

RECEIVED  
TOWN CLERK  
BELMONT, MA

2018 JUL 30 AM 9: 27

MINUTES  
TOWN OF BELMONT  
BOARD OF SELECTMEN \*REVISED  
CONFERENCE ROOM  
BELMONT HIGH SCHOOL  
MAY 2, 2018  
5:00PM

APPROVED  
BOARD OF SELECTMEN  
DATE: 7/16/18

I. CALL TO ORDER

A regular meeting of the Board was called to order in open session at 5:08 p.m. by Chair Adam Dash on Wednesday, May 2, 2018 and introduced Vice Chair Mark Paolillo.

II. COMMUNITY ANNOUNCEMENTS

III. QUESTIONS FROM TOWN RESIDENTS

IV. ACTION BY CONSENT

**"Belmont Gives" – Kate Lester**

Chair Dash explained that Ms. Lester had attended Office Hours scheduled with him and shared her idea for "Belmont Gives" and she is before the Board of Selectmen to explain her program idea.

Ms. Lester is a Belmont High School Senior. Her experiences living in Belmont have given her great appreciation for her community in comparison to the conflicts in the world such as Syria where chemical attacks are reported. She wants to promote an annual program asking for donations of one dollar (or more) from individuals in Belmont. Her goal is to collect \$10,000 to \$15,000 in one day and donate the collection to a charity or location, either locally or internationally. Ms. Lester hopes that the annual program will inspire our community and make individuals feel that each person can make a difference.

Vice Chair, Paolillo favors the concept. He recommended structure needed regarding the status of the fundraising effort and said the Board of Selectmen would be interested in helping to frame the program plan.

Town Administrator, Patrice Garvin will meet with Ms. Lester to set up the program.

**Discussion and Vote on Special Town Meeting Article and Amendments 1, 2, and 7**

Town Clerk, Ellen Cushman joined the meeting regarding the Special Town Meeting Article and Amendments to discuss the schedule for required actions pending vote of the Town Meeting Members. During the discussion at the Special Town Meeting, George Hall will present the information before the voting. A Town election is required if

### **Approval of Change of Hours to the Liquor License Application Amendment for Art's Specialties, LLC, 369 Trapelo Road**

The Owner of Art's Specialties appeared to request a change in hours to allow liquor the change in hours from closing at 8PM to 10PM Monday through Saturday.

The Selectmen asked whether there are other retailers open until 10PM. Star Market and Spirited Gourmet are open later than 8AM. Chair Dash asked that the owner of Art's whether she had contacted neighbors to determine whether there are objections. None of the neighbors she has spoken with objected.

Retail Licenses: The hours during which sales of alcoholic beverages may be made by a licensee for consumption of alcoholic beverages off the premises shall be from 8:00 A.M. to 11:00 P.M. Monday through Saturday, from 8:00 A.M. to 11:30 P.M. on any day immediately preceding a legal holiday, from 10:00 A.M. to 11:00 P.M. on Sundays, and from 12 noon to 11:00 P.M. on Memorial Day. Such sales of alcoholic beverages are not permitted on Christmas Day or Thanksgiving Day.

### **Veteran's Memorial Project Update**

Members of the Belmont Veterans Memorial Committee met with the BOS to finalize their approval for the Veterans Memorial at Clay Pit Pond. They had met with the Conservation Commission on April 10, 2018 and received a conditional approval for the project pending receipt of the final construction drawings.

Their next step is to receive the Board of Selectmen approval as Park Commissioners They hope to do this in time to ensure it is ready for the planned November 11, 2108 dedication.

### **Capital Budget Committee Update**

Anne Marie Mahoney, Chair of the Capital Budget Committee, came in to update the Board on what the Capital Budget Committee has done this past cycle and what they are looking to in the coming cycle.

