the Planning Board will report on this Article.



Belmont Multifamily Overlay Districts and Subdistricts

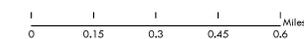
November 18, 2024 Special Town Meeting
Map 1

Zoning Districts

- Single Residence A (SR A)
- Single Residence B (SR B)
- Single Residence C (SR C)
- Single Residence D (SR D)
- General Residential (GR)
- Apartment House (AH)
- McLean Residential Subdistrict (Res Sub)
- Belmont Uplands District (BUD)
- General Business (GB)
- Local Business I (LB I)
- Local Business II (LB II)
- Local Business III (LB III)
- McLean Institutional Subdistrict (McL Sub)
- McLean Research & Development Subdistrict (RD Sub)
- McLean Senior Subdistrict (Senior Sub)
- Open Space (OS Sub)
- Cemetery (CEM)
- Parking Lot (PL)

3A Overlay Districts

- 1A - Low Density SD 1A
- 1B - Low Density SD 1B
- 2 - Low Density SD 2
- 3A - Housing Authority 3A
- 3B - Housing Authority 3B
- 4 - Mandatory Mixed Use
- 5A - High Density SD 5A
- 5B - High Density SD 5B

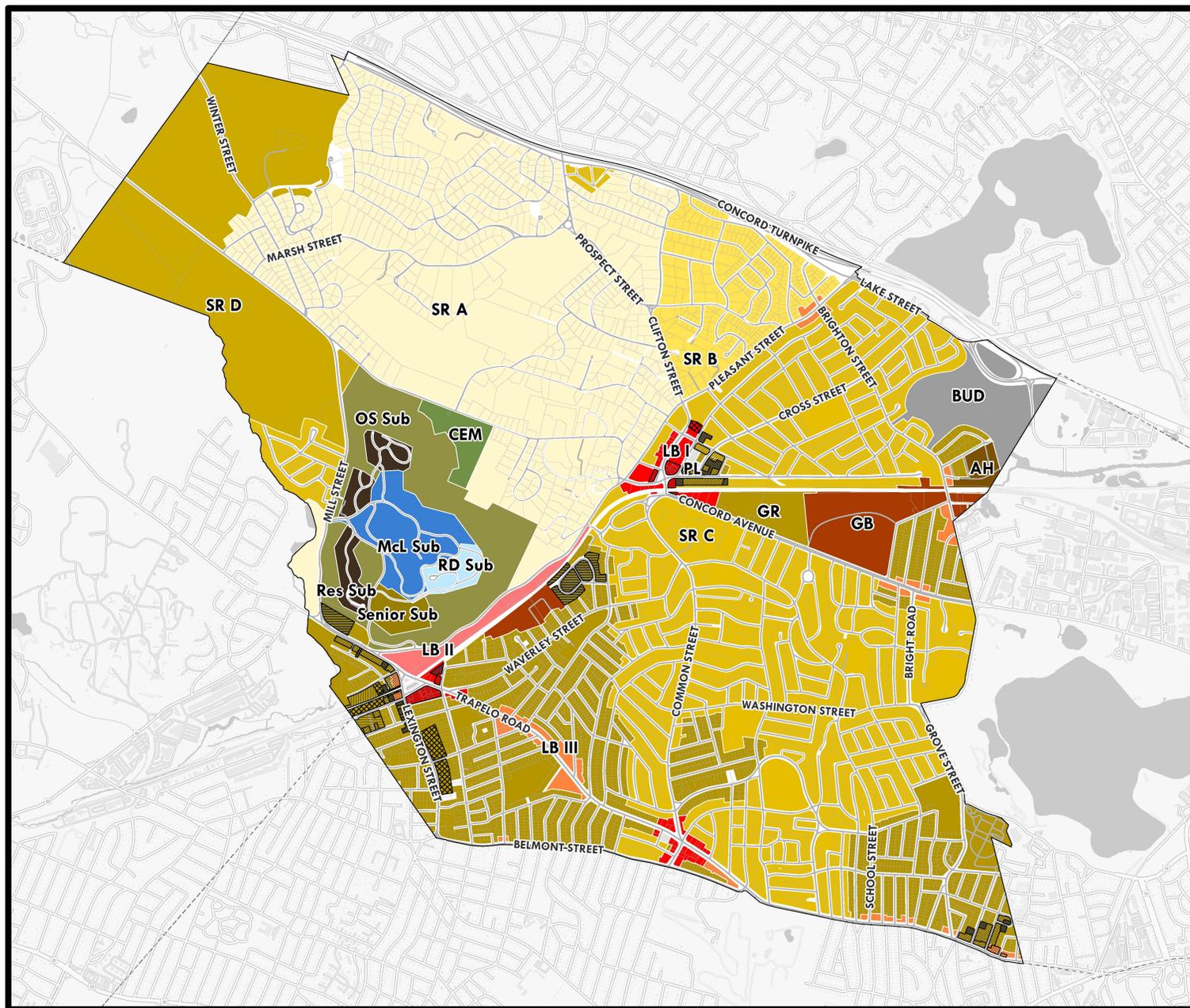


The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

Produced by:
Metropolitan Area Planning Council
60 Temple Place, Boston, MA 02111 | (617) 933-0700

Data Sources:
Metropolitan Area Planning Council (MAPC)
Massachusetts Geographic Information System (MassGIS)
Massachusetts Department of Transportation (MassDOT)

October 2024



Appendix 1 – Zoning Map & MBTA Communities Multi-Family Housing Overlay District

Section 9 Multifamily Housing Overlay District (“MOZ”)

§9.1 District Purpose and Intent
§9.2 District Establishment
§9.3 Applicabilitys
§9.4 Definitions
§9.5 Dimensional Standards
§9.6 Development and Design Standards
§9.7 Design Guidelines
§9.8 Affordable Housing Provisions
§9.9 Density Bonus.
§9.10 Allowed Uses
§9.11 Administration

§9.1 District Purpose and Intent.

- A. To respond to the local and regional need for housing by enabling development of a variety of housing types, which is intended to expand the diversity of housing options available in Belmont;
- B. To respond to the local and regional need for affordable housing by allowing for a variety of housing types with affordable housing requirements;
- C. To promote a diverse mix of Multi-Family Housing located near retail services, offices, civic, and personal service uses, that establishes compact, pedestrian-oriented districts;
- D. To allow the development of Buildings and uses appropriate to Belmont’s commercial centers, areas immediately adjacent to centers, and transit-served areas, in a manner that aligns with the vision of the Town’s long-range plans and other policy documents;
- E. To allow sufficient density and intensity of uses to promote a lively and active pedestrian environment, public transit, and variety of land uses that serve the needs of the community;
- F. To promote the health and well-being of the community by reducing automobile dependency and encouraging physical activity, encouraging the use of alternative modes of transportation;
- G. The utilization of good planning principles and regulatory tools to create a strong sense of place;
- H. To encourage environmental and climate protection sensitive development;
- I. To encourage economic growth in the redevelopment of properties;
- J. To encourage residential uses to provide a customer base for local businesses;
- K. To encourage the preservation and reuse of existing Buildings, as may be applicable; and

- L. To facilitate compliance with the multi-family zoning requirement for MBTA communities pursuant to M.G.L. Chapter 40A, Section 3A.

§9.2 District Establishment.

The Multifamily Housing Overlay District (“MOZ”) is an Overlay Zoning District as defined in §9.4 below that does not replace the underlying zoning districts but is superimposed over them. The MOZ has been divided into seven (7) subdistricts:

- A. **Multifamily Overlay Subdistricts 1A and 1B** (“MOZ1A” and “MOZ1B”). Both MOZ1A and MOZ1B subdistricts facilitate the preservation of existing homes through conversion to multiple Units and new, smaller-scale, multi-family Buildings similar in size to the surrounding residential neighborhoods including triple-deckers and other configurations. MOZ1A lots are limited to three Units per Lot while MOZ1B lots do not have a three-Unit limit.
- B. **Multifamily Overlay Subdistrict 2** (“MOZ2”). The MOZ2 subdistrict facilitates the development of 2.5 story townhouses and apartment Buildings of a small to moderate scale.
- C. **Multifamily Overlay Subdistrict 3A and 3B** (“MOZ3A” and “MOZ3B”). The MOZ3A subdistrict facilitates the redevelopment of certain Belmont Housing Authority properties into 5 story apartment blocks interspersed with open space. The MOZ3B subdistrict facilitates a mix of scales allowing the redevelopment of certain Belmont Housing Authority properties into small scale and moderate scale Buildings interspersed with Open Space.
- D. **Mixed Use Development Overlay Subdistrict 4** (“MXDZ4”). The MXDZ4 subdistrict facilitates mixed-use development. This subdistrict contributes new housing and commercial space in certain existing mixed-use centers and corridors, particularly those with access to mass transit. Buildings are typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground Story Active Uses address the needs of residents and employees in the immediate neighborhood, the larger Belmont community, and regional visitors.
- E. **Multifamily Overlay Subdistricts 5A and 5B** (“MOZ5A” and “MOZ5B”). The MOZ5A subdistrict facilitates the development of multifamily Buildings as apartments or condominiums at three and a half (3.5) stories with a limited footprint per Building. The MOZ5B subdistrict facilitates the development of multifamily Buildings as apartments or condominiums at 4.0 stories. A Ground Story commercial option is available to allow 5.5 total stories.

§9.3 Applicability

- C. The MOZ is established pursuant to the authority of Massachusetts General Law, Chapter 40A, Section 3A and shall be deemed to overlay the parcels depicted on the Zoning Map, as amended. The zoning rules applicable to the Base Zoning Districts shall be in effect except where the property owner elects to utilize the provisions of this Section 9, Multifamily Housing Overlay District.
- D. The owner of one or more parcels within the MOZ may use the base zoning provisions, the provisions of this §9, but not both simultaneously. An owner may choose to use the Section 9 provisions or revert to Base Zoning District provisions, as frequently as desired, provided that appropriate site plans and/or Special Permits are granted. Note that a reversion from the MOZ back to the Base Zoning District may result in the creation of a legal non-conformity.

- E. In the event of a conflict between the provisions of the MOZ and the Base Zoning District in which the parcel is located, the provisions of this §9 prevail. All other applicable provisions in this By-Law shall be adhered to within the MOZ.
- F. The invalidity, unconstitutionality, or illegality of any provision of this §9 or boundary shown on the Zoning Map shall not have any effect upon the validity, constitutionality, or legality of any other provision or boundary in this Zoning By-Law.

§9.4 Definitions.

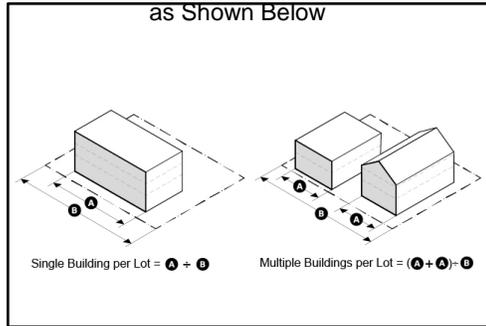
Capitalized terms in this Section 9 have the meanings as set forth below or in §1.4. The definitions below do not modify definitions in §1.4 or apply to other sections of this By-Law.

- A. **Balcony** - An unenclosed and uncovered platform with a railing, wall, or balustrade that provides outdoor amenity space on upper stories.
- B. **Base Zoning District** – Refers to any one of the non-Overlay Zoning Districts established pursuant to the Zoning By-Law as depicted in §2.1 of the Zoning By-Law and as shown on the Zoning Map, and as the same may be lawfully changed or modified from time to time.
- C. **Bay** - A window assembly extending from the main body of a Building to permit increased light, provide multi-direction views, and articulate a Building wall. Two Bays can connect around corners.
- D. **Bicycle Parking, Long-Term** - Accommodations for the parking of a bicycle for two (2) or more hours.
- E. **Bicycle Parking, Short-Term** - Accommodations for the parking of a bicycle for less than two (2) hours.
- F. **Building Footprint** - Area of the largest above-grade floor of a Building as measured to the exterior faces of the walls.
- G. **Building Line, Principal** – A line measured at the Building wall of a Structure between parallel Lot Lines. For the purposes of establishing a Building line, the Building wall does not include permitted encroachments or architectural features unless so specified in this §9. A front Building line is that Building line that abuts or is parallel or generally parallel to a front Lot Line.
- H. **Design and Site Plan Review** – Site plan review establishes criteria and procedures for review and approval for the potential impacts of Development such as layout, scale, appearance, safety, and environmental impacts of commercial or multifamily residential development.
- I. **Dormer** - A projection built out from a sloping roof, usually containing a window or vent.
- J. **Elevation, Front** - The Building's exterior wall that is oriented in whole or in part toward a Street.
- K. **Elevation, Side** – A Building exterior wall that is oriented toward a Side Lot Line.
- L. **Façade** – The face of a Building, in particular, the principal front face that looks onto a Street or public Open Space.

- M. **Façade Build Out Ratio** - The ratio of the width of the entire Front Elevation of a structure to the Lot Width along the Street.

Façade Build Out Ratio is $A - B$

as Shown Below



- N. **Fenestration** - The openings in the Façade of a Building, including windows and doors. Fenestration is measured from the inside face of the jambs on any window or door trim.
- O. **Furnishing Zone** - The portion of the sidewalk between the back of curb and the walkway that is used for street trees, landscaping, transit stops, streetlights, and site furnishing.
- P. **Ground Story Active Uses** - Ground Story Active Uses are uses that are located along a Street and are directly accessible from a sidewalk or Open Space, and that is intended to attract pedestrian activity.
- Q. **Ground Story Semi-Active Accessory Uses** - Shall mean accessory communal use areas, amenity areas, or services for the Building residents only.
- R. **Lot Line** – The legal boundary line of a lot according to the deed or recorded plan of a Lot that separates one Lot from another or the Street.
- S. **Lot Line, Front** - The Lot Line abutting a Street.
- T. **Lot Line, Primary Front** - Where there is only one Front Lot Line, it shall be the Primary Front Lot Line. Where there are multiple Front Lot Lines, the Primary Front Lot Line shall be the one the Principal Entrance faces. Where there are multiple Front Lot Lines and the Principal Entrance does not face a street or right of way, the Primary Front Lot Line shall be determined by the Inspector of Buildings or their designee.
- U. **Lot Line, Rear** - Any lot line, other than a lot line that is a Side Lot Line of an abutting property, that is parallel to or within forty-five (45) degrees of being parallel to a Front Lot Line. While there may be exceptions, typically the Rear Lot Line connects to two Side Lot Lines.
- V. **Lot Line, Secondary Front** – Where there are multiple Front Lot Lines, the Secondary Front Lot Line shall be the one where the Principal Entrance does not face.
- W. **Lot Line, Side** - Any Lot Line other than a front or Rear Lot Line.
- X. **Lot Width** - The average horizontal distance between the Side Lot Lines, or in the case of a corner lot, the minimum horizontal distance between the Side Lot Line and the opposite Lot Line.
- Y. **Mixed-Use Priority Street** - A portion of a Street that requires Ground Story Active Uses within the MOZ subdistricts as shown on the Zoning Map.

- Z. **Open Space, Useable** - Outdoor areas within the development envelope open to the sky designed and accessible for outdoor activity, pedestrian access, landscaping, or recreation and used by residents or tenants or the general public.). Useable Open Space does not include streets, public or private surface easements, accessory Buildings, open parking areas, driveways, access ways for the dwellings, land area utilized for garbage and refuse disposal or other servicing maintenance, or required front or corner side yards. This does not include any space with a dimension of less than 10 feet in any direction or an area of less than 100 square feet. "Developed Recreational Open Space" including recreational structures designed to be consistent with the intent of this definition are included in the calculation of the area of required Useable Open Space. This definition is limited in applicability to the provision in §9.6 A. 3. regarding the calculation of the Façade Build Out Ratio.
- AA. **Multi-Family Housing** – A Building with 3 or more residential Dwelling Units or 2 or more Buildings on the same Lot with more than 1 residential Dwelling Unit in each Building.
- BB. **Overlay Zoning District** – Overlay Zoning Districts are zoning districts that have been superimposed over existing Base Zoning Districts, in accordance with the Zoning Act, to create new requirements and/or development opportunities. They are often used to protect sensitive environmental features, such as aquifers and wetlands, to promote the adaptive reuse of historic properties, and to allow greater flexibility or additional uses, particularly with residential or commercial use.
- CC. **Porch** - An unenclosed platform connected to a principal Building that provides outdoor amenity space. A Porch may be bordered with a railing, screened or covered, but permanent enclosure to create habitable space is prohibited.
- DD. **Primary Front Lot Line** - Any Lot Line abutting a Street is a Primary Front Lot Line.
- EE. **Principal Entrance** - The main point of access for pedestrians into a Building, Upper Story use, or Ground Story tenant space.
- FF. **Residential District** - Residential Districts include lots located in the Single Residence A (SRA), Single-Residence B (SRB), Single-Residence C (SRC), Single-Residence D (SRD), General Residence (GR), and Apartment House (AH) zoning districts. For the purposes of applying MOZ standards to a Lot, the abutting Lots in the MOZ shall be considered to be in a Residential District regardless of whether such abutting Lot has elected to utilize the MOZ option.
- GG. **Right-of-Way** – Refers to a strip of land given to the public for specific uses including streets and roadways, bridge structures, public utilities, etc. Right-of-Ways are available for use by the public at large and are administered by the Town.
- HH. **Screening** - A natural occurrence, such as a berm or hedge, or a constructed device, such as a fence, that shields from view various land use activities.
- II. **Setback, MOZ Adjacent** – A Setback is where an MOZ lot is directly adjacent to a residentially-zoned Lot outside of an MOZ subdistrict.
- JJ. **Step-Back** - A recess of an Upper Story Façade a set distance behind the Façade of the Story below.
- KK. **Story, Ground** - The lowest Story of a Building with a finished floor at or above the average grade plane adjacent to the Building.

LL. **Story, Half** - See §9.6 B. 5. for definition of a Half Story for a pitched roof and §§9.6 B. 6. for definition of a Half Story for a flat roof Step-Back, notwithstanding the definition set forth in §1.4.

MM. **Story, Upper** - Any full story above the Ground Story of a Building.

NN. **Unit** – Refers to a Dwelling Unit (See §1.4).

§9.5 Dimensional Standards.

A. Site Dimensional Standards.

	MOZ1A & B	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Lot Area (min.)							
	2,700 sf MOZ1A 6,500 sf MOZ1B	6,500 sf	N/A	N/A	N/A	N/A	20,000 s.f.
Open Space (min.)							
	30%	30%	30%	40%	20%	20%	20%
Lot Frontage (min.)							
	35'	35'	80'	70'	20'	45'	50'
Building Setbacks							
Front (min.)	10'	10'	10'	10'	None	10'	None
Side (min.)	7.5' ¹	7.5' ¹	Interior = 7.5' Street = None	10'	None	None	None
Abutting a Residential District	10'	10'	10'	15'	20'	20'	20'
Rear (min.)	15'	15'	10'	15'	15'	15'	15'
Abutting a Residential District	20'	20'	20'	20'	20'	25'	25'
Building Separation for Multiple Buildings on Lot (min.)							
	20'	20'	15'	15'	20'	20'	25'
Façade							
<i>Façade Build Out Ratio (min.)</i>							
Primary Front Lot Line	75%, or Lot Width within side setbacks minus 15', whichever is less	75%, or Lot Width within side setbacks minus 15', whichever is less	NA	NA	75%, or Lot Width within side setbacks minus 15', whichever is less	75%, or Lot Width within side setbacks minus 15', whichever is less	75%, or Lot Width within side setbacks minus 15', whichever is less
Front Lot Line	50%	50%	NA	NA	50%	50%	50%
Parking Placement							

	MOZ1A & B	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Parking Setbacks (min.)							
Facing ROW	10'	10'	10'	10'	10'	10'	10'
Not Facing ROW	3'	3'	3'	3'	3'	3'	3'
Parking Ratio	1.0 space / Unit	1.0 space / Unit	0.4 space / Unit	0.4 space / Unit	0.5 space / Unit	0.5 space / Unit	0.25 space / Unit 1 space / 350 sf Ground Story retail

¹ Refers to MOZ Adjacent Setback (See Section 9.4 above)

² Standard 7.5' setback may be substituted by providing a 12' and 5' setback alternative for allowance for a driveway as may be required.

B. Building Dimensional Standards

	MOZ1A & 1B ²	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Building Massing							
Building Footprint (max.)							
	1,800 sf	4,000 sf	None	None	10,000 sf	5,000 sf	15,000 sf
Building Height in Stories / Feet (max.) Maximum Number of Stories and Maximum Building Height in Feet^c							
Pitched Roof	3 stories / 42' (See Note ^a)	2 ½ stories / 36'	NA	NA	3 ½ stories / 55'	3 ½ stories / 48'	NA
Flat Roof w/ Step Back ¹	NA	NA	NA	NA	3 ½ stories / 49'	3 ½ stories / 42'	Mixed-Use 5 ½ stories / 65 (65)
Flat Roof w/ No Step Back	3 Stories 36'	NA	5 Stories 57'	5 Stories 57'	NA	NA	All Residential 4 stories / 46'
Development within 50' of lot line abutting R district	NA	NA	Requires use of pitched or step back method	Requires use of pitched or step back method	NA	NA	NA

^a Includes non-occupiable 8' peak.

	MOZ1A & 1B ²	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Ground Story Height in Feet (min. / max.)^b							
	11' min. / 12' max.	11' min. / 12' max.	11' min. / 12' max.	11' min. / 12' max.	13' min. / 15' max. ^c	11' min. / 12' max.	11' min. / 15' max.
Half Story Height in Feet (max.)							
Pitched Roof	7' Non-Habitable	17'	NA	17'	17'	17'	17'
Flat Roof w/ Step Back	NA	11'	11'	NA	11'	11'	11'
Half Story Step-Back in Feet (min.)¹							
	NA	7' on all sides of the Building	NA	NA	10' on all sides of the Building	10' on all sides of the Building	10' on all sides of the Building
Façade							
Ground Story Fenestration, As Applicable (min.)							
Non-residential uses	NA	NA	NA	NA	70%	NA	70%
Residential uses	15%	15%	15%	15%	15%	15%	15%
Ground Story Active or Semi-Active Accessory Use (min./max.)[*]							
Active (min)	NA	NA	NA	NA	100%	NA	100% if Mixed-Use
Semi-Active (max.)	NA	NA	NA	NA	10%	NA	10%
* See Section 9.6.B.8. for application of this provision.							
Articulation							

^b Note that if using maximums, Building Height maximums must still be adhered to. Commercial Ground Stories must be a minimum of 13' in height.

^c The Building Height in feet shall not exceed the maximum specified, regardless of the number of Stories.

	MOZ1A & 1B ²	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Length of Continuous Façade (max.)	45'	35'	65'	65'	65'	65'	65'
Use and Occupancy							
Dwelling Units Per Lot (max.)	< 6,500 sf = 3 ≥ 6,500 sf = None	NA	140	Belmont Village ¹ = 200 Waverley Oak ² s = 140	NA	NA	NA

¹ Any subdistricts indicating a Half Story require either a pitched roof or a Building Step-Back of at least 7 feet. A flat roof without a Step-Back may be granted by a waiver of the Planning Board.
 Note: NA refers to not applicable/allowed

C. Mixed-Use Development

1. Mandatory Mixed-Use – Subdistrict 4 (MXDZ4) designated parcels require a vertical mixed-use development type with a Ground Story commercial component and 2.5 floors of residential above.
2. Mixed-Use Option – Subdistrict 5B (MOZ5B) allows 4 stories of residential only or an option to build 5.5 stories if a commercial Ground Story is provided. These two options are both by-right and do not require a Special Permit.

§9.6 Development and Design Standards.

A. Site Design Standards.

This §9.6 provides the development and design standards for Development or land use within the MOZ subdistricts, defines how to measure certain standards, and provides other requirements and information.

1. Lot Frontage

- a. Lots in an MOZ subdistrict must have the minimum Lot Frontage specified in the Site Dimensional Standards set forth in §9.5.
- b. Lot Frontage is defined in §1.4 and shall be measured as per §4.2 Lot Frontage.

2. Setbacks

- a. Buildings shall comply with the Setback requirements set forth in §9.5.
- b. Buildings abutting a Residential zoning District or use that is outside of MOZ subdistricts shall be set back a greater distance as per the provisions of §9.5 A. Site Dimensional Standards, Building Setbacks.
- c. Buildings in the MXDZ4, MOZ5A, and MOZ5B subdistricts must be set back from any Lot Line abutting a sidewalk a sufficient distance so that at least twelve (12) feet in width is provided between the gutter line and exterior Façade of the Building, at all points. Excluding the Furnishing Zone, the area of the Lot that is within twelve (12) feet of the curb shall be paved so as to be in compliance with the Town's sidewalk standards and shall serve as a contiguous and consistent sidewalk facility³ with no obstructions.
- d. For the limited purposes of determining the applicable Setback requirements, if an abutting property is within a MXDZ4, MOZ5A, or MOZ5B subdistrict, then the abutting property shall be deemed to be in such Overlay Zoning District and not the underlying zoning district regardless of whether such abutting property is subject to the Overlay District.

3. Building Placement

- a. The width of the Front Elevation must be a percentage of the Lot Width as specified by the Façade Build Out Ratio in the Site Dimensional Standards for each MOZ subdistrict.
 - 1) The Façade Build Out Ratio may be met cumulatively by multiple Buildings on a lot.
 - 2) Useable Open Space between the Front Lot Line and Front Elevation is considered part of the Building for the purposes of calculating the Façade Build Out Ratio.

4. Number of Buildings

Multiple Buildings are permitted by-right on each Lot but shall comply with the minimum Open Space requirements and minimum Building separation.

³ A solid walking surface 12' from gutter line to principal Building line.

5. Building Separation

- a. Multiple Buildings on a single Lot must comply with the Building separation distance at all points as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. Abutting Buildings on separate Lots may not be interconnected so as to be internally accessible from one to the other at or above Grade level.

6. Open Space

- a. Lots must provide the minimum percentage of Open Space as specified in the Site Dimensional Standards for each MOZ subdistrict. See §1.4 for the definition of Open Space.
- b. The Planning Board may allow variations in the placement of Open Space based on the constraints of the site.

7. Street Trees

- 1) Installation of a street tree within the public Right-of-Way must be approved by the Tree Warden or their designee. Also see §9.6.D.6.

8. Signs

- 1) Signs located in residential MOZ subdistricts shall adhere to the requirements of §5.2 a. of this By-Law.
- 2) Signs in MXDZ4, MOZ5A, and MOZ5B (with a commercial component only) shall adhere to the requirements of §5.2 a) and b) as applicable.

B. Building Design Standards.

This section §9.6.B provides the design standards for Buildings within the MOZ subdistricts, defines how to measure certain standards, and provides other requirements and information.

1. Building Footprint

- a. Buildings must comply with the maximum Building Footprint (see Figure 1 below) as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. Building Footprint includes:
 - 1) All enclosed spaces whether for habitation or storage.
 - 2) Any parking area that is covered by a roof is included in the Building Footprint.
 - 3) Decks that extend more than eight (8) feet from the Building face.
- c. Building Footprint does not include:
 - 1) Non-exposed portions of the Building below the average Grade and not visible from any Street or adjacent Lots. This exception shall not apply to the Front yard Setback.
 - 2) Architectural features, as defined in §9.4.

- 3) Structures, as defined in §1.4 with the exception of any element listed in 1.b. above.

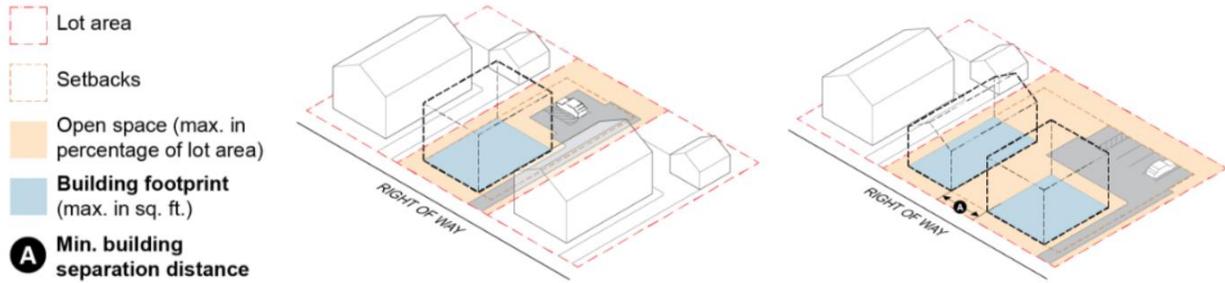


Figure 1 - Maximum Footprint Explanation

2. Building Height

- a. Buildings may not exceed the maximum Building Height in feet specified in the Building Dimensional Standards for each MOZ subdistrict. Building Height is measured as defined in §1.4. Height, Building.
- b. Not included in such measurements are:
 - 1) Cornices which do not extend more than 5 feet above the roof line;
 - 2) Chimneys, vents, ventilators and enclosures for machinery such as elevators or stair headhouses which do not exceed 15 feet in height above the roof line;
 - 3) Enclosures for tanks which do not exceed 10 feet in height above the roof line and do not exceed in aggregate area 10 percent of the area of the roof;
 - 4) Solar panels which do not extend more than 1 foot above the ridgeline or in the case of a flat roof, no more than 4 feet above the parapet, unless greater extensions are allowed by Special Permit.

No space above the maximum height shall be habitable.

3. Story Height

- a. The Ground Story of a Building must comply with the minimum story height requirements specified in the Building Dimensional Standards for each MOZ subdistrict and Subsection 2. b. e. above.
- b. The height of the Ground Story and Upper Story(ies) of a Building is measured vertically from the surface of the finished floor to the surface of the finished floor above, or to the top face of the highest roof beam if no finished floor is immediately above, at all points.
- c. The height of a Half Story is measured vertically from the surface of the finished floor to the top face of the highest roof beam above.

4. Number of Stories

- a. Buildings may not exceed the maximum number of stories as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. For the limited purposes of determining the allowable number of Stories for a Building, if an abutting property is within a MXDZ4, MOZ5A, and MOZ5B subdistrict the abutting property shall be deemed to be in

such Overlay Zoning District and not the Base Zoning District regardless of whether such abutting property has elected to employ the MOZ.

5. Full Story with Pitched Roofs

- a. In MOZ1, the ridge of pitched roofs may not exceed 8' in height.

6. Half Story for Pitched Roofs**

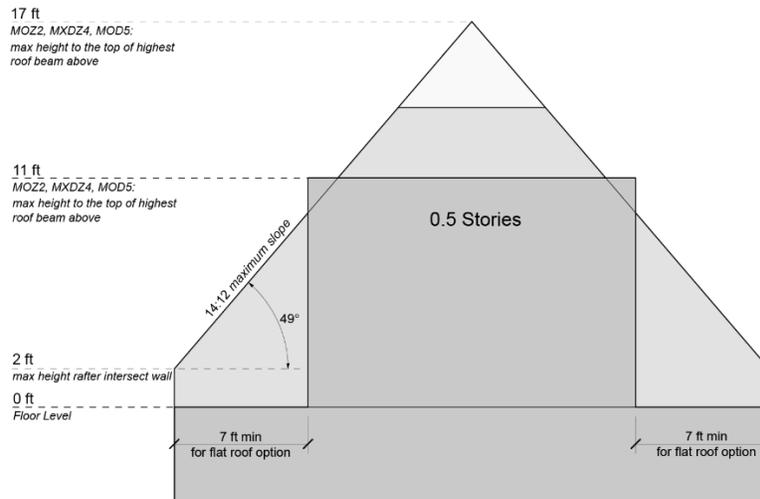


Figure 2 – Half Story Explanation

- a. Space located directly under a pitched roof is counted as a Half Story ~~half (0.5) story~~ (See Figure 2 above), provided the following standards are all met:
 - 1) At least two (2) opposite roof planes are pitched toward each other.
 - 2) A pitched roof may be composed of roof planes with different slopes.
 - 3) The slope of any pitch must be no greater than 14:12 (49.4 degrees); otherwise, this Story shall be counted as a full Story.
 - 4) The roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two (2) feet above the finished floor of the Half Story ~~half (0.5) story~~; otherwise, this Story is counted as a full Story.
 - 5) Dormers above the second Story in MOZ2, above the third Story in MXDZ4, and above the fourth Story in MOZ5B must comply with the requirements set forth below:

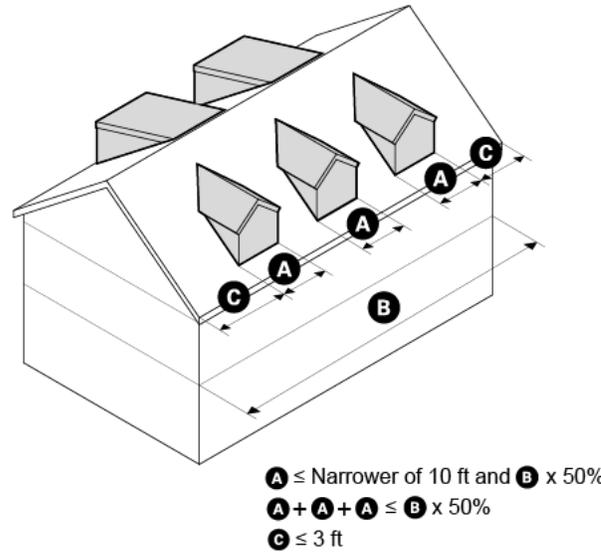


Figure 3 - Dormers

- a) A Dormer may be no wider than ten (10') feet or 50 percent of the length of the exterior wall of the Story next below, whichever is narrower. Where more than one Dormer is located on the same side of the roof, the width of all Dormers combined may not exceed 50 percent of the length of the exterior wall next below.
- b) The vertical plane of the side wall of any Dormer shall not be closer than three (3) feet from the vertical plane of the intersection of the roof and the main Building end wall nearest the Dormer.
- c) No Dormer may project above the main ridgeline of the roof.
- d) No Dormer may project beyond the vertical plane of the Building wall below.

7. Half Story Step-Back for Flat Roofs

- a. For Buildings in the MOZ3A and MOZ5B subdistricts, the required Step-Backs must be provided above the fourth story.
- b. For Buildings in the MOZ3B and MXDZ4 subdistricts, the required Step-Backs must be provided above the third Story.
- c. For the limited purposes of determining the applicable Step-Back requirements, if an abutting property is within a MXDZ4, MOZ5A, or MOZ5B subdistrict, the abutting property shall be deemed to be in such Overlay Zoning District and not the Base Zoning District regardless of whether such abutting property has elected to use the MOZ.
- d. Buildings in MOZ3A, MXDZ4, MOZ5A, and MOZ5B subdistricts must meet the Upper Story Step-Back requirement along any lot line abutting a Residential District.
- e. Exceptions.
 - 1) Sections of Buildings that are on a portion of a Lot where the Lot depth is less than seventy (70) feet are exempt from the Upper Story Step-Back requirement along the Rear Lot Line, except when the Rear Lot Line abuts a Residential District.

- 2) Any portion of the Half Story set back more than twenty-five (25) feet from any Lot Line is exempt from the Upper Story Step-Back requirement, except when the Lot Line abuts a Residential zoning District.

8. Ground Story Active Uses



Figure 4 – Ground Story Active Uses

- a. Any lot in: MXDZ4 or MOZ5B where the commercial story option outlined in §9.5 C. is applied, must:
 - 1) Provide Ground Story Active Use for the entire width of the Front Elevation(s) of the Building facing the Street (if one Street frontage) or the primary Street (if a corner lot facing two Streets) with the exception of subsection 2. below. Streets where Ground Story Active Uses are located are referred to as Mixed-Use Priority Streets.
 - 2) No more than ten (10%) percent of the required primary Street frontage in subsection 1. above may be dedicated to Semi-Active Accessory Uses listed below. Any secondary Street frontages may be any combination of Ground Story Active Use, other commercial uses, or Semi-Active Accessory Uses.
 - 3) The remainder of the Ground Story shall contain leasable space for other commercial uses as permitted in the Use Table in §9.10 to the extent feasible except that podium parking provided as part of the required parking ratio may be provided along rear or non-street facing side yards with appropriate Screening.
 - 4) Parcels developed with multiple Buildings may establish an internal public or private street network that maximizes street frontage for the provision of Ground Story Active Uses.

b. Active uses include only:

- 1) Retail sales
- 2) Banking, retail
- 3) Office uses
- 4) Food service establishment
- 5) Entertainment uses (e.g., theatres or amusement arcades)
- 6) Personal service establishment (e.g., hairdresser, bank, dry cleaning)
- 7) Art gallery / arts studio, provided a publicly accessible gallery is included
- 8) Community use space
- 9) Publicly facing government services (e.g., post office)
- 10) Health and fitness facilities
- 11) Craft beverage establishment or tavern (by Special Permit)

c. Semi-active accessory uses include only:

- 1) Lobbies and common areas serving or associated with active use or residential uses
- 2) Sales or leasing office
- 3) Access to accessory parking, loading, or service areas

9. Architectural Features

- a. The structural and architectural elements that extend outward from a Building Façade, including awnings, Bays, Balconies, and Porches.
- b. Architectural features that fully comply with the dimensional standards in this Section are not considered part of the Building Footprint.
- c. Architectural features may project into the front Setback (and/or sidewalk in the case of awning) only based on the following standards:
 - 1) Bay

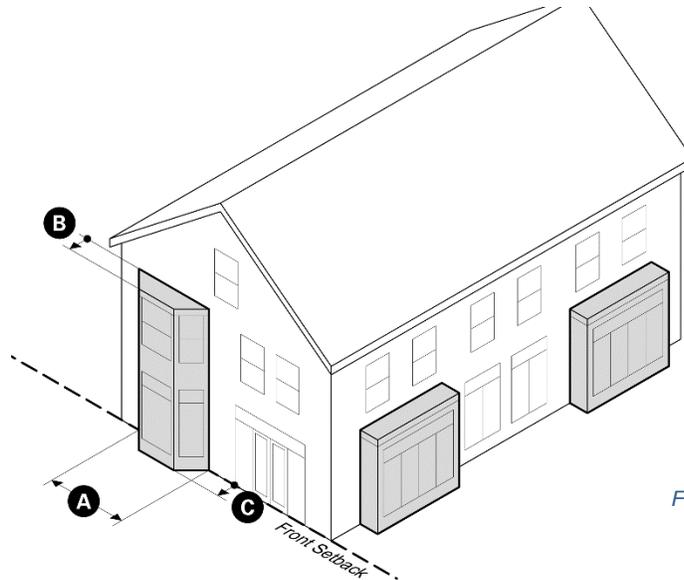


Figure 5 – Bay Windows

Dimensions	
(A) Width of each Bay (max)	10 ft
Sum of widths of all Bays (max)	50% of wall length
(B) Depth, (max)	3 ft
(C) Front setback encroachment at the Ground Story (max)	3 ft
Fenestration (min)	60%

Note that side yard Bay windows are permitted on a street side yard. Bays may be no closer to a Residential District facing side yard than the minimum side yard setback. Front Bay windows may not encroach into the Street, sidewalk, or any public Right-of-Way and do not conflict with the requirements of §4.3.3 of the Zoning By-Law.

2) Balcony

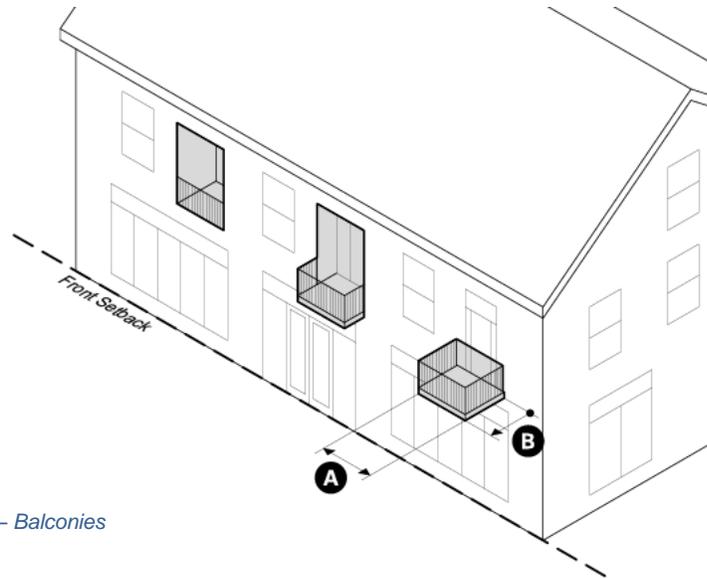


Figure 6 – Balconies

Dimensions	
(A) Width of each balcony (min / max)	5 ft / 12 ft
Sum of widths of all Balconies (max)	50% of wall length
(B) Depth (min / max)	4 ft / 6 ft

Note that side or rear yard Balconies are permitted on a street side yard or rear yard. Balconies may be no closer to a Residential District facing side or rear yard than the minimum side or rear yard Setback and in no case shall a Balcony encroach into the Street, sidewalk, or any public Right-of-Way.

