

TOWN OF ARLINGTON  
BOARD OF SELECTMEN

Meeting Minutes  
Monday, August 17, 2015  
7:15 PM

Present: Mr. Greeley, Chair, Mrs. Mahon, Vice Chair, Mr. Dunn, Mr. Byrne and Mr. Curro, Jr.  
Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Sullivan.

Chairman Greeley requested a moment of silence in memory of Catherine Malatesta, an Arlington High School honors student, who passed away on August 2 at age sixteen.

**CONSENT AGENDA**

1. Minutes of Meetings: July 13, 2015
2. Reappointment: Zoning Board of Appeals  
Suzanne Rivitz Spinney  
(term to expire 10/1/2017)
3. Request: One Day Beer & Wine License, 9/12/15, for 2<sup>nd</sup> Annual Moonlight Beach Party @ the  
Arlington Reservoir  
Joe Connelly, Director of Recreation  
Jennifer Rothenberg, Park Commissioner
4. For Approval: Arlington Center for the Arts 16th Annual Arlington Open Studios; (1) Arts Center to  
be open on Sunday, October 18 from 12:00 p.m. - 5:00 p.m.; and (2) Waiver of "resident only parking"  
restrictions on Tufts and Foster Streets for Saturday, October 17 and Sunday, October 18.  
Pamela Shanley, Arlington Open Studio Director
5. For Approval: Arlington Center for the Arts, Open Studios' Banners  
Linda Shoe maker, Arlington Center for the Arts Executive Director  
Mr. Byrne moved approval. SO VOTED (5-0)

**PUBLIC HEARINGS**

6. Eversource Petition/Massachusetts Avenue  
Richard M. Schifone, Supervisor Rights and Permits (all abutters notified)  
Ms. Duffy reported that it is for the electrical improvement to prevent future outages.  
Mrs. Mahon moved approval. SO VOTED (5-0)
7. Permanent Town Building Committee  
Mr. Greeley  
Robert J. Jefferson, Fire Chief  
(term to expire 6/30/2016)  
Mr. Curro moved approval. SO VOTED (5-0)
8. Council on Aging  
Ann Fitzgerald  
Jill Greenlee  
(terms to expire 6/30/2018)  
Mr. Curro moved approval. SO VOTED (5-0)
9. Vision 2020 Standing Committee  
Mary Harrison

(term to expire 6/30/2016)  
Mr. Byrne moved approval.

SO VOTED (5-0)

Annie LaCourt  
(term to expire 6/30/2017)  
Mr. Dunn moved approval.

SO VOTED (5-0)

Julie Brazile  
(term to expire 6/30/2018)

Ms. Brazile stated that by engaging citizens, sub-committees and working groups it puts more structure in the collaborative part of making V2020 work. She further commented that the advisory board has a student vacancy to fill which they will be working on soon.

Mrs. Mahon moved approval.

SO VOTED (5-0)

10. Zoning Board of Appeals, Associate Members

Joseph Moen, Esq.

(term to expire 10/1/2016)

Patrick J. Quinn

(term to expire 10/1/2017)

Mrs. Mahon stated she appreciated the expertise both candidates bring to the ZBA and asked them going forward to interface more with the Board of Selectmen.

Mr. Byrne moved approval.

SO VOTED (5-0)

**LICENSES & PERMITS**

11. Request: Sidewalk Café Permit and Alteration of Premise

Ristorante Olivio, 201 Massachusetts Avenue, Angelo DiGirolamo

Mr. Curro recommended that Mr. DiGirolamo work with the Planning Department particularly concerning the crosswalk/ramp. Mr. Chapdelaine agreed that the plans should be redrawn with Planning Department approval.

Mr. Dunn moved approval subject to all conditions set forth.

SO VOTED (5-0)

12. Request: Alteration of Premise

Blog LLC, d/b/a Common Ground, 637 Massachusetts Avenue, Bob O'Guin

Mrs. Mahon moved approval subject to all conditions set forth.