### **Approval of request from Cushing Square Merchant Association to hold Annual Fall Festival on September 22, 2018 from 10AM to 5PM**

This item was tabled to a later Board of Selectmen's meeting to allow the Cushing Square Merchant Association to meet with the Police Department regarding the Police detail necessary for the Annual Fall Festival.

### **Accept a Gift of \$200 from Dr. David Alper for use by the Health Department for the Golden Shoes Health and Wellness Campaign from May 1 to May 30, 2018**

The Board moved to accept the gift, and thanked Dr. Alper for his generous donation  
The motion passed unanimously (3-0).

## **Discussion and Vote on Annual Town Meeting Segment “A” Warrant Articles and Amendments**

Administrator Garvin and Attorney George Hall, Town Counsel described the Special Town Meeting Article and Amendments for discussion by the Board of Selectmen.

The statutory provision and regulations by the Cannabis Control Commission (CCC) include four categories of establishments: Cultivation, Independent Testing Laboratory, Retail, and Manufacturer. Consumption (café) and home delivery have been removed from legislation currently, but are expected to be included in legislation in the future.

The actual text voted by Town Meeting is required to be brought to the local ballot. It is not technically correct that Planning Board Zoning regulation can restrict the number of locations. No time, place or manner shall be used to restrict licenses.

The Amendments are intended to allow for a vote to exclude various marijuana establishments within Belmont as follows:

Exclusion of all establishments, except retail sale establishment

Exclusion of all establishments, except cultivation establishment

Exclusion of all establishments, except testing facilities

Amendment #4, #6, #2 call for a sunset provision for each option and Amendment #3, #5, #1 contain no sunset provision. The choice to opt out of the marijuana establishment was in Amendment #1 and Amendment #7.

Another ballot vote would be required in 2021 regarding allowance of recreational marijuana following changes in the legislation. Home delivery cannot be controlled by ballot unless Town Meeting Members vote the language. The maximum number of establishments in Belmont is two because the legislation provides that the licenses available must round up based on the number of alcohol licenses within the Town of Belmont.

Vice Chair Paolillo stated that he was not opposed to recreational establishment for retail sale but he was very much opposed to home delivery. Chair Dash stated that illegal “home delivery” was already occurring in Belmont.

*Move to Favor Special Town Meeting Amendment #1 to Article 1 calling for Retail-establishments only in Belmont.*

The motion passed unanimously (3-0).

*Move to Favor Special Town Meeting Amendment #7 to Article 1 calling for a limit the number of Retail establishments to not more than 20% of alcohol licenses allowed in Belmont.*

The motion passed unanimously (3-0).

*Move for* Favorable action on Special Town Meeting Article 1 as amended.

The motion passed unanimously (3-0).

*Move for* Unfavorable action on Special Town Meeting Article 1 to place reconsideration of the question on the ballot in Belmont.

The motion passed unanimously (3-0).

**Discussion and Vote on Annual Town Meeting Segment “A” Warrant Articles and Amendments**

Article 8 “Amend Zoning By-Law: Marijuana Establishment Extend Temporary Moratorium” is the Planning Board article to extend the zoning moratorium through December 31, 2018.

*Move for* Favorable action on Article 8 of the Annual Town Meeting to Amend Zoning By-Law: Marijuana Establishment Extend Temporary Moratorium to December 31, 2018.

The motion passed unanimously (3-0).

Article 9 “Marijuana Sales Tax”

*Move for* Favorable action on Article 9 of the Annual Town Meeting to enact Marijuana Sales Tax in Belmont.

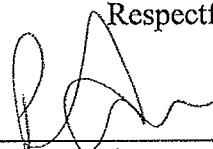
The motion passed unanimously (3-0).

VI. BOARD OF SELECTMEN COMMITTEE LIAISON REPORTS

Next Meeting: Monday, May 7, 2018 5:30 P.M. at Belmont High School (221 Concord Avenue), Conference Room

The Board moved to adjourn the meeting at 6:20 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Patrice Garvin', written over a horizontal line.

Patrice Garvin, Town Administrator