3) Awning

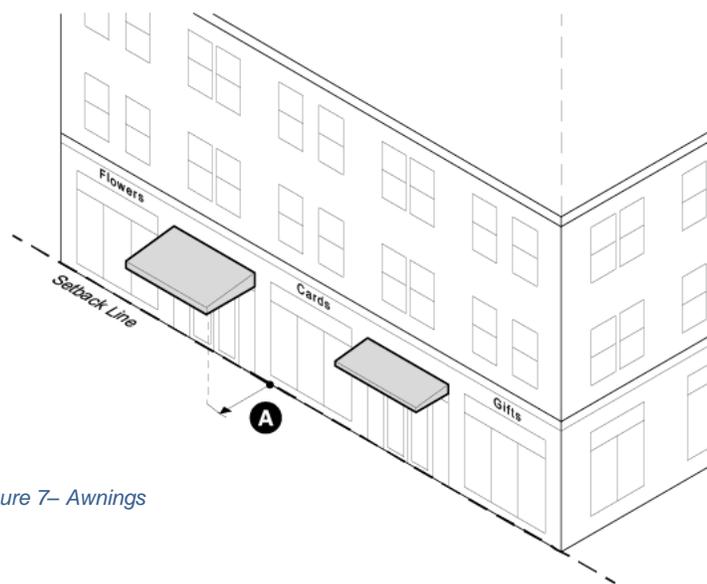


Figure 7 – Awnings

Dimensions	
Width of each awning, (min)	–
Clearance above grade (min)	8 ft
Depth (max)	3 ft
Extension into the sidewalk, Principal Entrance, (max)	6 ft
Extension into the sidewalk, other, (max)	3 ft
Front setback encroachment, (max)	100%

4) Porch

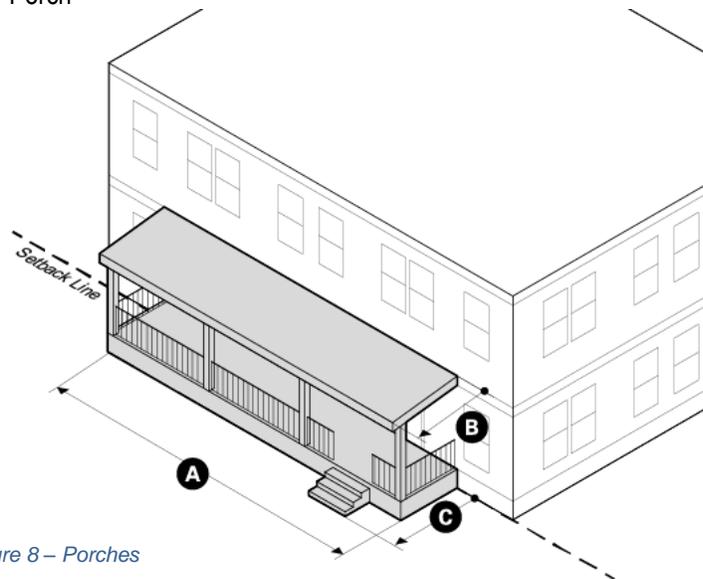


Figure 8 – Porches

Dimensions	
(A) Width, front (max)	60% of wall length
(B) Depth, front (max)	8 ft
Depth, side (max)	4 ft
(C) Front setback encroachment (max)	8 ft for the Porch; stairs may extend beyond 8 ft only if the Porch level is less than 3 ft above grade. No portion of the Porch, including stairs and required landing zone, may extend into the public ROW.

10. Façade Articulation

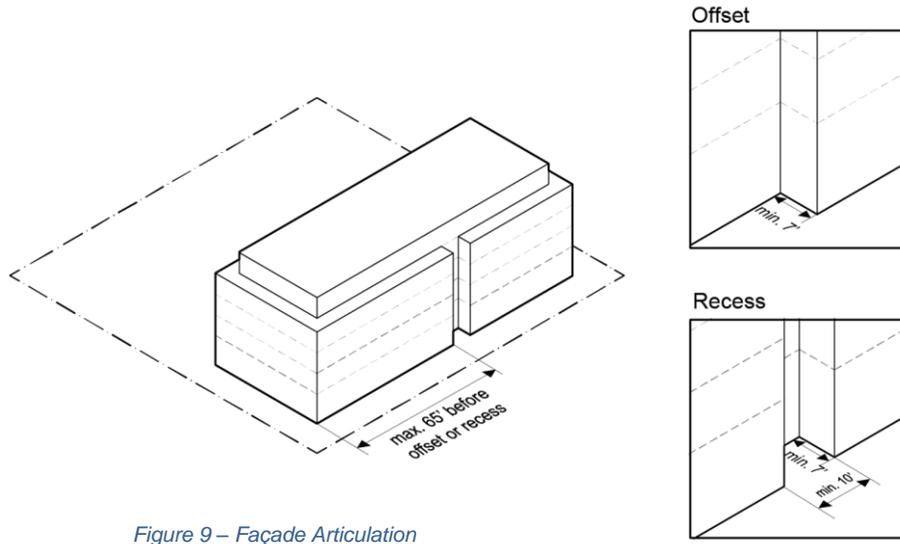


Figure 9 – Façade Articulation

- a. The Front Elevation of any Building greater than sixty-five (65') feet in width must be divided vertically by a recess or an offset at least seven (7) feet deep and ten (10) feet wide for the full height (measured in feet) of the Building, excluding:
 - 1) The Half Story.
 - 2) Any portion of the Ground Story with Ground Story Active Uses as defined in §9.6.B.9.
 - b. Balconies and awnings may be located within the recess or adjacent to the offset.
 - c. Balconies and Bays may be utilized to satisfy the Façade articulation requirements in this §9.6.B.10.
11. Ground Story Fenestration
- a. Fenestration must be provided as specified in the Building Dimensional Standards for each MOZ subdistrict and is calculated as a percentage of the area of the Front Elevation at the Ground Story.
 - b. For Buildings with Ground Story Active Use spaces, Ground Story Fenestration is measured between two (2) feet and ten (10) feet above the finished floor of the Ground Story.
 - c. For Ground Story Fenestration, glazing must have a minimum sixty percent (60%) Visible Light Transmittance (VLT) and no more than fifteen percent (15%) Visible Light Reflectance (VLR) as indicated by the manufacturer.
12. Building Entrances
- a. For Lots with Street frontage, Buildings must have their Principal Entrance(s) from that Street. For Lots without Street frontage, Buildings must have their main entrance(s) on the side wall oriented toward a secondary Street or parking lot provided for the Building.
 - b. Within the MXDZ4, MOZ5A, and MOZ5B subdistricts, Principal Entrances must either be recessed or projected from the plane of the Façade, or have a projecting awning, to signal Building entry and provide adequate protection from the elements.

13. Mechanical Equipment

- a. Roof-mounted mechanical equipment must be screened and set back at least ten (10) feet from the intersection of the roof and wall plane immediately below.
- b. Wall-mounted alarm devices, cable boxes, and utility meters shall not be mounted on a wall plane facing a Street. However, security cameras may be so permitted.
- c. Wall-mounted mechanical, plumbing, and/or electrical equipment such as louvers, exhaust equipment, and duct vents along the front and side elevations must be architecturally integrated into the design of the Building and located to minimize adverse effects on pedestrian comfort along sidewalks and within Open Spaces.
- d. All free-standing mechanical and/or electrical equipment are prohibited between any Front Lot Line and Front Elevation and within side or rear yards, no closer to front Building line than 15'. Such equipment must be fully screened at height and from the street and include noise reducing elements.

14. Building Additions

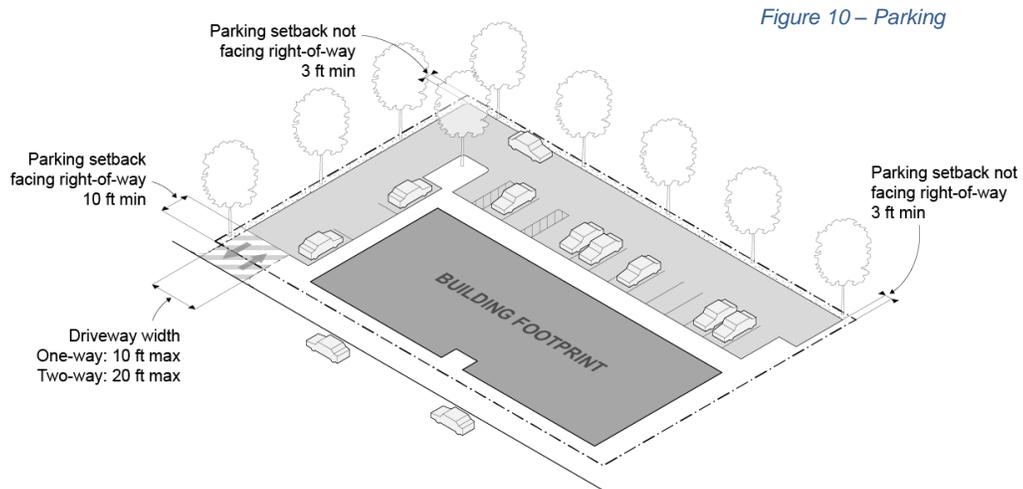
- a. Existing Buildings may be extended vertically or horizontally to add additional Dwelling Units provided that all applicable dimensional requirements and applicable per-lot Unit caps of this By-Law are adhered to.
- b. Basements, attics, or Porches in existing Buildings also may be finished into Dwelling Units, either fully within the Building Footprint or including additions that meet the By-Law dimensional criteria, provided that all applicable Building and other code requirements are met in full.
- c. Building additions intending to utilize the provisions of this By-Law must meet all requirements of this §9 and shall so state this intent in their Building permit application.

C. Parking Design Standards

1. Required Off-Street Parking Spaces

- a. The motor vehicle parking minimums within the MOZ are provided in §9.5 A., plus the following, as applicable:
 - 1) Fractional numbers: Where the computation of required Parking Spaces results in a fractional number only the fraction of one-half or more shall be counted as one (1).
 - 2) A half (0.5) parking stall per residential Unit is required within the MOZ5 subdistrict for Lots over twenty-thousand (20,000) square feet unless appropriate traffic generation mitigation measures are proposed that offset the additional Parking Spaces required herein.
- b. Bicycle Parking must be provided as specified below,
 - 1) No Bicycle Parking is required for Ground Story non-residential uses with five-thousand (5,000) square feet or less of gross leasable floor area or residential Buildings with three (3) Units or less.
 - 2) Multi-family residential (4 Units or more) shall provide 0.60 short-term Bicycle Parking spaces per Dwelling Unit and 0.10 long-term spaces per Dwelling Unit.

- 3) Retail or service use shall provide 0.10 short-term Bicycle Parking spaces per Dwelling Unit and 1.50 long-term Bicycle Parking spaces per Dwelling Unit.
 - 4) Office use shall provide 1.00 short-term Bicycle Parking spaces per Dwelling Unit plus 0.50 long-term spaces per Dwelling Unit.
 - 5) Bicycle Parking must be provided at no fee to customers, visitors, employees, tenants, and residents
 - 6) Bicycle Parking may be provided through any combination of racks and lockers.
 - 7) Bicycle Parking serving multiple uses may be combined into a single area or accessory structure.
 - 8) Short-Term Bicycle Parking must be provided outside of a principal Building and within one-hundred (100) feet of the Building served by the parking.
 - 9) Long-Term Bicycle Parking must be provided in a well-lit, secure location within the same Building as the use the parking is intended to serve or within an accessory structure located within two-hundred (200) feet of the Building.
- c. Motor vehicle Parking Spaces for persons with disabilities must be provided per 521 CMR 23.00 Parking and Passenger Loading Zones.
 - d. Centralized parking facilities must provide signage identifying the permitted users.
 - e. Pedestrian access to a motor vehicle parking lot must be via a paved sidewalk or walkway.
2. Vehicular Parking space Dimensions.
 - a. For vehicular Parking Space requirements, see § 5.1.
 - b. Alternative compliance. The provisions of this §9.6.DC. may be modified by Special Permit to accommodate alternative technologies and methods for providing Bicycle Parking so long as the Special Permit Granting Authority makes a finding that the alternative Bicycle Parking provides equal or greater benefits to bicycle users.
 3. Parking Access.

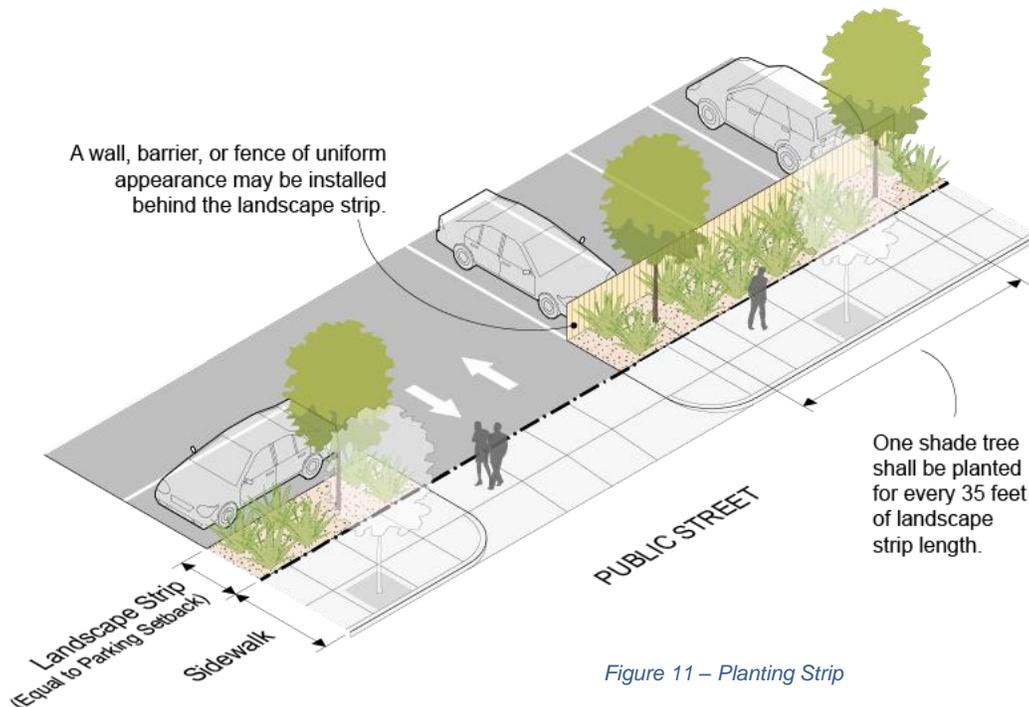


- a. Vehicular access to parking lots and structures along the Primary Front Lot Line is prohibited when vehicular access along another Lot Line is available.
 - b. Shared use of vehicular parking lots, by multiple uses and/or developments on multiple parcels, is permitted.
 - c. If the entrance to a parking area is along the Primary Front Lot Line, the width of the entrance may be no more than 40% of the Front Elevation along the Primary Front Lot Line.
4. Curb Cuts and Driveways.
- a. Curb cuts are prohibited along the Primary Front Lot Line when vehicular access along another Lot Line is available. Notwithstanding the foregoing, a curb cut along a Primary Front Lot Line on a corner lot is permitted if the Commissioner of Public Works, or their designee, determines:
 - 1) A one-way vehicular access along the Primary Front Lot Line and a one-way vehicular access along the secondary Front Lot Line improves safety and traffic flow.
 - b. Each Lot is limited to one curb cut per Street Frontage.
 - c. The maximum width of a driveway for vehicular access to parking lots and Structures is as follows:

Access Type	Width (max)
One-way	12 ft
Two-way	20 ft

- d. The interior width of a driveway apron (between curb stones) may be no wider than the driveway, vehicular entrance, or loading facility it serves.

- e. The grade, cross slope, and clear width of the walkway of a sidewalk must be maintained between the driveway apron and the abutting driveway.
 - f. Curb cuts for driveways must be at least twenty (20) feet from an intersection that does not have a traffic-control signal and at least forty (40) feet from an intersection with traffic-control signals. The distance between the curb cut and the intersection shall be measured from the point of intersection of the tangent lines of the curve. The Director of Public Works, or their designee, may modify the minimum allowable distance of a proposed curb cut from an intersection and the location of a proposed curb cut upon their determination that such modification will improve vehicular and pedestrian safety.
5. Vehicular Parking Placement.
- a. Unless otherwise specified in this §9.6.DC., all vehicular Parking Spaces must be located at or behind any required parking setback as specified in the Site Dimensional Standards for each MOZ subdistrict.
 - b. No vehicular Parking Spaces are allowed between the Front Elevation and the Primary Front Lot Line.
 - c. The Planning Board, based on site constraints, may, by Special Permit, grant parking relief for required handicapped Parking Spaces.
6. Screening. Surface vehicular Parking Spaces and outdoor loading facilities must be separated from the Street by a Building or Screening within the parking setback as specified in the Site Dimensional Standards for each MOZ subdistrict. Screening shall consist of one or a combination of the following:



- a. A landscape strip at least five (5) feet in width, running the full length of the parking lot along the Street, excluding curb cuts and driveways (see above image).

- 1) The landscape strip must be planted with trees, shrubs, perennials, native grasses, and other planting types that provide a buffer from the Street.
 - 2) Deciduous large shade trees must be planted for every thirty-five (35) feet of landscape strip length, spaced linearly and parallel to the Street. Shade trees must be a minimum of two (2) inches in tree caliper when planted.
 - 3) The Tree Warden of the Town of Belmont shall be consulted for the selection of species for street trees.
- b. A wall, barrier, or fence of uniform appearance. Such a wall, barrier, or fence may be opaque or perforated provided that not more than fifty (50) percent of the face is open. There shall be a landscaped strip with a minimum width of 3 feet between the base of the wall, barrier, or fence and Right-of-Way. The wall, barrier, or fence shall comply with the provisions of the Zoning By-Law and other applicable Bylaws, codes, or regulations addressing the placement of fences.
 - c. The required Screening shall be located so as not to conflict with any corner visibility requirements or any other Town ordinances. Such Screening may be interrupted by entrances or exits.
 - d. Parking lots in the MOZ3, MXDZ4, MOZ5A, and MOZ5B subdistricts on a Lot abutting properties in any Residential ~~zoning~~ Districts along any Side or Rear Lot Line must be screened, per the standards in this §9.6.DC.6.
7. Lighting
- Lighting shall comply with the provisions of the §5.4.3 of the Zoning By-Law.
8. Loading.
- a. For off-street loading requirements, see §5.1.3 and other applicable loading provisions of the Zoning By-Law.
 - b. Access to loading docks or service areas along the Primary Front Lot Line is prohibited, except when the loading docks and service areas are internal to the Building or fully behind the Building.
 - c. Outdoor loading facilities, including all docks and areas used for the storage and staging of goods or materials, that are visible when viewed from a height below 6' from a Street or public space, or from abutting properties in any Residential ~~Zoning~~ District must be screened from view. See §9.6.C.6. above.
9. Service Areas.
- a. Buildings containing five (5) or more Dwelling Units must provide facilities for private trash and recycling pick up.
 - b. Trash collection, trash compaction, recycling collection, and other similar service areas must be fully enclosed within a Building or located to the side or rear of the Buildings within fully locked enclosures.
 - c. Outdoor service areas are not permitted along any Primary Front Lot Line.
 - d. Outdoor service areas that are visible when viewed from a height below 6' from a public street, public space, or from abutting properties in a Residential ~~zoning~~ District must be fully screened from view. See §9.6.C.8. above.

10. Parking Relief.

- a. The Planning Board is the exclusive Special Permit Granting Authority for all parking relief within the MOZ subdistricts.
- b. In particular instances, a Special Permit may be granted to allow for exceptions to this §9.6.C. if it is determined that literal compliance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the Lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features.
- c. A Special Permit may not be granted to allow exceptions to the minimum parking setbacks or to allow parking between the Primary Front Lot Line and Front Elevation where not otherwise permitted.

§9.7 Design Guidelines.

The Planning Board may adopt, and periodically amend as deemed necessary, design guidelines as part of the Planning Board Rules and Regulations. These guidelines shall provide direction, not requirements, for the design of new Development within the MOZ subdistricts resulting in a cohesive pattern over time. The intent is to define expectations for new Development while allowing for flexibility and fostering high quality design. The Planning Board Rules and Regulations shall not be interpreted as an amendment to the Zoning By-Law.

§9.8 Affordable Housing Provisions.

Except as expressly modified herein, the provisions of §6.10 Inclusionary Housing shall apply in the MOZ.

§9.9 Density Bonus

This §9.9 provides for one density bonus for the MOZ5B subdistrict. As follows: A property owner may be eligible for a 1.5 Story residential density bonus if the Ground Story is restricted to a mix of Active Story and Semi-Active Accessory Uses as provided in §9.6.~~9B.8~~. above. This would allow for a 5.5 Story Building at a maximum height of 65 feet.

§9.10 Allowed Uses.

Uses permitted in the MOZ subdistricts are described below.

A. Permitted Uses

1. The use of real property is subject to the provisions of this §9.~~8~~10., Allowed Uses.
2. Uses are permitted as specified in this §9.~~8~~10., Allowed Uses.
3. Non-residential uses are permitted as specified in the table below, only in combination with a permitted residential use.
4. Use categories not expressly authorized are prohibited.

B. Accessory Uses

1. The use of real property is subject to the provisions of the Use Table in §9.~~8~~10.C. Permitted Uses.
2. Accessory Uses are permitted as specified in §9.~~8~~10.C., Accessory Uses.
3. Accessory Uses not expressly authorized are prohibited.

C. Use Table

	MOZ1A	MOZ1B	MOZ2	MOZ3A	MOZ3B	MXDZ4	MOZ5A	MOZ5B
Residential Use								
Single-Family, Detached	--	--	--	--	--	--	--	--
Two-Family, Detached	--	--	--	--	--	--	--	--
Multi-Family Residential	P	P	P	P	P	P	P	P
Assisted Living Facility	--	--	SPP	SPP	SPP	--	SPP	SPP
Nursing Home	--	--	SPP	SPP	SPP	--	SPP	SPP
Congregate Care Facility	--	--	--	SPP	SPP	--	SPP	SPP
Senior Housing w/ Services	--	--	P	P	P	--	P	P
Live/Work Space	--	--	--	--	--	SPP	--	SPP
Lodging/Boarding	SPP	SPP	SPP	--	--	SPP	--	--
Civic/Institutional Use								
Day Care Center	SPP	SPP	SPP	P	P	P	P	P
Library, Museum	--	--	--	P	P	P	--	P
Public Use	P	P	P	P	P	P	P	P
Religious Institution	P	P	P	P	P	P	P	P
Education, Non-Profit	P	P	P	P	P	P	P	P
Education, For-Profit	--	--	--	--	--	P	--	SPP
Theatre or Performance Space	--	--	--	--	--	P	SPP	SPP
Commercial Uses								
Bank	--	--	--	--	--	P-A	--	P-A
Business Incubator	--	--	--	--	--	P	--	P
Business Services	--	--	--	--	--	P	--	P
Car Sharing or Rental	--	--	--	--	--	SPP	--	SPP
Bicycle or Scooter Rental	--	--	--	--	--	P	--	P
Car Charging Station (accessory)	--	--	--	--	--	P	--	P
Craft Beverage Establishment or Tavern	--	--	--	--	--	SPP	--	SPP

Dry Cleaning or Laundry, Retail	--	--	--	--	--	P-A	--	P-A
Food Service Establishment	--	--	--	--	--	P-A	--	P-A
Funeral Home	--	--	--	--	--	SPP	--	SPP
Health and Fitness Facility	--	--	--	--	--	P	--	P-A
Hotel and Lodging Establishment	--	--	--	--	--	SPP	--	SPP
Printing or Photocopying	--	--	--	--	--	P-A	--	P-A
Office	--	--	--	--	--	P	--	P
Open Air Business	--	--	--	--	--	SPP	--	SPP
Food Truck	--	--	--	--	--	SPP	--	SPP
Parking Facility, Accessory	--	--	--	--	--	P	--	SPP
Parking Facility, Non-Accessory	--	--	--	--	--	P	--	P
Personal Services	--	--	--	--	--	P-A	--	P-A
Entertainment Uses, Indoor	--	--	--	--	--	P-A	--	P-A
Radio or TV Broadcasting Studio	--	--	--	--	--	P	--	SPP
Retail Sales	--	--	--	--	--	P-A	--	P-A
Veterinary Hospital	--	--	--	--	--	P	--	SPP
Industrial and Related Uses								
Commercial Art Studio	--	--	--	--	--	SPP	--	SPP
Craft and Artisan Manufacturing or Assembly	--	--	--	--	--	SPP	--	SPP
Wireless Telecommunications Facility	--	--	--	--	--	SPP	--	SPP
Brewery, Cidery, Winery, Meadery, Distillery (non-micro)	--	--	--	--	--	SPP	--	SPP
Accessory Uses								
Home Occupations	SPP							
Leasing or Management Office	--	--	--	P	P	P	P	P-S
Common Area Lounge or Meeting Space	--	--	--	P	P	--	P	P-S

Common Laundry Facilities, Gym, Janitorial and Maintenance Space specifically intended for use of occupants and/or staff only.	--	--	--	P	P	P	P	P
Accessory Parking Facility or Access Area to Same	P	P	P	P	P	SPP	--	P-S
P = Permitted -- = Not-Permitted L = Allowed w/ Limitations SPP = Special Permit Planning Board SPZ = Special Permit ZBA A = Active Use. S = Semi-Active Accessory Use								

§9.11 Administration.

A. Development Review Generally

1. Applicability. The density and dimensional controls of the MOZ apply to all Buildings, Structures, and uses on a Lot where the owner has elected to utilize a listed MOZ subdistrict to be subject to the zoning requirements of the said subdistrict.
 - a) Electing to utilize the MOZ provisions of this §9 shall so state this intent specifically as part of a Building permit application and Design and Site Plan Review application.
 - b) Owners of Lots developed or using MOZ provisions seeking to revert ~~back~~ to the Base Zoning District provisions shall so state this intent specifically as part of a Building permit application, Design and Site Plan Review application, or Special Permit application, as applicable.
2. Approval Process.
 - a) Development that requires Design and Site Plan Review shall be reviewed in accordance with §9.911, B. below.
 - b) Development that requires a Special Permit shall be reviewed in accordance with §9.911, C. below.
 - c) Design and Site Plan Review shall be required for all MOZ development or land use within a MOZ subdistrict
 - d) The Planning Board is the granting authority for all development that requires Design and Site Plan Review.
 - e) Special Permit Applicability.
 - 1) Long-Term Bicycle Parking alternative.
 - 2) Parking Relief.

B. Design and Site Plan Review

1. Purpose. Design and Site Plan Review is the administrative review and approval of a Development under the provisions of the MOZ to identify and address any potential impacts from the proposed Development.
2. Applicability. Design and Site Plan Review for MOZ eligible Development or use is required as per the provisions of §7.3 of the Zoning By-Law. Lots electing to develop or use land subject to MOZ criteria shall also adhere to all applicable requirements of the Zoning By-Law and other Bylaws, codes, and regulations.

3. Authority. The Planning Board or their designee is the exclusive review and approval authority for Design and Site Plan Review.
4. Submission Requirements, Process, and Review Criteria. Whenever Design and Site Plan Review is required under the provisions of the MOZ, the provisions of §7.3, Design and Site Plan Review, shall be followed.

C. Special Permit Review

Any Special Permit application based on the provisions of §9.11.A.2.e. above, shall be submitted and reviewed in accordance with §7.4 of the Zoning Bylaw.

Area Median Income – the mid-point of incomes of households in the ~~Boston Standard Metropolitan Statistical Area~~, statistical area (currently Boston-Cambridge-Quincy, MA-NH) that includes Belmont that is used by the United States Department of Housing and Urban Development (“HUD”), or its successor, to determine housing affordability adjusted for household size, as determined annually by the United States Department of Housing and Urban Development and regardless of housing type or ownership.

Belmont Housing Trust – Belmont Housing Trust, Inc., a Massachusetts charitable housing corporation created by Chapter 126 of the Acts of 1999.

Belmont Resident – Since there is a “local preference” for some of the Affordable Housing Units, the people or households that may qualify for the local preference must be Belmont Residents, defined as follows:

- a. an individual or family maintaining a primary residence within the Town of Belmont; or
- b. an individual who is employed within the Town of Belmont; or
- c. a parent or guardian with children attending the Town of Belmont Public Schools.

Comparable Unit - When used with respect to quality, character, and room size, means that there are sufficient features in common between the Affordable Housing Unit and the Market Rate Housing Unit so as to render the units similar in nature. Moreover, while the actual design or finishes provided in the Affordable Housing Units versus the Market Rate Housing Unit may differ in a non-material fashion and still constitute Comparable Units, the same amenities proposed for the Market Rate Housing Unit must be provided for the Affordable Housing Units, including without limitation full kitchen, full bath, and parking.

Further, the actual room size for the Affordable Housing Unit may not differ in any significant manner to that of the Market Rate Housing Unit.

Notwithstanding the foregoing, when used with respect to external appearance, location and bedroom distribution, means that the external appearance of the Affordable Housing Unit and the Market Rate Housing Unit must be so similar in nature so as to render them indistinguishable while the location of the Affordable Housing Units and the bedroom distribution of such units must be no different from that of the Market Rate Housing Unit.

Deed Restriction - A provision, acceptable in form and substance to the Town of Belmont, in a deed to real property that runs with the land in perpetuity or for the longest period of time allowed by law, so as to be binding on and enforceable against any person claiming an interest in the property. Any Restriction created under this Section 6.10 shall survive any bankruptcy, insolvency, foreclosure, or other action, and shall not be subject to nullification for any reason. Additionally, the Restriction shall provide that in the event that any affordable rental unit is converted to a condominium unit, the condominium unit shall be restricted in perpetuity to ensure that it remains affordable to households in the same income range as prior to the condominium conversion.

Development - A single parcel or set of contiguous parcels of land held in common ownership for which one or more building permits will be sought within a 24 month

period of time. The number of Housing Units to be counted from any project shall be calculated as the net increase in the number of Housing Units as compared to the number of Housing Units in existence on such land as of the date that the building permit application is filed with the Town of Belmont Office of Community Development.

Dwelling Unit - A Building or portion of a Building intended as living quarters for a single family, having a single set of kitchen facilities (a stove plus either or both refrigerator and sink) not shared with any other unit; or quarters for up to five persons in a dormitory, congregated dwelling, or similar group dwelling.

Housing Unit -

- a. A Dwelling Unit; or
- b. A habitable unit within a senior or assisted living facility.

Market Rate Housing Unit – Housing Units available to the general public on the open market, without price restrictions or consumer income limitations.

~~**Median Income** – the mid-point of incomes of households in the Boston Standard Metropolitan Statistical Area, adjusted for household size, as determined annually by the United States Department of Housing and Urban Development and regardless of housing type or ownership.~~

~~**Mixed-Use Residential Development** – A Development consisting of a combination of residential and non-residential uses.~~

Qualified Affordable Housing Unit Purchaser or Tenant - A household with total annual income that does not exceed eighty percent (80%) of the Area Median Income, except where affordability is targeted to a lower level.

~~**Residential Development** – A Development consisting exclusively of Housing Units.~~

6.10.3 Applicability

This Section 6.10 shall apply to any Development with six (6) or more new Housing Units. ~~Development with a residential component that requires a Special Permit pursuant to Section 3.3 of the Zoning By Laws, Schedule of Use Regulations, or pursuant to any overlay district.~~

6.10.4 Requirements

- 1) ~~Residential~~ Developments that result in with six (6) or more new Housing Units shall provide Affordable Housing Units as outlined in the table below:

<u>Size New Housing Units in the of Residential</u> Development	Percent of Affordable Housing Units Required for <u>Residential</u> the Developments
6 to 12 Housing Units	10%

13 to 20 Housing Units	12%
More than 20 Housing Units	15%

Note: §6.10.4 was amended under Article 3 at the 2019 Annual Town Meeting.

- 2) Where the calculation of Affordable Housing Units results in a fractional unit greater than one half (.5), the fraction shall be rounded up to the next whole unit. ~~Where the calculation results in a fractional unit less than or equal to one half (.5), the fraction shall be rounded down to the next whole unit.~~
- 3) ~~Rental~~ Developments with for-rent housing units for households at 50% or less of Area Median Income may reduce the total number of required Affordable Housing Units by an amount equal to the number of for-rent units available to households at 50% or less of Area Median Income, or by 25% of the Affordable Housing Units required, whichever is less.
- 4) Except for cash payments permitted in-under Section 6.10.5 with respect to for-sale Developments, Affordable Housing Units shall be provided within the Development that requires the Affordable Housing Units.

6.10.5 Cash Payment Option for For-Sale Affordable Housing Units

In exceptional circumstances, the Planning Board may allow the applicant for a Development of 6 or more for-sale new Housing Units to make a cash payment to the Affordable Housing Trust Fund in lieu of providing Affordable Housing Units required under this Section 6.10.

Such cash payment shall be equal to 5% of the projected total sale price of the Housing Units based on an appraisal satisfactory to the Planning Board. In making its decision, the Planning Board shall seek a recommendation from the Belmont Housing Trust.

Note: §6.10.5 was amended under Article 3 at the 2019 Annual Town Meeting.

6.10.6 Selection of Qualified Affordable Housing Unit Purchasers or Tenants

The selection of Qualified Affordable Housing Unit Purchasers or Tenants shall be pursuant to the Local Initiative Program and shall be administered as follows:

- a. The selection process shall include a plan for marketing of the Affordable Housing Units created under this Section 6.10. The duration and design of this plan shall reasonably inform all those seeking affordable housing, both within and outside the Town, of the availability of such units.
- b. Belmont Residents shall be given preference for seventy percent (70%) of the Affordable Housing Units created under this Section 6.10.

- c. Owners of Developments may sell or lease Affordable Housing Units to the Town of Belmont, the Belmont Housing Trust, the Belmont Housing Authority, or to a private nonprofit entity serving Belmont for the purpose of providing affordable housing opportunities within the Town, in order that such entity carry out the steps needed to market the Affordable Housing Units and manage the choice of buyers or renters.

6.10.7 Timing of Construction

- 1) Occupancy permits for any new Market-Rate Housing Units or nonresidential space shall be issued at an equal ratio of occupancy permits for required Affordable Housing Units.
- 2) Affordable Housing Units shall be dispersed throughout the Building(s) and shall be comparable to Market-Rate Housing Units. Affordable Housing Units provided under terms of this Section 6.10 shall be provided on-site in the subject Development.

For an Affordable Housing Unit within a senior or assisted living facility, a comparable Affordable Housing Unit shall include the provision of mandatory living services.

- 3) ~~All documents necessary to ensure compliance with this Section 6.10 and the Local Initiative Program provisions shall be subject to the review and approval of the Special Permit Granting Authority and Town Counsel. Such documents shall be a condition of the Special Permit and executed prior to the issuance of any Certificate of Occupancy.~~

6.10.8 Rental Development Annual Oversight and Monitoring

- 1) There shall be a monitoring agent for rental Developments with Affordable Housing Units, to be agreed upon by the owner of the Development and either the Special Permit Granting Authority, or if there is none, the Planning Board. In making its decision, the Special Permit Granting Authority or Planning Board shall seek and follow a recommendation from the Belmont Housing Trust, in the absence of extenuating circumstances.
- 2) The owner shall be responsible for all payments charged by, or related to, the monitoring agent.
- 3) An annual independent compliance audit shall be submitted to the Town by the monitoring agent to ensure compliance with this Section 6.10 and the Local Initiative Program provisions.

6.10.9 General Provisions

- 1) All documents necessary to ensure compliance with this Section 6.10 and, as applicable, the Local Initiative Program provisions, including a fair housing marketing plan, a lottery plan, and a rental application shall be subject to the review and approval of the Special Permit Granting Authority, or if there is none, the Planning Board and Town Counsel.
- 2) Prior to rendering its decision, the Special Permit Granting Authority or Planning Board shall solicit a recommendation from the Belmont Housing Trust. In light of the Trust's expertise on and knowledge of affordable housing requirements, in the absence of extenuating circumstances the Special Permit Granting Authority or Planning Board shall give the Belmont Housing Trust recommendation substantial weight. The recommendation from the Belmont Housing Trust shall be provided prior to the commencement of the Planning Board's deliberations on the application.
- 3) The compliance documents shall be a condition of ~~the~~ any Special Permit, or if there is none, Design and Site Plan Review, and executed prior to the issuance of any Certificate of Occupancy.
- 4) Enforcement of this Section 6.10, as it applies to all Developments, shall be the responsibility of the Building Inspector.
- 5) Provision of accessible Housing Units shall be as determined by Federal Regulations. Standards for accessible units shall comply with 24 C.F.R. Section 8.32.
- 6) This Section 6.10 shall not apply to the rehabilitation of any Building or Structure, all of or substantially all of which is destroyed or damaged by fire or other casualty or a natural disaster; provided, however, no rehabilitation nor repair shall increase the density, bulk, or size of any such Building or Structure which previously existed prior to the damage or destruction thereof except in conformance with this Section 6.10.
- 7) This Section 6.10 shall not apply to Developments under Massachusetts General Laws (MGL) Chapter 40B.

6.10.10 Severability, Conflict with Other By-Laws

- 1) If a court of competent jurisdiction holds any provision of this Section 6.10 invalid, the remainder of this Section shall not be affected thereby. The invalidity of any section or sections, or parts of any section or sections, of this Section shall not affect the validity of the remaining sections or parts of sections or the other General Bylaws of the Town of Belmont.
- 2) Nothing contained in this Section 6.10 shall be construed to apply to the use of land or structures for religious or educational purposes if doing so would violate the applicable provisions of M.G.L. Chapter 40A, Section 3.

- 3) To the extent this Section 6.10 is silent on a particular issue or conflicts with the Local Initiative Program, the requirements of the Local Initiative Program shall govern.

or in any way act thereon.

Submitted by the Planning Board

The Select Board and the Planning Board will report on this Article.

Two-thirds vote required for passage.

**ARTICLE 4 AMEND ZONING BYLAW(S): ADMINISTRATION SECTION 7.3 SITE PLAN
REVIEW**

MOVED: That the Town amend Section 7.3 of the Belmont Zoning Bylaw as shown in the document entitled “2024 Belmont Special Town Meeting Supplement B - November 6, 2024” (attached).

(Two-thirds majority Vote)

Submitted by the Planning Board

Reporting: The Select Board and the Planning Board will report on this Article.

ARTICLE 4 AMEND ZONING BYLAW(S): ADMINISTRATION SECTION 7.3 SITE PLAN REVIEW

To see if the Town will vote to amend the Zoning Bylaws Section 7.3 Site Plan Review as follows;

Text that is underlined is proposed for inclusion.
Text that is ~~stricken out~~ is proposed for deletion
A yellow highlighting is also provided to emphasize proposed text changes.

SECTION 7. ADMINISTRATION

7.3 Design and Site Plan Review

Note: §7.3 was amended by Article 16 at the 2005 Annual Town Meeting.

7.3.1 Purpose

- a) To maintain the integrity and character of all zoning districts and adjoining zones by insuring ensuring that proposed development fulfills the purposes and complies with the requirements of the Belmont Zoning By-Law ("~~these this~~ By-Laws").
- b) To insure ensure that development which is subject to this review is planned and designed to minimize impacts on its abutters, the neighborhood, and the environment.
- c) To provide an orderly review procedure where site plans of proposed projects can be approved with reasonable conditions which that will further the purposes of these By-Laws ~~this By-Law~~.

7.3.2 Applicability and Waiver

The Planning Board shall hear and decide all petitions applications for Design and Site Plan Review in accordance with the provisions of this Section 7.3.

- a) Design and Site Plan Review is required for any new Building or addition or change ~~in use of a predominantly non-residential building~~ greater than 2,000 2,500 gross square feet gross floor area; change in use of a non-residential or multi-family ~~predominantly non-residential~~ Building greater than 2,000 2,500 gross square feet gross floor area in any zoning district, or a proposal that ~~results in the need for six~~ requires five (65) or more parking spaces on the lot; or a ~~or if the~~ proposal that reduces the number of on-site parking spaces or changes to the configuration of off-street parking, screening, egress, utilities, drainage or lighting.

For addition or alterations of less than 2,500 gross square feet, the Planning Board may waive any or all of these requirements.

- b) Design and Site Plan Review is not required for those uses which require a Special Permit (for use) from either the Planning Board or the ~~Zoning~~ Board of Appeals. If a Special Permit is required per Section 1.5 of ~~these By-Laws~~ this By-Law, it shall be obtained prior to the submittal of an application for Design and Site Plan Review.
- c) Upon written request, the Planning Board may waive any or all of these requirements for an addition to, or alteration of, an existing Structure affecting less than 2,000 gross square feet, or a reconstruction or change in use of an existing Structure, if it determines that the addition, alteration, reconstruction, or change in use will not have a significant impact on: vehicular and pedestrian movement within the site and on adjacent streets; public services and infrastructure; environmental, unique and other resources; abutting properties; and community needs.

7.3.3 Application Procedures

Each application for Design and Site Plan Review shall be submitted to the Office of ~~Community Development~~ Planning and Building (OCDOPB) during regular business hours and shall contain all of the information noted below. Applicants are encouraged to meet with ~~OCD-OPB~~ staff planners, abutters to the proposal and informally with the Planning Board to discuss the proposal prior to submittal.

a) Required application materials include the following:

1. ➤ A completed application form and the applicable fees to address the administrative, advertising and review costs of the Town,
 2. ➤ An original and thirteen (13) copies of the application package and plans, and
 3. ➤ Site information as required in Section 7.3.4 below.
- b) Within ten (10) days of receipt of the application package, the Office of ~~Community Development~~ Planning and Building shall provide copies to the ~~Select Board of Selectmen~~, Board of Health, ~~Zoning~~ Board of Appeals, Department of Public Works and the Fire and Police Departments to requesting written comments prior to the hearing date. If proposed buildings include housing units that are new or newly affordable housing units, the OPB shall also provide copies refer the application to the Affordable Belmont Housing Trust. The application may also be provided to other appropriate boards or committees (the Traffic Advisory Committee, ~~Housing Trust~~, or Conservation Commission for example). Comments received by ~~OCD-OPB~~ shall be made available to the Applicant upon request prior to the hearing.
- c) The Planning Board shall hold a public hearing within 45 days of ~~OCDOPB~~ receiving the application. Notice of the public hearing shall be placed in a newspaper of general circulation, by posting at Town Hall and the ~~OCD-OPB~~ website at least seven (7) days before the hearing. Notice shall be sent by mail to the Applicant and abutters (within 300 feet) prior to the hearing date.

