



MOTIONS
2024 ANNUAL TOWN MEETING
April 29, 2024
Draft as of April 23, 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, 5, 6, 4, 11, 12, 16, 19,
7-10, 13, 14, 17, 18, 20-24

(Majority vote.)

ARTICLE 1

REPORTS

MOVED: That the report of the Select Board and other Town Officers, any Committee heretofore appointed be accepted.

MOVED: That Article 1 be laid on the table.

MOVED: Article 1 be taken from the table.

Majority vote required for passage.

ARTICLE 2 AUTHORIZATION TO REPRESENT THE TOWN'S LEGAL INTERESTS

MOVED: That the Select Board be, and it hereby is, authorized to bring and defend actions for and against the Town, to submit any such claims to arbitration and to enter into settlement on account of the same in behalf of the Town, as and when they deem it for the best interest of the Town to do so; said power shall be vested solely in the Select Board.

The Select Board will report on this Article.

Majority vote required for passage.

**ARTICLE 3 AMEND STORMWATER MANAGEMENT AND EROSION CONTROL
GENERAL BYLAW**

MOVED: To amend the General Bylaws §60-325 “Stormwater Management and Erosion Control” to correctly specify the department, division, or administrative unit of the Town that will administer §60-325, and to correct certain punctuation, as follows:

- A. Insert a new definition in §60-325.B to follow the definition of Construction Site:

DEPARTMENT – Town of Belmont Department of Public Works, or such other department, division, or administrative unit of the Town that the Select Board may designate from time to time to administer all or any portion of this §60-325.

- B. Delete the definition “OCD” in §60-325.B.
- C. Amend §60-325 by replacing all references to “Office of Community Development” and “OCD” with the term “Department”.
- D. In the definition of Alteration in §60-325.B, correct the punctuation by deleting the comma after the word “activity.”

The Select Board and Town Engineer will report on this Article.

Majority vote required for passage.

ARTICLE 4 AMEND ZONING BY-LAW - RESTAURANT PARKING

MOVED: To see if the Town will vote to amend the Zoning By-law by replacing the existing Section 5.1.2 d) Restaurant Parking:

~~d) Restaurant: one parking space per 2 persons seating capacity. For purposes of calculating parking requirements, up to 20 outdoor seasonal seats shall not count in total seating capacity.~~

with the following:

d) Restaurant: one parking space per 4 persons seating capacity. For purposes of calculating parking requirements, up to 20 outdoor seasonal seats shall not count in total seating capacity.

1. Creditable parking: the following spaces may be credited towards meeting these requirements:

- i. All on-site spaces;
- ii. In all Business Districts: legal on-street parking spaces, within 1,000 feet of any entrance to the restaurant, in any Business District; and;
- iii. Parking spaces located on another parcel, pursuant to Section 5.1.3(a).

2. Special Permit for reduction in parking requirement:

- i. Applicants may seek a Special Permit from the Board of Appeals to reduce the number of spaces below the number required by this Section 5.1.2(d).

ii. The Board of Appeals may consider, in addition to the Special Permit criteria of Section 7.4.3, whether:

- Feasible alternatives for providing necessary parking, including off-site parking, exist; and
- Any special circumstances making a reduced number of spaces adequate for all parking needs.

iii. Where a Special Permit is required under this Section 5.1.3(d)(2), no Design and Site Plan review pursuant to Section 7.3 is necessary from the Planning Board.

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

Two-thirds majority vote required for passage.

ARTICLE 5 AMEND ZONING BY-LAW - AMENDMENTS TO SECTION 4, INTENSITY REGULATIONS

MOVED: That the Town amend Section 4 of the Belmont Zoning Bylaw as printed in Article 5 of the warrant for this Town Meeting, exclusive of the bolded and italicized explanatory comments, and with the substitution of the following text for the text in Subpart 5 of the Article:

Replacing the text of Section 4.3.3, Unenclosed Steps and Similar Projections, as written with the following:

Subject to Section 4.3.7, the provisions of Section 4.2 shall not apply to:

1. Unenclosed steps, unroofed porches, ramps for the handicapped or other similar features which are not more than three feet high above the adjacent grade and which do not project more than four feet from the foundation wall and in no event are closer than 4 feet to a lot side lot line and 10 feet to a lot rear lot line.
2. Permanent coverings, such as roofs or awnings, affixed to the first story of a dwelling, covering entrances and exits to and from a dwelling, and projecting no more than 5' from the face of the building and no more than 4' horizontally from the outer edges of the door panels, except that no such covering shall extend more than 2' beyond the footprint of the structure and encroach into a side yard.