SO VOTED (5-0)

13. Request: Food Vendor License

Magic Bites Bakery, 916 Massachusetts Avenue, Antilla Ozkefli

Mr. Ozkefli stated that his European style bakery will offer made from scratch recipes all along with beverages.

Mrs. Mahon moved approval subject to all conditions set forth.

SO VOTED (5-0)

14. Approval: Hackney Carriage License Renewals

Arlex Yellow Cab – Dave Lucker (Dave's Automotive Inc.)

Arlington Veteran's Taxi – Thomas Whelan

Arlmont Transportation Co. – Louis Truscello

Boston Airport Express – Shafan Nath

Boston Ride – Abdullahi Magan

Leo's Taxi – Leo McHugh

Limolex.com/The Good Taxi – Daniel Kalantar

VTs – Michael Antonellis

Yellow Cab Arlex – Ron Bonney

Mr. Dunn moved approval subject to all conditions set forth.

SO VOTED (5-0)

## **CITIZENS OPEN FORUM – SIGN IN PRIOR TO BEGINNING OF OPEN FORUM**

The following matters were presented for consideration of the Board.

Ms. Elaine Ashton, resident of 32 Cliffe Avenue, Lexington, requested that the Town consider clearing the entire reservoir during maintenance. She pointed out that it doesn't make any sense to clean only half and that she would help to get the Lexington Conservation Commission involved because they are abutters.

Mr. Chapdelaine explained that the Lexington position has been one of refusal to contribute to the reservoir upkeep and Arlington has limited resources. Mr. Dunn suggested the Water Bodies group of Vision 2020 may be a resource where monies are replenished yearly through Town Meeting.

Mr. Bob Radochia, resident of 45 Columbia Road, requested that the Board raise the current \$50.00 fee for the café outside seating permit. He also asked that the passage widths on Broadway Plaza and sidewalks around the café outside seating areas be reviewed because of congestion and tightness.

## **TRAFFIC RULES & ORDERS/OTHER BUSINESS**

15. For Approval: Handicap Parking Sign Request

Phyllis Rickter, 88 Hemlock Street

Mr. Dunn moved approval.

SO VOTED (5-0)

16. Request: Two Accessible Parking Spaces, Maple Street

Carol Kowalski, Director, Department of Planning and Community Development

Mr. Curro moved approval.

SO VOTED (5-0)

17. Discussion: Tree Preservation Bylaw for 2016 Town Meeting Warrant

Susan Stamps, Mary Ellen Aronow, Sally Naish

Arlington Tree Committee Members

Ms. Aronow explained that this bylaw would be to promote and care for trees in Town while working alongside with Public Works. Ms. Stamps stated they have a concern with contractors clear cutting lots and that the Town currently has no ability to stop them. She further said that tree cutting is not what the Town of Arlington residents want and is not consistent with goals of the master plan. Ms. Stamps advised this should be done as quickly as possible and asked the board to support and submit this article.

Mrs. Mahon asked: 1) who bears the cost of the certified arborist or would it be the Tree Warden's responsibility and 2) understands it would be for private homes but can it be used in business/commercial such as 40B development? Mr. Heim responded that the answers would require research including Inspectional Services.

Mrs. Mahon would like this article to be applied to everything in Arlington.

Mr. Curro had concern with who is responsible for enforcement and is there a current inventory of trees in Town. He thanked them for their work and all of the information.

Mr. Byrne asked if contractors and developers were involved in the process while expressing concern that this article is overregulating the current process. He also questioned the process for an aggrieved party. Ms. Naish answered that the current appeals process is the ZBA and that this would have to be added to that process. This would also slow or stall the permitting process, which would possibly require more staff.

Mr. Dunn thanked the group for the documentation, but added he had mixed feelings about the article. He feels zoning bylaws in the Town need to be redone and that Town Meeting needs to accept that change first. He believes if one part of zoning bylaw is drawn out then it could upset the needed zoning bylaw changes.