- d) In reviewing the application, the Planning Board shall review whether the proposal adheres with the provisions of the Zoning By-law, including whether:
1. The dimensions of the proposed Building(s), lot and lot coverage comply with the requirements provided in table form per Section 4 of this By-Law,
 2. The arrangement of parking and loading spaces, internal traffic circulation and traffic controls in relation to the proposed uses of the Building(s) and adjacent uses comply with Section 5.1 of this By-Law,
 3. All Signs comply with Section 5.2 of this By-Law,
 4. All Landscaping complies with Section 5.3 of this By-Law,
 5. Any screening of exterior dumpsters or similar trash receptacles complies with Section 5.3 of this By-Law, and
 6. All Environmental Controls comply with Section 5.4 of this By-Law,;
 7. The proposal conforms to any special site plan provisions in applicable overlay or special districts.
- e) The Planning Board may also review:
1. Protection of directly adjacent premises against significantly detrimental uses by provision for surface water drainage, sound and sight buffers and screening, and preservation of views, light and air;
 2. Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly; vulnerable populations.
 3. Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;
 4. Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;
 5. Adequacy of the method of exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky;
 6. The relationship of structures and open spaces to neighboring buildings, the natural landscape, parks and other recreational areas or facilities, or other community assets in the area;
 7. The project's incorporation of sustainability and resiliency principles; and
 8. Any other applicable non-discretionary criteria to be considered during Design and Site Plan Review as set out elsewhere in the By-Law.
- f) For any proposed project involving only the creation of ten or fewer new housing units, a change in use of up to 5,000 gross square feet of floor area, reconstruction

of an existing Building, or changes to the configuration of off-street parking, screening, egress, utilities, drainage, or lighting, the Planning Board's review should generally focus on the layout of and conditions on the site, and sound and sight buffers and screening, and not on other impacts on nearby properties or any aspect of the site plan which will not change from a prior use.

- g) Within 20 days following the close of the public hearing, the Planning Board shall act on the application. Approval shall require a majority vote of the five (5) members. The associate Planning Board member shall sit on the Board for the purposes of acting on a Design and Site Plan Review application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board or in the event of a vacancy on the Board. This time period may be extended at the request of the Applicant.

Note: §7.3.3 c) was amended by Article 6 at the 2010 Special Town Meeting.

- h) As appropriate, the Applicant may also be required to receive an Order of Conditions from the Conservation Commission, approval from the Board of Health, or a Stormwater Permit from the Town Engineer, prior to the Planning Board acting upon an application.

~~The Design and Site Plan Review application shall be approved provided that all of the requirements of these By-Laws are fulfilled. The Board may attach reasonable conditions to any approval. An approval does not relieve the applicant of the responsibility of obtaining other required approvals and/or permits from local boards, state or federal agencies.~~

~~If the Design and Site Plan Review application does not conform to the requirements of these By-Laws, the Planning Board shall identify these deficiencies in writing and may deny approval. A new application and hearing process will then be required for further consideration of the proposal.~~

- i) Any appeal may be filed with Zoning Board of Appeals (ZBA) in conjunction with an appeal from the denial or grant of a Building Permit for the subject site.
- j) No Building Permit shall be issued to the Applicant (or his/her designee) until the Planning Board has filed its written decision with the Town Clerk or after 20 days has elapsed from the close of the public hearing without a decision being filed.
- k) The Planning Board is authorized to establish rules and regulations for Design and Site Plan Review consistent with the provisions of this Section 7.3 and the remainder of this By-Law.
- l) Provided that they meet the following criteria, any rules and regulations established pursuant to Section 7.3.3(k) may include provisions for the assessment of

reasonable fees for the use of outside consultants for peer review in accordance with G.L. c. 44, § 53G:

1. **Fee Schedules:** the rules and regulations shall include a schedule of reasonable fees or cost limits.
2. **Consultant Engagement:** the rules and regulations shall provide that the Planning Board may engage outside consultants to evaluate applications in order to:
 - Assess the necessity and appropriateness of proposed mitigation measures.
 - Determine the scope and details of required mitigation measures.
 - Review compliance with the conditions and standards outlined in this Section 7.3 and other applicable By-law provisions.
3. **Standardization:** the rules and regulations shall provide a process for the Planning Board or its designee to solicit or engage outside consultants. They may include provisions for the Planning Board or its designee to maintain a list of pre-approved outside consultants.
4. **Selection Criteria:** the rules and regulations shall provide that the Planning Board shall select outside consultants and determine the scope of their services based on:
 - Clearly-defined needs, issues, or questions;
 - The consultant's qualifications and expertise, including whether the consultant meets the minimum qualifications set out in G.L. c. 44, § 53G; and
 - The absence of a conflict of interest as required by G.L. c. 44, § 53G.
5. **Use of Consultant Findings:** the rules and regulations shall provide that the Planning Board shall review and consider the outside consultants' findings, recommendations, or other work product in deciding whether to grant Design and Site Plan Approval, and if so, whether to impose conditions, for the application for which the outside consultant was engaged.
6. **Appeals:** as required by G.L. c. 44, § 53G, the rules and regulations shall provide for an administrative appeal on the basis that the consultant has a conflict of interest or does not possess the minimum, required qualifications.

m) Design and Site Plan Review Submittal Application Requirements

7.3.4 Design and Site Plan Submittal Requirements

Each application for Design and Site Plan Review shall include the following information unless, prior to submittal, the Planning Board has determined that certain materials are not germane to the decision being made, and authorizes their omission:

- a) Site plans at a scale of 1"=20' prepared and stamped by a professional engineer (P.E.) or a Registered Professional Land Surveyor (RPLS). (The Board may approve another scale or waive the PE/RPLS requirement in specific circumstances.) The plans shall show

1. All new buildings, additions, adjacent structures
 2. Streets, sidewalks and crosswalks
 3. All existing and proposed open spaces
 4. Site development details shall include existing and proposed walls, fences, outdoor lighting, street furniture, new paving and ground surface materials.
 5. Points of vehicular and pedestrian access/egress shall be shown.
 6. All utilities, easements or service facilities, insofar as they relate to the project, shall be shown.
 7. Proposed site grading, including existing and proposed grades at property lines shall be shown.
- b) Building elevations or drawings shall be provided at a scale of 1/8" = 1' or other appropriate scale.
- c) A brief narrative describing the proposal ~~and its potential impacts on its abutters and the neighborhood.~~ The narrative should address issues such as the hours of operation, the number of seats for restaurants, clubhouses, or places of public assembly, anticipated number and frequency of events at clubhouses, places of public assembly, or anticipated pupil enrollment and use schedule for schools for profit, number of parking spaces, the square footage of the site and buildings, and potential impacts on open spaces. For multi-family proposals a table with the number, type and size of dwelling units should be discussed provided. ~~The Planning Board may, at its discretion, require an estimate of municipal revenues and costs expected to be generated by the project, including anticipated real estate valuation and public service needs.~~
- d) ~~The proposed method of stormwater removal accompanied by calculations for a 20-year storm event. All efforts shall be made to meet the most current Department of Environmental Protection Stormwater Management Design Guidelines~~ A brief narrative describing the applicability or non-applicability statement explaining how the proposed project meets the requirements of the Stormwater Management and Erosion Control Bylaw and, if the Bylaw applies, how the applicant intends to comply. This requirement may be satisfied by demonstrating that the applicant has received a Stormwater Management and Erosion Control Permit in accordance with Section 60-325 of the General Bylaws of the Town of Belmont.

7.3.5 Decision Criteria Approval Guidelines:

~~At its discretion, the Planning Board may require the completion of a Development Impact Report pursuant to Section 7.5 of these By-Laws prior to acting on the application. The Applicant may also be required to receive an Order of Conditions from the Conservation Commission and/or approval from the Board of Health prior to the Planning Board acting upon an application.~~

- a) The Planning Board must grant Design and Site Plan Approval if the proposed project fulfills all requirements of these By-Laws this By-Law. The following criteria and requirements must be fulfilled:
1. The dimensions of the proposed building(s), lot and lot coverage shall comply with the requirements provided in table form per Section 4 of these By-Laws,
 2. The arrangement of parking and loading spaces, internal traffic circulation and traffic controls in relation to the proposed uses of the building(s) and adjacent uses shall comply with Section 5.1 of these By-Laws,
 3. All Signs shall comply with Section 5.2 of these By-Laws,
 4. All Landscaping requirements shall comply with Section 5.3 of these By-Laws,
 5. The method to dispose of refuse and other waste if it is not within the structure shall be defined. Screening of exterior dumpsters or similar trash receptacles shall comply with Section 5.3 of these By-Laws, and
 6. All Environmental Controls shall comply with Section 5.4 of these By-Laws.
- b) The Board may establish reasonable conditions for mitigation or for other regulatory purposes to any Design and Site Plan Approval. The Board may require that some or all of any conditions of Approval be secured by a deposit of money or an Irrevocable Letter of Credit in the Town's favor. This performance guarantee shall bear a reasonable relationship to the expected costs of completing the specified work being secured.
- c) If the Design and Site Plan Review application does not conform to the requirements of these By-Laws this By-Law, the Planning Board shall either deny the application, or approve the application subject to conditions sufficient to ensure compliance. If the Planning Board denies the application, it shall, at the applicant's request, identify the deficiencies in writing.
- d) Design and Site Plan Review Approval shall lapse if on-site construction is not commenced within two three (23) years from the date of Approval. The Planning Board, in its sole discretion, may extend this date for good cause shown. If the Approval lapses, a new submittal and hearing will be required.
- e) Upon completion of the project, the developers shall submit "as-built" plans to the Office of Community Development Planning and Building for review. Upon acceptance of the plans by Office of Community Development Planning and Building and the Planning Board, the developer may submit a written request for a release of the performance guarantee, as may be applicable. This provision may be waived by the Planning Board in certain circumstances when it is deemed unnecessary based on the scale or scope of the project or when as-built plans specifically will not provide any meaningful new information.
- f) An approval does not relieve the applicant of the responsibility of obtaining other required approvals and/or permits from local boards, state or federal agencies.

7.3.5 Revisions to an Approved Site Plan:

- a) The Applicant, property owner, Building Commissioner or the Planning Board may petition to ~~change or~~ modify a Design and Site Plan Approval ~~based on~~. ~~This may occur in the event of~~ unforeseen site characteristics, infrastructure or economic ~~problems/issues, or other unexpected circumstances, or other appropriate~~ circumstances. Any such petition that proposes changes to the approved plan shall include a revised site plan.
- b) OPB shall review each petition and, if it determines that the proposed modification is *de minimis*, shall approve the petition. Otherwise, it shall refer the petition to the Planning Board.
- c) The Planning Board shall review each petition referred to it to determine whether the proposed modification is minor, material, or major. In undertaking such review, the Planning Board may consider the reason for the petition. ~~All proposed changes shall be reviewed and discussed by the Planning Board at a regularly scheduled meeting prior to the initiation of such on the property.~~
 1. ~~If the Planning Board determines the proposed modification is minor, the Planning Board may approve the changes by majority vote without a public hearing. Minor changes, as determined by the Planning Board, may be approved without a public hearing.~~
 2. ~~If the Planning Board determines the proposed modification is material but not major, the Planning Board may hold~~ The Planning Board reserves the right to ~~require~~ a new public hearing at the expense of the Applicant.
 3. ~~If the Planning Board determines the proposed modification is major, it may require the applicant to submit a new application for Design and Site Plan Approval. it determines that a proposed change or modification is major and/or significant.~~
 4. ~~Upon approving a petition to make a minor or material modification to a Design and Site Plan Approval, the Planning Board shall detail the approved modification in writing and the applicant shall submit a revised site plan consistent with the Planning Board's decision. All approved changes or modifications shall be detailed in writing by the Planning Board. All changes or modifications shall be shown on a revised plan and if approved, shown on the "as-built" plans.~~

7.4 Special Permits

Note: §7.4 was adopted by Article 17 at the 2005 Annual Town Meeting.

7.4.1 Special Permit Granting Authority

At various places in this By-Law, authority for acting on particular Special Permits is assigned to the Planning Board or the Board of Appeals. Where no Board is specifically

designated, the Board of Appeals shall act as the Special Permit Granting Authority (SPGA).

Pursuant to Chapter 40A, Section 9 of the General Laws, the Planning Board shall have an associate member for the purposes of acting on a Special Permit application in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board or in the event of a vacancy on the Board. Said associate member shall be appointed by the Select Board of Selectmen.

Note: §7.4.1 was amended by Article 6 at the 2010 Special Town Meeting.

7.4.2 Applicability

a) Special Permits are required for

1. Specified expansions, alterations and/or changes to non-conforming structures and uses as defined in Section 1.5. The criteria listed therein shall apply to those petitions.
2. Those uses noted in Section 3.3 and,
3. Where otherwise specifically provided for within ~~these By-Laws~~ this By-Law.

b) Where a Special Permit is required to allow a use, no Design and Site Plan Review pursuant to Section 7.3 is necessary from the Planning Board.

7.4.3 Special Permit Criteria

The following shall be the basis for decisions on Special Permits, except as may be more specifically provided elsewhere in this By-Law. Special Permits shall be granted only if the Special Permit Granting Authority determines that the proposal's benefits to the Town will outweigh any adverse effects for the Town or the vicinity, after consideration of the following preferred qualities, among other things:

a) Location

1. There shall be adequate provisions for water, sewerage, stormwater drainage for the proposed use and no additional adverse impacts should be created.
2. The site should be able to accommodate the proposed use without substantial environmental impacts, impacts to valuable trees or other natural resources.
3. The site should be able to accommodate the proposed use without substantial impacts on municipal infrastructure and with minimum traffic impacts on abutting residential neighborhoods.

b) Activity Type and Mix

1. Residential proposals should serve housing needs of local residents, broaden the diversity of housing within the Town and/or provide affordable housing opportunities pursuant to Section 6.10 of ~~these By-Laws~~ this By-Law.

Note: §7.4.3 b) 1 was amended by Article 26 at the 2003 Annual Town Meeting.

2. The use should complement the character and the scale of existing buildings/uses/activities in the neighborhood and not create undesirable impacts.
 3. The use shall be beneficial to the Town and fulfill a need.
- c) Visual Concerns
1. Views from public ways and developed properties should be considerably treated in the site arrangement.
 2. The visual impact of parking and service areas should be minimized and should be screened from abutting premises.
 3. Departure from the architectural scale of buildings on abutting and nearby premises should be minimized, except where the departure would serve a town purpose.
- d) Access
1. Vehicular and pedestrian access/egress should be safe and convenient and shall be designed to minimize impacts on the abutting public ways.
 2. Pedestrian and vehicular movement within the site should be safe and convenient, and arranged to minimize impacts on abutters.
- e) Process
1. A proposal that has been developed in consultation with municipal staff and those likely to be substantially impacted by it is preferred.
 2. Mitigation to ameliorate negative impacts is required.
- f) Special Permit applications for use shall comply with the criteria within Section 7.3.5 Design and Site Plan Review.

At the time of application, the Applicant shall submit documentation regarding each of the above considerations which are germane, including information regarding consultative efforts made with municipal staff, neighborhood groups or other affected parties.

7.4.4 Procedures

- a) It is recommended that the Applicant meet with municipal staff and abutters to the proposal prior to the application being filed.

Each application for Special Permit shall be filed with the Town Clerk. Ten (10) copies of said application and supporting plans or other materials, including one having the date

and time of filing certified by the Town Clerk, shall be filed forthwith by the petitioner with the Office of Community Development.

- b) The Office of Community Development shall refer the application to the SPGA and the Planning Board (if not acting as the SPGA), ~~Select Board of Selectmen~~, Board of Health, Fire and Police Departments, Department of Public Works and/or other boards or authorities, as appropriate, for technical review and comment. If proposed buildings include housing units that are new or newly affordable based on compliance with Section 6.10, the OPB shall also refer the application to the Belmont Housing Trust. Failure of a department or board to make recommendation within 35 days of receipt of the application shall be deemed a lack of opposition thereto.
- c) The Special Permit Granting Authority shall hold a public hearing within 65 days of the filing of the application and shall render a decision within 90 days from the date the public hearing is closed. The required time limits for a public hearing and for rendering a final decision may be extended by written agreement between the petitioner and the Special Permit Granting Authority. A copy of such agreement shall be filed in the Office of the Town Clerk.
- Failure of the Special Permit Granting Authority to take final action within 90 days from the date of the close of the public hearing or within any extended time, if applicable, shall be deemed to be a grant of the Special Permit subject to the procedures found in MGL, Chapter 40A, Section 9.

7.4.5 Special Permit Limitations

A Special Permit, if granted, shall be subject to any general or specific rules prescribed herein, and may be made subject to appropriate conditions, safeguards, and limitations on time or use. A Special Permit shall lapse within a two-year period or a shorter period if so specified by the Board, not including any time required to pursue or await the determination of an appeal pursuant to MGL, Chapter 40A, Section 17 if a substantial use thereof has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun within the period except for good cause.

7.5 Development Impact Report

Note: §7.5 was adopted under Article 13 at the 2003 Special Town Meeting.

7.5.1 Purpose

The purpose of a Development Impact Report (DIR) is to enable the applicable board and municipal officials to identify the environmental/social/physical and/or infrastructure impacts of the requested activity and to determine if the impacts can be mitigated. The DIR shall identify the methods to be used to mitigate and to minimize adverse impacts on the neighborhood and the Town.

7.5.2 Applicability

A DIR may be required by the Planning Board or ~~Zoning~~ Board of Appeals during a review of any application for a Special Permit or a variance for a non-residential or multi-family Structure or use which could have significant, deleterious environmental, physical or social impacts on the neighborhood and/or the Town and its infrastructure. This provision is adopted pursuant to Section 53G, Chapter 44, MGL and as such, the DIR shall be at the expense of the Applicant.

- a) At their discretion, the Planning Board or the ~~Zoning~~ Board of Appeals may require a DIR upon the submittal of any application for a Special Permit, Design and Site Plan Review Approval or a Comprehensive Permit.
- b) If the Applicant is required to file an Environmental Impact Report with the MEPA Unit of the Executive Office of the Environmental Affairs, the Draft or Final Environmental Impact Report may be submitted to fulfill the requirements of this Section. This decision is at the discretion of the Board reviewing the application.

7.5.3 Consultant Selection and Requirements

- a) The appropriate Board shall develop a Scope of Work to guide the completion of the DIR. This Scope may be coordinated with other boards and/or professional staff. Upon the completion of the Scope of Work, the Board shall send out a "Request for Proposal" to at least three (3) qualified consulting firms. The Board shall review all responses and choose the optimum proposal.
 - 1. The selected consultant must have an educational degree in or related to the field at issue, or
 - 2. Have three or more years of practice in the field at issue, and
 - 3. Provide suitable references for similar activities in other communities.

- b) The Applicant may appeal the selection of the consultant to the Board of Selectmen if they believe that the selected consultant has a conflict of interest or does not possess the minimum required qualifications. The time required for action on the application is extended pending the appeal. The Selectmen have one (1) month from the date of the appeal to render a decision.
- c) The Applicant shall then be required to make a payment to the Town of Belmont in the exact sum of the proposal selected. This money shall be placed in a separate, interest bearing escrow account administered by the Town Treasurer pursuant to Section 53G, Chapter 44, MGL. An annual report on such accounts shall be submitted by the Treasurer to the Town Administrator.

7.5.4 Contents of the Scope of Work

The appropriate Board may waive or add to the list of concerns noted below pursuant to the specifics of each application. It is recommended that the Applicant work with the Board to participate in the preparation of the Scope. The contents could include the following:

- a) Physical Environment
 - 1. Provide a description and impact analysis that the development will have on the general topography, vegetation, geologic, scenic and historical features and open space of the site.
 - 2. Provide a description and impact analysis on properties abutting the site. This analysis may include traffic, lighting, noise, shadowing and emissions impacts.
 - 3. Identify historic archeological sites, geological, botanical, existing or potential trails and accesses to open space areas and how they will be maintained or enhanced.
- b) Surface Water
 - 1. Provide a narrative on the following:
 - i. the methods and degree to which water is recycled back into the ground. Estimate increase of peak run-off and volume of run-off over a 24-hour period caused by altered surface conditions;
 - ii. the maintenance and improvement of the flow and quality of surface waters including Best Management Practices (BMP) to be employed; and,
 - iii. methods to prevent flooding onto adjacent properties.

2. Describe the location, extent and type of existing water bodies or wetlands on the site and the proposed alterations to such, including both existing and proposed surface drainage characteristics within and adjacent to the site.

c) Erosion Controls

1. Describe the erosion control and soil stabilization methods, timing and locations to be used during construction.
 - i. approximate the size and location of land to be cleared at any given time and the length of time soil will be exposed;
 - ii. identify methods for protecting soil stockpiles; and
 - iii. detail any other erosion control issues.
2. Evaluate the effectiveness of the proposed soil erosion control methods on the site and on the surrounding areas. Also review the permanent methods to be used to control erosion and sedimentation.

d) Town Services and Infrastructure

1. Estimate traffic flow at peak periods employing ITE standards and procedures. Detail the proposed on-site and projected off-site circulation patterns to the project. Detail pedestrian and bicycle movements and any proposed enhancements. Are new traffic controls (re: signals, signage, striping, etc.) or upgrades to existing controls necessary?
2. Estimate the effect/impacts of the project on police and fire protection services, public works, educational services, sewer capacity, and the water supply system.

- e) The appropriate Board may require the submission of information which could be required by the MEPA Unit if an EIR were required under applicable MEPA regulations.

7.5.5 Results of the DIR Process

- a) The selected consultant shall complete the Scope of Work developed in Section 7.5.4 above and submit ten (10) copies of a written report to the appropriate Board and the Applicant. This Report and any accompanying maps shall also be submitted in electronic format.
- b) The Board shall employ the Report in reaching its decision on the application. Mitigation recommendations from the Report may be incorporated into a final decision on the application. If the DIR demonstrates that one or more of the decision-making criteria,

objectives or standards cannot be met, the DIR may be the basis for disapproval of the application.

- c) Upon the satisfactory completion of the Scope of Work, the consultant shall be compensated the agreed upon fee and the Applicant shall receive any remaining interest from the account. In no case shall the fee exceed the agreed upon amount unless authorized in advance by the Applicant and the appropriate Board.

**ARTICLE 5 APPROPRIATE FOR STUDENT INFORMATION SYSTEM REPLACEMENT
AND AUTHORIZE CONTRACT TERM**

MOVED: That \$165,000 be raised and appropriated to replace the student information system used by the school department; and further, that the school department be, and is hereby, authorized to enter into a contract for up to 6 years for said system.

(Majority Vote)

Submitted by the Select Board

Reporting: The Select Board, School Committee and Warrant Committee will report on this Article.

ARTICLE 6 TRANSFERS TO STABILIZATION FUNDS

MOVED: That the Town raise and appropriate and transfer the amount of \$1,425,000 to the Capital Stabilization Fund.

MOVED: That the Town raise and appropriate and transfer the amount of \$366,244 to the Override Mitigation Stabilization Fund.

(Majority Vote)

Submitted by the Select Board

Reporting: The Select Board, Warrant Committee and the Comprehensive Capital Budget Committee will report on this Article.

**ARTICLE 7 AUTHORIZATION FOR LEASE OF LAND AT 780 CONCORD AVENUE FOR
CELL TOWER**

MOVED: That the Town authorize the Select Board to lease the land at 780 Concord Avenue owned by the Town and currently occupied by a Cell Tower for a term of up to twenty (20) years.

(Majority Vote)

Submitted by the Select Board

Reporting: The Select Board and Warrant Committee will report on this Article.

ARTICLE 8 ADOPT M.G.L. CHAPTER 200A, SECTION 9A

MOVED: That the Town adopt the provisions of Massachusetts General Law Chapter 200A, section 9A.

(Majority Vote)

Submitted by the Select Board

Reporting: The Select Board and Warrant Committee will report on this Article.

ARTICLE 9

ACCEPT PROVISIONS OF CHAPTER 60, SECTION 3D

MOVED: That the Town adopt the provisions of Massachusetts General Law Chapter 60, section 3D.

(Majority Vote)

Submitted by the Select Board

Reporting: The Select Board, Warrant Committee and Senior Tax Relief Working Group will report on this Article.

ARTICLE 10

CITIZEN'S PETITION: TRANSITION SELECT BOARD FROM 3 TO 5 MEMBERS

MOVED: That the Town authorize the Select Board to petition the General Court to enact legislation to expand the membership of the Select Board from three to five, substantially in the form printed in Article 10 of the November 18, 2024 Special Town Meeting warrant, and further to authorize the Select Board to approve amendments to the bill before enactment by the General Court which shall be within the scope of the general public objectives of this petition.

(Majority Vote)

Submitted by Paul Joy (Precinct 7)

Reporting: The Petitioner will report on this Article.



OFFICE OF PLANNING AND BUILDING

Homer Municipal Building

19 Moore Street

Belmont, Massachusetts 02478-0900

617-993-2666, fax; 617-993-2651

MEMORANDUM

To: Town Meeting Members

Cc: Select Board, Town Administrator

From: Christopher J. Ryan, Director of Planning and Building

Date: Wednesday, November 13, 2024

Re: **Planning Board Report Addendum to the 2024 Special Town Meeting**

Pursuant to the requirements of Massachusetts General Laws, Chapter 40A, Section 5, and the Town of Belmont Zoning By-Laws, Section 7, the Planning Board submits the following recommendations on revised versions of articles 2-4 based on primarily non-substantive edits to each section and on four (4) proposed amendments submitted related to Warrant Article 2 for the 2024 Special Town Meeting. The Board held a public hearing session and discussed the amendments on November 6, 2024. Sitting for the Board were Taylor Yates, Chair, Carol Berberian, Vice-Chair, Thayer Donham, Rui Guo, and Alisa Todreas-Gardner.

Edits to Articles 2, 3, and 4 – Edits Based on McGaw Submitted Amendments.

The Planning Board reviewed a series of largely non-substantive edits to the text of articles 2, 3, and 4 corresponding to Zoning By-Laws proposed new Section 9 and existing sections 6.10, 7.3, 7.4, and 7.5.

- The Planning Board voted 5-0-0 to recommend favorable action on Article 2 as presented and as shall be made available to Town Meeting as a revised version of Article 2.
- The Planning Board voted 5-0-0 to recommend favorable action on Article 3 as presented and as shall be made available to Town Meeting as a revised version of [Article 3](#).

- The Planning Board voted 5-0-0 to recommend favorable action on [Article 4](#) as presented and as shall be made available to Town Meeting as a revised version of [Article 4](#).

Proposed Amendment 1 – Roy Epstein Map 2 Amendment to Article 2.

The Planning Board deliberated on the amendment and after a positive motion to recommend favorable action on the proposed amendment, the Planning Board **voted 2-3-0** on the motion on Article 2 as presented and as shall be made available to Town Meeting as a revised version of Article 2. Therefore, the Planning Board does not support the amendment. There is no minority report regarding this vote.

Proposed Amendment 2 – Roy Epstein BHA Dimensional Table Zoning Text Amendment to Article 2.

The Planning Board deliberated on the amendment and after a positive motion to recommend favorable action on the proposed amendment, the Planning Board **voted 5-0-0** on the motion on Article 2 as presented and as shall be made available to Town Meeting as a revised version of Article 3. Therefore, the Planning Board does support the amendment.

Proposed Amendment 3 – Koplow/Sarno Zoning Text Amendment to Article 2.

The Planning Board deliberated on the amendment and after a positive motion to recommend favorable action on the proposed amendment, the Planning Board **voted 2-3-0** on the motion on Article 2 as presented and as shall be made available to Town Meeting as a revised version of Article 3. Therefore, the Planning Board does not support the amendment. There is no minority report regarding this vote.

Proposed Amendment 4 – Wright/Heller Zoning Text Amendment to Article 2.

The Planning Board deliberated on the amendment and after a positive motion to recommend favorable action on the proposed amendment, the Planning Board **voted 2-3-0** on the motion on Article 2 as presented and as shall be made available to Town Meeting as a revised version of Article 2. Therefore, the Planning Board does not support the amendment. There is no minority report regarding this vote.

Subsequent to these votes, the Planning Board closed their public hearing.

Summary Table of Final Corrections to Section 9 Text (Article 2)

The following table provides short descriptions of ten largely minor edits to the text of the proposed Section 9 of the Zoning By-Laws. Column 2 provides a brief analysis, the recommendation on how to address by Town Counsel, and the last column indicates that the edit was made to the text using strikeout and underline formatting.

Requested Revision	Analysis	Recommendation	Completed
P. 15: delete paragraphs 7.a and 7.b	Redundant + partially conflicting with dimensional table	Correct by deleting and renumbering	✓
P. 22: Sec 9.6(E)(1)(b) remove 3) and 4) regarding bike parking per “dwelling unit” in retail, service, or office uses	If this has any legal effect, it throws the per-dwelling-unit bike parking calculations entirely out of whack.	Correct by deleting and renumbering	✓
<p>Three incorrect references to height of non-occupiable pitched roof in MOZ1:</p> <ul style="list-style-type: none"> • P. 8: Footnote a. states that a 42’ building in MOZ1 must have an 8’ pitched roof • P. 9: The “Pitched Roof” line of the dimensional table sets a 7’ maximum for a pitched roof • P. 14: 9.6(B)(5)(a) sets an 8’ maximum for a pitched roof 	Both creates clear internal conflicts and fails to effectuate what Planning Board intended to put forward.	Correct all three to 6’	✓
P. 8: Eliminate Footnote 1 after the table in 9.5(A). Delete and renumber.	Footnote 1 is supposed to have the text currently in Footnote 2. The text currently in Footnote 1 is meaningless.	Delete the current Footnote 1 and renumber Footnote 2 to Footnote 1	✓
P. 15: Figure 3 – Dormers – replacing – “ $c \leq 3$ ft” with “ $c \geq 3$ ft”	Pure error correction to fix conflict between diagram and text	Correct by replacing figure	✓
P. 8: The first column in 9.5(B) has an extraneous	Simple typo correction.	Correct by deleting	✓

Requested Revision	Analysis	Recommendation	Completed
footnote reference--"MOZ1A & 1B ²			
Sec. 9.5 Table B P. 10: Use and Occupancy Line - "Belmont Village 1" delete 1	Simple typo correction.	Correct by deleting	✓
Sec. 9.5 Table B P. 10: Use and Occupancy Line – "Waverley Oak2s" delete 2	Simple typo correction.	Correct by deleting	✓
P. 15 change section 9.6(B) delete the text "MOZ3A, " in 7.d	Substantive change to step-back requirements the housing authority wanted but that was missed both during bylaw development and in Roy's amendment.	Roy's amendment will be introduced with this correction	✗
Eliminate Definition of "Primary Front Lot Line" and renumber	Redundant and awkward, but not creating problems.	Do not correct	✗
Eliminate footnote 1 in 9.5B. p. 10	Neither sentence is necessary, but neither sentence does any harm.	Do not correct	✗

To: Town Meeting Members

November 8, 2024

Now that the amendment deadline has passed, we are able to determine a sequence of steps to debate Article 2. This will be the first item of business when we open the Special Town Meeting at 7 pm on November 18. Four amendments to Article 2 have been filed, two by Roy Epstein and two by Town Meeting Members.

The process will unfold as follows:

--Taylor Yates, chair of the Planning Board, will read the main motion for Article 2 and then make a presentation on the map (Map 1) that is being presented to Town Meeting under the MBTA Communities legislation.

--Following Taylor Yates's presentation, Roy Epstein will read the first of his amendments (Epstein amendment 1) introducing a second map (Map 2). He will explain why he supports this alternative map.

--At this point I will open the floor for discussion of Maps 1 and 2, focusing on the preference for one or the other. We will then vote on Roy Epstein's amendment #1. If it fails, we will remain with Map 1. If it passes, Map 2 will replace Map 1 as the main motion.

--Roy Epstein will then present his second amendment (Epstein amendment 2) to accommodate the requirements of the Belmont Housing Authority. This is a fix to Appendix 1. Following discussion, Town Meeting will vote on the amendment.

--Bob Sarno and Doug Koplow will then offer their amendment to lower building heights. Following discussion, Town Meeting will vote on their amendment.

--The last amendment, submitted by Rachel Heller and Joe Wright, would remove building footprint maximums and building separation requirements. Following discussion, Town Meeting will vote on their amendment.

--The final step will be for Town Meeting to debate and then vote on the main motion (or the main motion as amended). Thus, we will be debating either Map 1 or Map 2 as subsequently amended or not.

Article 2 presents an exceedingly complex set of issues. There are many resources available to you. I urge you to make every effort to become fully informed before the Special Town Meeting so we can use our time at the meeting to debate the pros and cons of the various motions and amendments. I very much hope that we can complete action on Article 2 in one night.

As always, please reach out if you have any questions or concerns.

Thank you.

Michael Widmer
Town Moderator

34 Cushing Ave.
Belmont, MA 02478
November 1, 2024
repstein@belmont-ma.gov

BY EMAIL

Town Clerk
Town Hall
455 Concord Avenue
Belmont, MA 02478

Dear Ellen:

I would like to submit an amendment (Epstein amendment 1 of 2) to Article 2 in the Warrant for the 2024 Special Town Meeting.

Amendment to the motion under Article 2

Change the words “Map 1” to “Map 2” so that the motion reads

That the Town amend the Belmont Zoning Bylaw as printed in Appendix 1 of the November 18, 2024 Special Town Meeting Warrant and to further amend the Belmont Zoning Map to include the MOZ district as shown on the plan entitled “Belmont Multifamily Overlay District and Subdistricts, November 18, 2024 Special Town Meeting, Map 2” (attached).

The reason for this amendment is to offer Map 2, which contains an MBTA 3A district on Brighton St and Hittinger St, for adoption by Town Meeting instead of Map 1.

Thank you.

Roy Epstein
Member, Select Board
TMM, Precinct 6



Belmont Multifamily Overlay Districts and Subdistricts

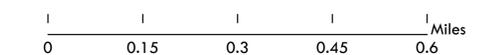
November 18, 2024 Special Town Meeting
Map 2

Zoning Districts

- Single Residence A (SR A)
- Single Residence B (SR B)
- Single Residence C (SR C)
- Single Residence D (SR D)
- General Residential (GR)
- Apartment House (AH)
- McLean Residential Subdistrict (Res Sub)
- Belmont Uplands District (BUD)
- General Business (GB)
- Local Business I (LB I)
- Local Business II (LB II)
- Local Business III (LB III)
- McLean Institutional Subdistrict (McI Sub)
- McLean Research & Development Subdistrict (RD Sub)
- McLean Senior Subdistrict (Senior Sub)
- Open Space (OS Sub)
- Cemetery (CEM)
- Parking Lot (PL)

3A Overlay Districts

- 1A - Low Density SD 1A
- 1B - Low Density SD 1B
- 2 - Low Density SD 2
- 3A - Housing Authority 3A
- 3B - Housing Authority 3B
- 4 - Mandatory Mixed Use
- 5A - High Density SD 5A
- 5B - High Density SD 5B

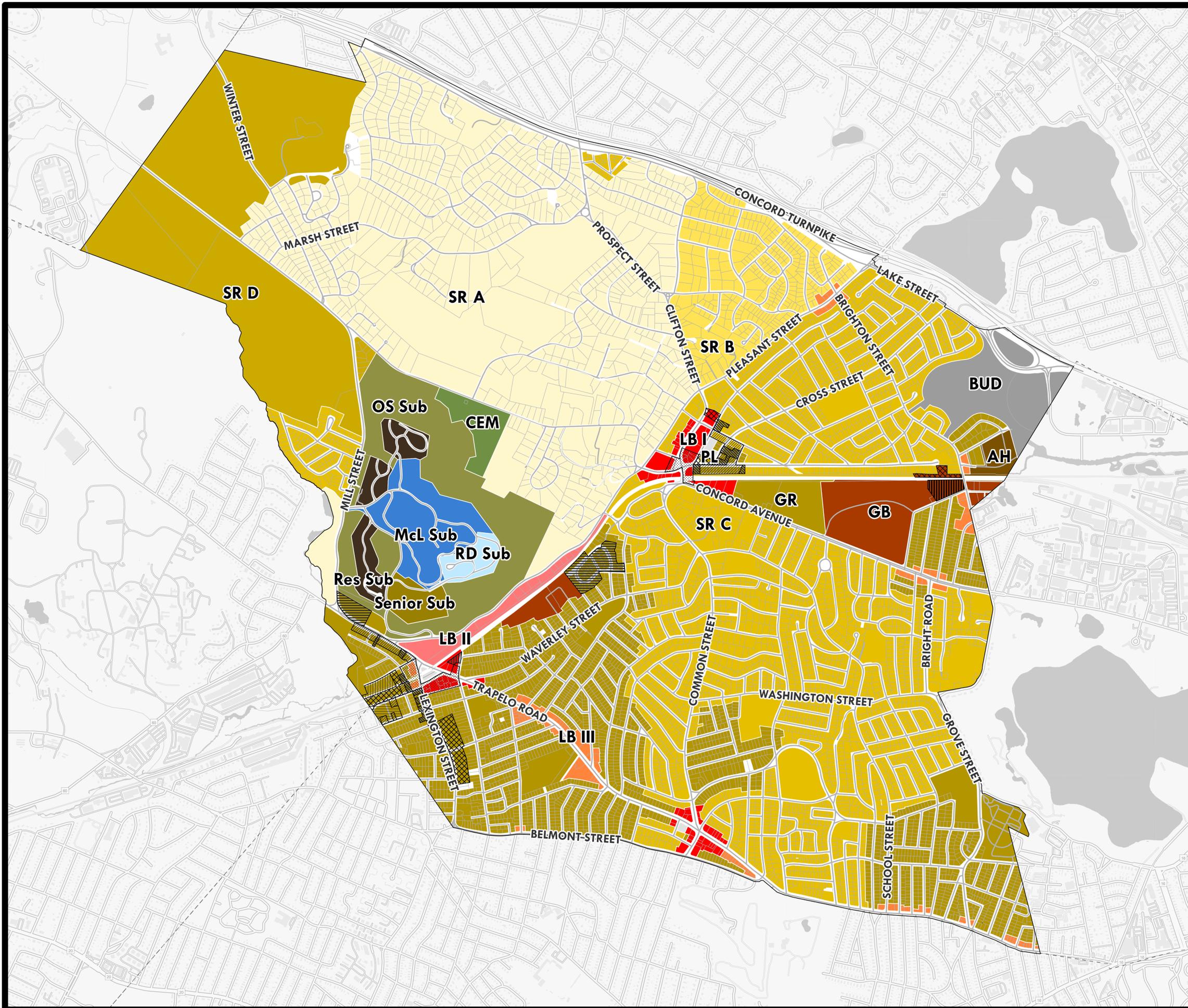


The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

Produced by:
Metropolitan Area Planning Council
60 Temple Place, Boston, MA 02111 | (617) 933-0700

Data Sources:
Metropolitan Area Planning Council (MAPC)
Massachusetts Geographic Information System (MassGIS)
Massachusetts Department of Transportation (MassDOT)

October 2024



Background for Article 2 Debate—Amendment 1, MBTA Map

Dear fellow TMM, this note is about why you should vote YES on Amendment 1 so that MBTA Communities 3A zoning uses Map 2. I was co-Chair of the MBTA Communities Advisory Committee and have been studying this question for over a year. Here's how I sum it up.

Map 2 includes the Purecoat site (39 Hittinger St/30 Brighton St). It's about 3 acres with an old manufacturing building. You know how rundown it is. It has no alternative use. The owner pays about \$100,000 per year in property tax.

The 3A zoning in Map 2 allows the site to be completely redone as an attractive mixed-use development—apartments plus retail. This will address a big need for 1BR and 2BR units in Belmont. The zoning language and Site Plan Review (Article 4 in this STM) give us a lot of control over what the result will look like. The developer has to pay the full cost of any environmental remediation; the town has no financial exposure.

Development will generate much more property tax revenue. There will be more school children but all the analysis says the project will be cash flow positive for the town. It will also add to our affordable unit count, bringing us closer to 40B safe harbor.

Everyone wants more commercial tax revenue. But the question is, what would work at the Purecoat site? Our consultants and the owner's consultants conclude the highest and best use is mixed-use. The analysis shows hotel, lab space, medical offices, and other purely commercial uses are not economically viable there. Housing with retail is the opportunity.

The owner has been trying to sell Purecoat for at least 20 years. There's been no interest. The new mixed-use zoning with 3A creates a realistic development path. If TM rejects Map 2, my concern is we are sending a signal that 40B is the only development option. 40B would be a far larger number of apartments and would give us ZERO control—40B is exempt from local zoning.

We should adopt Map 2 because that option protects the town better. The owner is still free to try to negotiate a change in the General Business zoning but that is a long and uncertain process. Map 2 gives us valuable insurance against a bad outcome and 3A development has a lot of advantages. That's why we should approve the mixed-use option now.

Map 1 excludes Purecoat. It instead zones lower Belmont St near the Cambridge line. That option was designed to produce very little housing and virtually no additional affordable housing. In the meantime, it strengthens the 40B incentive for Purecoat. None of that is good.

Please vote YES on Amendment 1.

Sincerely,

Roy Epstein, PhD
Member, Select Board and TMM, Precinct 6
November 16, 2024

34 Cushing Ave.
Belmont, MA 02478
November 2, 2024
repstein@belmont-ma.gov

BY EMAIL

Town Clerk
Town Hall
455 Concord Avenue
Belmont, MA 02478

Dear Ellen:

I would like to submit an amendment (Epstein amendment 2 of 2) to Article 2 in the Warrant for the 2024 Special Town Meeting.