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

Two-thirds majority vote required for passage.

ARTICLE 6 AMEND ZONING BY-LAW - AMENDMENTS TO SECTION 1, GENERAL, SUBSECTIONS 1.4 DEFINITIONS AND ABBREVIATIONS AND 1.5 NONCONFORMING USES AND STRUCTURES

MOVED: That the Town amend Sections 1.4 and 1.5 4 of the Belmont Zoning Bylaw as printed in Article 6 the warrant for this Town Meeting, exclusive of the bolded and italicized explanatory comments, and with the substitution of the following revisions to the definitions of "Grade" and "Floor Area Ratio" in Subpart 2 of the Article:

Grade - The average of the ground level adjoining the building at all exterior walls based upon the existing contour lines. Contour lines shall be illustrated on a plan and shall be established prior to any filling or earth moving/removal activities. The grade shall not be raised more than 12 inches to allow for proper drainage. For the purpose of calculating grades, foundation wall surfaces that are affixed to attached garages with slabs on grade are excluded from such calculations.

Floor Area Ratio - The ratio of gross floor area to the lot area of the lot. In determining gross floor area for these purposes only, any building area having floor-to-ceiling height in excess of 15 feet shall be counted twice. This double-counting provision shall not apply in residential dwellings.

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

Two-thirds majority vote required for passage.

ARTICLE 11**SALARIES OF ELECTED OFFICIALS**

MOVED: That the elected officers of the Town be paid as salaries for the fiscal year commencing July 1, 2024 the amount set forth opposite the name of each office as listed below:

Elected Officials of the Town	FY2025 Salary
Town Moderator	\$ 450
Chair of the Select Board	\$ 5,000
Select Board (2)	\$ 4,500
Town Clerk	\$ 108,687
Chair of the Board of Assessors	\$ 3,030
Assessors (2)	\$ 2,200

The Select Board and the Warrant Committee will report on this article.

Majority vote required for passage.

ARTICLE 12**MWRA I/I FINANCIAL ASSISTANCE PROGRAM PHASE XI**

MOVED: That the Town appropriates **\$260,000.00** to participate in the Massachusetts Water Resource Authority's Infiltration/Inflow Local Financial Assistance Program for the purpose of designing and constructing improvements to Phase 11 of the sanitary sewer drain system not to exceed a ten-year term of borrowing, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount pursuant to M.G.L. c. 44, §8(5), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. All or any portion of this borrowing may be undertaken through the Massachusetts Water Resources Authority's Loan Program ("MWRA"). The Treasurer and the Select Board are authorized to execute and deliver any and all documents and agreements that may be required by the MWRA in connection with any borrowing through the MWRA.

Submitted by the Select Board

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

Two-thirds vote required for passage.

ARTICLE 16 ESTABLISH AN OVERRIDE MITIGATION GENERAL STABILIZATION FUND

MOVED: That the Town establish an Override Mitigation General Stabilization Fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws for the purpose of setting aside funds for use in future budgets to reduce the need for additional budget override requests.

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

Two-thirds majority vote required for passage.

ARTICLE 19 ADOPT MUNICIPAL BUILDINGS INSURANCE FUND

MOVED: A. That the Town accept the provisions of General Laws Chapter 40, Section 13 to establish a municipal buildings insurance fund to fund insurance deductible payments.

 B. That **25,968.50** be appropriated from the Insurance Proceeds special revenue fund to the Municipal Buildings Insurance Fund for insurance deductible payments.

The Select Board and the Warrant Committee will report on this article.

Majority vote required for passage.