Mr. Dunn compared it to the leaf blower controversy and the responses that resulted. He recommended to the Group that they consider approaching it as a grass root effort.

Mr. Greeley thanked the group for their work and suggested: 1) adding non-construction tree cutting and 2) planting a tree elsewhere in Town or pay money into a fund for tree replacement.

Ms. Deanne Dupont, 32 Oldham Road, spoke in favor of the article stating trees play an important part in water absorption along with changes that affect neighbors in the landscape/hardscape of surrounding properties.

Mr. Larry English, 6 Lantern Lane, spoke in favor of the article stating trees are an important part of choosing a neighborhood and that maintaining the tree canopy is important in a neighborhood. He states it is time now to act – the Town and neighborhoods need to take control.

Town Counsel Heim suggested to the Board that they direct him to work with the Tree Committee on changes to this proposed article including whether it should be a regular bylaw or zoning bylaw and who the enforcing department should be.

There was some discussion as to whether it should be submitted to Annual Town Meeting or to Special Town Meeting. It was agreed more work needed to be done and the Annual Town Meeting would be best.

Mr. Curro moved to have Mr. Heim work with the Tree Committee to develop a more concrete proposal for an article to be submitted by the Selectmen or another board. SO VOTED (5-0)

18. Discussion: Arlington Center on Street Parking Meter Policy

Steven M. Byrne, Selectmen

Mr. Byrne asked the Board to rescind the previous vote on 15 minute free parking due to technical difficulty.

Mrs. Mahon moved to rescind the vote for free 15 minute on street meter parking. SO VOTED (5-0)

19. For Authorization and Approval: Notice of Activities and Uses Limitation for Buzzell Field

Douglas W. Heim, Town Counsel

Mr. Chapdelaine

Mr. Heim requested that the Board vote to approve the execution of the AUL (Activity and Use Limitation) and authorize him to take all steps necessary to record the notice and make requisite filings with EP. This is the last necessary action to be performed in order for the Town to file with the DEP to close-out the site and attest that all necessary actions have been taken to assure the site presents no significant risk to authorize, record and notice. The AUL is a legal restriction on certain activities and uses of Buzzell Field.

Mr. Dunn moved approval.

SO VOTED (5-0)

20. For Discussion and Approval: Board of Selectmen Comments to MassHousing re: Site Approval

Application of Arlington Land realty

Douglas W. Heim, Town Counsel

Mr. Heim discussed and requested approval of the draft comments asking MassHousing to deny the application of Arlington Land Realty. This denial recommendation is based on the review of the Application, personal knowledge of the locus and the immediate neighborhood, including the history of the site; of relevant environmental and infrastructural constraints; and of Arlington's robust and documented planning for affordable housing and growth management to reach two conclusions:

First, the Application fails to satisfy threshold requirements and policies of MassHousing designed to protect the public's interest and properly promote affordable housing. Second, and most importantly, the Application fails to address substantive issues particular to the site in a manner that would give this Board any confidence of the appropriateness of this project. After much discussion by the Selectmen they all agreed supporting the second draft with the change of adding a footnote to the Master Plan/Open Space that was developed well in advance of this application and adding the Rte. 2 flooding situation goes against a transit oriented application plan.

Mr. Byrne moved to authorize the Chair to sign the letter with changes.

SO VOTED (5-0)

21. Goal Setting Update

Adam W. Chapdelaine, Town Manager

Mr. Curro asked that Mr. Chapdelaine add as an organizational goal: recruit, screen and hire a new Deputy Town Manager.

Mr. Byrne moved adoption of goals.

SO VOTED (5-0)

**CORRESPONDENCE RECEIVED**

Westminster Avenue Safety Improvements

Jim Hamilton, 138 Westminster Avenue

Mr. Byrne referred to TAC and Officer Rateau for recommendation.