Amendment to the motion under Article 2

Change the motion under Article 2 to insert the following text after the word “Warrant” in the second line:

with the following changes to the table in Appendix 1 labeled as §9.5 Dimensional Standards, B. Building Dimensional Standards, Building Height in Stories / Feet (max):

	MOZ3A	MOZ3B
Pitched Roof	3 stories / 42' (See Note ^a)	3 stories / 42' (See Note ^a)
Flat Roof w/ No Step Back	5 Stories 60'	5 Stories 60'

and with the deletion of the row labeled “Development within 50’ of lot line abutting R district” in that same table;

With this change, the motion would read through the word Map:

That the Town amend the Belmont Zoning Bylaw as printed in Appendix 1 of the November 18, 2024 Special Town Meeting Warrant with the following changes to the table in Appendix 1 labeled as §9.5 Dimensional Standards, B. Building Dimensional Standards, Building Height in Stories / Feet (max):

	MOZ3A	MOZ3B
Pitched Roof	3 stories / 42' (See Note ^a)	3 stories / 42' (See Note ^a)
Flat Roof w/ No Step Back	5 Stories 60'	5 Stories 60'

and with the deletion of the row labeled “Development within 50’ of lot line abutting R district” in that same table;

and to further amend the Belmont Zoning Map to include the MOZ district as shown on the plan entitled “Belmont Multifamily Overlay District and Subdistricts, November 18, 2024 Special Town Meeting, Map

The reason for this amendment is to correct the dimensional table described in Appendix 1 to accommodate the requirements of the Belmont Housing Authority, as discussed with them earlier this year. The zoning subdistricts MOZ3A and MOZ3B pertain only to certain parcels owned by the Belmont Housing Authority. This amendment makes no change after the word “Map” in the original motion in order to be compatible with whatever map is adopted by the Special Town Meeting.

Thank you.

Roy Epstein
Member, Select Board
TMM, Precinct 6

"The attached short handout addresses some questions that have been asked about how state and federal fair housing rules relate to zoning under MBTA Communities. In particular, you should know that zoning cannot control the number of units or the number of bedrooms/unit in a particular development, under 3A or any other zoning. My thanks to Julie Wu of the DEI Implementation Committee for providing this information to me."

Assuming I make a presentation to the STM on 3A, I will incorporate these points.

Roy J. Epstein PhD
Member, Belmont Select Board

MBTA Communities Zoning: Fair Housing Considerations

Roy Epstein, Select Board Member

November 2024

To be deemed in compliance with Section 3A

- ▶ Multi-family housing shall be without age restrictions and shall be suitable for families with children.
- ▶ No limits on:
 - ▶ unit size
 - ▶ number of bedrooms
 - ▶ bedroom size
 - ▶ number of occupants

Guidance on 3A from Massachusetts Attorney General

- ▶ No limits on the size of units or caps on the number of bedrooms or occupants; Must allow construction without special permits, variances, waivers or other discretionary approvals
- ▶ Massachusetts Antidiscrimination Law and Federal Fair Housing Act prohibit zoning for a discriminatory purpose or with discriminatory effect
- ▶ <https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download#:~:text=The%20Massachusetts%20Antidiscrimination%20Law11,purpose%20or%20with%20discriminatory%20effect>

Guidance from Federal DOJ and HUD on Fair Housing Act

- ▶ "Examples of state and local land use and zoning laws or practices that may violate the Act include: Prohibiting or restricting the development of housing based on the belief that the residents will be members of a particular protected class, such as race, disability, or familial status, by, for example, placing a moratorium on the development of multifamily housing because of concerns that the residents will include members of a particular protected class."
- ▶ <https://www.justice.gov/opa/file/912366/dl>

2024 Special Town Meeting, November 18, 2024
Article 2 – New Zoning Bylaw(s): Zoning Map & MBTA Communities
Multi-Family Housing Overlay District

Amendment offered by Doug Koplou, Precinct 6, and Bob Sarno, Precinct 3

The following amendment provides for the lowering of building heights in the MXDZ4 subdistrict, consisting of mandatory mixed-use buildings, from 3 ½ stories (2 ½ residential over 1 commercial) to 3 stories (2 residential over 1 commercial).

MOVED: That the following provisions contained in the Belmont Zoning Bylaw printed as Appendix 1 of the November 18, 2024 Special Town Meeting Warrant be amended as follows.

Section 9.5B, Building Dimensional Standards table, Building Height in Stories / Feet (max.) section on page 8:

- For the Pitched Roof option, the specifications under MXDZ4 be changed from “3 ½ stories / 55’ to “3 stories / 44’”^b, with the new note “b” added to the bottom of the table that reads “Includes non-occupiable peak.”
- For the Flat Roof w/ Step Back option, the specifications under MXDZ4 be changed from “3 ½ stories / 49’” to “NA”.
- For the Flat Roof w/ No Step Back option, the specifications under MXDZ4 be changed from “NA” to “3 stories / 37’”.

Section 9.5B, Building Dimensional Standards table, Half Story Height in Feet (max.) section on page 9:

- For the Pitched Roof option, the specifications under MXDZ4 be changed from “17’” to “NA”.
- For the Flat Roof w/ Step Back option, the specifications under MXDZ4 be changed from “11’” to “NA”.

Section 9.5B, Building Dimensional Standards table, Half Story Step-Back in Feet (min) on page 9:

- The step-back option for MXDZ4 be changed from “10’ on all sides of the building” to “NA”.

Section 9.5C, Mixed-Use Development on page 10:

- The language in subsection 1 be changed from “2 ½ floors” to “2 floors”, so that it reads “Mandatory Mixed-Use – Subdistrict 4 (MXDZ4) designated parcels require a vertical mixed-use development type with a Ground Story commercial component and 2.0 floors of residential above.”

Section 9.6.B Development and Design Standards, Building Design Standards, Half Story for Pitched Roofs on page 14:

- In subsection a. 5), delete “above the third story in MXDZ4,” so that it reads “Dormers above the second story in MOZ12 and above the fourth story in MOZ5B must comply with the requirements set forth below:”

Section 9.6.B Development and Design Standards, Building Design Standards, Half Story Step-Back for Flat Roofs on page 15:

- In subsection 7. b, delete “and MXDZ4” and the “s” in “subdistricts” so that it reads “For buildings in the MOZ3B subdistrict, the required Step-Backs must be provided above the third story.”
- In subsection 7.c, delete “MXDZ4 and” so that it reads “For the limited purposes of determining the applicable Step-Back requirements, if an abutting property is within a MOZ5 subdistrict the abutting property shall be deemed to be in such Overlay Zoning District and not the Base Zoning District regardless of whether such abutting property has elected to use the MOZ.”
- In subsection 7.d, delete “, MXDZ4,” so that it reads “Buildings in MOZ3 and MOZ5 subdistricts must meet the Upper Story Step-Back requirement along any lot line abutting a Residential District.”

Rationale:

- This amendment will continue to generate significant new residential units in compliance with 3A, but sizes the buildings in subdistrict MXDZ4 to align more closely with the scale of our key town centers and blend better with surrounding neighborhoods.
- Three stories was the original recommendation of the town’s MBTA Advisory Committee, and was approved for the MXDZ4 subdistrict by the Planning Board in public session in July.
- While the Warrant lists the scale of MXDZ4 structures as 3.5 stories, exceptions to top story mass reductions within the bylaw text mean that most of these buildings will be a full 4 stories. This scale would harm the look and feel of our town squares.
- Our amendment is fully compliant with 3A requirements. The town estimated 1,671 units in Lower Belmont and 1,651 units in the Brighton Street map in the plan submitted for pre-review and approved by the state. Even with the reduction in height within MXDZ4, the maps will generate at least 1,677 units for lower Belmont and 1,870 for Brighton. These figures are based on an enhanced model that adjusts for multiple buildings on larger parcels, calculates top partial-stories stories more accurately, applies unit caps at all BHA properties instead of just one, and reduces buildable lot size if setbacks require more area than stipulated by minimum open space alone.

Proposed Amendment to Warrant Article 2

Proposed by Joe Wright Precinct 1 and Rachel Heller, Precinct 3

Background: The MBTA Communities Act was signed into state law to stimulate housing production by removing barriers to housing development through the creation of by-right zoning to make multifamily housing development possible. Warrant Article 2 represents Belmont’s zoning plan to conform with this law in a manner suited to Belmont’s needs.

Purpose: The purpose of the amendment is to ensure Belmont’s by-right multifamily zoning allows for multifamily housing production. The bylaw, as proposed, would unnecessarily constrain building forms within a single lot. The amendment would *remove*:

- building footprint maximums
- building separation requirements for multiple buildings on a lot

Belmont would *retain* the bylaw’s proposed:

- setback requirements (including from the street, the side, and the rear)
- open space requirements
- maximum dwelling units
- parking requirements
- height limits

These parameters would continue to define what can and cannot be built in the district. Furthermore, all developments in these multifamily districts will be subject to the Building Code, which regulates the dimensions required between structures based on multiple elements, including construction type, whether sprinklers are included, and building usage. Adding footprint maximums and separation requirements within a lot would significantly constrain development and drive up development costs and building operating expenses. Footprint maximums and separation requirements would also have the effect of breaking up open space into smaller segments within a lot, devoting more open space to the areas between buildings than around them, and making these open spaces less usable and less valuable. The amendment aims to allow the landowner to consolidate units and open space.

Moved that Article 2 be amended by striking in Appendix 1 Section 9.5 Dimensional Standards under A. Site Dimensional Standards the following subsection “Building Separation for Multiple Buildings on Lot (min.)”

Building Separation for Multiple Buildings on Lot (min.)							
	20'	20'	15'	15'	20'	20'	25'

And further amended by striking in Appendix 1 Section 9.5 Dimensional Standards under B. Building Dimensional Standards the following subsections “Building Massing” and “Building Footprint (max)”.

Building Massing
Building Footprint (max.)

	1,800 sf	4,000 sf	None	None	10,000 sf	5,000 sf	15,000 sf
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And further amended by striking in Appendix 1 Section 9.6 Development and Design Standards Subsection A.4 Number of Buildings, the words “and minimum building separation” and replace with the following:

1. Number of Buildings

Multiple buildings are permitted by-right on each lot but shall comply with the minimum open space requirements. ~~and minimum building separation.~~

And further amend by striking in Appendix 1 Section 9.6 Development and Design Standards the following subsection, “Building Separation”, including 5a and 5b.

5. Building Separation

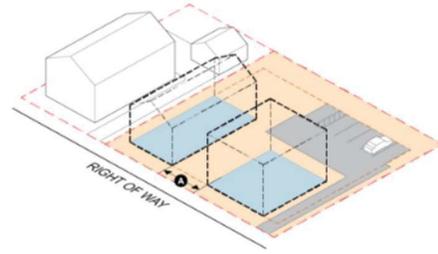
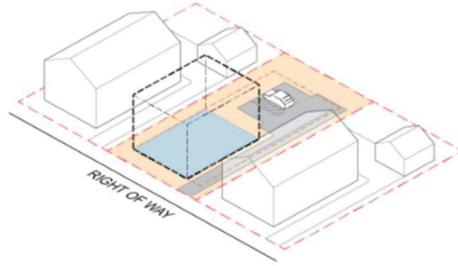
- a. Multiple buildings on a single lot must comply with the building separation distance at all points as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. Abutting buildings on separate lots may not be interconnected so as to be internally accessible from one to the other at or above grade level.

And further amended by striking in Appendix 1 Section 9.6 B Building Design Standards, the following Subsection 1 “Building Footprint”, including 1a, 1b, 1c, and Figure 1 “Maximum Footprint Explanation”.

1. Building Footprint

- a. Buildings must comply with the maximum Building Footprint (see Figure 1 below) as specified in the Building Dimensional Standards for each MOZ subdistrict.
- b. Building Footprint includes:
 - 1) All enclosed spaces whether for habitation or storage.
 - 2) Any parking area that is covered by a roof is included in the Building Footprint.
 - 3) Decks that extend more than eight (8) feet from the building face.
- c. Building Footprint does not include:
 - 1) Non-exposed portions of the building below the average grade and not visible from any street or adjacent lots. This exception shall not apply to the front yard setback.
 - 2) Architectural features, as defined in §9.4.
 - 3) Structures, as defined in §1.4 with the exception of any element listed in 1.b. above.

-  Lot area
-  Setbacks
-  Open space (max. in percentage of lot area)
-  Building footprint (max. in sq. ft.)
-  **A** Min. building separation distance





TOWN OF BELMONT
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TOWN ADMINISTRATOR
 PATRICE GARVIN

ASSISTANT TOWN ADMINISTRATOR
 JENNIFER HEWITT

To: Patrice Garvin, Town Administrator
 FROM: Jennifer Hewitt, Assistant Town Administrator/Finance Director
 DATE: November 13, 2024
 RE: Background on Financial Articles for Special Town Meeting

The purpose of this memo is to provide context for the financial articles that are being proposed for Special Town Meeting to support a more informed conversation and decision.

USE OF FY2025 ONE-TIME FUNDS (ARTICLES 5 AND 6)

The FY2025 operating budget was approved in early June 2024, and was balanced using known revenues at the time. On June 20th, the Board of Assessors assessed McLean Zone 3 for taxes in FY2023 (partial) and FY2024. The incremental revenue in FY2025 is \$125,948. After the state budget passed on July 29th, the final “Cherry Sheet” values for state aid and assessments were released, revealing a net increase to Belmont of \$405,296. The combined total is \$531,244, which is considered one-time revenue. Articles 5 and 6B would appropriate this funding to a Student Information System (SIS - \$165,000) and transfer the balance to the Override Mitigation Stabilization Fund (OMF - \$366,244).

SUMMARY OF REVENUE SOURCES AND USES

McLean Zone 3 New Growth	\$125,948	Student Information System	\$165,000
Net State Aid	\$405,296	Override Mitigation Fund	\$366,244
FY2025 One-Time Funding	\$531,244	FY2025 One-Time Uses	\$531,244

STUDENT INFORMATION SYSTEM (SIS) – ARTICLE 5

Superintendent Geiser provided more detailed information on the SIS in her memo and presentation. The original request was for \$185,000, broken out in the table below. Because the staff support is a part-time, partial year hire, which may straddle FY2025 and FY2026, we recommended removing the benefits to allow the balance to go to the OMF. The FY2025 budget for benefits (Medicare and Health Insurance - \$16M total) is sufficient to absorb this cost, and we will anticipate this position before finalizing the FY2026 benefits budget.

One-Year Subscription, New SIS	\$70,000
One-Time Implementation Costs	\$30,000
Staff Support (0.6 FTE, 9 months)	\$65,000
Benefits	\$20,000
Total Request	\$185,000

OVERRIDE MITIGATION STABILIZATION FUND (OMF) – ARTICLE 6B

In June 2024, Town Meeting created the Override Mitigation Stabilization Fund (OMF) and funded it with \$4.06 million; \$930,000 from the Override and \$3,129,439 from Free Cash. The override modeling anticipated tapping the OMF in FY2026 for \$915,000 and \$2,820,000 in FY2027, leaving a nominal amount plus interest for FY2028, when another override would be anticipated. The addition of this one-time funding will provide flexibility in future years.

CAPITAL STABILIZATION FUND – ARTICLE 6A

The Town sold \$65M in long-term debt in September 2024 to support spending for the Rink and Library. Based on current project cash flows, all of the funds will be fully spent by June 30th; the Town is able to earn interest on the balances in the meantime. The Treasurer has set the funds aside into interest-bearing accounts that meet arbitrage requirements. Over the course of the year, we project earning \$1,425,000 in interest, and propose transferring that amount into the Capital Stabilization Fund to support other capital projects.

CELL TOWER LAND LEASE – ARTICLE 7

On August 12, the Select Board extended the lease for the land that houses a cell tower at 780 Concord Ave. through February 4, 2025. The prior land lease was for 10 years, with 2, 5-year extensions, both of which were exercised. Staff will issue an RFP shortly for a replacement lease. The interim extension provides a bridge between the expired and replacement leases.

In addition, since the new long-term contract would lease town-owned land, that has to be authorized by a vote at Town Meeting. An article was proposed for the 2024 Annual Town Meeting, but since the agenda was already quite crowded, it was deferred to Fall 2024 Special Town Meeting. The RFP will include a disclaimer that final award is dependent on that vote.

The tower is adjacent to the Highland Meadow Cemetery, and sits on town-owned land with a conservation restriction. The current vendor, SBA, owns the tower, which replaced an older tower a short distance away from the current location. Per the contract, the tower houses radio equipment used for Police, Fire and Public Works operations, and is the main reason for the tower's existence.

The current lease provides for annual rent of \$15,000 and profit-sharing if more than 3 private antennas are placed on the tower. Those revenues are deposited into a special revenue fund which is managed by the Land Management Committee for Lone Tree Hill.

TREATMENT OF STALE CHECKS – ARTICLE 8

As part of the routine balancing of the Town's accounts, the Treasurer's Office identifies checks that remain uncashed, and reaches out to recipients to ensure receipt. If not cashed within one year, the checks are deemed "stale" and the Treasurer moves the funds into a holding account. The default process under state law is to send the check information to the State Treasurer's Unclaimed Property Division for them to post and process; funds remain with the state if not claimed. However, the Town can adopt a separate process under [MGL Ch. 200A, Section 9A](#), where the Town posts all unclaimed funds on our website and is able to retain amounts less than \$100 after 60 days. For amounts more than \$100, the Town advertises them in a local paper, posts them on our website, and retains unclaimed amounts after one year. There is minimal additional work for staff to manage the advertising process, which is estimated to cost \$500-\$800, depending on the length of the list.

The current balance of outstanding checks is noted below, and will likely not reach this overall number or total again as the monthly reconciliation process is routinized.

2021	\$12,999.95
2022	\$21,050.24
2023	\$8,226.02
2024	<u>\$158.47</u>
	\$42,434.68

Overview of the Senior Tax Relief Working Group (STRWG)

Working Group launched in late July 2024 with the appointments of Kathy Keohane, Mark Paolillo, Aaron Pikcilingis and staff members Jennifer Hewitt and Dan Dargon.

The group developed a formal charge and expanded membership recommendations, which were adopted by the Select Board on October 21, 2024.

Charge:

To identify and evaluate potential opportunities for new tax relief programs for Belmont residents, particularly seniors and residents with disabilities, and recommend to the Select Board the most promising opportunities for immediate, medium, and long-term action. For selected opportunities, work with Town staff to complete in-depth evaluations of impact and cost and develop implementation plans. If any opportunities require Town Meeting approval, work to educate Town Meeting members on the details of the particular warrant article(s).

Develop initial and ongoing outreach and communication strategies for ensuring that Belmont residents who are eligible for tax relief programs are aware of them.

Membership:

- Geoff Lubien, Chair (Warrant Committee representative)
- Dan Dargon (Assessing Administrator; Chair, Board of Assessors)
- Jennifer Hewitt (Town Finance Director and Assistant Town Administrator)
- Kathy Keohane (Town Resident)
- Mark Paolillo (Town Resident)
- Aaron Pikcilingis (Town Resident)
- Marsha Semuels (Council on Aging representative)

The work so far

Our work is centered on assessing current practices, identifying opportunities and enhanced actions in three key areas:

- State Statutes and Regulations
- Information, Education and Outreach
- Tax Work-Off Program

We are also focused on proposing changes within timeframes that will have the most impact. Since tax exemptions need to be in place by July 1st in order to take effect, any such changes will be targeted to the 2025 Annual Town Meeting in May 2025 to take effect in FY2026. In the meantime, the group has been working to review current tax relief programs and plans to sponsor an education and outreach effort in the coming months to ensure that Seniors who are eligible for existing programs know about them before the April 1, 2025 application deadline.

There is one action that we recommend Town Meeting take now: Establish an **Aid to the Elderly and Disabled Taxation fund**. The Select Board has embraced our recommendation to place an article in the warrant (Article 9) for this November's Special Town Meeting that proposes we adopt the state law that allows the Town to establish such a fund.

This fund is a first step, and one that we believe will provide meaningful support to residents in need. We acknowledge that this step alone won't meet all the needs, and will continue our work to develop recommendations for additional steps the Town might take to provide additional tax relief.

Background on the Aid to the Elderly and Disabled Taxation Fund (Article 9)

MOVED: That the Town adopt the provisions of Massachusetts General Law Chapter 60, section 3D.

Special Town Meeting Article 9 proposes that Belmont adopt a local option statute to establish an *Aid to the Elderly and Disabled Taxation Fund* to provide tax relief to eligible low-income seniors and residents with disabilities.

Adopting this statute authorizes the Town to:

1. Create a fund to receive donations for this purpose
2. Establish a committee to define program rules, including eligibility

Details on the Committee that would be formed:

- If Town Meeting adopts this statute, the Town would form a 5-person Taxation Aid Committee consisting of the following members (defined by statute):
 - Chair of the Board of Assessors
 - Town Treasurer
 - Three residents appointed by the Select Board
- This committee would work to create the following:
 - Process & strategy
 - Eligibility & guidelines
 - Application Form
- The committee would then review applications and grant funds from available donations according to the processes and procedures they adopt

Because many other Massachusetts communities have adopted this statute, there are numerous examples of processes, eligibility, guidelines and application forms that the committee can use to inform what they create to administer Belmont's fund (see final page for links to a few examples).

The aim is for this new committee to be formed, receive donations in early 2025, receive and evaluate applications by April 1st, and apply the funds to the 4th quarter FY25 tax bills.

People would donate to the fund by writing a check to the Town indicating it is for this purpose. Eventually, we would like to accept donations online through the Town website.

Text of MA General Law Ch.60 sec 3d

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIX/Chapter60/Section3d>

Section 3D. A city or town which accepts the provisions of this section is hereby authorized, subject to the approval of the commissioner, to design and designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or to mail with such tax bills a separate form, whereby the taxpayers of said city or town may voluntarily check off, donate and pledge an amount not less than \$1 or such other designated amount which shall increase the amount otherwise due, and to establish a city or town aid to the elderly and disabled taxation fund for the purpose of defraying the real estate taxes of elderly and disabled persons of low income.

Any amounts donated to said fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer. The treasurer shall invest said funds at the direction of the officer, board, commission, committee or other agency of the city or town who or which is otherwise authorized and required to invest trust funds of the city or town and subject to the same limitations applicable to trust fund investments, except as otherwise specified herein. The fund, together with the interest earned thereon shall be used for the purpose specified in this section without further appropriation.

In any city or town establishing an aid to the elderly and disabled taxation fund, there shall be a taxation aid committee to consist of the chairman of the board of assessors, the city or town treasurer and three residents of the city or town to be appointed by the mayor or board of selectmen as the case may be. Said board shall adopt rules and regulations to carry out the provisions of this section and to identify the recipients of such aid.

Examples from other communities

Needham:

- [Committee](https://www.needhamma.gov/1117/Taxation-Aid-Committee): <https://www.needhamma.gov/1117/Taxation-Aid-Committee>
- [Application](https://www.needhamma.gov/207/Property-Tax-Relief-Application): <https://www.needhamma.gov/207/Property-Tax-Relief-Application>
- [Guidelines](https://www.needhamma.gov/206/Property-Tax-Relief): <https://www.needhamma.gov/206/Property-Tax-Relief>

Newton:

- [Committee](https://newtonma.granicus.com/boards/w/4ef73a7d11a76e27/boards/15596):
<https://newtonma.granicus.com/boards/w/4ef73a7d11a76e27/boards/15596>
- [Application](https://www.newtonma.gov/home/showpublisheddocument/30/63824235795650000):
<https://www.newtonma.gov/home/showpublisheddocument/30/63824235795650000>
- [Guidelines](https://www.newtonma.gov/home/showpublisheddocument/32/638242357533370000):
<https://www.newtonma.gov/home/showpublisheddocument/32/638242357533370000>

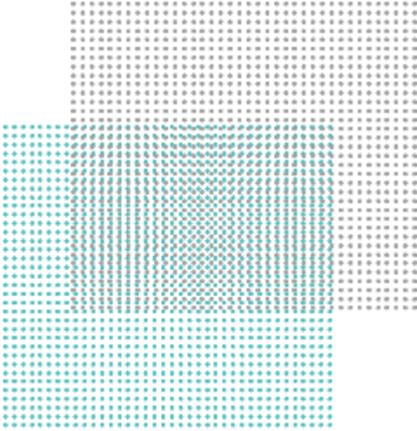
Westborough:

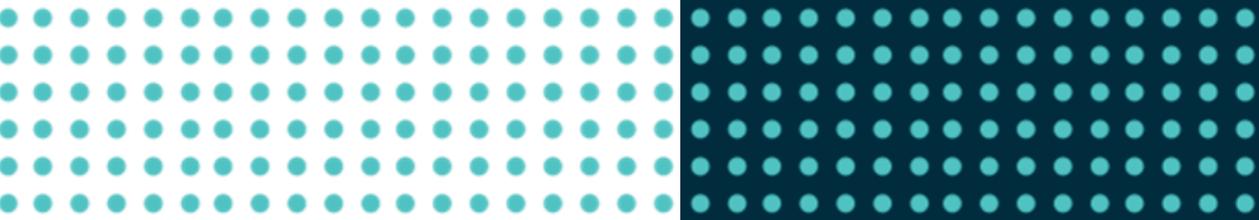
- [Committee](https://www.westboroughma.gov/593/Senior-Disabled-Taxation-Aid-Committee): <https://www.westboroughma.gov/593/Senior-Disabled-Taxation-Aid-Committee>
- [Application](https://www.westboroughma.gov/DocumentCenter/View/1358/Tax-Aid-Application-PDF): <https://www.westboroughma.gov/DocumentCenter/View/1358/Tax-Aid-Application-PDF>
- [Guidelines](https://www.westboroughma.gov/DocumentCenter/View/1360/Tax-Aid-Application-Guidelines-PDF): <https://www.westboroughma.gov/DocumentCenter/View/1360/Tax-Aid-Application-Guidelines-PDF>
- [Donation Form](https://www.westboroughma.gov/DocumentCenter/View/1359/Donation-Form-Taxation-Aid-PDF):
<https://www.westboroughma.gov/DocumentCenter/View/1359/Donation-Form-Taxation-Aid-PDF>



November 7, 2024

Belmont Select Board Size Increase Proposal





Citizens Petition Warrant Briefing Overview

Citizens Petition Text of the Article



Text of the Article, as it appears on the Citizens' Petition:

To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation to expand the membership of the Select Board from three to five, substantially in the form below, and further to authorize the Select Board to approve amendments to the bill before enactment by the General Court which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto:

AN ACT INCREASING THE MEMBERSHIP OF THE SELECT BOARD IN THE TOWN OF BELMONT

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. The number of members of the Select Board of the Town of Belmont shall be increased to 5. Each Select Board Member shall serve for a 3-year term with not more than 2 Select Board Members terms to run concurrently. Notwithstanding the preceding sentence, at the next annual town election following at least 65 days after the effective date of this act, 1 additional member shall be elected to an initial 2-year term and 1 additional member shall be elected to a 3-year term. Nothing in this act shall affect the terms of those members serving as Select Board Members on the effective date of this act



2018 Committee to Study the Number of Selectmen Report to Belmont TM (1/2)

Arguments for Increasing the Size of the Board

1. Greater stability for Town government in policy, planning, and hiring
2. Increased representation, diversity, and viewpoints
3. Reduced costs of entry, both financial and psychological
4. Less likelihood of one Board member being isolated or dominating the others
5. Potential for wider range of skills and experiences on the Board
6. Permits members to use one other member as a sounding board
7. Increased access to the Board of Selectmen for Town residents
8. Increased ability to communicate with Town committees
9. Increased ability to attend external meetings
10. Increased capacity to establish subcommittees
11. Increased ability to accommodate member absences without limiting the Board's effectiveness

Arguments for Maintaining the Size of the Board

1. All board deliberations remain transparent and open to the public
2. Every Selectman is vested in the job
3. Elections would remain competitive
4. Three members are more apt to reach a consensus
5. Meetings are efficient and reasonable in length
6. Current level of authority and accountability would be maintained
7. Salary and benefit costs would not increase
8. Town Administrator communications with individual Selectmen would not increase
9. Belmont has not strengthened the role of the Town Administrator
10. Too much is at stake for a change of this magnitude right now
11. Don't fix what's not broke

2018 Committee to Study the Number of Selectmen Report to Belmont TM (2/2)

Proponents said expanding Belmont's Select Board would bring greater stability and diversity, making the board more inclusive and accessible while reducing barriers to entry.

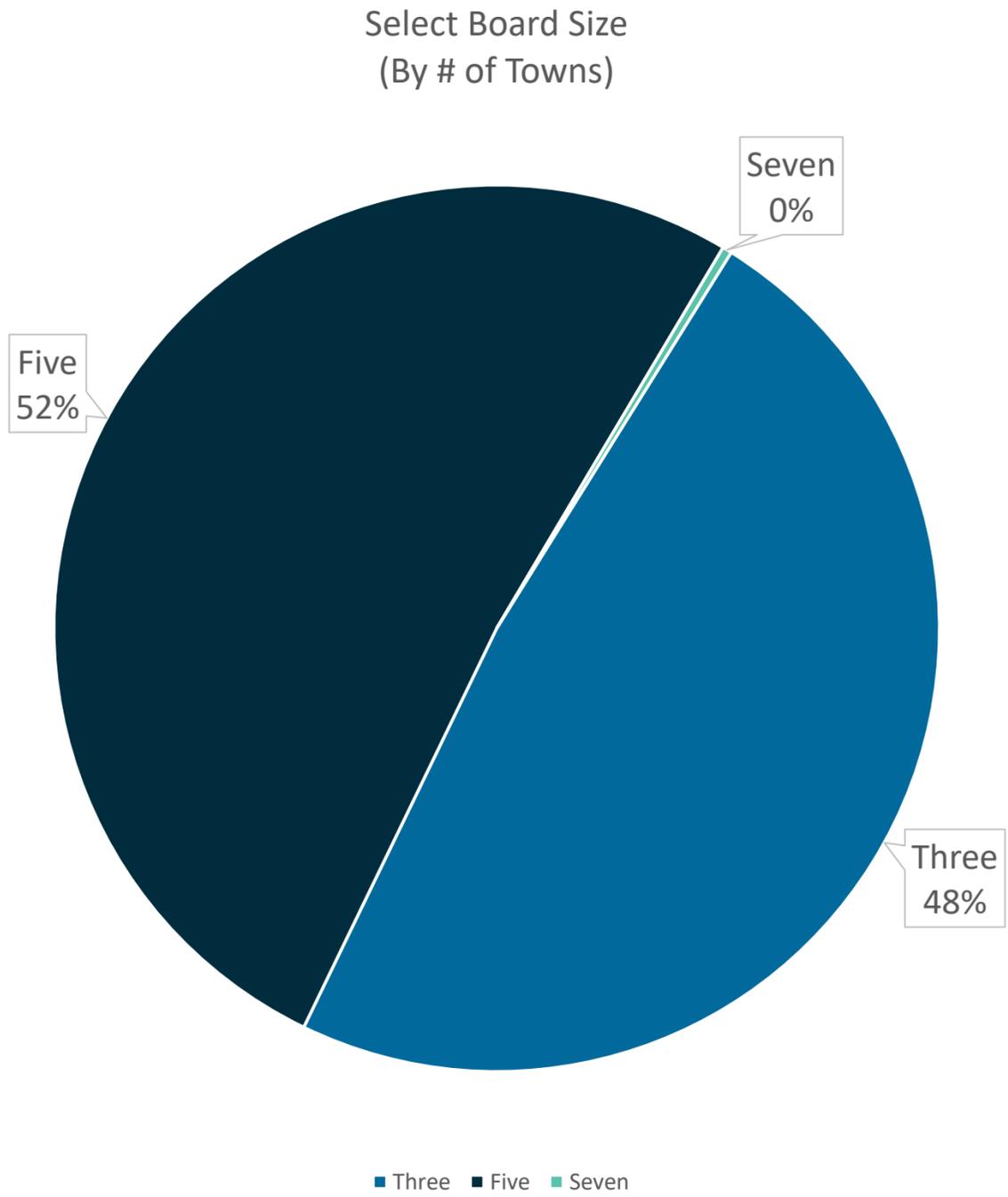
It would minimize the dominance of any one member, bring in broader skills, and improve communication with residents and committees.

A larger board would also enhance attendance at external meetings, facilitate subcommittee work, and handle absences more effectively, ultimately creating a more resilient and responsive town government.

Opponents of expanding Belmont's Select Board argued that the current structure provides transparency, efficiency, and accountability.

A smaller board promotes competitive elections, streamlined decision-making, and effective communication without additional costs or strain on the Town Administrator. Given the system's effectiveness, they felt there was no need for change at that time

Select Board Size—In MA, there are 291 towns in which the towns’ policy body is the Select Board

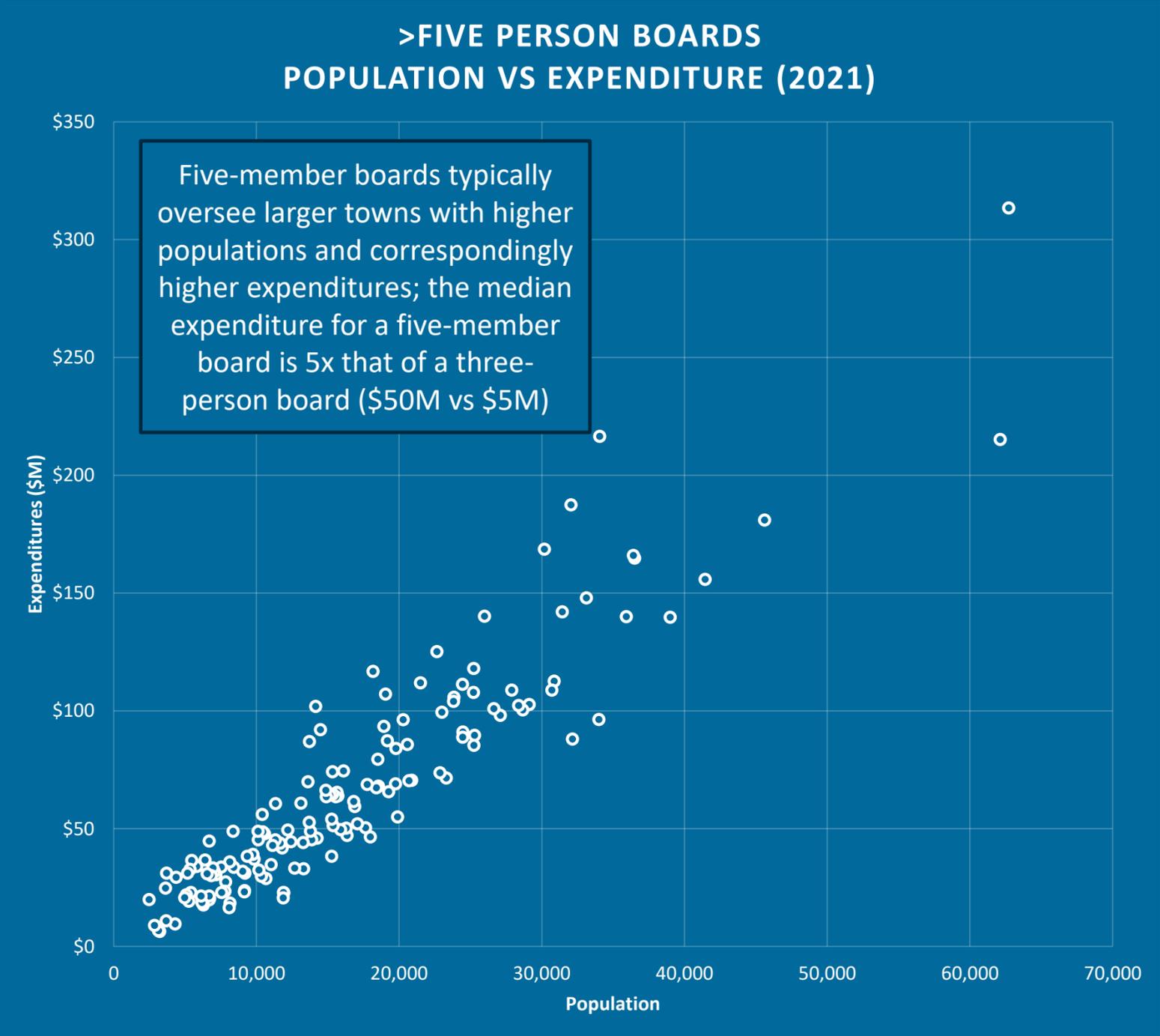
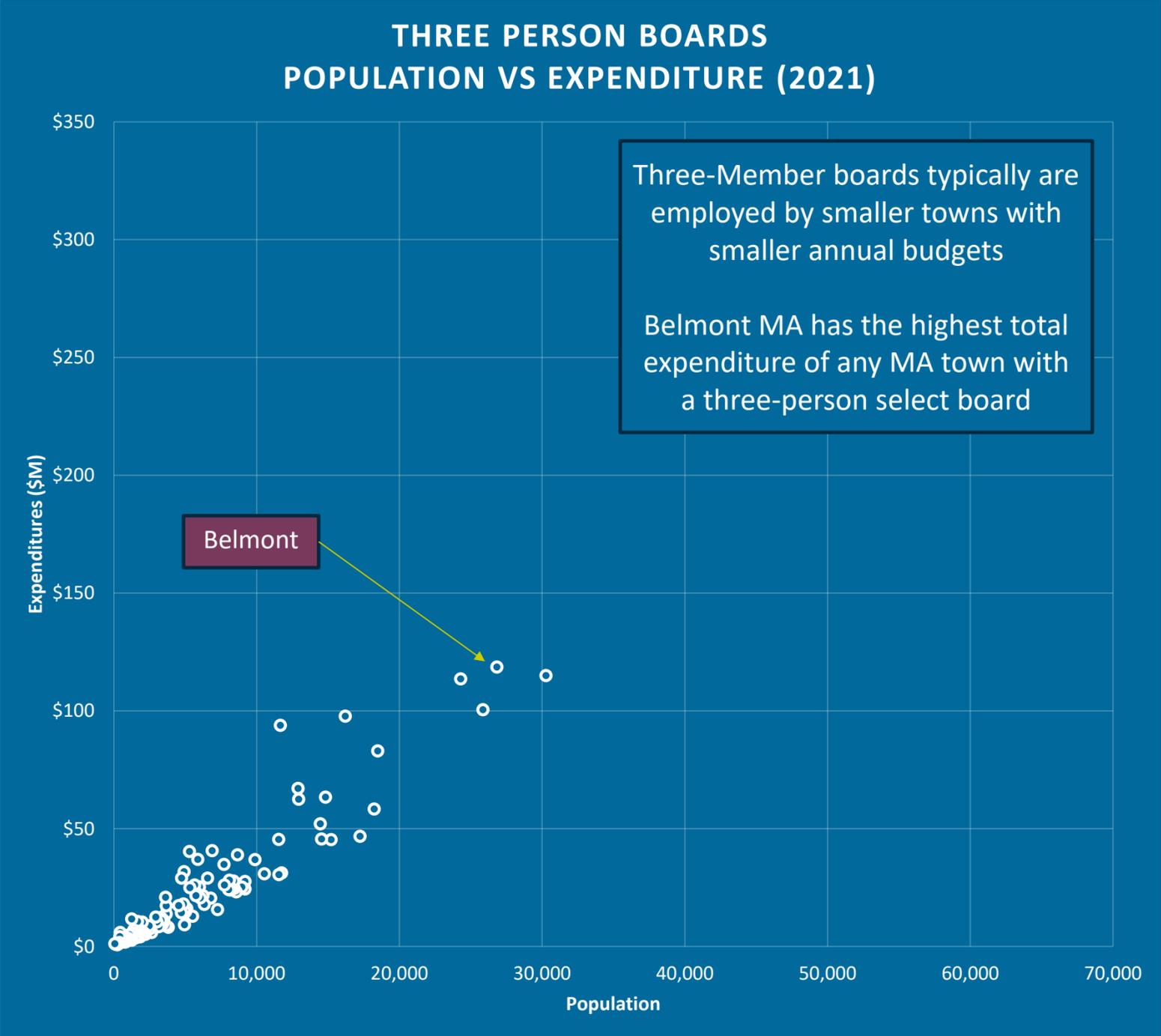


Select Board	Description	Median Sized Town
Three-Member Select Board	Three elected officials who collectively oversee the town's executive functions, implement policies, and manage daily operations “A three-member board works well in smaller towns with populations under 10,000, in which selectmen play stronger administrative roles in daily municipal affair” - DLS	Lanesborough (pop 3,027)
Five-Member Select Board	Five elected officials who collectively manage the town's executive functions, implement policies, and oversee daily operations	Uxbridge (pop 14,270)

Feature	Three Members	Five Members
Median Town Population	3,027	14,270
Median Total Expenditures	~\$10 Million	~\$50 Million