SO VOTED (5-0)

Amendment to Regional Agreement

David Horton, Secretary, Minuteman School Committee

The amendment, as well as the Town of Wayland withdrawal, will only occur if approved by all sixteen of the current member towns of the district, as well as the Commissioner of Education.

Mr. Dunn reported he went to the August meeting and there was discussion on the lower student population, which will be discussed at a meeting tomorrow morning.

Mr. Curro moved receipt of report.

SO VOTED (5-0)

Opposed to 628-Student School and District Wide Election

Len Simon, Sudbury Board of Selectmen

Victoria Road Traffic Concerns

Liz Bilafer, 15 Victoria Road

Mr. Byrne referred to Officer Rateau for recommendation.

SO VOTED (5-0)

Mrs. Mahon moved receipt of correspondence.

SO VOTED (5-0)

### **NEW BUSINESS**

Mr. Chapdelaine reported that Deputy Manager Andrew Flanagan is leaving to be the new Town Manager of Andover and he will come to a future meeting to say good bye. He explained that the job was posted and a panel assembled including the Human Resource Manager Mrs. Malloy, Comptroller Rich Viscay, School CFO Diane Johnson and a department head to be named. Mrs. Mahon requested that a union representative be considered on the panel.

Mr. Chapdelaine announced Ruthy Bennett has been hired as the Facility Director/Regional Energy Manager.

Mr. Chapdelaine reported that school enrollment is increasing which may lead to utilizing the Gibbs School building-there will be more discussion on this in the future.

Mr. Byrne spoke on being present at fire training at a Dorothy Road address that was donated for training. He remarked on the deep respect he has for fire fighters and the job they do.

Mr. Byrne announced that there are negative ads in the Arlington Advocate against him regarding taxi business. He is part of a Parking Implementation Group who is trying their hardest working on optimal parking utilization in the center area which includes cab stands.

Mrs. Mahon moved to adjourn at 9:45 p.m.

SO VOTED (5-0)

A true record: Attest

Mary Ann Sullivan  
Selectmen's Office

Next Scheduled Meeting of BOS September 21, 2015

8 /17/15

Agenda Item	Documents Used
1	Draft minutes 7.13.2015
2	Spinney Reference
3	One Day Application
4	Request from Arlington Open Studios
5	Banner Request Letter
6	Engineering recommendation, Eversource request, petition, order for grant of location, map, abutter list and meeting notice, Eversource meeting notice
7	Recommendation from Permanent Town Building Committee Appointing Authority Jefferson Letter of Interest and Resume
8	Fitzgerald Reference Greenlee Reference
9	Harrison Reference LaCourt Reference Brazile Reference
10	Request from ZBA to appoint Associate Members Moen Letter of Interest, Resume, Meeting Notice Quinn Resume, Meeting Notice
11	Sidewalk application & inspection packet
12	ABCC packet
13	Food Vendor application & inspection packet
14	Hackney License Renewal packets
15	Inspections Summary Report, Police memo, Fire memo, Rickter request, meeting notice
16	Request from Carol Kowalski
17	Memorandum from Tree Committee Comparison of Tree Bylaws by Town Arlington Before and After Pictures Wellesley Tree Bylaws Weston Tree Bylaws Lexington Tree Bylaws Cambridge Tree Bylaws Newton Tree Bylaws
18	Memo from Selectman Byrne
19	Memo from Town Counsel and Notice of Activity and Use Limitation
20	1st Draft Letter 2nd Draft Letter Attachments for both drafts and final version Final version of letter as approved by Board at meeting
21	FY2016 Goals (red lined) FY2016 Goals for approval
Corr. Recv'd	Police memo, Hamilton correspondence, Meeting Notice Letter from David Horton, Minuteman School Committee Correspondence from Sudbury Board of Selectmen Bilafer correspondence, meeting notice