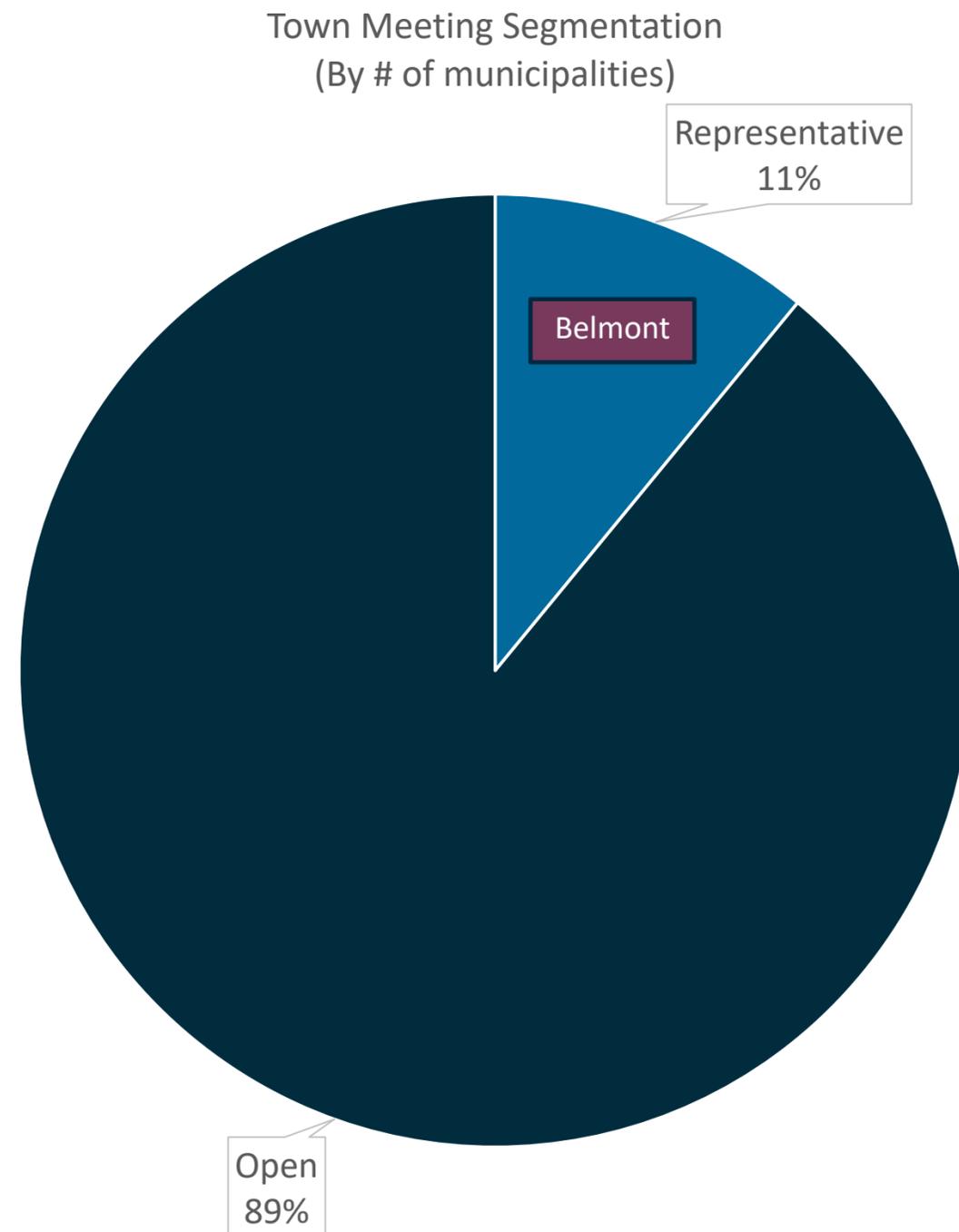
Sources: MA Department of Local Services

Select Board Size: Population and Expenditure Comparison



Sources: MA Department of Local Services

Open vs Representative Town Meeting among 291 MA Select Board – Town Meeting Local Governmental Structures



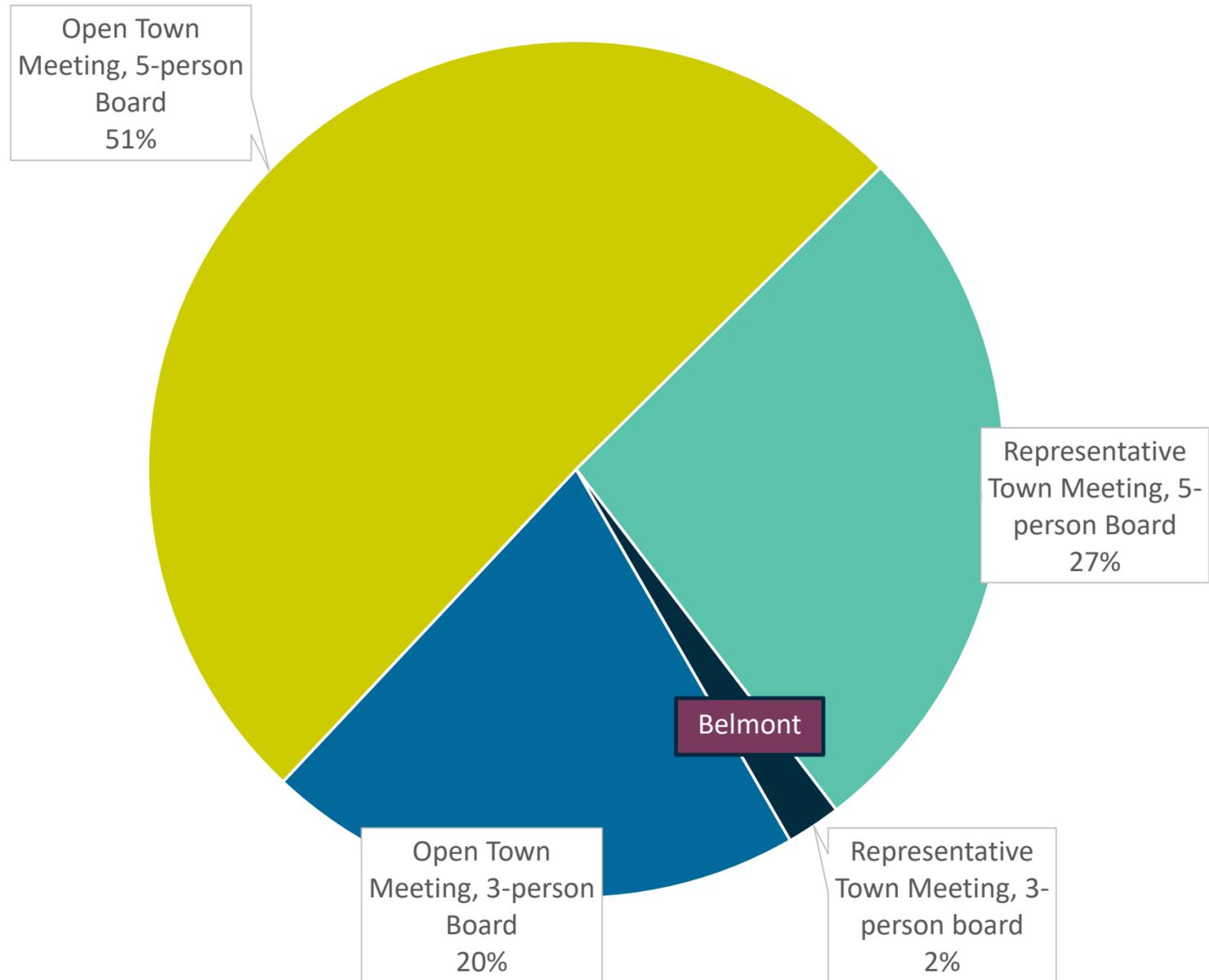
Government Structure	Description	Example
Representative Town Meeting (RTM)	A Representative Town Meeting is a form of municipal governance where residents elect delegates or representatives to participate in the legislative decision-making process on their behalf, rather than all eligible voters attending and voting directly	Belmont, Brookline, Arlington, Andover, Lexington, Norwood, Wellesley, Milton, Hingham
Open Town Meeting (OTM)	An Open Town Meeting is a form of direct democratic governance where all eligible voters in the town can attend, participate in discussions, and vote on legislative matters directly, without intermediaries or elected representatives	Andover, Acton, Marblehead, Sharon, Concord, Weston, Harvard, Manchester By The Sea, Goshen

Feature	RTM	OTM
Town Population Median	28,532 residents	6,761 residents
Total Population Covered	~930k residents	~2,267k residents
Median Total Expenditures	\$116 Million	\$25 Million

Sources: MA Department of Local Services

Massachusetts Three and Five Person Select Boards and Town Meeting Segmentation by Population

Town Meeting and Select Board Segmentation (By Population)



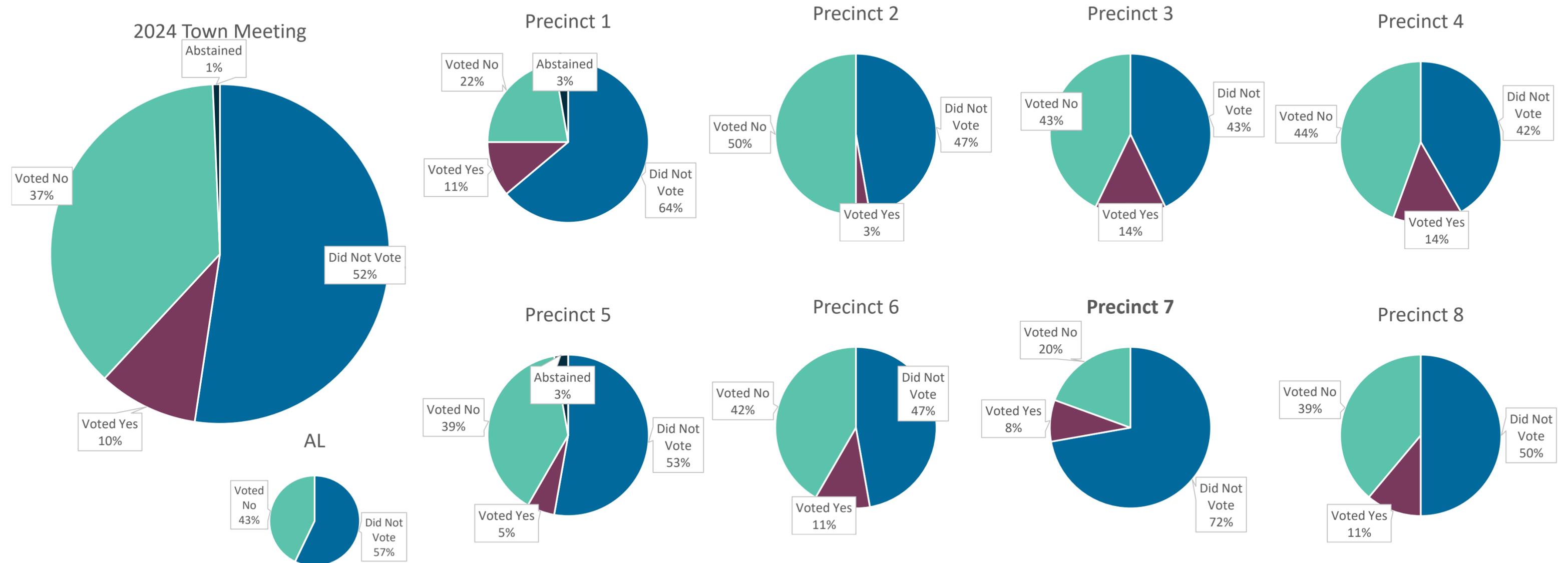
Government Type	% of Total Town Governments	% of Total Populations in Towns
Open Town Meeting, five-person select board	42%	51%
Representative Town Meeting, five person select board	10%	27%
Subtotal five-person select board	52%	78%
Open Town Meeting, three-person select board	47%	20%
Representative Town Meeting, three-person select board	1%	2%
Subtotal three person select board	48%	22%

While 48% of MA towns have three-person select boards, this accounts for only 22% of the total population of people living in MA towns

Sources: MA Department of Local Services

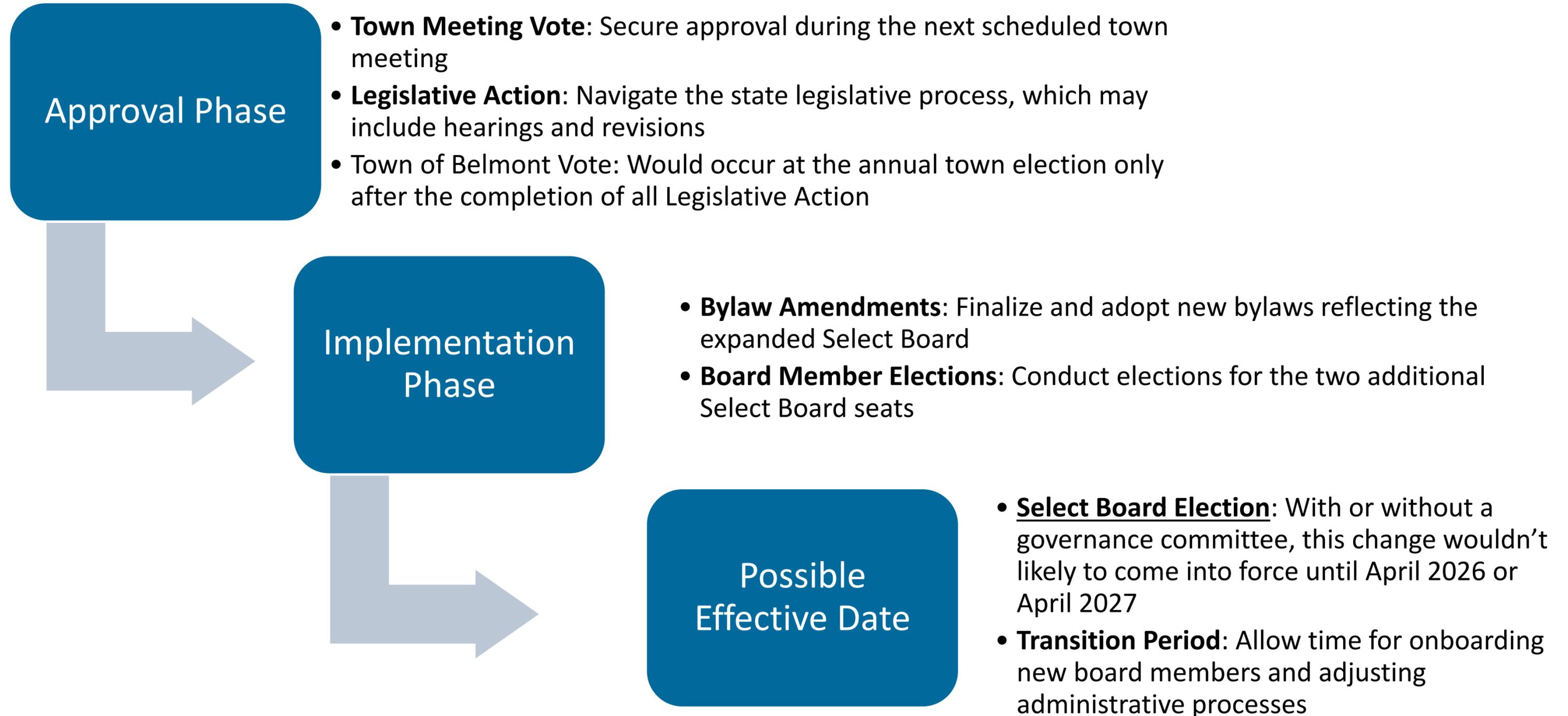
Belmont 2018 Town Meeting vs 2024 Town Meeting

- Since 2018, there are 154 new town meeting members, or 52% of the entire legislative body (this doesn't include new members recently chosen by precinct caucuses) that didn't vote on increasing the select board size
 - My precinct (precinct 7) – has seen the highest % of new members since 2018 – 72% or 26/36



Source: Belmont Town Clerk Office

Process Timeline – Any successful town meeting vote would set in motion an 18 to 30 month process



Lakeville, MA Case Massachusetts State House Example (H.2093) – passed by Lakeville at Special Town Meeting November 2022

Date	Branch	Action
2/16/23	House	Referred to the committee on Municipalities and Regional Government
2/16/23	Senate	Senate concurred
6/12/223	Joint	Hearing scheduled for 06/20/2023 from 01:00 PM-05:00 PM in A-2
7/17/23	House	Bill reported favorably by committee and referred to the committee on House Steering, Policy and Scheduling
8/10/23	House	Committee reported that the matter be placed in the Orders of the Day for the next sitting
8/10/23	House	Rules suspended
8/10/23	House	Read second and ordered to a third reading
10/5/23	House	Read third, amended and passed to be engrossed
10/10/23	Senate	Read; and placed in the Orders of the Day for the next session
10/12/23	Senate	Taken out of the Orders of the Day
10/12/23	Senate	Read second, ordered to a third reading, read third (title changed) and passed to be engrossed
10/16/23	House	Enacted
10/16/23	Senate	Enacted and laid before the Governor
10/25/23	Executive	Signed by the Governor, Chapter 60 of the Acts of 2023

Following the successful passage of H.2093, Lakeville saw four people compete for three Select Board Seats at its Spring 2024 Annual Town Election

Source: MA Legislature.gov, Nemasket Weekly

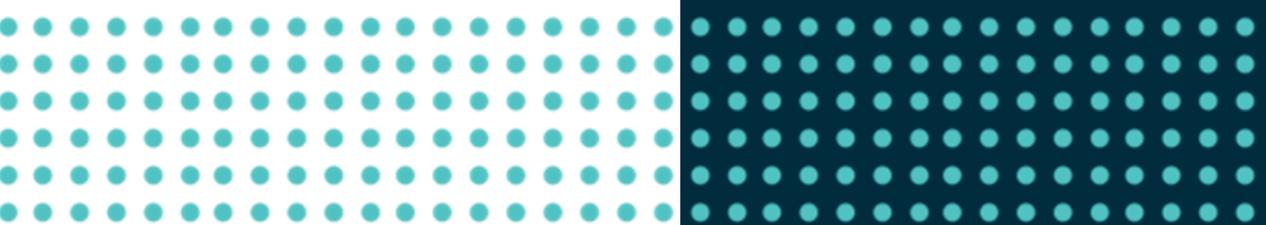


Four candidates compete for three seats on Lakeville Select Board

Mar 26, 2024



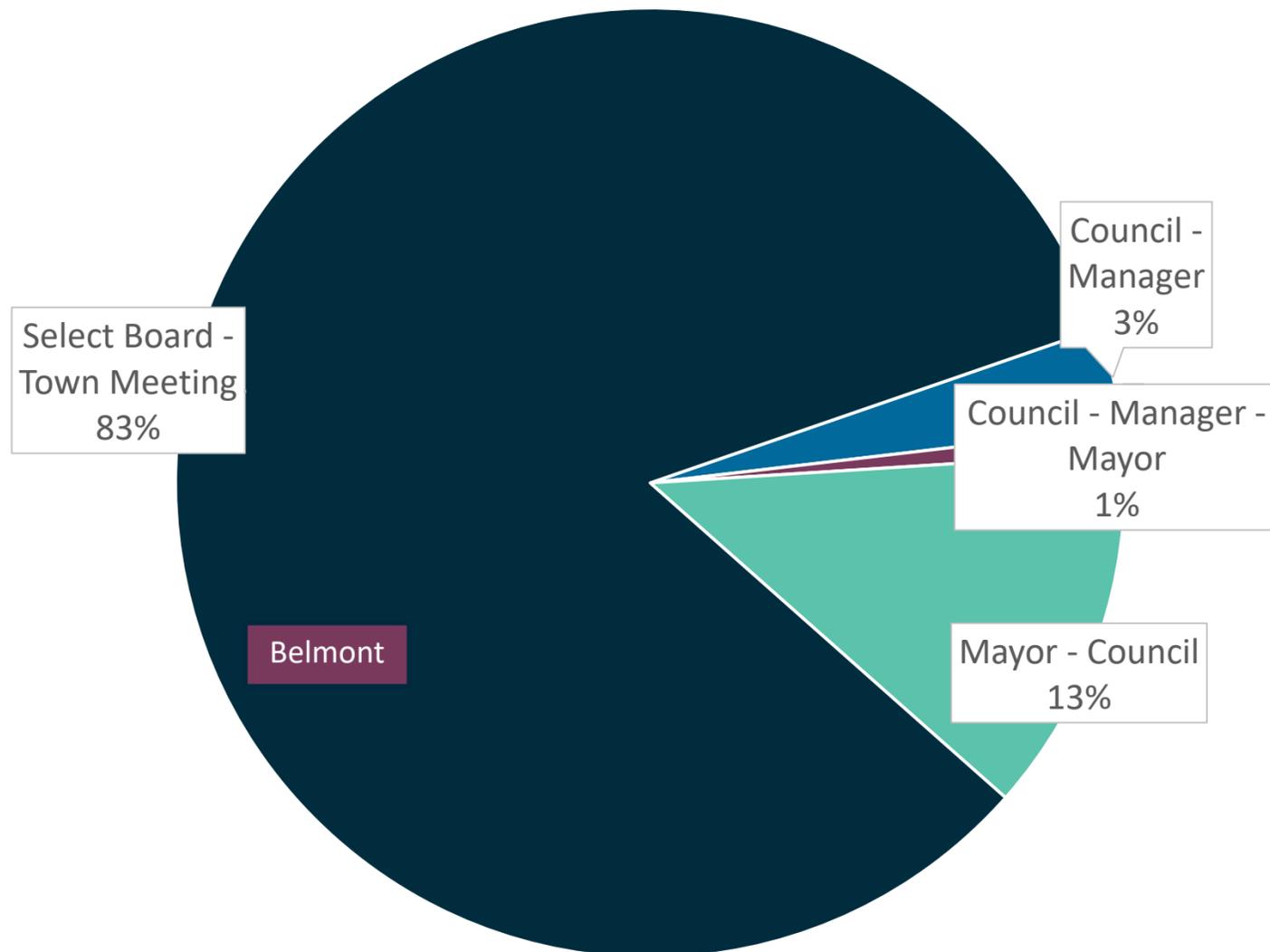
Clockwise from top right: Candidates Maureen Camillo, Mark Keno, Brynna Strohman and Lorraine Carbonara in the running for three seats on the Lakeville Select Board.



Massachusetts Form of Governments

Breakdown of Massachusetts Cities and Towns by Form of Government

MA City and Town Form of Government % Breakdown
(By # of municipalities)

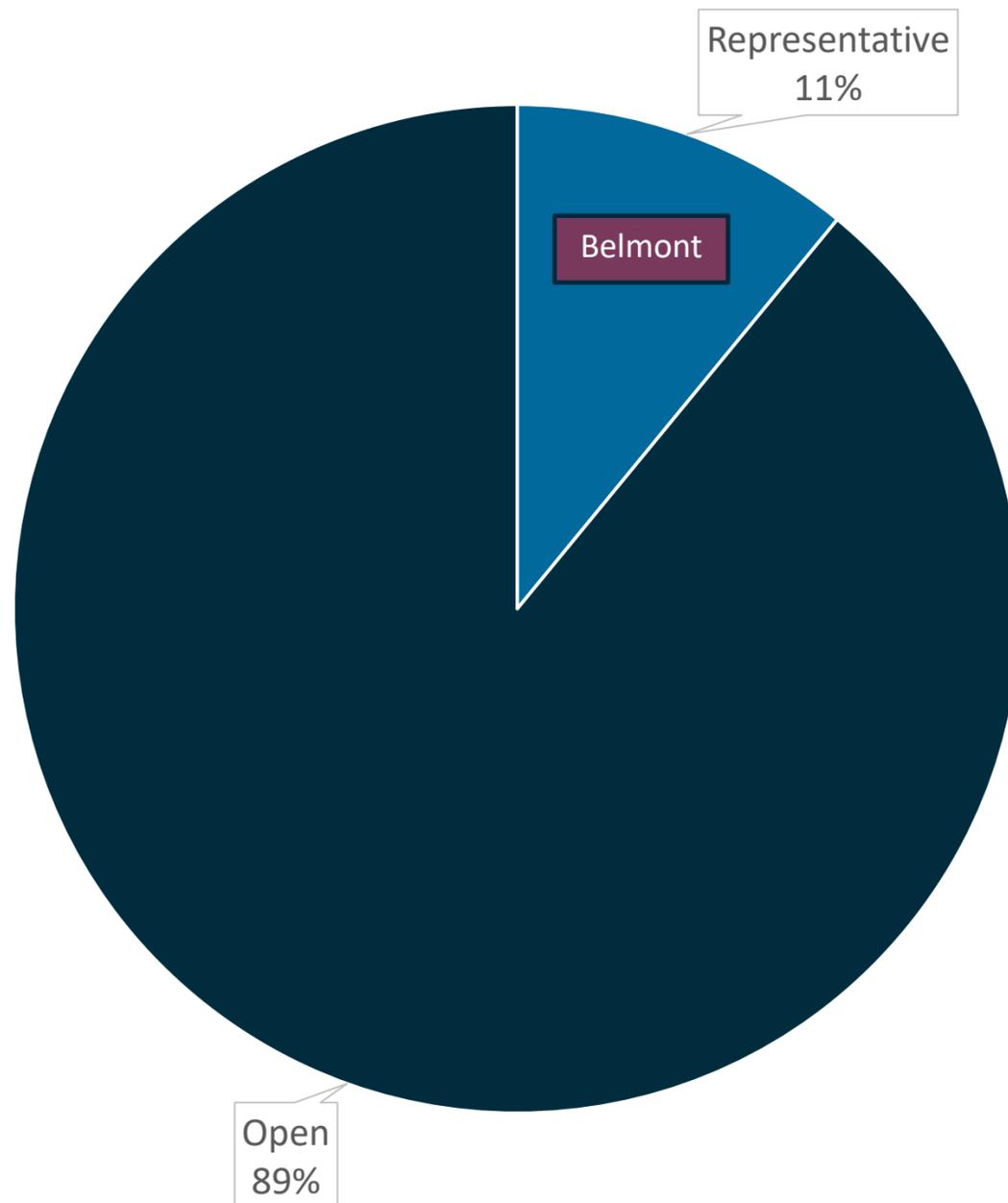


Government Structure	Description	Example
Council – Manager	In the Council-Manager form of government, the city or town council is elected by the citizens and serves as the legislative body responsible for making policy decisions. The council appoints a professional city manager to handle administrative operations, implement policies, and advise the council	Watertown, Barnstable, Amherst, Chelsea, Randolph, Franklin, North Attleboro, Bridgewater, Winthrop, Southbridge, East Longmeadow, and Palmer
Council – Manager – Mayor	The Council-Manager-Mayor form combines elements of the council-manager system with a mayoral role	Cambridge, Lowell, Worcester
Mayor – Council	In the Mayor-Council form, both the mayor and council are elected by the citizens. This structure is akin to the federal government's separation of powers	Boston, Springfield, Brockton, Quincy, Newton, Somerville, Malden, Waltham, Medford, Revere, Salem, Leominster, and Braintree
Select Board – Town Meeting	The Select Board - Town Meeting form is a traditional New England system that emphasizes direct democratic participation	Belmont , Brookline, Arlington, Andover, Lexington, Norwood, North Andover, Wellesley, Milton, Danvers, Burlington, Hingham, and Acton

Sources: MA Department of Local Services

Open vs Representative Town Meeting among 292 MA Select Board – Town Meeting Local Governmental Structures

Town Meeting Segmentation
(By # of municipalities)

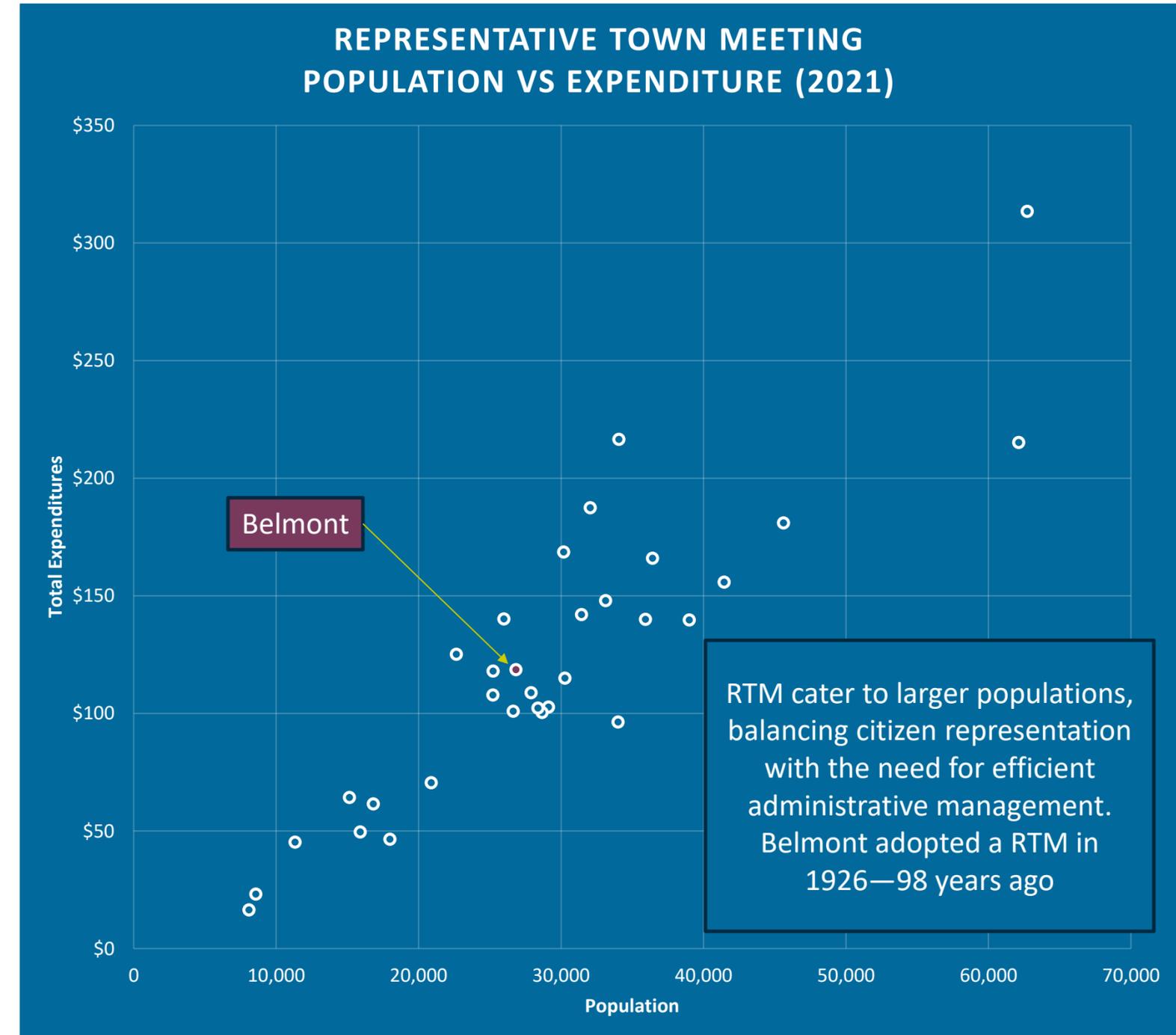
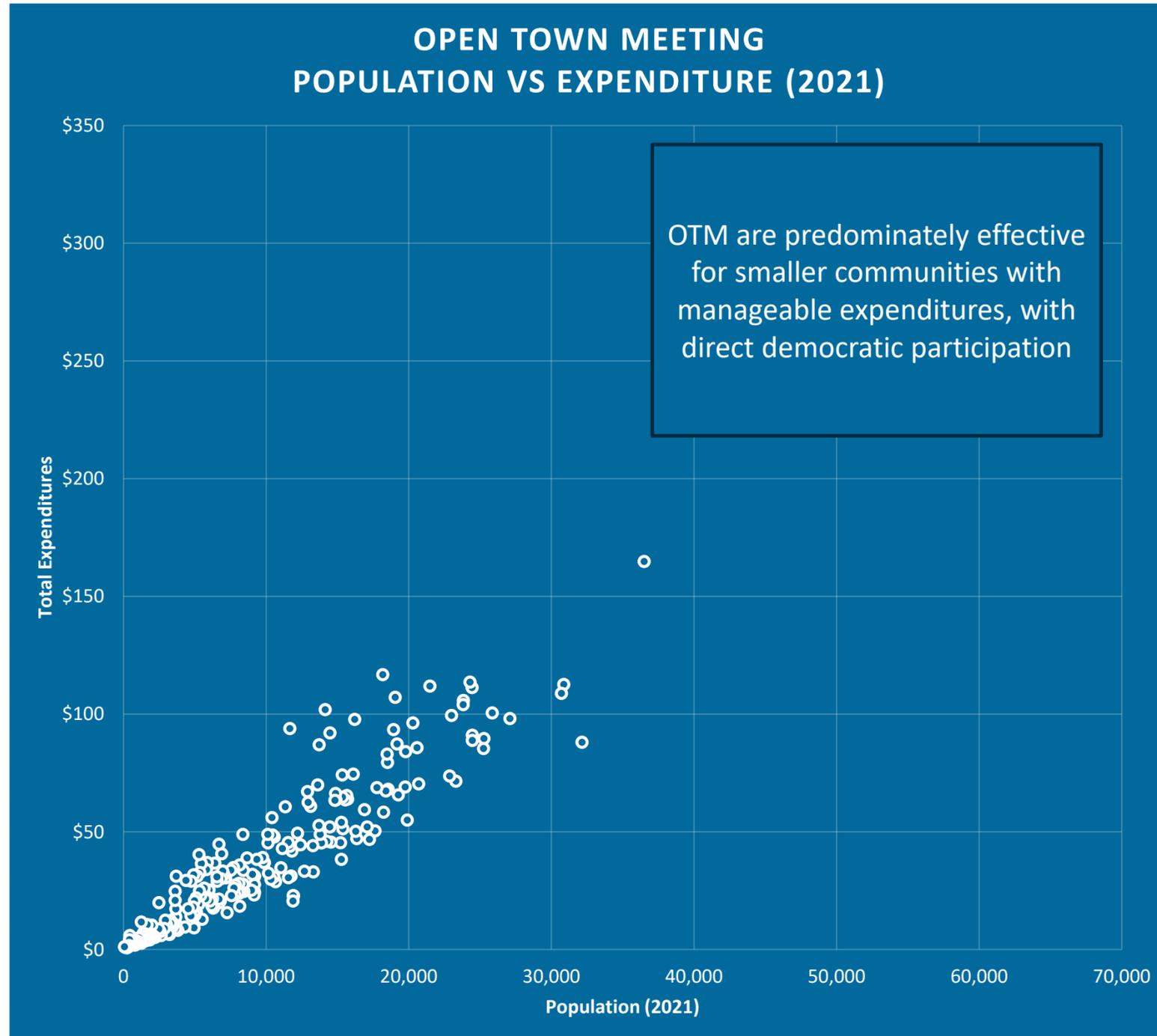


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Feature	RTM	OTM
Town Population Median	28,532 residents	6,761 residents
Total Population Covered	~930k residents	~2,267 residents
Median Total Expenditures	\$116 Million	\$25 Million

Sources: MA Department of Local Services

Population vs. Expenditures: Open Town Meetings vs. Representative Town Meetings



Sources: MA Department of Local Services

Belmont moved to a representative town meeting in 1926

Town of Belmont - ACTS OF 1926. —CHAPTER 302

Belmont Town Offices

455 Concord Avenue, Belmont, MA 02478
ph: 617-993-2600

ACTS OF 1926. —CHAPTER 302

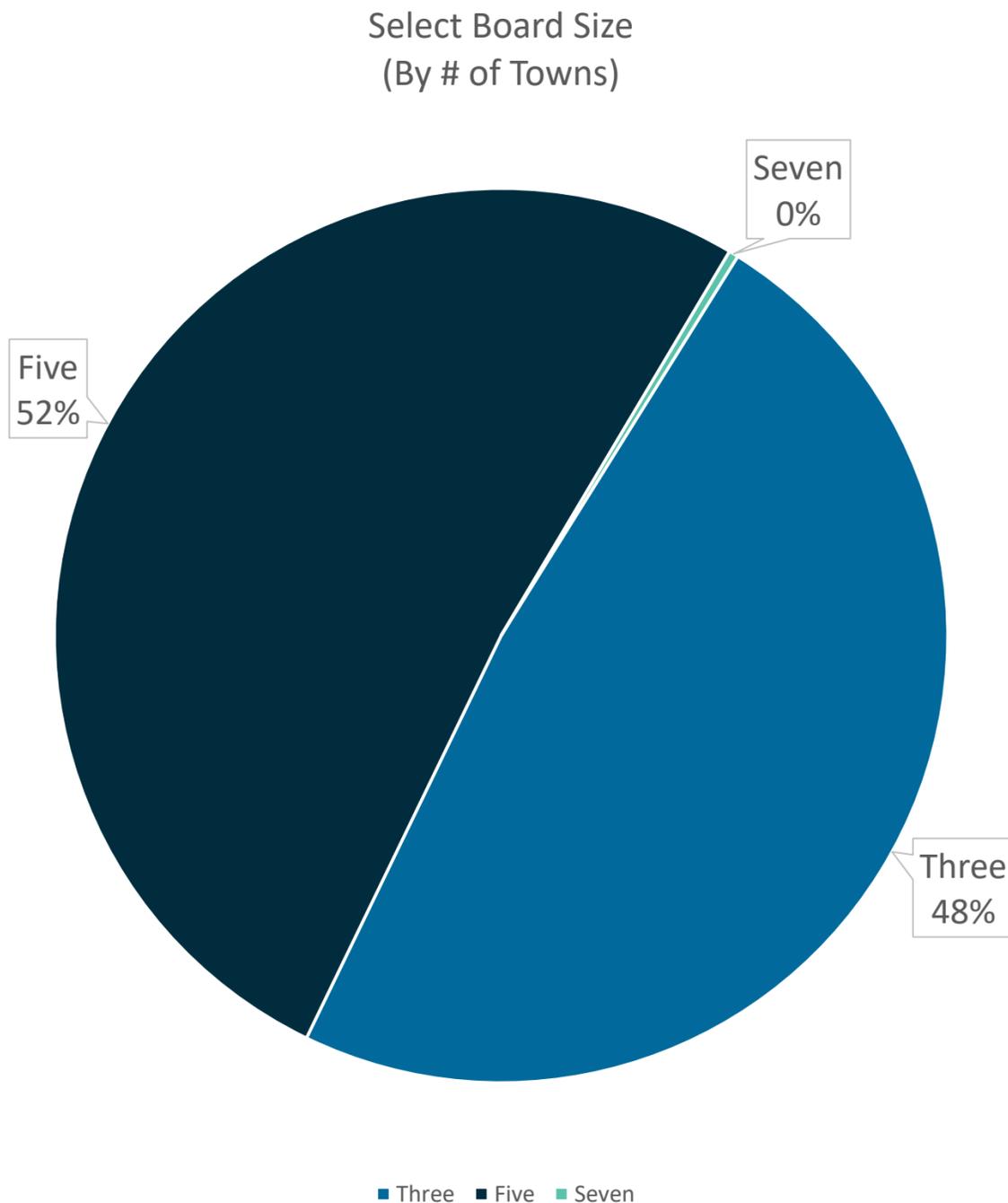
REPRESENTATIVE TOWN MEETING ACT

ACTS OF 1926. —CHAPTER 302.

**As amended by Chapter 710, Acts of 1969
and by Chapter 16, Acts of 1995**

AN ACT PROVIDING FOR PRECINCT VOTING, REPRESENTATIVE TOWN MEETINGS, TOWN MEETING MEMBERS, A REFERENDUM AND A MODERATOR TO SERVE FOR A YEAR IN THE TOWN OF BELMONT.

Select Board Size—In MA, there are 291 towns in which the towns’ policy body is the Select Board

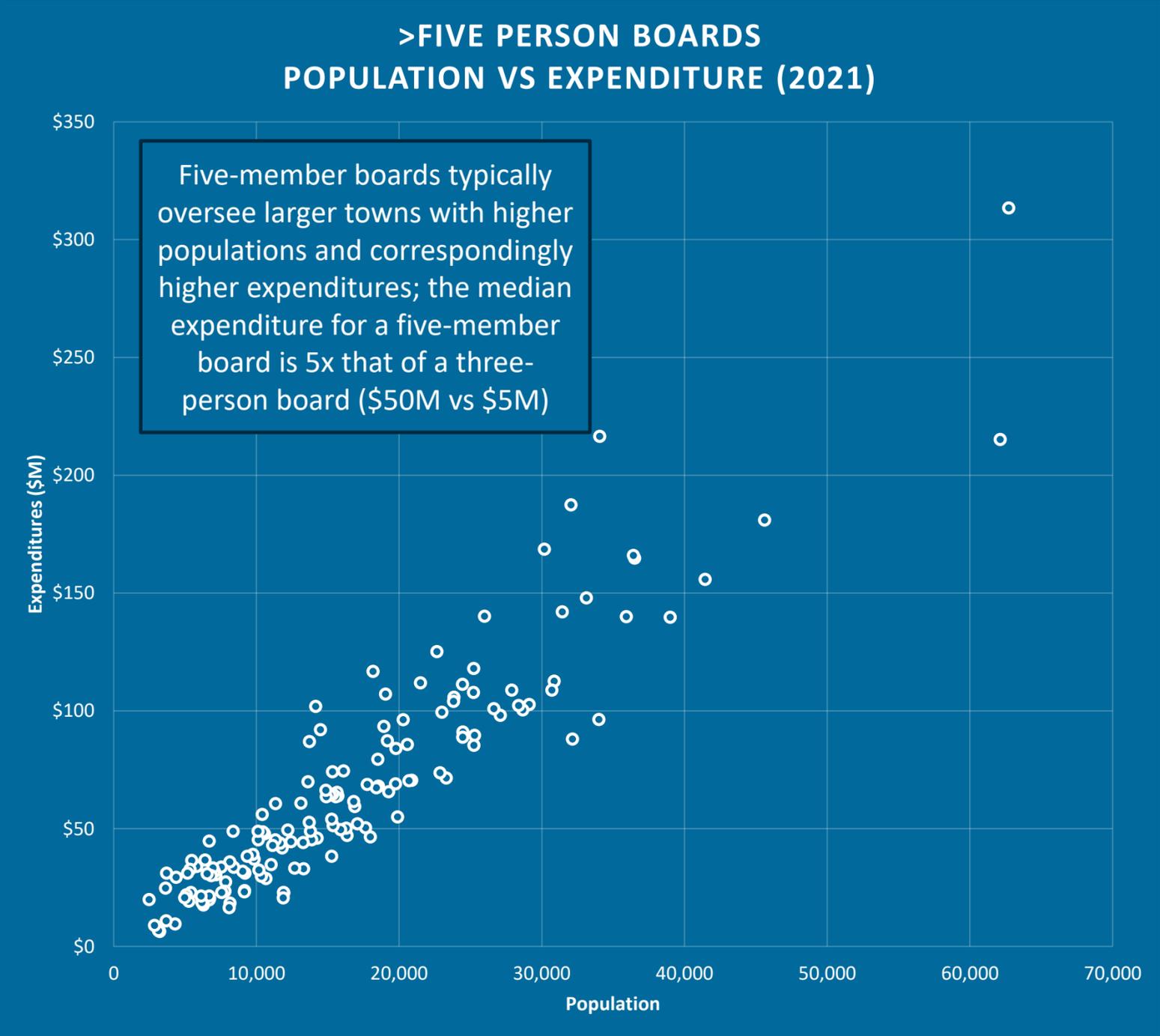
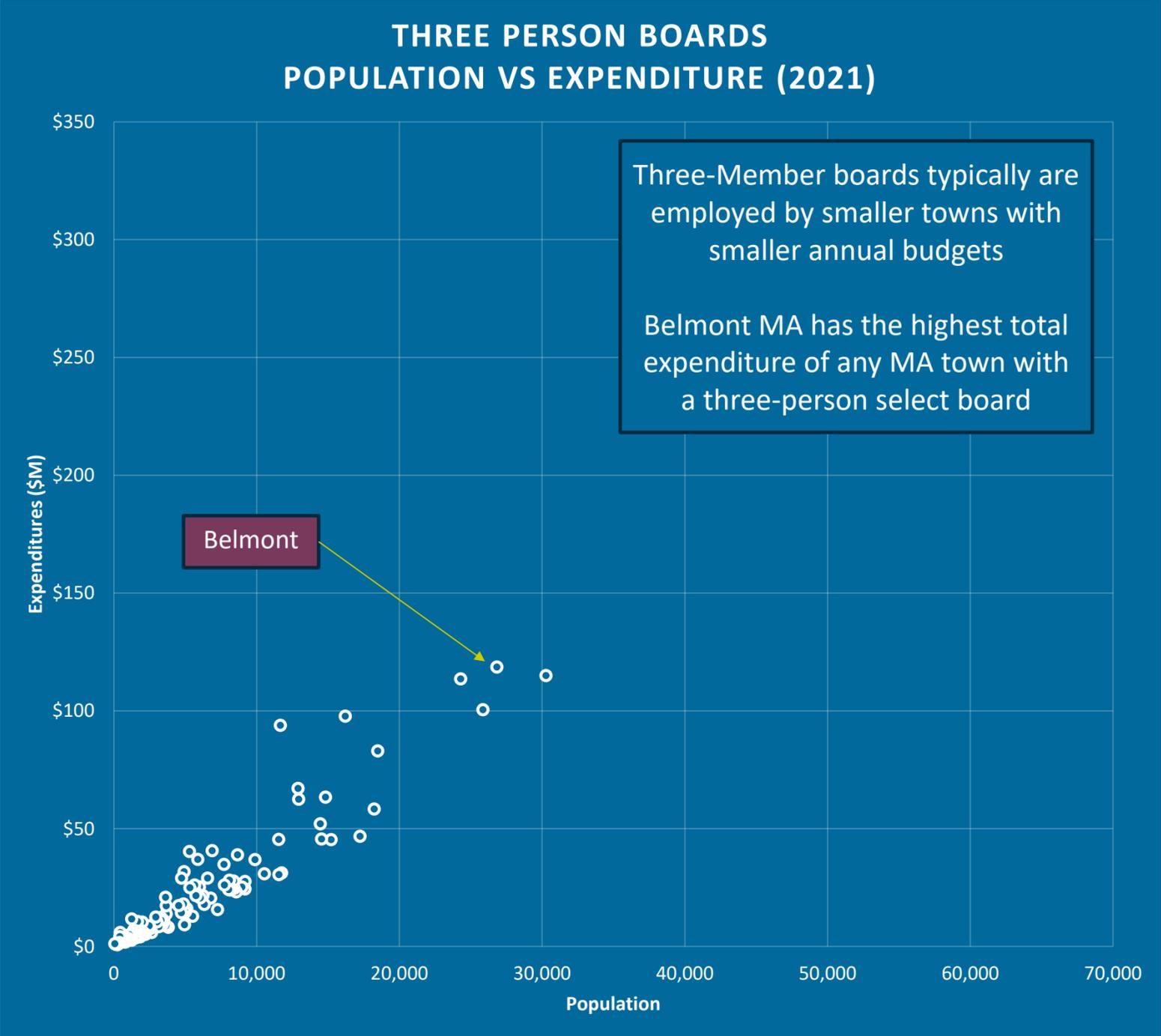


Select Board	Description	Median Sized Town
Three-Member Select Board	Three elected officials who collectively oversee the town's executive functions, implement policies, and manage daily operations "A three-member board works well in smaller towns with populations under 10,000, in which selectmen play stronger administrative roles in daily municipal affair" - DLS	Lanesborough (pop 3027)
Five-Member Select Board	Five elected officials who collectively manage the town's executive functions, implement policies, and oversee daily operations	Uxbridge (pop 14,270)

Feature	Three Members	Five Members
Median Town Population	3,027	14,270
Total Population Covered	~716k	~930k
Median Total Expenditures	~\$10 Million	~\$50 Million

Sources: MA Department of Local Services

Select Board Size: Population and Expenditure Comparison



Sources: MA Department of Local Services

Towns with Five Person Select Boards

Name	Population
Brookline	62,726
Plymouth	62,131
Arlington	45,617
Billerica	41,453
Shrewsbury	38,999
Andover	36,517
Natick	36,426
Chelmsford	35,933
Lexington	34,071
Dartmouth	34,005
Falmouth	33,128
Dracut	32,159
Needham	32,048
Norwood	31,441
Tewksbury	30,876
North Andover	30,711
Wellesley	30,191
Stoughton	29,132
Saugus	28,676
Milton	28,388
Danvers	27,898
Wakefield* (7)	27,104
Walpole	26,652
Burlington	25,989
Yarmouth	25,286
Easton	25,247
Dedham	25,240
Reading	25,223
Canton	24,470
Middleborough	24,459
Westford	24,446
Acton	23,846
Mansfield	23,823

Name	Population
Wareham	23,317
Wilmington	23,012
Stoneham	22,877
Winchester	22,662
Westborough	21,499
Ludlow	20,900
Bourne	20,709
Sandwich	20,585
Marblehead	20,296
Holden	19,898
Hudson	19,790
Grafton	19,756
Norton	19,278
Scituate	19,185
Sudbury	19,059
Hopkinton	18,943
Ashland	18,560
Foxborough	18,519
Pembroke	18,410
Concord	18,184
South Hadley	17,995
Rockland	17,771
Webster	17,651
Abington	17,094
Bellingham	16,905
Auburn	16,830
Westport	16,359
Northbridge	16,298
Duxbury	16,116
Fairhaven	15,909
Longmeadow	15,725
Northborough	15,667
Seekonk	15,568

Name	Population
Clinton	15,381
Mashpee	15,357
North Reading	15,343
Whitman	15,279
Belchertown	15,279
Swampscott	15,155
Dennis	14,903
Hanover	14,871
Nantucket	14,491
Uxbridge	14,270
Bedford	14,155
Millbury	13,884
Kingston	13,793
Wayland	13,724
Ipswich	13,716
Harwich	13,629
Charlton	13,317
Oxford	13,287
Medway	13,131
Rehoboth	12,687
Tyngsborough	12,421
Wrentham	12,209
Spencer	11,928
Athol	11,905
Dudley	11,884
Lunenburg	11,816
Carver	11,668
Norwell	11,349
Holbrook	11,335
Groton	11,147
Leicester	11,048
Hanson	10,674
Maynard	10,574

Name	Population
Brewster	10,456
Southborough	10,421
Winchendon	10,352
Ware	10,178
Hull	10,144
Littleton	10,121
Sturbridge	9,846
Middleton	9,767
Sutton	9,361
Salisbury	9,212
Blackstone	9,177
Rutland	9,169
Douglas	9,049
Georgetown	8,416
Cohasset	8,373
Templeton	8,160
Boxford	8,141
Adams	8,100
West Boylston	7,855
Williamstown	7,813
Orange	7,577
Hamilton	7,539
Great Barrington	7,164
Stow	7,059
Rockport	6,959
Harvard	6,844
Groveland	6,737
Merrimac	6,705
Chatham	6,703
Newbury	6,701
Topsfield	6,555
Orleans	6,411
Dalton	6,290

Name	Population
Southampton	6,187
Rowley	6,131
Eastham	5,832
Oak Bluffs	5,472
Boxborough	5,425
Manchester By The Sea	5,363
Hadley	5,272
Carlisle	5,181
Lenox	5,099
Wenham	4,987
Sherborn	4,390
Hubbardston	4,312
Provincetown	3,708
Brimfield	3,690
Wellfleet	3,635
Cheshire	3,236
Millville	3,151
Northfield	2,876
Truro	2,486

Sources: MA Department of Local Services (as of 2021)

Towns with Three Person Boards

Name	Population
Milford	30,277
Belmont	26,838
Marshfield	25,869
Hingham	24,311
Sharon	18,494
Somerset	18,250
Swansea	17,259
Westwood	16,213
Raynham	15,230
Holliston	14,840
Wilbraham	14,551
East Bridgewater	14,465
Lynnfield	12,955
Medfield	12,915
Lakeville*	11,762
Weston*	11,666
Pepperell	11,577
Norfolk	11,550
Acushnet	10,553
Plainville	9,896
Freetown	9,202
Southwick	9,196
Townsend	8,983
Millis	8,668
Montague	8,580
Lancaster	8,455
Ayer	8,400
Westminster	8,275
Sterling	8,152
Dighton	8,150
Monson	8,098
Upton	8,050

Name	Population
Halifax	7,749
West Bridgewater	7,727
Shirley	7,279
Lincoln	6,890
Berkley	6,785
Mattapoissett	6,574
Ashburnham	6,341
Mendon	6,251
Granby	6,061
Hopedale	5,998
Dover	5,892
Rochester	5,762
Lee	5,755
Bolton	5,676
Barre	5,526
Marion	5,333
Edgartown	5,302
Deerfield	5,115
Paxton	5,028
Warren	4,955
Hampden	4,935
Tisbury	4,920
Boylston	4,882
Avon	4,755
North Brookfield	4,743
West Newbury	4,544
West Brookfield	3,820
Berlin	3,674
Essex	3,668
Sunderland	3,662
West Tisbury	3,635
Princeton	3,499

Name	Population
Brookfield	3,432
Dunstable	3,341
Nahant	3,315
Hatfield	3,314
Sheffield	3,312
Ashby	3,170
Lanesborough	3,027
Plympton	2,939
Hardwick	2,660
Holland	2,583
Williamsburg	2,475
East Brookfield	2,209
Bernardston	2,106
Huntington	2,074
Stockbridge	2,003
Becket	1,932
Hinsdale	1,908
Shelburne	1,889
Leverett	1,862
Oakham	1,846
Wales	1,816
Buckland	1,816
Conway	1,768
Shutesbury	1,731
Phillipston	1,720
Ashfield	1,691
Erving	1,667
Clarksburg	1,649
Russell	1,635
Whately	1,631
Otis	1,629
Colrain	1,615

Name	Population
Westhampton	1,614
Gill	1,536
Granville	1,533
New Marlborough	1,518
Richmond	1,405
Egremont	1,371
West Stockbridge	1,338
Pelham	1,267
Royalston	1,256
Chilmark	1,248
Chester	1,221
Blandford	1,210
Petersham	1,188
Charlemont	1,184
Worthington	1,182
Chesterfield	1,178
Monterey	1,092
New Salem	997
New Braintree	990
Sandisfield	982
Goshen	950
Wendell	926
Windsor	821
Cummington	819
Montgomery	812
Peru	804
Warwick	782
Hancock	751
Leyden	738
Heath	726
Florida	685
Savoy	645

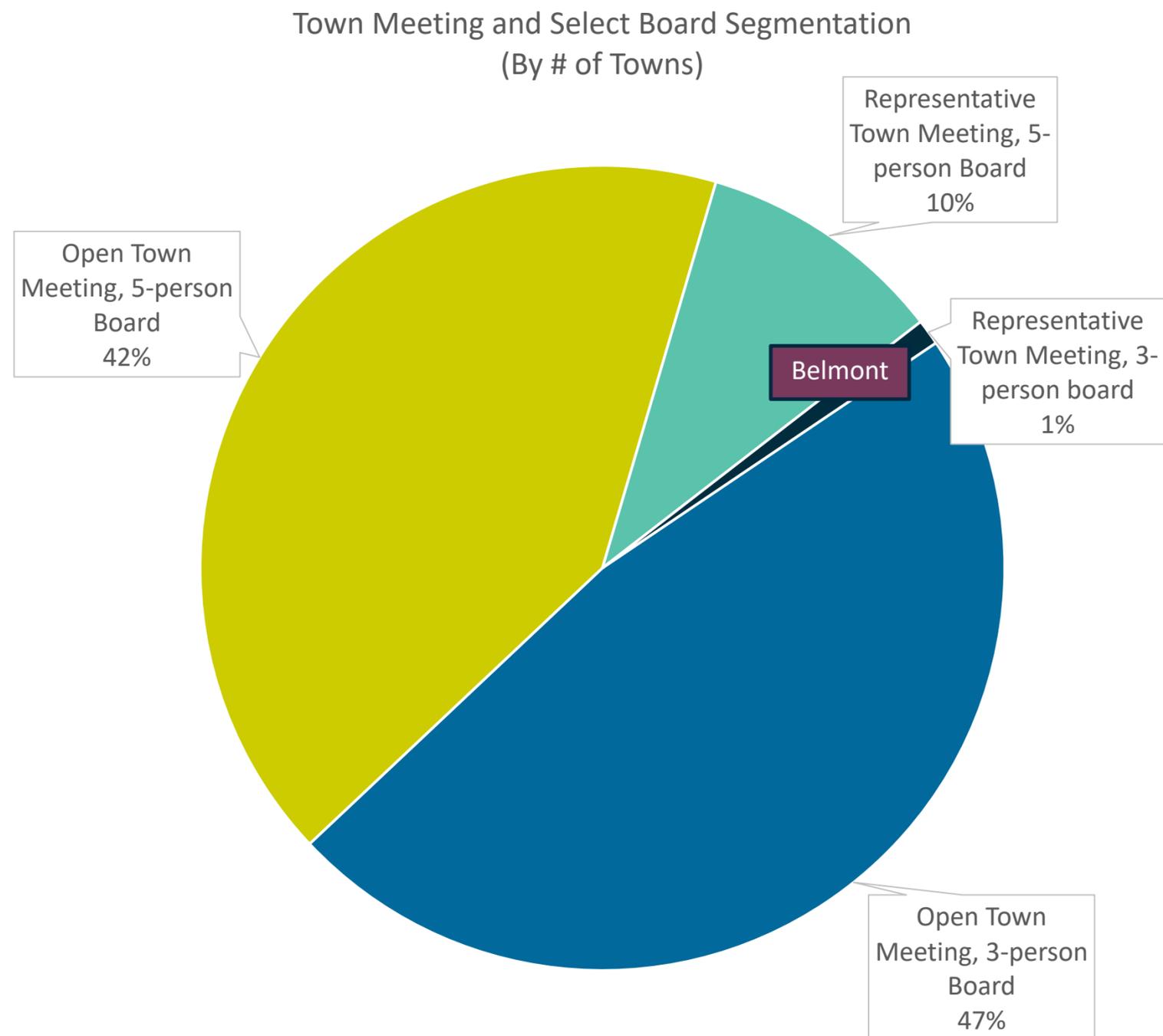
Name	Population
Plainfield	628
Washington	493
Alford	484
Tolland	465
Aquinnah	450
Tyringham	423
Rowe	422
Middlefield	388
Hawley	350
New Ashford	248
Mount Washington	159
Monroe	116
Gosnold	70

Lakeville – moved to five-person SB in 2024

Weston – town meeting voted to move to five members in 2022; the existing SB has not moved on the Home Rule Petition

Sources: MA Department of Local Services (as of 2021)

Massachusetts Three and Five Person Select Boards and Town Meeting Segmentation by # of Towns

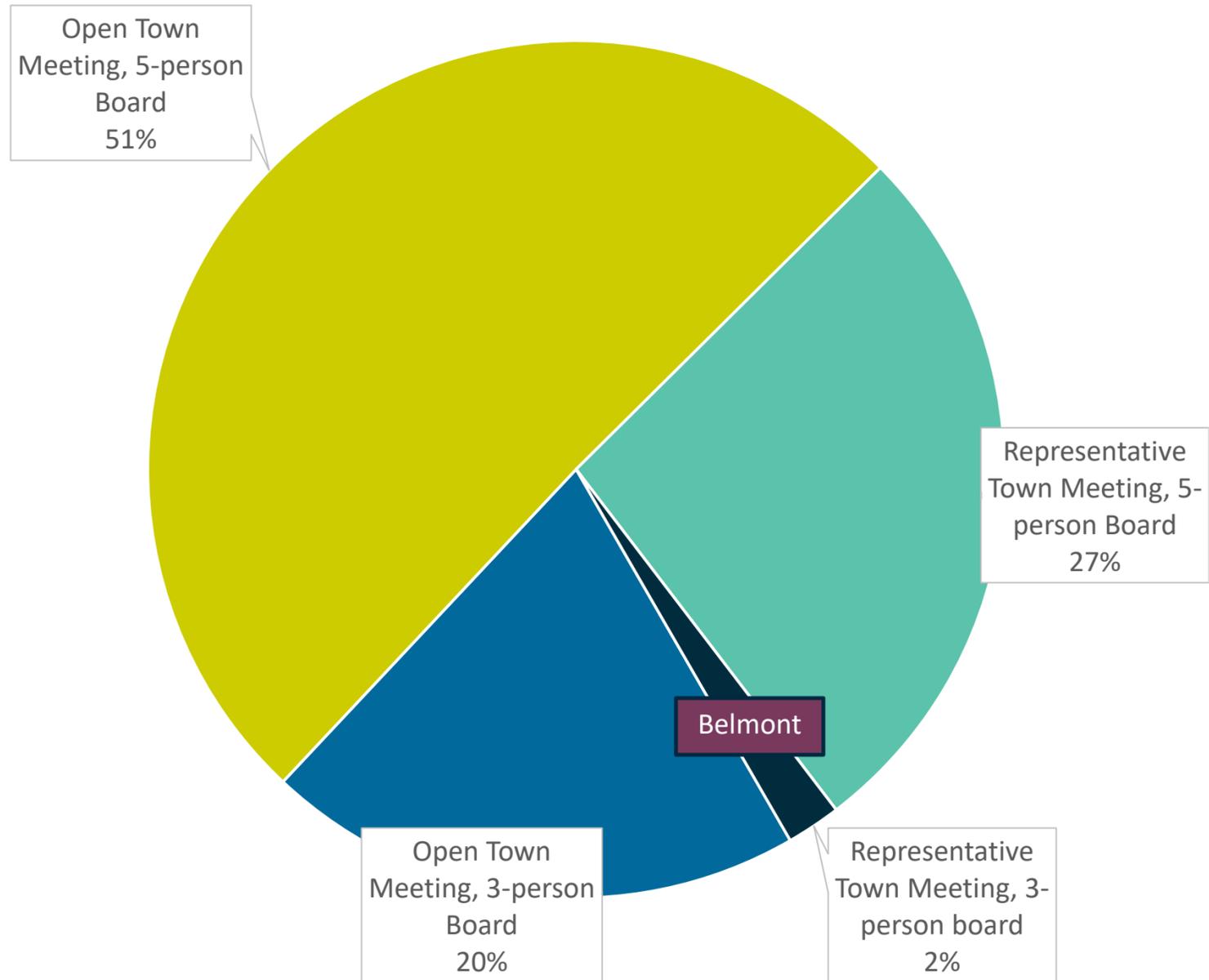


Sources: MA Department of Local Services

- **Open Town Meeting, 3-person Select Board:** Typically used by smaller towns (median size ~3k people) with manageable expenditures
- **Open Town Meeting, 5-person Select Board:** Medium-sized towns balancing direct democracy with increased administrative needs (median size ~14k)
- **Representative Town Meeting, 3-person Select Board:** An extremely rare governmental structure, with only three MA towns (Milford, Belmont, and Montague) have such a structure
- **Representative Town Meeting, 5-person Select Board:** Twenty-nine MA towns utilize this structure, with median population of 29k and median governmental expenditures of ~\$120M

Massachusetts Three and Five Person Select Boards and Town Meeting Segmentation by population

Town Meeting and Select Board Segmentation (By Population)



Government Type	% of Total Town Governments	% of Total Populations in Towns
Open Town Meeting, five-person select board	42%	51%
Representative Town Meeting, five person select board	10%	27%
Subtotal five-person select board	52%	78%
Open Town Meeting, three-person select board	47%	20%
Representative Town Meeting, three-person select board	1%	2%
Subtotal three person select board	48%	22%

While 48% of MA towns have three-person select boards, this accounts for only 22% of the total population of people living in MA towns

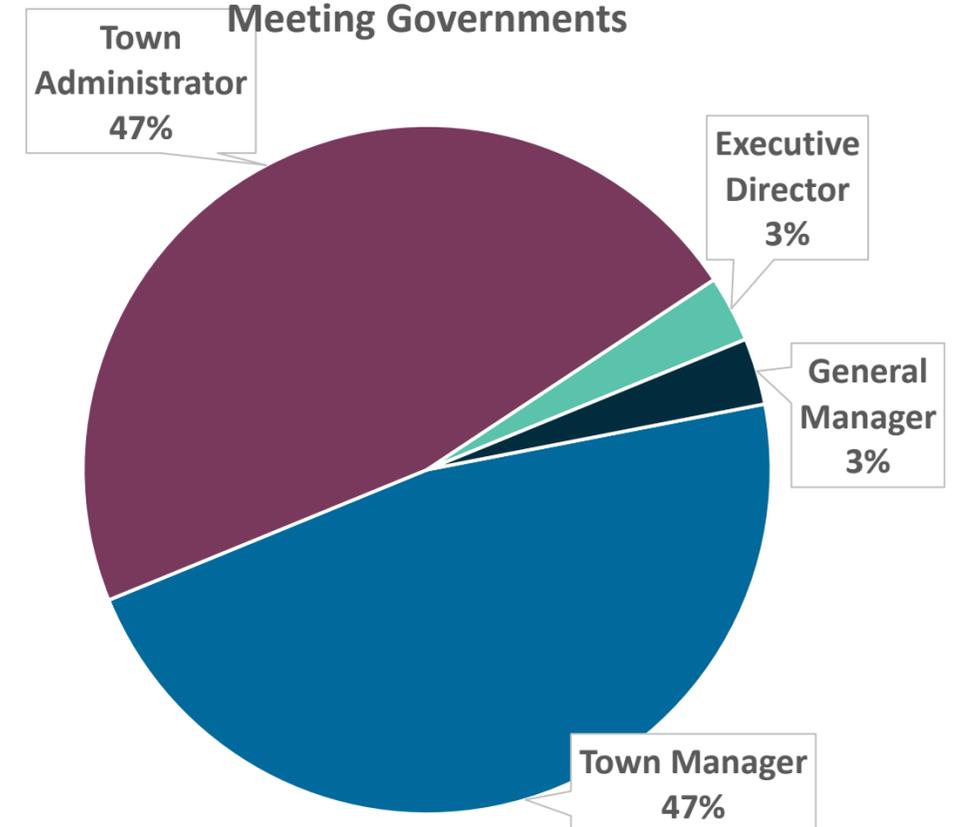
Sources: MA Department of Local Services

MA Representative Town Meeting Governments Select Board Comparison

Five-Person Select Boards			
Name	Population	Chief Municipal Officer	Administration Staff #
Brookline	62,726	Town Administrator	10
Plymouth	62,131	Town Manager	5
Arlington	45,617	Town Manager	7
Billerica	41,453	Town Manager	3
Shrewsbury	38,999	Town Manager	7
Natick	36,426	Town Administrator	5
Chelmsford	35,933	Town Manager	3
Lexington	34,071	Town Manager	6
Dartmouth	34,005	Town Administrator	5
Falmouth	33,128	Town Manager	4
Needham	32,048	Town Manager	6
Norwood	31,441	General Manager	8
Wellesley	30,191	Executive Director	6
Stoughton	29,132	Town Manager	3
Saugus	28,676	Town Manager	4
Milton	28,388	Town Administrator	4
Danvers	27,898	Town Manager	3
Walpole	26,652	Town Administrator	3
Burlington	25,989	Town Administrator	4
Dedham	25,240	Town Manager	5
Reading	25,223	Town Manager	3
Winchester	22,662	Town Manager	5
Ludlow	20,900	Town Administrator	3
South Hadley	17,995	Town Administrator	2
Auburn	16,830	Town Manager	4
Fairhaven	15,909	Town Administrator	4
Swampscott	15,155	Town Administrator	4
Holbrook	11,335	Town Administrator	2
Adams	8,100	Town Administrator	2

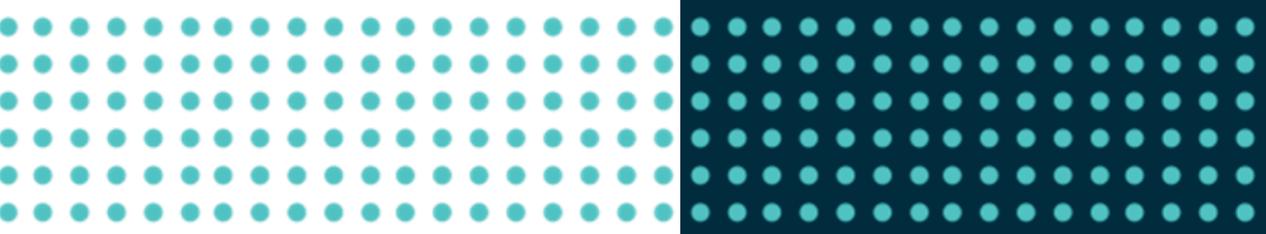
Three-Person Select Boards			
Name	Population	Chief Municipal Officer	Administration Staff #
Milford	30,277	Town Administrator	3
Belmont	26,838	Town Administrator	5
Montague	8,580	Town Administrator	2

Chief Municipal Officer Titles across Representative Town Meeting Governments



4.7 FTEs
Average Administration Staff for towns with populations 25k to 45k pop

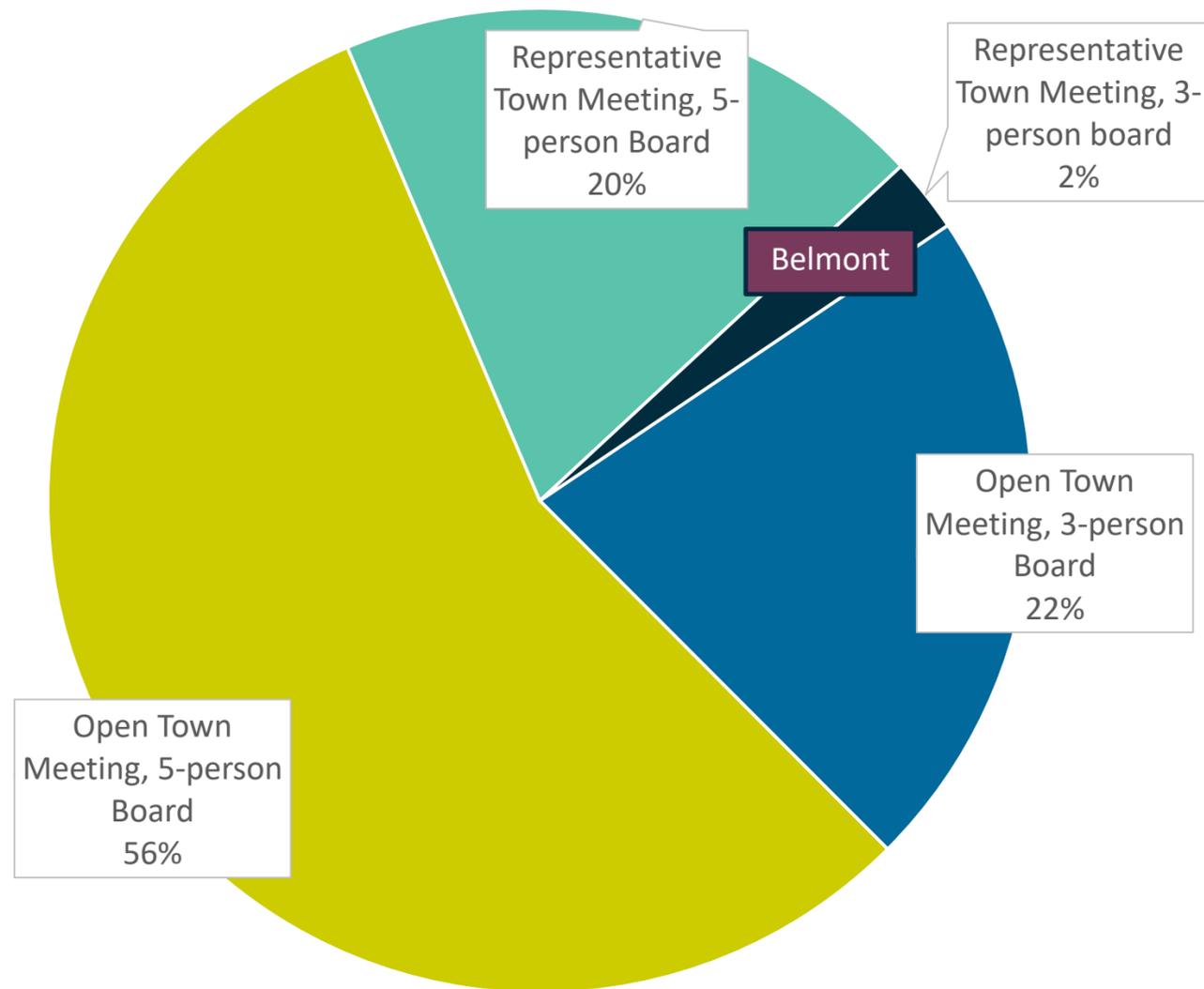
Sources: MA Department of Local Services, Town Administration Websites



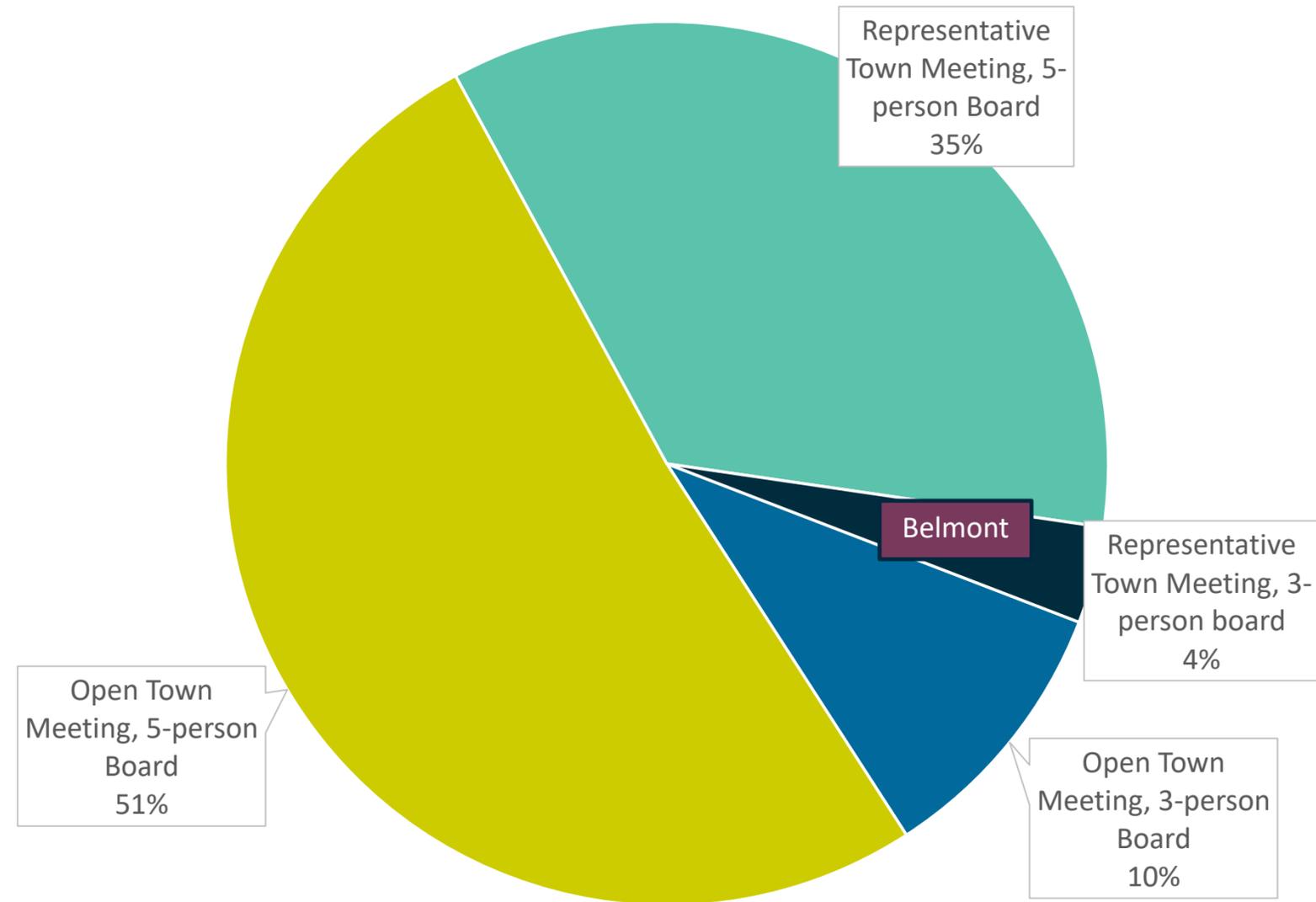
Middlesex County

Middlesex County Three and Five Person Select Boards and Town Meeting Segmentation

Town Meeting and Select Board Segmentation
(By # of Towns)



Town Meeting and Select Board Segmentation
(By Population)



Sources: MA Department of Local Services

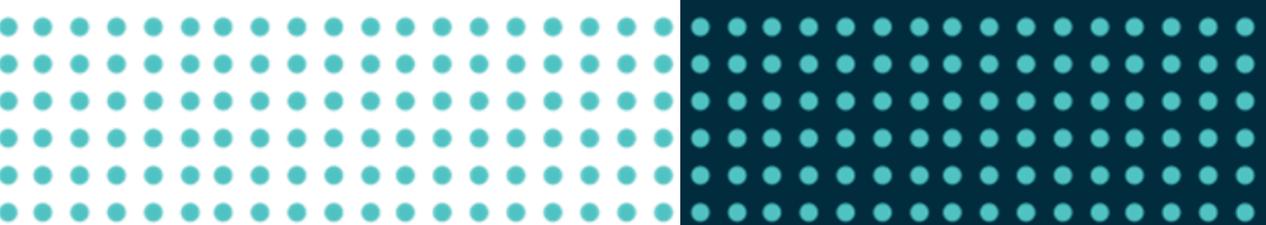
Middlesex County Town Meeting Governments Select Board Comparison

Five-Person Select Boards			
Name	Population	Chief Municipal Officer	Legislative Body
Arlington	45,617	Town Manager	Representative Town Meeting
Billerica	41,453	Town Manager	Representative Town Meeting
Natick	36,426	Town Administrator	Representative Town Meeting
Chelmsford	35,933	Town Manager	Representative Town Meeting
Lexington	34,071	Town Manager	Representative Town Meeting
Dracut	32,159	Town Manager	Open Town Meeting
Tewksbury	30,876	Town Manager	Open Town Meeting
Wakefield* (7)	27,104	Town Administrator	Open Town Meeting
Burlington	25,989	Town Administrator	Representative Town Meeting
Reading	25,223	Town Manager	Representative Town Meeting
Westford	24,446	Town Manager	Open Town Meeting
Acton	23,846	Town Manager	Open Town Meeting
Wilmington	23,012	Town Manager	Open Town Meeting
Stoneham	22,877	Town Administrator	Open Town Meeting
Winchester	22,662	Town Manager	Representative Town Meeting
Hudson	19,790	Executive Assistant	Open Town Meeting
Sudbury	19,059	Town Manager	Open Town Meeting
Hopkinton	18,943	Town Manager	Open Town Meeting
Ashland	18,560	Town Manager	Open Town Meeting
Concord	18,184	Town Manager	Open Town Meeting
North Reading	15,343	Town Administrator	Open Town Meeting
Bedford	14,155	Town Manager	Open Town Meeting
Wayland	13,724	Town Manager	Open Town Meeting
Tyngsborough	12,421	Town Administrator	Open Town Meeting
Groton	11,147	Town Manager	Open Town Meeting
Maynard	10,574	Town Administrator	Open Town Meeting
Littleton	10,121	Town Administrator	Open Town Meeting
Stow	7,059	Town Administrator	Open Town Meeting
Boxborough	5,425	Town Administrator	Open Town Meeting
Carlisle	5,181	Town Administrator	Open Town Meeting
Sherborn	4,390	Town Administrator	Open Town Meeting

Three-Person Select Boards			
Name	Population	Chief Municipal Officer	Legislative Body
Belmont	26,838	Town Administrator	Representative Town Meeting
Holliston	14,840	Town Administrator	Open Town Meeting
Weston*	11,666	Town Manager	Open Town Meeting
Pepperell	11,577	Town Administrator	Open Town Meeting
Townsend	8,983	Town Administrator	Open Town Meeting
Ayer	8,400	Town Manager	Open Town Meeting
Shirley	7,279	Town Administrator	Open Town Meeting
Lincoln	6,890	Town Administrator	Open Town Meeting
Dunstable	3,341	Town Administrator	Open Town Meeting
Ashby	3,170	Town Administrator	Open Town Meeting

Government Type	% of Total Town Governments	% of Total Populations in Towns
Open Town Meeting, five-person select board	56%	51%
Representative Town Meeting, five person select board	20%	35%
Subtotal five-person board	76%	86%
Open Town Meeting, three-person select board	22%	10%
Representative Town Meeting, three-person select board	2%	4%
Subtotal three-person board	48%	14%

Sources: MA Department of Local Services



Belmont's Governmental Reform Process (1993-Today)

Belmont Governmental History – we have relied primarily on piecemeal governmental changes over the past 30 years as opposed to wholesale charter review

1993

Town Administrator Bylaw

Bylaw adapted that the town administrator “shall act by and for the selectmen in any matter which they may assign to him or her relating to the administration of the affairs of the town or of any town office or department under their supervision and control and, with the approval of the selectmen, may perform such other duties as may be requested of him or her by any other town officer, board, committee or commission”
No significant appointing authority

2003

DPW Consolidation—oversight to selectmen

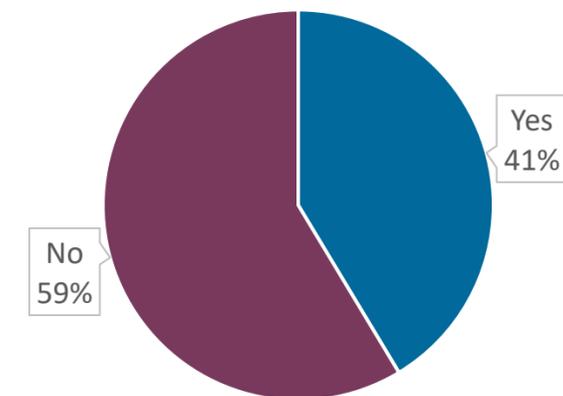
Elected water board abolished – (new DPW director hired)

2004

Elected to Appointed Treasurer Proposal

Approved by Special Town Meeting (Nov 2004) but was defeated in 2005 annual town election

2004 Town Treasurer Result



Belmont Governmental History – we have relied primarily on piecemeal governmental changes over the past 30 years as opposed to wholesale charter review

2008-09

Government Structure Review Committee Recommendations

Enacted Recommendations:

1. Police Chief granted same appointing authority as fire chief (c. 376 of the Acts of 2010)
2. Recall process for elected officials was established
3. Selectmen permitted to license the sale of alcoholic beverages in the town
4. Consolidate town and school building facility maintenance

Rejected Recommendations

1. Town Meeting Member size reduction

Not Acted Upon Recommendations

1. Strengthen Town Administrator Position
2. Create a Light Board other than the Select Board (Acted on in 2021 by Town Meeting)
- 3. Increase Select Board Size from Three to Five**

2011

MA Division of Local Services Financial Management Review Report

Key Recommendation:
Establishing a governmental
charter study committee to enact
a home rule charter, special act, or
by-law

2014

Act Establishing the Position of
Town Administrator in the Town of
Belmont

2014 Belmont Town Administrator Act (1/2)

Section 1

SECTION 1. (a) The board of selectmen of the town of Belmont shall appoint a town administrator to serve at the pleasure of the board of selectmen. The town administrator shall be a person especially fitted by education, training and experience to perform the duties of the office.

(b) Under the direction of the board of selectmen, the town administrator shall:

- (i) serve as the town's chief administrative officer;
- (ii) Act as the agent for the board of selectmen;
- (iii) be responsible to the board of selectmen for the proper operation of town affairs for which the town administrator is given responsibility pursuant to this act;
- (iv) supervise, direct and be responsible for the efficient administration of all departments and employees under the jurisdiction of the board of selectmen; and
- (v) perform all functions for which the town administrator is given responsibility, authority or control by this act, by-law or vote of the board of selectmen.

(c) The town administrator shall appoint, based upon merit and fitness, all non-elected department heads of the town, except:

- (i) the chief and employees of the police department; [SELECT BOARD]
- (ii) the chief and employees of the fire department; [SELECT BOARD]
- (iii) employees of the treasurer and tax collector; [VOTERS THEN SELECT BOARD]**
- (iv) employees of the town clerk; [VOTERS]
- (v) the superintendent and employees of the school department; [SCHOOL COMMITTEE]
- (vi) the town accountant; [SELECT BOARD]**
- (vii) the health director and employees of the health department; and [BOARD OF HEALTH]
- (viii) the director and employees of the Belmont public library. [LIBRARY TRUSTEES]

Appointments by the town administrator of department heads under the jurisdiction of the board of selectmen shall be subject to confirmation by the board of selectmen. Appointments by the town administrator of department heads and other personnel under the jurisdiction of any other elected board shall be made with the advice and consent of that board. Each department head appointed by the town administrator shall appoint subordinates and employees in accordance with the personnel by-laws, rules and regulations of the town. All other appointments made by the town administrator shall be made in consultation with the appropriate board, commission or committee and shall be in compliance with the personnel by-laws, rules and regulations of the town.

(d) The town administrator, acting jointly with the superintendent of schools, shall appoint the director of the department of public facilities, established by the town pursuant to section 37M of chapter 71 of the General Laws, or any successor department. The director shall serve at the pleasure of the town administrator and superintendent of schools

2014 Belmont Town Administrator Act (2/2)

SECTION 2. Any person holding office or employment in the town of Belmont upon the effective date of this act shall retain that office or employment and continue to perform the person’s duties pursuant to the personnel by-laws, rules and regulations of the town.

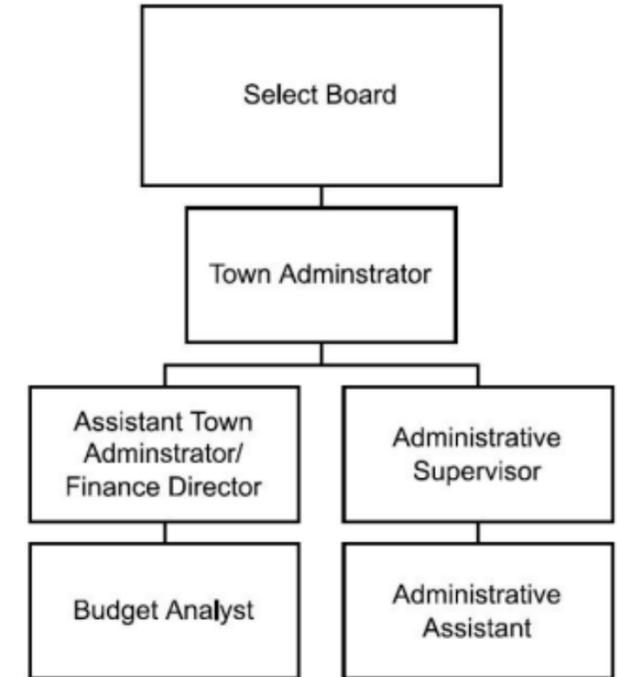
SECTION 3. All laws, by-laws, rules and regulations of or pertaining to the town of Belmont not inconsistent with this act shall continue in full force and effect until amended or repealed. All elected and appointed officers, boards, commissions and committees of the town shall retain all powers, duties and responsibilities that are not inconsistent with this act and that have been conferred upon the officers, boards, commissions and committees by law, town by-law or town meeting vote. Nothing in this act shall impair contractual rights established prior to the adoption of this act.

SECTION 4. This act shall not apply to the Belmont municipal light department, its general manager, its employees or its operations. Said department shall remain subject to chapter 164 of the General Laws.

SECTION 5. This act shall take effect upon its passage.

Town Administration Staffing and Structure

“The five department staff currently employed by the department includes the positions of Town Administrator, assistant Town Administrator/Finance Director, Budget Analyst, Administrative Supervisor, and Administrative Assistant. The three members of the Select Board receive a small stipend for their leadership role and service to the community.”



	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24
Town Administrator	1	1	1	1	1	1	1	1	1	1
Assistant Town Administrator	1	1	1	1	1	1	1	1	1	1
Budget Director						1	1			
Budget Analyst	1	1	1	1	1			1	1	1
Administrative Supervisor								1	1	1
Administrative Coordinator	1	1	1	1	1	1				
Administrative Assistant	1	1	1	1	1	1	1	1	1	1
Select Board (3)	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Total	5.6	5.6	5.6	5.6	5.6	5.6	5.6	5.6	5.6	5.6

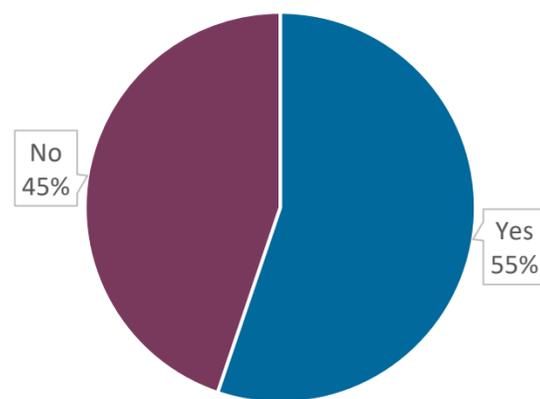
Source: 2023 Belmont Town Administrator Report

Belmont Governmental History – we have relied primarily on piecemeal governmental changes over the past 30 years as opposed to wholesale charter review

**2015
Town-Wide \$4.45
Million Override
Vote**

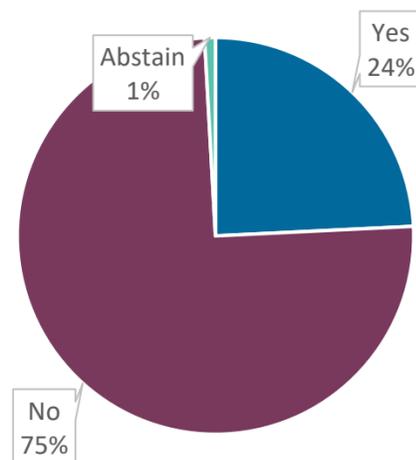
Successful by
4,728 to 3,836

2015 Override Result



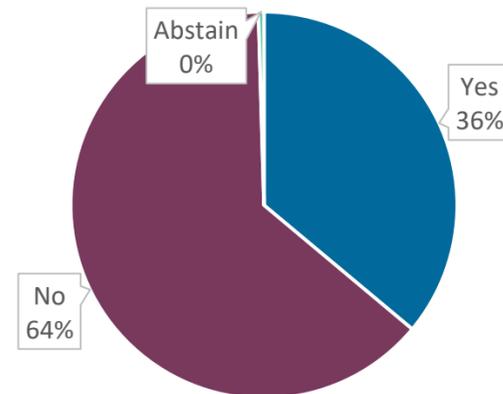
**2017-18
Committee to
Study the
Number of
Selectmen (9 yes,
4 no):
Defeated by 2018
Town Meeting**

2018 Town Meeting Vote



**2019
Warrant article 10 to
increase Town
Moderator term from
one year to three years
defeated by 2019 Town
Meeting 79 to 139 (May
6th Vote) – the motion
passed 4/29 (126 yes,
124 no, 1 abstain)**

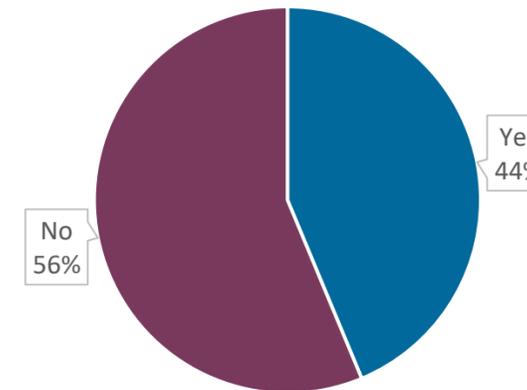
2019 Town Meeting Vote



**2021
Town-Wide \$6.4
Million Override
Vote**

Defeated by 4,539
to 3,526

2021 Override Vote



**2021-22
Structural Change
Impact Group
Examined Key
Structural Changes for
Belmont – including
recommendation to
establish a centralize
the structure of its
government (#216)
and establish a Charter
Review Committee
(Idea #413)**

Source: Belmont Town Clerk Office, Structural Change Impact Group Report

2018 Committee to Study the Number of Selectmen Report to Belmont TM

Arguments for Increasing the Size of the Board

1. Greater stability for Town government in policy, planning, and hiring
2. Increased representation, diversity, and viewpoints
3. Reduced costs of entry, both financial and psychological
4. Less likelihood of one Board member being isolated or dominating the others
5. Potential for wider range of skills and experiences on the Board
6. Permits members to use one other member as a sounding board
7. Increased access to the Board of Selectmen for Town residents
8. Increased ability to communicate with Town committees
9. Increased ability to attend external meetings
10. Increased capacity to establish subcommittees
11. Increased ability to accommodate member absences without limiting the Board's effectiveness

Proponents said expanding Belmont's Select Board would bring greater stability and diversity, making the board more inclusive and accessible while reducing barriers to entry. It would minimize the dominance of any one member, bring in broader skills, and improve communication with residents and committees.

A larger board would also enhance attendance at external meetings, facilitate subcommittee work, and handle absences more effectively, ultimately creating a more resilient and responsive town government.

Arguments for Maintaining the Size of the Board

1. All board deliberations remain transparent and open to the public
2. Every Selectman is vested in the job
3. Elections would remain competitive
4. Three members are more apt to reach a consensus
5. Meetings are efficient and reasonable in length
6. Current level of authority and accountability would be maintained
7. Salary and benefit costs would not increase
8. Town Administrator communications with individual Selectmen would not increase
9. Belmont has not strengthened the role of the Town Administrator
10. Too much is at stake for a change of this magnitude right now
11. Don't fix what's not broke

Opponents of expanding Belmont's Select Board argued that the current structure provides transparency, efficiency, and accountability. A smaller board promotes competitive elections, streamlined decision-making, and effective communication without additional costs or strain on the Town Administrator. Given the system's effectiveness, they felt there's no need for change at that time

Since 2022, with the treasurer and assessor changes, we have strengthened the power of the select board and its overall importance

2022
Belmont Light Board
 created by a Town Meeting vote (former 2008-09 government structure review committee recommendation); Select Board had served as the light board from 1938 to 2022

2022
Formation of the Belmont Finance Team
 Starting with the hiring of Assistant Town Administrator/Finance Director Ms. Hewitt

2021-22
Collins Center Report

Key Challenges
“Underpinning the financial challenges in Belmont is an overall organizational structure that may be unable to meet the challenges faced by the Town”

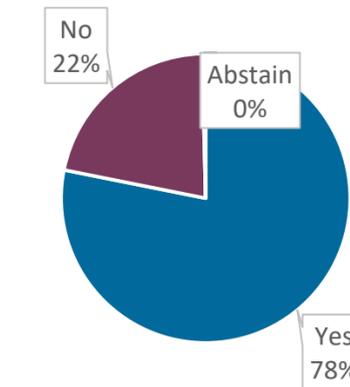
Areas of Concern

1. Select Board is not the head of the executive branch anywhere in the town’s statutory construction (e.g. bylaws, special acts, etc.)
2. A Select Board with only three members
3. A weak Town Administrator with very limited appointing authority
4. Elected Treasurer/Collector and Elected Town Clerk
5. Five additional elected Boards and Committees

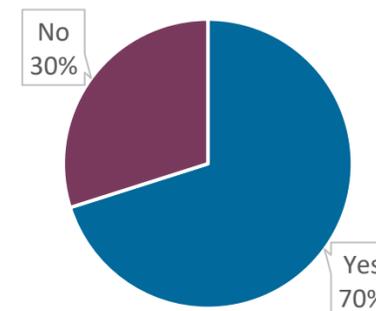
August 3, 2022 Meeting Minutes:
“Cirillo said there is too much activity in the Town to be managed with only three select board members. The report suggests that the Town would be best served with an expanded board”

2023
Belmont Treasurer changed from elected to appointed
 By Town Meeting vote (193-53-1) and townwide referendum

2023 Treasurer Vote

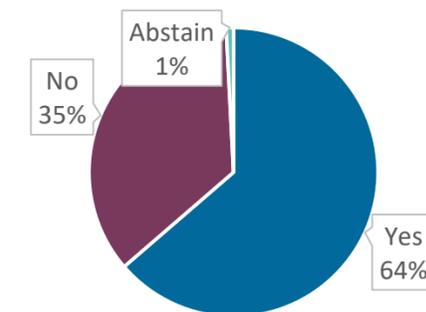


“Question 2”

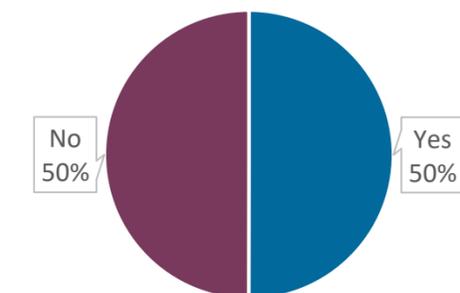


2024
Belmont Board of Assessors changed from elected to appointed
 By town meeting vote (156-87-2) and townwide referendum (4,242-4,238)

2024 Assessor Vote



“Question 2”



Town Meeting

Townwide

2024 and Beyond

2024
Town-Wide \$8.4
Million Override
Vote

Successful by 5,151
to 4,060

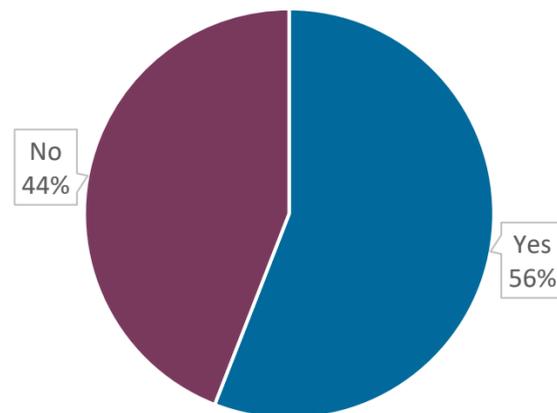
2024
MBTA 3A Multifamily
Housing Town
Meeting Debate and
Vote

2025-26
Belmont Master
Planning Process

2027-28
Belmont Zoning
Bylaw Rewrite

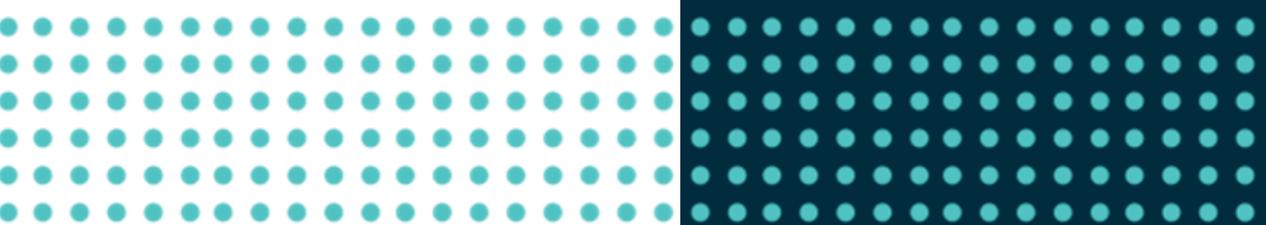
TBA
Town-Wide \$X
Million Override
Vote

2024 Override Vote



These projects and decisions Belmont leaders and citizens make over the next four years will have an outsized impact on the town's trajectory over the next thirty years and beyond (into the 2050s)

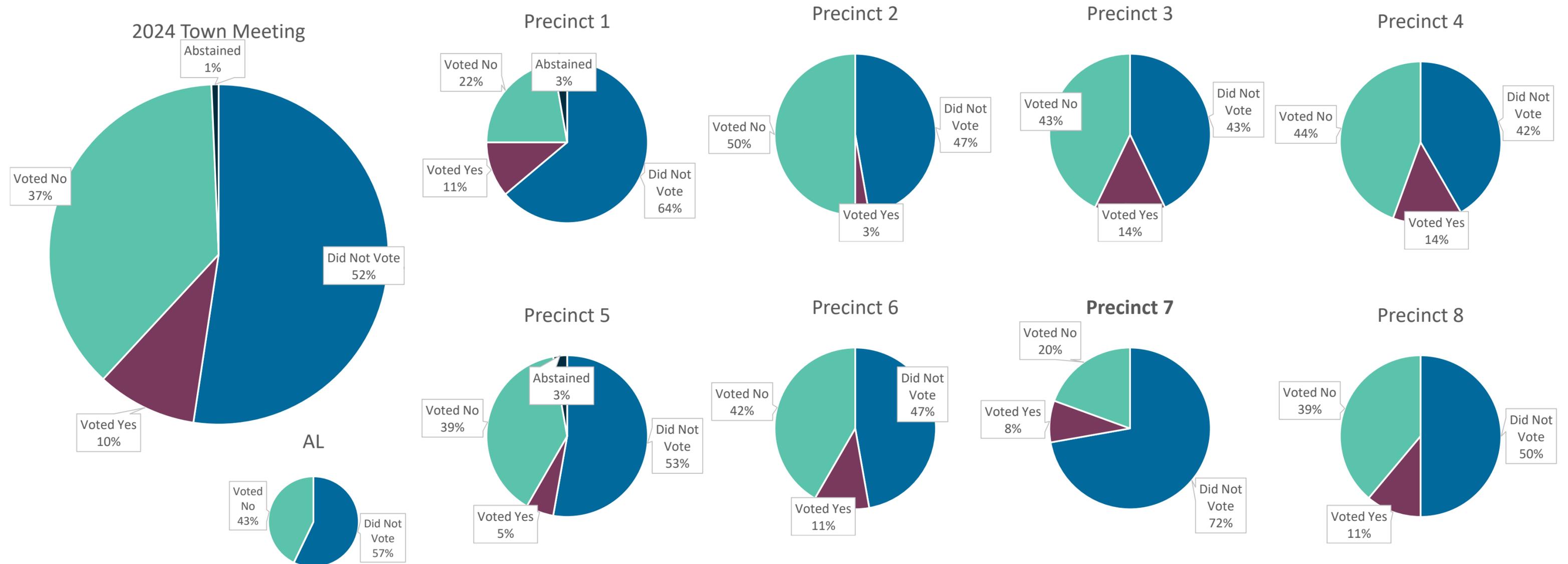
It is imperative that they are done in a way that enhances citizen and community collaboration through the key principles of democracy and shared governance

A decorative horizontal band consisting of a grid of small teal dots. The dots are arranged in approximately 10 rows and extend across the width of the slide, crossing the boundary between the white and dark teal background sections.

Citizen Petition Details

2018 Town Meeting vs 2024 Town Meeting

- Since 2018, there are 154 new town meeting members, or 52% of the entire legislative body (this doesn't include new members recently chosen by precinct caucuses) that didn't vote on increasing the select board size
 - My precinct (precinct 7) – has seen the highest % of new members since 2018 – 72% or 26/36



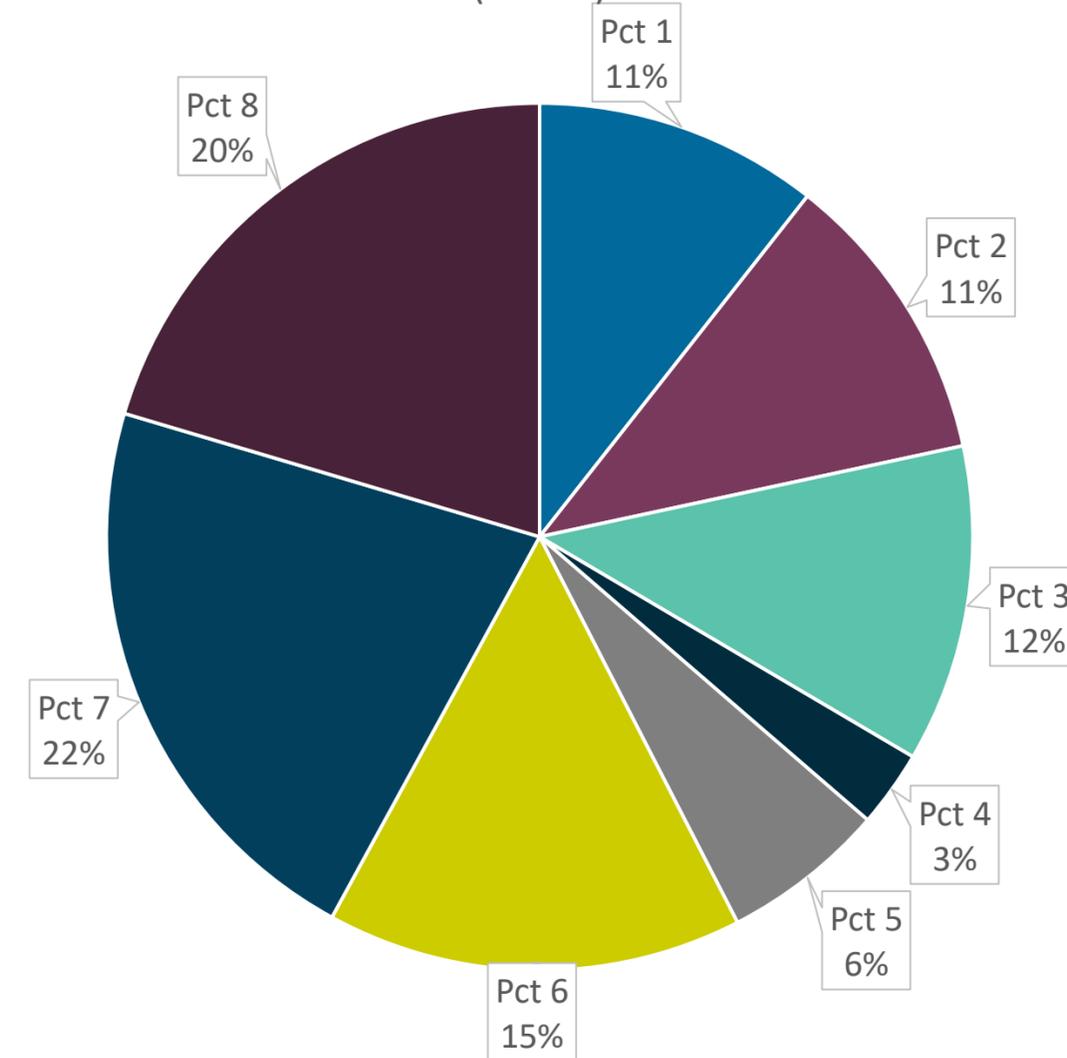
Source: Belmont Town Clerk Office

Citizens Petition Signatories by Precinct

- We collected certified signatures from every precinct, with the largest # coming from Pct 7, Pct 8, and Pct 6

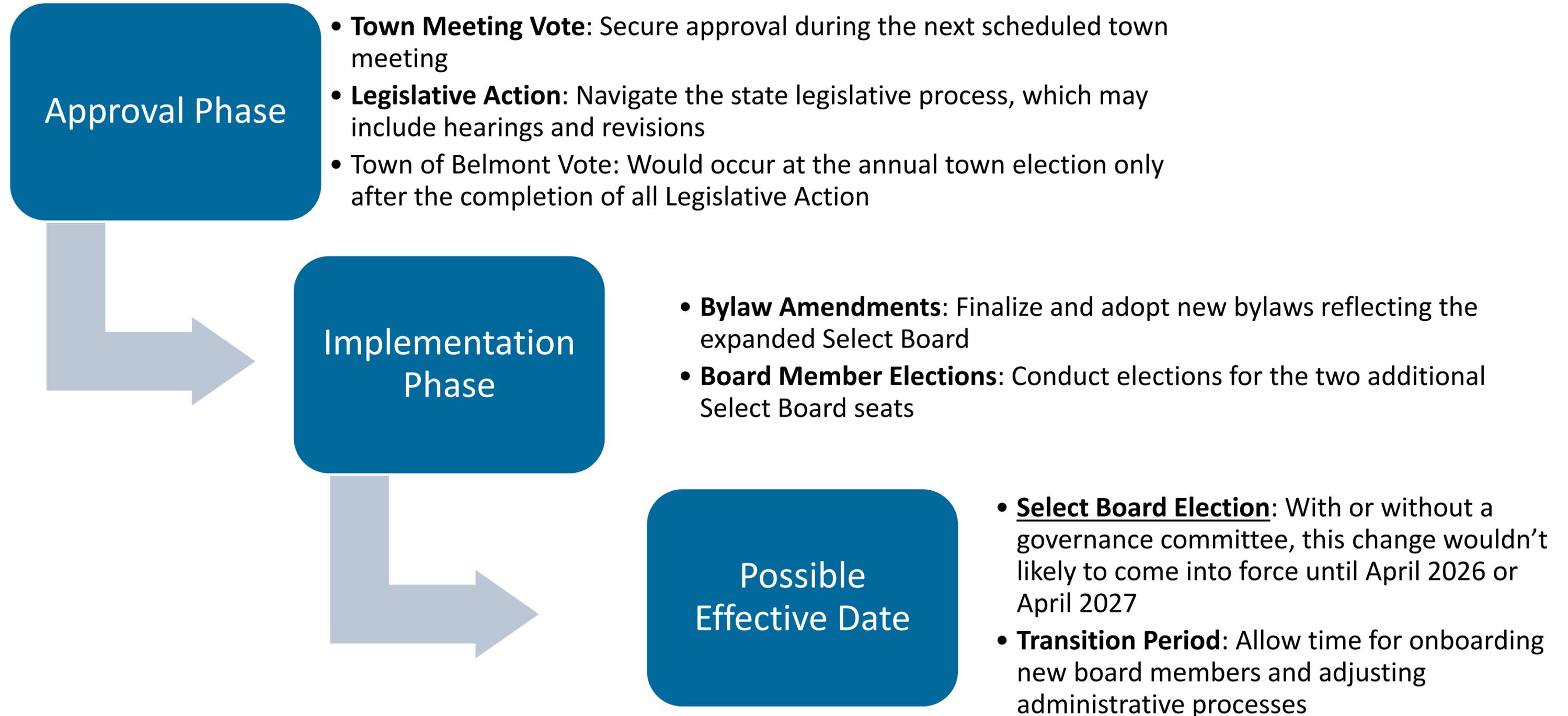
Precinct	Citizens Petition Count	% of Total
1	26	10.6%
2	27	11%
3	29	11.8%
4	7	2.9%
5	15	6.1%
6	38	15.5%
7	53	21.6%
8	50	20.4%
TOTAL	245	100%

Citizens Petition Certified Signature Collection By Precinct (n=245)



Source: Belmont Town Clerk Office

Process Timeline – Any successful town meeting vote would set in motion an 18 to 30 month process



Lakeville, MA Case Massachusetts State House Example (H.2093) – passed by Lakeville at Special Town Meeting November 2022

Date	Branch	Action
2/16/23	House	Referred to the committee on Municipalities and Regional Government
2/16/23	Senate	Senate concurred
6/12/223	Joint	Hearing scheduled for 06/20/2023 from 01:00 PM-05:00 PM in A-2
7/17/23	House	Bill reported favorably by committee and referred to the committee on House Steering, Policy and Scheduling
8/10/23	House	Committee reported that the matter be placed in the Orders of the Day for the next sitting
8/10/23	House	Rules suspended
8/10/23	House	Read second and ordered to a third reading
10/5/23	House	Read third, amended and passed to be engrossed
10/10/23	Senate	Read; and placed in the Orders of the Day for the next session
10/12/23	Senate	Taken out of the Orders of the Day
10/12/23	Senate	Read second, ordered to a third reading, read third (title changed) and passed to be engrossed
10/16/23	House	Enacted
10/16/23	Senate	Enacted and laid before the Governor
10/25/23	Executive	Signed by the Governor, Chapter 60 of the Acts of 2023

Following the successful passage of H.2093, Lakeville saw four people compete for three Select Board Seats at its Spring 2024 Annual Town Election

Source: MA Legislature.gov, Nemasket Weekly

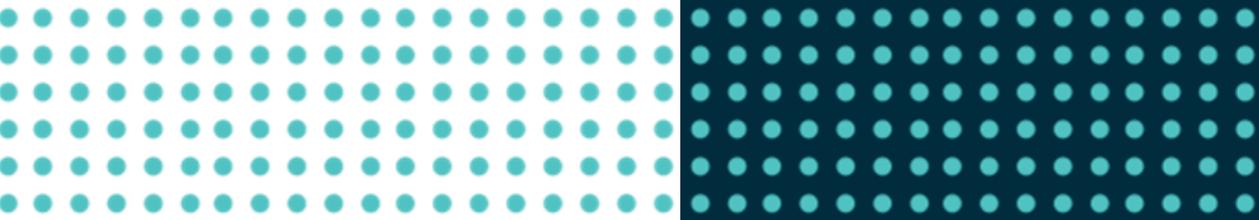


Four candidates compete for three seats on Lakeville Select Board

Mar 26, 2024



Clockwise from top right: Candidates Maureen Camillo, Mark Keno, Brynna Strohman and Lorraine Carbonara in the running for three seats on the Lakeville Select board.



Appendix – Government Change and Home Rule Charters

Routes for Changing Local Government Overview

Special Municipal Legislation

a. a. Special Municipal Legislation

- Proposal Submission to Legislature: Town's Initiative: The town develops a proposal for the desired changes to its government structure.
- Home Rule Petition: This proposal is often submitted as a home rule petition to the state legislature.

b. Legislative Process:

- State Approval Needed: Requires passage by both houses of the state legislature and the signature of the governor.
- Custom Solutions: This route is used for changes that are not covered under general laws or require exceptions to existing statutes.

c. Typical Uses:

- Creating Executive Positions: Establishing roles like a town manager with specific authorities not provided under general law.
- Administrative Adjustments: Making unique structural changes to the town's administration that necessitate state-level authorization.
- Flexibility: Allows towns to tailor their government structures to better meet local needs while still operating within the state's legal framework.

Bylaws and Permissive Legislation

a. Scope of Changes:

- Elected Positions to Appointed: Bylaws can be used to change certain elected positions or boards to appointed ones. This might include positions like the town treasurer or members of specific committees
- Authority Adjustments: Allow selectmen (or select board members) to assume additional roles or act in certain official capacities
- Creation of Positions: Establish new roles such as a town administrator to oversee daily operations and coordinate between departments

b. Process and Requirements:

- a. Local Approval: Changes through bylaws require approval at a town meeting or by a town election vote
- Permissive Legislation: This route operates within the framework of existing state laws that permit towns to make certain changes locally without needing state legislative approval
- Implementation: Once approved locally, the changes can be implemented according to the procedures outlined in the bylaws

Home Rule Charters Overviews

Home Rule Charters			
Adopted With Representative Town Meeting:	Adopted With Open Town Meeting:		
Auburn	Acton	Lunenburg	Provincetown
Billerica	Acushnet	Lynnfield	Rockland
Chelmsford	Ashland	Mansfield	Salisbury
Dedham	Athol	Marshfield	Scituate
Dartmouth	Bedford	Mashpee	Seekonk
Falmouth	Bellingham	Maynard	Stow
Natick	Blackstone	Medfield	Sturbridge
Reading	Bourne	Middleton	Sutton
Stoughton	Chatham	Millbury	Townsend
Walpole	Dracut	Millis	Truro
Winchester	Eastham	Nahant	Uxbridge
	Easton	North Andover	Wakefield
	Grafton	Northborough	Wareham
	Harwich	Northbridge	Webster
	Hudson	North Reading	Wellfleet
	Longmeadow	Norton	Westborough
		Norwell	Westwood
		Orleans	Winchendon
		Oxford	

Note: Charters for Millis and Rockland did not originally contain provisions for a management position.

Home Rule Charter

a. Charter Commission Formation:

- Elected Body: A charter commission is elected by the town's voters specifically to draft a new charter or revise the existing one.
- Composition: Typically consists of nine members who represent a cross-section of the community.

b. Purpose and Content of the Charter:

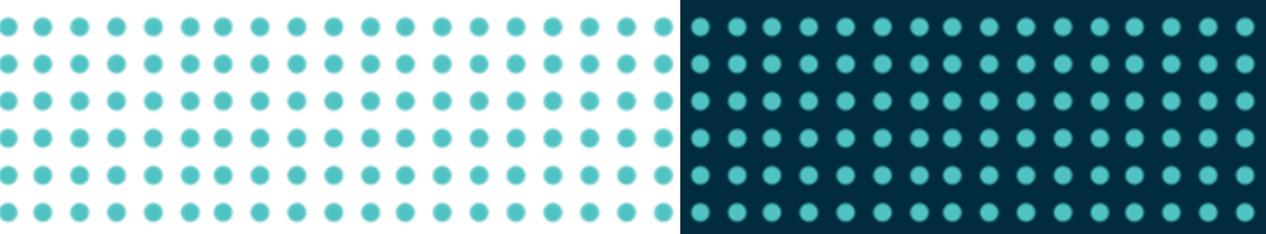
- Defining Government Structure: The charter serves as the town's constitution, outlining the organization, powers, functions, and procedures of the local government.
- Significant Structural Changes: Often includes proposals for major changes such as: Creating positions like a town manager or strengthening the role of a town administrator.
- Changing the composition or functions of boards and commissions.
- Consolidating departments for increased efficiency.
- Modifying legislative bodies, such as transitioning from an open town meeting to a representative town meeting.

c. Process and Timeline: Preparation Period: The charter commission has a set timeframe (usually 18 months) to prepare the new charter.

- Public Involvement: Involves public hearings and opportunities for citizen input to ensure the charter reflects the community's needs and preferences.

d. Approval Requirements:

- Voter Approval: The proposed charter must be approved by the town's voters at an annual town election
- Implementation Upon Approval: If accepted by the majority, the new charter becomes the governing document of the town, and the changes are enacted accordingly.



Appendix – MA AAA Bond Rating

Moody's AAA Bond Rating Communities

DOR Code	Name	2009	2010	2011	2012	2013	2014	2015	2017	2019	2020	2021	2023
2	Acton	AAA	AAA	AA1	AA1								
23	Bedford*	AA1	AAA	AAA	AA1	AA1	AA1	AA1		Maintains AAA bond rating with S&P			
26	Belmont	AAA	AAA	AAA	AAA								
35	Boston	AA1	AAA	AAA	AAA	AAA							
46	Brookline	AAA	AAA	AAA	AAA								
49	Cambridge	AAA	AAA	AAA	AAA								
67	Concord	AAA	AAA	AAA	AAA								
78	Dover	AAA	AAA	AAA	AAA								
131	Hingham	AAA	AAA	AAA	AAA								
155	Lexington	AAA	AAA	AAA	AAA								
197	Nantucket	AA3	AA2	AA2	AA2	AA2	AA2	AA1	AA1	AAA	AAA	AAA	AAA
207	Newton	AAA	AAA	AAA	AAA								
315	Wayland	AAA	AAA	AAA	AAA								
317	Wellesley	AAA	AAA	AAA	AAA								
333	Weston*	AAA	AAA	AAA	AAA								
344	Winchester	AAA	AAA	AAA	AAA								

Towns with three person select boards

For Moody's AAA ratings, Belmont, Hingham, and Weston* have three-person select boards

S&P 2023 AAA Bond Rating Communities – towns with three person select boards:

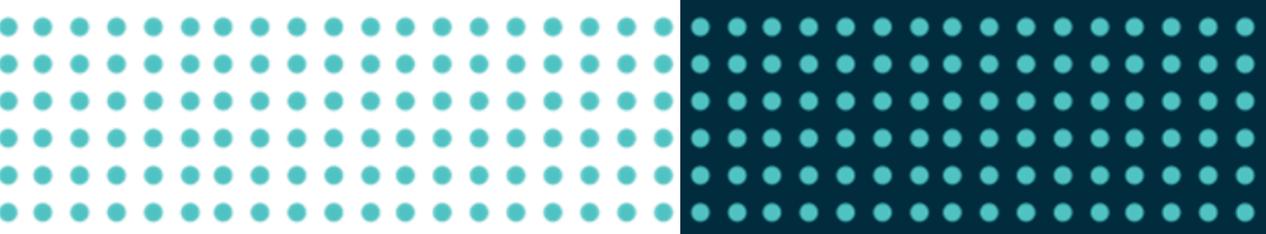
Belmont, Bolton, Chilmark, Edgartown, Hingham, Holliston, Marion, Mattapoisett, West Newbury, Weston*, and Westwood (11/78)

DOR Code	Name		2009	2010	2011	2012	2014	2015	2017	2019	2020	2021	2023
2	Acton	S&P		AAA									
9	Andover	S&P				AAA							
10	Arlington	S&P		AAA									
14	Ashland	S&P				AA	AA	AA+	AA+	AAA	AAA	AAA	AAA
20	Barnstable	S&P		AAA									
23	Bedford	S&P		AAA									
26	Belmont	S&P										AAA	AAA
34	Bolton	S&P									AAA	AAA	AAA
35	Boston	S&P		AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
37	Boxborough	S&P				AAA							
38	Boxford	S&P								AAA	AAA	AAA	AAA
41	Brewster	S&P		AA-	AA-	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
46	Brookline	S&P									AAA	AAA	AAA
48	Burlington	S&P		AA+	AA+	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA
49	Cambridge	S&P		AAA									
50	Canton	S&P		AAA									
55	Chatham	S&P		AAA									
62	Chilmark	S&P		AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
65	Cohasset	S&P		AA+	AA+	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA
71	Danvers	S&P		AA+	AAA	AAA							
72	Dartmouth	S&P		AA	AA	AA	AA	AAA	AAA	AAA	AAA	AAA	AAA
73	Dedham	S&P		AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
75	Dennis	S&P		AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
82	Duxbury	S&P		AAA									
89	Edgartown	S&P											AAA
96	Falmouth	S&P		AA+	AAA	AAA	AAA						
99	Foxborough	S&P		AA+	AA+	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA
101	Franklin	S&P		AA	AA	AA	AA	AA+	AA+	AA+	AA+	AA+	AAA
113	Great Barrington	S&P		AA	AA	AA	AA	AA+	AA+	AAA	AAA	AAA	AAA
115	Groton	S&P		A+	A+	AA	AA	AA+	AA+	AAA	AAA	AAA	AAA
117	Hadley	S&P		AA	AA	AA	AA	AA+	AA+	AA+	AA+	AAA	AAA
119	Hamilton	S&P						AAA	AAA	AAA	AAA	AAA	AAA
125	Harvard	S&P		AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
126	Harwich	S&P		AA+	AAA	AAA							
131	Hingham	S&P		AAA									
136	Holliston	S&P		AA-	AA-	AA-	AA-	AA+	AA+	AA+	AA+	AA+	AAA
139	Hopkinton	S&P		AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA
144	Ipswich	S&P								AAA	AAA	AAA	AAA
152	Lenox	S&P								AAA	AAA	AAA	AAA
155	Lexington	S&P								AAA	AAA	AAA	AAA
157	Lincoln	S&P		AAA									
158	Littleton	S&P		AA	AA	AA	AA	AAA	AAA	AAA	AAA	AAA	AAA
166	Manchester By The Sea	S&P						AAA	AAA	AAA	AAA	AAA	AAA
168	Marblehead	S&P		AAA									
Source: DLS	Marion	S&P		AA	AA	AA	AA+	AAA	AAA	AAA	AAA	AAA	AAA

S&P 2023 AAA Bond Rating Communities

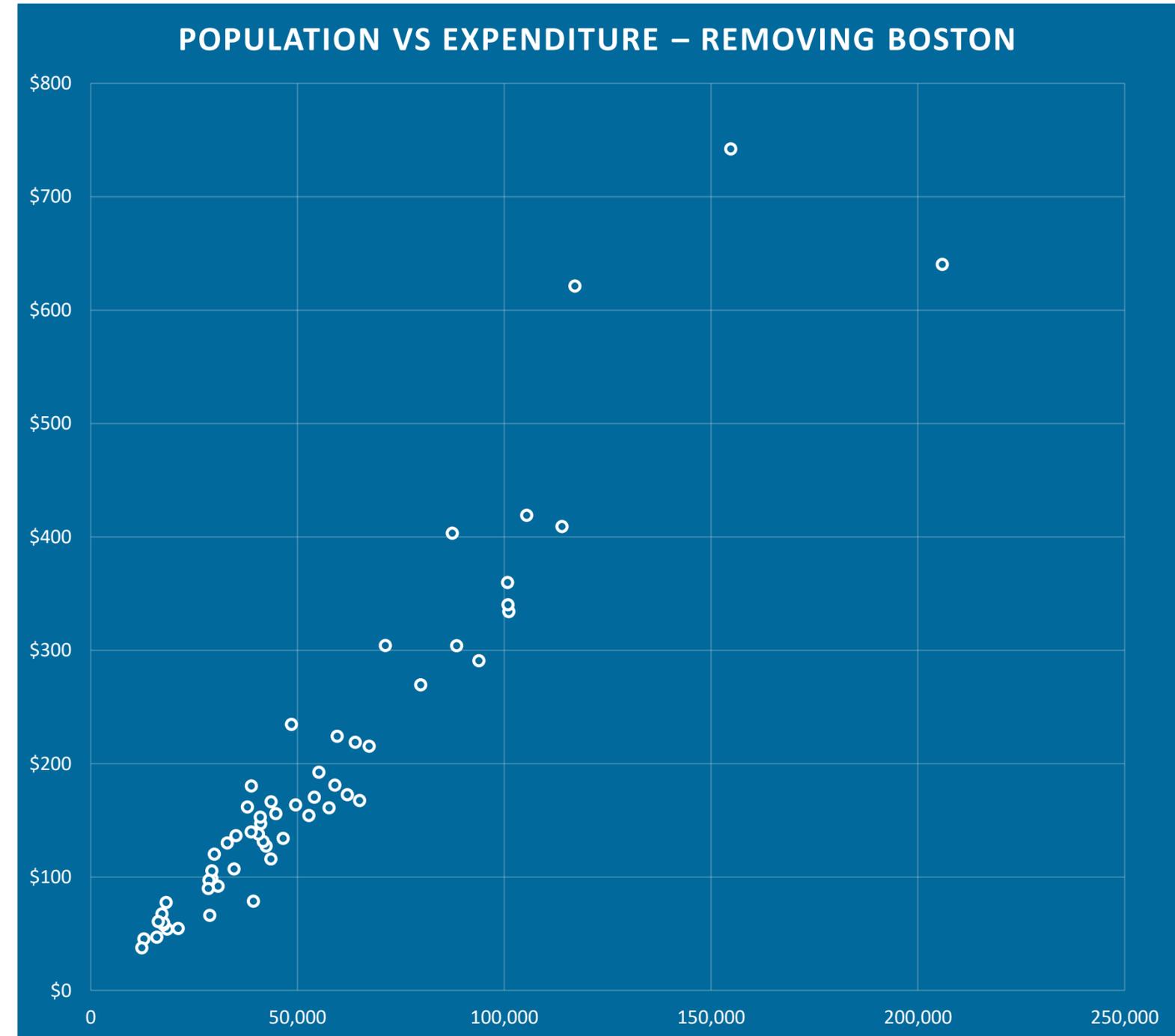
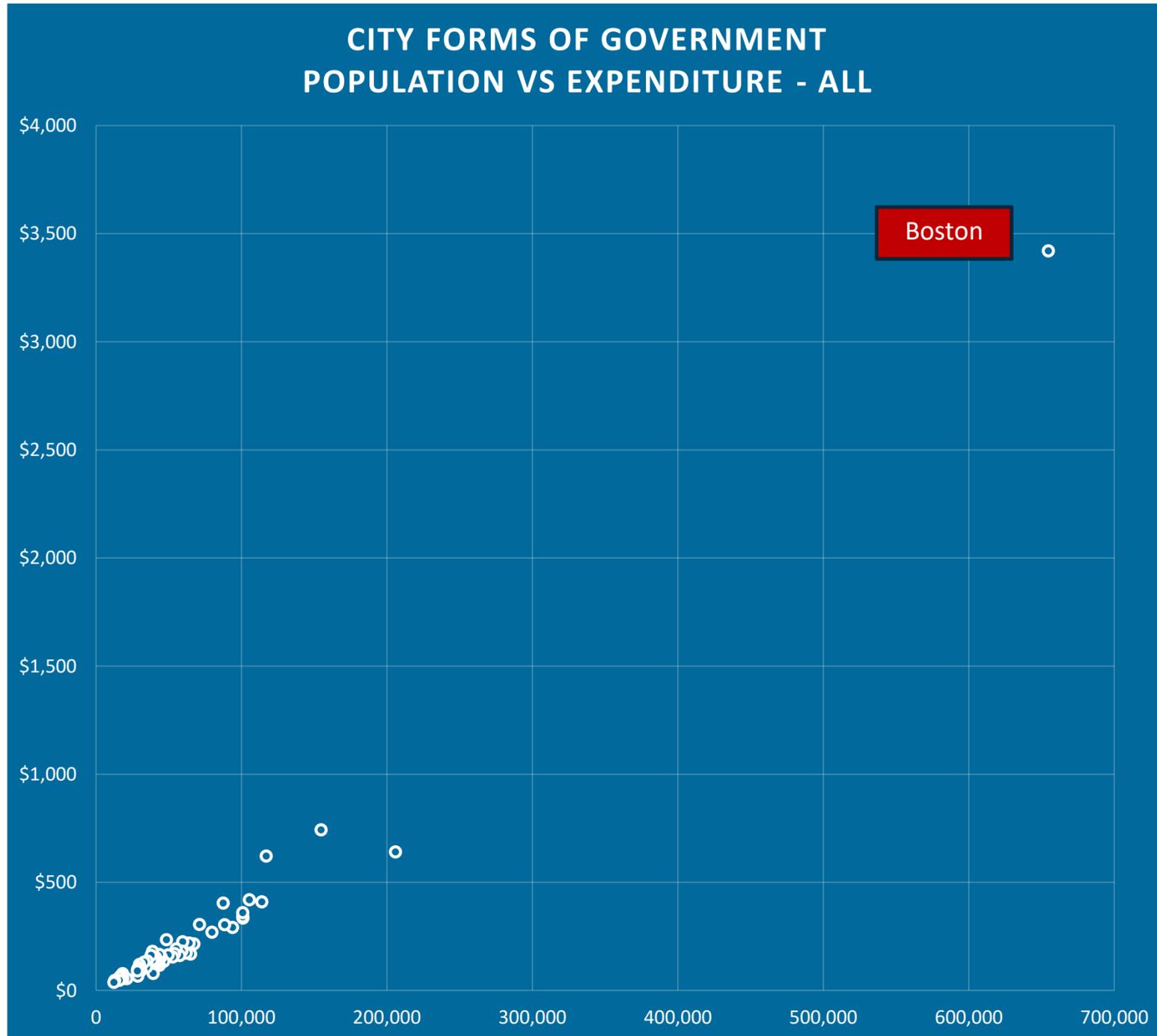
DOR Code	Name	2009	2010	2011	2012	2014	2015	2017	2019	2020	2021	2023	
170	Marlborough	S&P	AA	AA	AA+	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA
172	Mashpee	S&P	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
173	Mattapoissett	S&P	AA	AA	AA	AA	AAA	AAA	AAA	AAA	AAA	AAA	AAA
177	Medway	S&P	AA-	AA-	AA-	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA
189	Milton	S&P	AA	AA	AA	AA	AAA	AAA	AAA	AAA	AAA	AAA	AAA
198	Natick	S&P	AAA	AAA									
199	Needham	S&P	AAA	AAA									
205	Newbury	S&P									AAA	AAA	AAA
206	Newburyport	S&P	AA	AA	AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA
207	Newton	S&P							AAA	AAA	AAA	AAA	AAA
210	North Andover	S&P	AA	AA	AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA
214	Northampton	S&P	A+	A+	A+	A+	AA+	AA+	AAA	AAA	AAA	AAA	AAA
219	Norwell	S&P	AAA	AAA									
224	Orleans	S&P	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
246	Reading	S&P	AA	AA	AA	AA	AAA	AAA	AAA	AAA	AAA	AAA	AAA
269	Sherborn	S&P	AAA	AAA									
271	Shrewsbury	S&P									AAA	AAA	AAA
274	Somerville	S&P	A+	A+	AA-	AA-	AA+	AA+	AA+	AA+	AA+	AA+	AAA
277	Southborough	S&P					AA+	AA+	AA+	AAA	AAA	AAA	AAA
286	Stow	S&P	A+	A+	AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA
288	Sudbury	S&P	AAA	AAA									
298	Topsfield	S&P								AAA	AAA	AAA	AAA
305	Wakefield	S&P								AAA	AAA	AAA	AAA
314	Watertown	S&P	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
320	Wenham	S&P	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
324	West Newbury	S&P									AA+	AA+	AA+
328	Westborough	S&P	AA	AA	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
330	Westford	S&P	AA+	AA+	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
333	Weston	S&P	AAA	AAA									
335	Westwood	S&P	AAA	AAA	AA+	AA+	AAA	AAA	AAA	AAA	AAA	AAA	AAA
344	Winchester	S&P	AAA	AAA									
347	Woburn	S&P								AA	AAA	AAA	AAA

Source: DLS



Appendix – MA City and Town Database

City Form of Government (Population vs Expenditure)



Sources: MA Department of Local Services

Appendix – MA City and Town Base Data (1/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Boston	654,776	Mayor – Council	Mayor	None	None	City Council
Worcester	205,918	Council – Manager – Mayor	Mayor – Manager	None	None	City Council
Springfield	154,789	Mayor – Council	Mayor	None	None	City Council
Cambridge	117,090	Council – Manager – Mayor	Mayor – Manager	None	None	City Council
Lowell	113,994	Council – Manager – Mayor	Mayor – Manager	None	None	City Council
Brockton	105,446	Mayor – Council	Mayor	None	None	City Council
Quincy	101,119	Mayor – Council	Mayor	None	None	City Council
New Bedford	100,941	Mayor – Council	Mayor	None	None	City Council
Lynn	100,843	Mayor – Council	Mayor	None	None	City Council
Fall River	93,884	Mayor – Council	Mayor	None	None	City Council
Lawrence	88,508	Mayor – Council	Mayor	None	None	City Council
Newton	87,453	Mayor – Council	Mayor	None	None	City Council
Somerville	79,815	Mayor – Council	Mayor	None	None	City Council
Framingham	71,265	Mayor – Council	Mayor	None	None	City Council
Haverhill	67,361	Mayor – Council	Mayor	None	None	City Council
Malden	65,074	Mayor – Council	Mayor	None	None	City Council
Waltham	64,015	Mayor – Council	Mayor	None	None	City Council
Brookline	62,726	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Plymouth	62,131	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Medford	62,098	Mayor – Council	Mayor	None	None	City Council
Taunton	59,600	Mayor – Council	Mayor	None	None	City Council
Revere	59,075	Mayor – Council	Mayor	None	None	City Council
Weymouth	57,670	Mayor – Council	Mayor	None	None	Town Council
Chicopee	55,190	Mayor – Council	Mayor	None	None	City Council
Peabody	54,119	Mayor – Council	Mayor	None	None	City Council
Methuen	52,798	Mayor – Council	Mayor	None	None	City Council

Appendix – MA City and Town Base Data (2/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Barnstable	49,583	Council – Manager	Town Manager	None	None	Town Council
Everett	48,557	Mayor – Council	Mayor	None	None	City Council
Attleboro	46,580	Mayor – Council	Mayor	None	None	Municipal Council
Arlington	45,617	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Salem	44,819	Mayor – Council	Mayor	None	None	City Council
Pittsfield	43,641	Mayor – Council	Mayor	None	None	City Council
Leominster	43,613	Mayor – Council	Mayor	None	None	City Council
Beverly	42,446	Mayor – Council	Mayor	None	None	City Council
Fitchburg	41,732	Mayor – Council	Mayor	None	None	City Council
Billerica	41,453	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Marlborough	41,110	Mayor – Council	Mayor	None	None	City Council
Woburn	41,056	Mayor – Council	Mayor	None	None	City Council
Westfield	40,575	Mayor – Council	Mayor	None	None	City Council
Amherst	39,378	Council – Manager	Town Manager	None	None	Town Council
Shrewsbury	38,999	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Chelsea	38,889	Council – Manager	City Manager	None	None	City Council
Braintree	38,822	Mayor – Council	Mayor	None	None	Town Council
Holyoke	37,929	Mayor – Council	Mayor	None	None	City Council
Andover	36,517	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Natick	36,426	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Chelmsford	35,933	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Watertown	35,149	Council – Manager	City Manager	None	None	City Council
Randolph	34,715	Council – Manager	Town Manager	None	None	Town Council
Lexington	34,071	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Dartmouth	34,005	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Falmouth	33,128	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Franklin	33,036	Council – Manager	Town Administrator	None	None	Town Council
Dracut	32,159	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Needham	32,048	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Norwood	31,441	Select Board – Town Meeting	General Manager	Board of Selectmen	5	Representative Town Meeting
Tewksbury	30,876	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
North Attleborough	30,854	Council – Manager	Town Manager	None	None	Town Council
North Andover	30,711	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Milford	30,277	Select Board – Town Meeting	Town Administrator	Select Board	3	Representative Town Meeting

Appendix – MA City and Town Base Data (3/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Wellesley	30,191	Select Board – Town Meeting	Executive Director	Select Board	5	Representative Town Meeting
Gloucester	29,952	Mayor – Council	Mayor	None	None	City Council
Melrose	29,312	Mayor – Council	Mayor	None	None	City Council
Northampton	29,311	Mayor – Council	Mayor	None	None	City Council
Stoughton	29,132	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Bridgewater	28,805	Council – Manager	Town Manager	None	None	Town Council
Saugus	28,676	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Representative Town Meeting
West Springfield	28,629	Mayor – Council	Mayor	None	None	Town Council
Agawam	28,494	Mayor – Council	Mayor	None	None	City Council
Milton	28,388	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Danvers	27,898	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Wakefield	27,104	Select Board – Town Meeting	Town Administrator	Town Council	7	Open Town Meeting
Belmont	26,838	Select Board – Town Meeting	Town Administrator	Select Board	3	Representative Town Meeting
Walpole	26,652	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Burlington	25,989	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Marshfield	25,869	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Yarmouth	25,286	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Easton	25,247	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Dedham	25,240	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Reading	25,223	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Canton	24,470	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Middleborough	24,459	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Westford	24,446	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Hingham	24,311	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Acton	23,846	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Mansfield	23,823	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Wareham	23,317	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Wilmington	23,012	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Stoneham	22,877	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Winchester	22,662	Select Board – Town Meeting	Town Manager	Select Board	5	Representative Town Meeting
Westborough	21,499	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Gardner	21,191	Mayor – Council	Mayor	None	None	City Council
Ludlow	20,900	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Representative Town Meeting
Bourne	20,709	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Sandwich	20,585	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Marblehead	20,296	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting

Appendix – MA City and Town Base Data (4/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Holden	19,898	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Hudson	19,790	Select Board – Town Meeting	Executive Assistant	Select Board	5	Open Town Meeting
Grafton	19,756	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Norton	19,278	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Scituate	19,185	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Sudbury	19,059	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Hopkinton	18,943	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Ashland	18,560	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Foxborough	18,519	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Winthrop	18,505	Council – Manager	Town Manager	None	None	Town Council
Sharon	18,494	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Pembroke	18,410	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Newburyport	18,295	Mayor – Council	Mayor	None	None	City Council
Somerset	18,250	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Concord	18,184	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
South Hadley	17,995	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Rockland	17,771	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Southbridge	17,657	Council – Manager	Town Manager	None	None	Town Council
Greenfield	17,652	Mayor – Council	Mayor	None	None	City Council
Webster	17,651	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Amesbury	17,269	Mayor – Council	Mayor	None	None	City Council
Swansea	17,259	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Abington	17,094	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Bellingham	16,905	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Auburn	16,830	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Representative Town Meeting
East Longmeadow	16,370	Council – Manager	Town Manager	None	None	Town Council
Westport	16,359	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Northbridge	16,298	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Westwood	16,213	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Duxbury	16,116	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Easthampton	16,022	Mayor – Council	Mayor	None	None	City Council
Fairhaven	15,909	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Longmeadow	15,725	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Northborough	15,667	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Seekonk	15,568	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Clinton	15,381	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting

Appendix – MA City and Town Base Data (5/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Mashpee	15,357	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
North Reading	15,343	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Whitman	15,279	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Belchertown	15,279	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Raynham	15,230	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Swampscott	15,155	Select Board – Town Meeting	Town Administrator	Select Board	5	Representative Town Meeting
Dennis	14,903	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Hanover	14,871	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Holliston	14,840	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Wilbraham	14,551	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Nantucket	14,491	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
East Bridgewater	14,465	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Uxbridge	14,270	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Bedford	14,155	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Millbury	13,884	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Kingston	13,793	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Wayland	13,724	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Ipswich	13,716	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Harwich	13,629	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Charlton	13,317	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Oxford	13,287	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Medway	13,131	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Lynnfield	12,955	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Medfield	12,915	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
North Adams	12,880	Mayor – Council	Mayor	None	None	City Council
Rehoboth	12,687	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Tyngsborough	12,421	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Palmer	12,372	Council – Manager	Town Manager	None	None	Town Council
Wrentham	12,209	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Spencer	11,928	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Athol	11,905	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Dudley	11,884	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Lunenburg	11,816	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Lakeville	11,762	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Carver	11,668	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Weston	11,666	Select Board – Town Meeting	Town Manager	Select Board	3	Open Town Meeting

Appendix – MA City and Town Base Data (6/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Pepperell	11,577	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Norfolk	11,550	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Norwell	11,349	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Holbrook	11,335	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Representative Town Meeting
Groton	11,147	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Leicester	11,048	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Hanson	10,674	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Maynard	10,574	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Acushnet	10,553	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Brewster	10,456	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Southborough	10,421	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Winchendon	10,352	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Ware	10,178	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Hull	10,144	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Littleton	10,121	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Plainville	9,896	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Sturbridge	9,846	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Middleton	9,767	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Sutton	9,361	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Salisbury	9,212	Select Board – Town Meeting	Town Manager	Board of Selectmen	5	Open Town Meeting
Freetown	9,202	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Southwick	9,196	Select Board – Town Meeting	Chief Administrative Officer	Select Board	3	Open Town Meeting
Blackstone	9,177	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Rutland	9,169	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Douglas	9,049	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Townsend	8,983	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Millis	8,668	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Montague	8,580	Select Board – Town Meeting	Town Administrator	Select Board	3	Representative Town Meeting
Lancaster	8,455	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Georgetown	8,416	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Ayer	8,400	Select Board – Town Meeting	Town Manager	Select Board	3	Open Town Meeting
Cohasset	8,373	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Westminster	8,275	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Templeton	8,160	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Sterling	8,152	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Dighton	8,150	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting

Appendix – MA City and Town Base Data (7/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Boxford	8,141	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Adams	8,100	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Representative Town Meeting
Monson	8,098	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Upton	8,050	Select Board – Town Meeting	Town Manager	Board of Selectmen	3	Open Town Meeting
West Boylston	7,855	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Williamstown	7,813	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Halifax	7,749	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
West Bridgewater	7,727	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Orange	7,577	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Hamilton	7,539	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Shirley	7,279	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Great Barrington	7,164	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Stow	7,059	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Rockport	6,959	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Lincoln	6,890	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Harvard	6,844	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Berkley	6,785	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Groveland	6,737	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Merrimac	6,705	Select Board – Town Meeting	Select Board Chair	Select Board	5	Open Town Meeting
Chatham	6,703	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Newbury	6,701	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Mattapoisett	6,574	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Topsfield	6,555	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Orleans	6,411	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Ashburnham	6,341	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Dalton	6,290	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Mendon	6,251	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Southampton	6,187	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Rowley	6,131	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Granby	6,061	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Hopedale	5,998	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Dover	5,892	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Eastham	5,832	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Rochester	5,762	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Lee	5,755	Select Board – Town Meeting	Chief Administrative Officer	Board of Selectmen	3	Open Town Meeting
Bolton	5,676	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Barre	5,526	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting

Appendix – MA City and Town Base Data (8/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Oak Bluffs	5,472	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Boxborough	5,425	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Manchester By The Sea	5,363	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Marion	5,333	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Edgartown	5,302	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Hadley	5,272	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Carlisle	5,181	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Deerfield	5,115	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Lenox	5,099	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Paxton	5,028	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Wenham	4,987	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Warren	4,955	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Hampden	4,935	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Tisbury	4,920	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Boylston	4,882	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Avon	4,755	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
North Brookfield	4,743	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
West Newbury	4,544	Select Board – Town Meeting	Town Manager	Select Board	3	Open Town Meeting
Sherborn	4,390	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Hubbardston	4,312	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
West Brookfield	3,820	Select Board – Town Meeting	Executive Secretary	Board of Selectmen	3	Open Town Meeting
Provincetown	3,708	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Brimfield	3,690	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	5	Open Town Meeting
Berlin	3,674	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Essex	3,668	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Sunderland	3,662	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Wellfleet	3,635	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
West Tisbury	3,635	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Princeton	3,499	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Brookfield	3,432	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Dunstable	3,341	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Nahant	3,315	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Hatfield	3,314	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Sheffield	3,312	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting

Appendix – MA City and Town Base Data (9/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Cheshire	3,236	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Ashby	3,170	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Millville	3,151	Select Board – Town Meeting	Town Administrator	Board of Selectmen	5	Open Town Meeting
Lanesborough	3,027	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Plympton	2,939	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Northfield	2,876	Select Board – Town Meeting	Town Administrator	Select Board	5	Open Town Meeting
Hardwick	2,660	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Holland	2,583	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Truro	2,486	Select Board – Town Meeting	Town Manager	Select Board	5	Open Town Meeting
Williamsburg	2,475	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
East Brookfield	2,209	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Bernardston	2,106	Select Board – Town Meeting	Town Coordinator	Select Board	3	Open Town Meeting
Huntington	2,074	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Stockbridge	2,003	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Becket	1,932	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Hinsdale	1,908	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Shelburne	1,889	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Leverett	1,862	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Oakham	1,846	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Wales	1,816	Select Board – Town Meeting	Executive Secretary	Select Board	3	Open Town Meeting
Buckland	1,816	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Conway	1,768	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Shutesbury	1,731	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Phillipston	1,720	Select Board – Town Meeting	Chief Administrative Officer	Board of Selectmen	3	Open Town Meeting
Ashfield	1,691	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Erving	1,667	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Clarksburg	1,649	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Russell	1,635	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Whately	1,631	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Otis	1,629	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Colrain	1,615	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Westhampton	1,614	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Gill	1,536	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Granville	1,533	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
New Marlborough	1,518	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Richmond	1,405	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting

Appendix – MA City and Town Base Data (10/10)

Community	Population	Form of Government	Chief Municipal Officer	Policy Board	Policy Board Size	Legislative Body
Egremont	1,371	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
West Stockbridge	1,338	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Pelham	1,267	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Royalston	1,256	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Chilmark	1,248	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Chester	1,221	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Blandford	1,210	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Petersham	1,188	Select Board – Town Meeting	Administrative Coordinator	Select Board	3	Open Town Meeting
Charlemont	1,184	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Worthington	1,182	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Chesterfield	1,178	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Monterey	1,092	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
New Salem	997	Select Board – Town Meeting	Town Coordinator	Select Board	3	Open Town Meeting
New Braintree	990	Select Board – Town Meeting	Executive Secretary	Select Board	3	Open Town Meeting
Sandisfield	982	Select Board – Town Meeting	Town Manager	Select Board	3	Open Town Meeting
Goshen	950	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Wendell	926	Select Board – Town Meeting	Town Coordinator	Select Board	3	Open Town Meeting
Windsor	821	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Cummington	819	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Montgomery	812	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Peru	804	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Warwick	782	Select Board – Town Meeting	Town Coordinator	Select Board	3	Open Town Meeting
Hancock	751	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Leyden	738	Select Board – Town Meeting	Municipal Assistant	Select Board	3	Open Town Meeting
Heath	726	Select Board – Town Meeting	Town Coordinator	Select Board	3	Open Town Meeting
Florida	685	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Savoy	645	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Plainfield	628	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Washington	493	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Alford	484	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Tolland	465	Select Board – Town Meeting	Selectmen Chair	Board of Selectmen	3	Open Town Meeting
Aquinnah	450	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Tyringham	423	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting
Rowe	422	Select Board – Town Meeting	Executive Secretary	Select Board	3	Open Town Meeting
Middlefield	388	Select Board – Town Meeting	Town Administrator	Select Board	3	Open Town Meeting
Hawley	350	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
New Ashford	248	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Mount Washington	159	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Monroe	116	Select Board – Town Meeting	Select Board Chair	Select Board	3	Open Town Meeting
Gosnold	70	Select Board – Town Meeting	Town Administrator	Board of Selectmen	3	Open Town Meeting

STM NOVEMBER 20, 2024: ARTICLE 10

CITIZENS PETITION TO EXPAND THE SELECT BOARD TO 5 MEMBERS

SUMMARY OF FEEDBACK FROM FORMER SB MEMBERS

Select Board Chair, Elizabeth Dionne contacted every former Select Board (SB) member currently living in Belmont (nine total), with the exception of one elderly resident who prefers no contact. Former SB members have relevant experience. They are also disinterested, as the outcome of the STM vote on November 20 will not affect their current or future position in office.

Former SB members unanimously opposed the proposed expansion to five members, with remarkable similarities in the reasons they gave for their opposition. Several members felt that the opportunity for increased representation was a worthy goal, but none of them felt that this outweighed the disadvantages of a larger, weaker, more factionalized SB.

Aggregated Responses and Common Points

Town Meeting has twice considered an increase to five members, in 2003 and again in 2018. What has changed in 2024?

- Why are we relitigating this issue, when it lost decisively in 2018?
- If nothing has changed, why this proposal and why now?
- The Citizens Petition came out of nowhere, with inadequate thought or preparation. The proposal is premature.
- Former SB members unanimously opposed this initiative when they were in office, and they oppose it now.
- This feels opportunistic. The motivating factor seems to be opening additional spaces for interested parties to join the SB.

What problem will an increase to five SB members fix?

- This is a solution in search of a problem. [A majority of those interviewed used this phrase without prompting from me.]
- Not only does it not solve an obvious problem, it causes a number of new problems (as outlined below).

- Limiting the SB to three members imposes election discipline and winnows out less-qualified candidates.
- Belmont has suffered from a dearth of SB candidates. In the years 2008-2023:
 - 6/16 SB races were uncontested.
 - 8/16 SB races had two candidates.
 - 2/16 SB races had three candidates.
- Some of the candidates in contested races lacked important experience and qualifications. It is important to be able to vote for an alternative, which is less likely when electing two SB members.
- “If it ain’t broke, don’t fix it.” Despite its many challenges, Belmont has made significant progress in recent years and is relatively well-managed, as evidenced by high property values, our AAA bond rating, and highly ranked schools.
- Don’t conflate personality conflicts with bad policy. If you disagree with current SB members, vote them out at the next election. Don’t change the entire structure, which will cause more problems than it solves.

An increase to five members will reduce transparency and accountability and lead to violations of Open Meeting Law (OML).

- Two members can collude and then pick off one more vote.
- Compliance with OML is difficult, but it protects minority members on the Board, and it protects the public’s right to full and open deliberation.
- Airing disagreements “cold” in public meetings with no prior discussion is awkward for current SB Members, but it provides transparency and gives the public the benefit of open discussion.
- One former SB member, who also served on the School Committee, compared public and open SB deliberations favorably with behind-the-scenes machinations by former School Committee members to remove a former Superintendent.

An increase to five members will exacerbate divisions and lead to factions on the SB.

- The annual rotation of the SB Chair has eased tensions on the Board. We would lose this rotation with a five-person Board.
- A desire to “stack the Board” will lead to big and expensive election campaign operations that run a slate of candidates.

An increase to five members will not meaningfully reduce the workload of the three current SB Members.

- There is a limit to the number of statutory liaisons that require a SB Member. These are the positions with heavy workloads, and these roles can't be divided.
- How will the SB decide who gets the relatively more important and powerful liaison positions?
- Everyone still needs to do the same amount of homework before taking votes. The Town Administrator (TA) will need to provide the same amount of education to each SB Member.
- There is significant self-selection in how much community outreach and work SB members do. This will not change with a five-member Board.
- Achieving consensus is the real challenge and real work of the SB. This is not affected by a change in the number of SB Members, unless members are communicating privately, outside of meetings.

Increasing the size of an executive committee makes work less efficient, not more so.

- Every member will want to speak to their respective constituencies, and meetings will become interminably long. Every member will “talk, talk, talk!”
- This places a huge additional administrative burden on the Town Administrators Office. The TA will require additional staff to communicate and meet with individual SB members. [The current price-tag is \$200K for 1.5 additional FTEs.]

An increase to five members will require a rethink of the Town's entire executive office structure and a shift in the balance-of-power between the SB and the TA.

- We can't change one element of the executive structure without a domino effect. This will require convening a Charter Commission and a rewrite of the Town's Charter.
- A larger SB suggests the need to shift from a TA to a Town Manager (TM), with greater independence and executive authority.
- There will be less direct communication between individual SB Members and the TA, as she needs to focus on managing department heads and running the town. Of necessity, most communication will be delegated to a TA office staff member.
- Belmont is a Town that has chosen to have a strong SB and a relatively weak TA, not a TM or Mayor. This power structure will fundamentally change with a five-person SB.

Belmont residents want the SB to do more for them, not less.

- Residents look to the SB to solve problems.

- The SB is residents' only means of holding the Town Administrator and department heads accountable to resident concerns.
- The SB is already a policy-creating board. The votes and actions it takes ARE town policy.
- It is important for the SB to have both power and discipline over the appointment and reappointment of the Town's top executive positions: Town Administrator, the Police Chief, and the Fire Chief. This is hard enough with three SB members. It would become even harder with five SB members.
- The SB can currently delegate some of its powers, but it can always take those back. A permanent structural change would not allow for this flexibility.

Select Board Fact Sheet: Article 10

FY25 Special Town Meeting—November 2024

Citizens' Petition: Transition Select Board from 3 to 5 Members

The Select Board recommends unfavorable action on Article 10 (unanimous, 3-0) because it is an incomplete proposal that would create serious problems for Belmont. As proposed, this Article would 1) be more expensive, 2) delay the Town's highest priority work, 3) make Belmont less efficient and 4) reduce government transparency. If you believe strongly in a 5-member Select Board—a very valid perspective—a Charter Commission is a superior, public process to reform our local government.

1. **It will be more expensive.** Every year, Article 10 would eat a big chunk of the 2-½ percent budget increase available to our municipal departments. In the first year, just the Town Administrator's office would need an additional \$200,000 and 1.5 full-time employees to cover a 5-member board. This would divert scarce funds away from other municipal departments (already below level-service funding), and hinder efforts to stretch the most recent override.
2. **It will delay the Town's highest priorities.** Article 10 would take time, resources and funds away from everything we promised residents before the override vote, including zoning reform, identifying new sources of revenue and commercial growth, finding further operational efficiencies, supporting our schools, and budgeting with a multi-year plan that manages expense growth. Article 10 proposes an untimely new requirement that will complicate all the other improvements already in the works or about to begin.
3. **It will make Belmont less efficient.** Article 10 is missing a key ingredient: Towns with larger boards improve efficiency by delegating more authority to the Town Administrator/Manager. Larger boards have to get out of the way of daily operations. They take more time to deliberate, have more difficulty achieving majority or consensus for decisions, and need longer meetings—all of which disrupts regular operations. Belmont would also lose an important benefit: the current balance of 3 members, each with a 3-year term, follows a congenial rotation of roles and responsibilities. This setup removes the incentive for in-fighting, politicking, or lobbying another member outside Open Meeting.
4. **It will reduce government transparency.** A 5-member board would allow 2 members to discuss and coordinate outside of Open Meeting law. Members of the public would lose their right to be present for discussions between 2 Select Board members, and could miss their window to participate before decisions are made.

There is a better, standard process: with approval from the voters, Belmont would form a 9-member Charter Commission (also elected by the voters) to recommend a new structure for our local government. This recommendation first goes to Town Meeting and then the voters for final approval.

We urge you to vote No on Article 10 to save money, keep us focused on Belmont's highest priorities, support operational efficiency, and preserve your access to observing Select Board discussions. If you strongly support a 5-member board, a Charter Commission is the right process.

Note: The *Select Board* was known as the *Board of Selectmen* until 2019, when Town Meeting approved the current gender-neutral name. This document uses “Selectmen” only for names and quotes from prior to 2019.

Resources

From the 2018 Committee to Study the Number of Selectmen (CSNS)

- [Revised Report to Town Meeting: Committee to Study the Number of Selectmen \(Feb 2018\)](#)
- [Committee to Study the Number of Selectmen: Final Report Appendices Supplement \(Jan 2018\)](#)
- [Comparable Town By-Laws on the Role of Board of Selectmen \(Jan 2018\)](#)

From the Collins Center

- [Collins Center Report and Transmittal Letter \(2022\)](#) and [Select Board Ranking/Preferences \(2022\)](#)

State Laws

- [An Act Establishing the Position of Town Administrator in the Town of Belmont \(2014\)](#)
- [Guide for Members of Public Boards and Commissions \(Open Meeting Law / OML\)](#) and [Open Meeting Law FAQ](#)

Expanding the Select Board Through a Charter Commission

Towns typically expand their Select Board and define the structure, powers and responsibilities of each role through a Town Charter. Belmont has never had a Town Charter. Creating a Town Charter must be initiated by the voters and follow a regulated, public process led by an independent, elected, 9-member Charter Commission.

1. The process starts with a petition from at least 15% of the Town’s voters. Once the required signatures are certified, the question of creating a Charter is placed on the local ballot, alongside electing possible Commission members.
2. The Charter Commission will only be formed if voters approve the ballot question to create a Charter, with the Commission then being filled by the 9 candidates receiving the most votes.
3. The Charter Commission then follows a public process to study and recommend the structure of the Town government to be codified in the Town Charter.
4. The Commission’s recommendation, if any, is then presented to Town Meeting for amendments and approval.
5. If approved by Town Meeting, the Charter is then brought to the voters for final approval.

It is typical that a newly created Town Charter will need some amendments and revisions in the first few years. Amending an existing Charter is a faster, simpler process than initially creating the Charter.

Petition's Premise

A 5-member Select Board would allow for more effective assignments of tasks. Expanding the board would help complete more work in less time, and result in faster decision-making on key issues

Facts

Expanding the board would not help complete more work in less time. Larger boards tend to act more slowly than smaller decision-making bodies by taking more time to deliberate and get buy-in among more members.

Responses from former Select Board members reflect varying styles of Boards and Board Chairs, and how initiatives are spread out among members and terms.

A 5-member board would require at least an additional 1.5 FTEs and \$200K budget to support keeping Board members informed and up-to-date for operational decisions.

To achieve the stated efficiencies, the Town would need to strengthen the role of the Town Administrator and elevate the Select Board to be more focused on policy, an observation supported by former Select Board members in the [CSNS Appendices \(2018\)](#). The additional agency for Town Departments would result in faster decision-making on operational issues and reduce management overhead. According to the 2014 Act, the Town Administrator shall *“perform all functions for which the town administrator is given responsibility, authority or control by this act, by-law or vote of the board of selectmen.”* Also see [recommendation #1.5 in the Collins Center Report \(2022\)](#).

Belmont has a lot of Committees compared to similar towns. Given the staff time required to support each Committee or Working Group, non-voting liaison roles have been largely eliminated, and the current Select Board is seeking ways to reduce the number of Committees. With 5 members, the Select Board would be unlikely to increase non-voting liaison positions to other Committees.

Petition's Premise

Towns with similar population and/or budget typically have 5-member Select Boards.

Since 2018, the Select Board's authority to make appointments has increased.

Facts

Population and budget are not the key drivers. Municipalities with similar population and/or budget typically have 5-member policy boards which are much less involved in day-to-day operations compared to Belmont.

Two factors correspond to a 5-member Select Board:

1. A Town Charter or comprehensive Town Administration home rule
2. A strong Town Administrator or Town Manager

The less involved in daily operations, the larger the elected board. Municipalities with a mayor may have a 9-person council.

Voters approved the Select Board appointing the Town Treasurer (April 2023) and Board of Assessors (April 2024)—highly technical and regulated positions that are a very tiny part of what the Select Board covers. In practice, the Town Administrator follows the standard process for a job opening to hire a Treasurer, with the Select Board having final approval over the hiring decision.

The Town now has a unified and aligned financial department as recommended by the 2022 Collins Center Report #1.2 and #1.4 and best practices. This change has simplified Town operations, made work more efficient, and enabled progress on senior tax relief.

Belmont gains so much from our many volunteers. Each year the Select Board encounters appointment decisions without enough candidates, or having only as many volunteers as available seats. Many volunteers serve on multiple committees, and some board charges require appointing a volunteer already serving on another committee.

Petition's Premise

Facts

Serving on the Select Board is a lot of work.

Serving on the Select Board is a lot of self-assigned work. The [CSNS Appendices \(2018\)](#) contains survey responses from former members who reported a range of “typical” 5 to 20 hours/week, with varying times of 0 hours during lulls or up to 50 hour/week during busy times.

There is consensus that this work is self-assigned in order to help Town staff and make Belmont a better place, and not a bottleneck on the productivity of our local government. Comments show Boards have varied over the years regarding how much work the Chair does alone versus splitting it among the members.

Since 2018, the Select Board's authority to craft financial policy has increased.

The Select Board's authority on financial policy has not changed since 2018. Town Meeting approves the budget and appropriates funds. The Warrant Committee advises Town Meeting on financial matters. None of this has changed since 2018.

The town's budget is more complex today than in 2018.

Municipal budgets are complex. The Town has made operational changes that have simplified the budget, the budgeting process, and the documentation and communication of each fiscal year's budget. For example, the Shared Services model has unified common functions and saved money.

Since 2022, the Budget Summits provide public open meetings to discuss and deliberate budget decisions.

Budget materials, including those from the Budget Summits, are posted to <https://www.belmont-ma.gov/town-budget-information>

Budget Summits are joint meetings of the Select Board, School Committee, Warrant Committee and Comprehensive Capital Budget Committee for each step in the budget process leading up to Town Meeting. The Warrant Committee's report to Town Meeting on the FY25 budget is posted to <https://www.belmont-ma.gov/warrant-committee/files/fy25-warrant-committee-report>

Petition's Premise

A 5-member board would provide residents more opportunities to engage board members. Five members would ensure concerns would be addressed more quickly and efficiently.

Open Meeting Law prohibits deliberations between even 2 members of a 3-member board. A 5-member board would allow 2 members to deliberate and collaborate outside of open meetings, streamlining decision-making.

Expanding the board to 5 members is a step toward greater transparency and accountability.

Facts

A 5-member board would give residents two additional board members to reach, and residents would need to convince 3 board members, rather than 2, to achieve a majority on an idea, concern or issue.

Larger boards tend to act more slowly and require longer meetings to give everyone time to speak. It is unlikely more items would be addressed, or that those items would be decided more quickly, than by a 3-person board.

The Select Board would still need to meet in Open Meeting and vote to make decisions and take official actions.

With a 5-member Select Board, 2 members could discuss, coordinate, gather support and make up their minds all before discussing and voting on the issue in Open Meeting. In theory, this change could speed up decision making in Open Meeting but at the cost of transparency and public participation.

See the opposite point below about transparency and accountability.

A 5-member board could allow discussions and collaborations among 2 members without public oversight. There would be no Open Meeting Law requirements that the time, location, content, nature or result of these discussions be observable by the public.

Board members would have to be vigilant to avoid serial deliberation on a topic under Select Board jurisdiction. If content of a discussion between 2 members were to reach a 3rd member, it could be a violation of Open Meeting Law. The Board can only act by vote in Open Meeting, so official actions and official decisions by a 5-member Select Board must still happen during public sessions.

See the opposite point above about 2 members deliberating outside of Open Meeting to streamline decision-making.

Petition's Premise

Facts

A 5-member board could establish 2-member subcommittees to work on specific issues to expedite projects and priorities rather than delay due to limited board capacity.

Town priorities are not delayed or limited by Select Board capacity.

A formal working group or subcommittee, even of just 2 members, would still need to comply with Open Meeting Law: posting agendas, meeting minutes, and deliberating in Open Meetings.

Informal collaboration and communication between 2 members of a 5-member board would be permitted under Open Meeting Law. See the caveat above about serial deliberations.

A 3-member Select Board limits the range of perspectives in our decision-making process. A 5-member board would bring more diversity of thought and expertise to the table.

A 3-member board does not limit who can run or consider running in any election. It would be up to potential candidates and the voters if a 5-member board and 2 more total seats would bring more diversity and wider range of expertise to the Board.

In theory, a 5-member board could bring more personalities, experiences, and opinions to the Select Board for both better and worse. This would come at the cost of slowing down decisions and communicating priorities.

With 5 members, at least 2 would never become chair during their term. Belmont's 3-member board rotates responsibilities, roles and titles equally over 3 years without in-fighting, factions and positioning to become chair or hold a seat on a specific committee. This enables the 3 members to focus on serving Belmont each year.

Expanding the Select Board to 5 members gives voters more competition and a louder voice in local government. Keeping a 3-member board restricts democratic participation and shields those in office from necessary feedback and critique.

It is an open question who would decide to run were the Select Board expanded from 3 to 5 members, and whether elections would be more competitive.

Most 5-member boards still use 3-year terms for each member, electing 2, 2 and 1 member in a 3-year cycle. There is no evidence a 5-member board would lead to more contested elections, increase voter participation, or increase feedback and critique of serving members.

The current structure with 3-members, each with 3-year terms, allows for a congenial rotation of roles and responsibilities without politicking or excluding any member from becoming Chair.

Petition's Premise

Facts

If Town Meeting approves Article 10, the State will have to approve a home rule petition and the expansion would not take place in time for the April 2025 election.

If Town Meeting approves Article 10, the Select Board will work with Town Council to submit a home rule petition to expand the Select Board from 3 to 5 members. This process would likely take more than a year, and would not happen before the April 2025 local election.

The Town Administrator's authority has increased since 2018.

Town Treasurer is a highly technical and regulated position, and does not meaningfully increase the Administrator's authority. Even so, the hiring decision must be ratified by the Select Board.

The Town Administrator's authority was established in the [2014 Act Establishing the Position of Town Administrator](#). With voter approval in 2023, the Town Treasurer was folded into the finance department and is now hired by the Town Administrator.

No additional authority has been given to the Town Administrator over Assessors or any other department since 2014. The Select Board appoints the Board of Assessors. The Town Administrator continues to hire the Assessing Administrator, and that has not changed since the Acts of 2014.

The shift from elected to appointed Assessors has increased the Town Administrator's responsibilities.

The shift to appointed Assessors has not increased the Town Administrator's responsibilities. Belmont's Town Administrator works closely with the Select Board. Plans, ranging from significant to the seemingly less-significant are presented and discussed in Open Meeting, and carried out with the support of the Select Board.

Unifying the financial department has improved efficiency, saved time and money, and reduced administrative time. The Select Board appoints the members of the Board of Assessors to 3-year terms. Following accepted practice and Collins Center recommendation #1.8, the Select Board appointed the Assessing Administrator, who is a Belmont resident, to the Board of Assessors. The Assessing Administrator brings key experience and expertise to the Board of Assessors.