

TOWN OF ARLINGTON  
SELECT BOARD

Meeting Minutes  
March 11, 2019  
7:15 PM

Present: Mr. Dunn, Chair, Mrs. Mahon, Vice Chair, Mr. Curro, Mr. Hurd, and Ms. Rowe  
Also Present: Mr. Chapdelaine, Mr. Heim, and Mrs. Krepelka

1. Opening of Robbins Town Garden May 18, 2019  
Patsy Kraemer

Mrs. Kraemer stated that there will be a garden party to celebrate the restoration of the Reflecting Pool on Saturday, May 18, 2019 at 6:30 p.m., Winfield Robbins Memorial Garden. This event is co-sponsored by Arlington Garden Club, Arlington Historical Commission, Cyrus Dallin Art Museum, Friends of Robbins Town Gardens and Town of Arlington.

**CONSENT AGENDA**

2. Minutes of Meetings: February 25, 2019
3. Request: Special (One Day) Beer & Wine License, 3/19/19 at Robbins Memorial Town Hall for Chamber Annual Dinner  
Beth Locke, Arlington Chamber of Commerce
4. Request: Special (One Day) Beer & Wine License, 3/23/19 at Robbins Memorial Town Hall for 'Beats for EATS' Fundraiser  
Lauren Ledger, Arlington EATS
5. Request: Special (One Day) Beer & Wine License, 3/30/19 at Robbins Memorial Town Hall for 'Hardy School Silent Auction' Fundraiser  
Patsy O'Brien, Hardy School PTO
6. Request: Special (One Day) Beer & Wine License, 3/31/19 at Robbins Memorial Town Hall for a Private Event  
Cathy Cabrera
7. Reappointment: Board of Youth Services  
Justine Bloch (term to expire 1/31/2022)  
Mrs. Mahon moved approval. SO VOTED (5-0)

**LICENSES & PERMITS**

8. For Approval: Common Victualler License  
Villa House of Pizza, 1367 Massachusetts Avenue, Sumendra Shrestha  
Mrs. Mahon moved approval. SO VOTED (5-0)

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

9. For Discussion and Approval: Authorization to Execute Consolidated Revised Community Host Agreement with "Apothca, Inc." Previously Known as the Massachusetts Patient Foundation, and Provide Letter of Non-Opposition  
Adam Chapdelaine, Town Manager  
Douglas Heim, Town Counsel

Town Counsel Heim stated Apothca would like a revised host agreement with the Town. The company intends to seek approval from the appropriate state regulatory authority to move its operation from 11 Water Street, Suite 3B, to 1386 Massachusetts Avenue. Select Board Member Hurd expressed displeasure with learning about this request on short notice. Ms. Rowe agreed with Mr. Hurd saying people will be looking at this carefully. Select Board Member Curro asked the Town Manager if there were any other potential applicants. Mr. Chapdelaine stated that three groups had reached out to his office, but only Apothca had submitted their request.

Attorney Philip Silverman of Vicente Sederberg and Joseph Lekach, an Apothca Partner, represented the applicants for a revised host agreement. They feel moving from Water Street to 1386 Massachusetts Avenue is a better location with more parking. Mr. Lekach stated that his company's success included a site on the Lynnway which 50,000 vehicles pass daily.

Attorney John Leone introduced potential competition, Steve LaBelle of East Freetown. Attorney Leone stated his client was seeking no immediate decision but wanted to inform the Board his clients are looking at 1306-1308 Massachusetts Avenue for a marijuana outlet. Mr. LaBelle said he and his partner were consultants and have a complete package ready to submit.

Ms. Rowe feels that the two candidates seeking the seat on the Select Board should be informed of these applications.

As to a timeline, Select Board Member Dunn stated the next Board meeting would be set aside to discuss the process for dealing with applicants and he expects votes on a host agreement in late April or May. Select Board Member Hurd moved to table until the Board's next meeting on March 25th.

SO VOTED (5-0)

## **WARRANT ARTICLE HEARINGS**

10. Articles for Review:

Article 27 Bylaw Amendment/Time Limit for Town Meeting Speakers

Mr. Michael Jacoby Brown submitted his petition asking to amend the Town Bylaws to reduce the time limits for Town Meeting speakers by two minutes. Mr. Brown feels that presentations could be made in a shorter time frame. The Board recommended to refer this Article to the Town Meeting Procedures Committee and the Town Moderator.

Mr. Curro moved favorable action.

SO VOTED (4-1)

Mr. Hurd voted in the negative.

Article 30 Bylaw Amendment/Waterline Replacement

Michael Rademacher, Director of Public Works

Mr. Rademacher stated the intent of the proposed Bylaw, as he understands it, would require water service lines to be inspected prior to the sale of a property, and if found to be defective, that the line be replaced prior to the sale. Mr. Rademacher stated the inspection of the service line is often overlooked during the sale of a home, possibly leaving a new homeowner with the added cost of replacing the water

service should it fail. He believes such a bylaw will have the benefit of protecting new home buyers as well as help the Town reduce its unaccounted for water.

Mrs. Mahon moved favorable action.

SO VOTED (3-2)

Mr. Dunn and Mr. Hurd voted in the negative.

Article 35 Bylaw Amendment/Short-Term Rental Regulations

Mr. Curro moved favorable action.

SO VOTED (5-0)

Article 41 Vote/Arlington Redevelopment Board Membership and Terms

Christopher Loreti

Mr. Loreti stated that he would like Town Meeting Members to vote to change the membership of the Arlington Redevelopment Board from four members appointed by the Town Manager and one appointed by the State to four members elected by the voters of the Town and one appointed by the State, and change the terms of all members to five years.

Mrs. Mahon moved no action.

SO VOTED (4-1)

Mr. Hurd voted in the negative.

Article 53 Endorsement of Parking Benefit District Expenditures

Mrs. Mahon moved favorable action.

SO VOTED (5-0)

Article 78 Resolution/Indigenous Peoples' Day

Christine Bongiorno, Director of Health and Human Services, asked the Board to table Article 78.

The Human Rights Commission Co-Chairs reported that they would like to take time over the next year to finalize plans for this article.

Mrs. Mahon moved no action.

SO VOTED (5-0)

## **FINAL VOTES & COMMENTS**

Articles for Review:

Article 31 Bylaw Amendment/Rename Community Preservation Committee

Article 32 Bylaw Amendment/Tree Protection and Preservation

Article 33 Bylaw Amendment/Notice of Demolition

Article 36 Vote/Election Modernization Study Group

Article 37 Vote/Remove Police Chief From Civil Service

Article 42 Home Rule Legislation/Town Treasurer

Article 47 Acceptance of Legislation/PEG Access Fund

Article 50 Local Option/ Short Term Rental Impact Fees

Mrs. Mahon moved approval.

SO VOTED (5-0)

## **NEW BUSINESS**

Mr. Heim stated that he was looking for an Article presented to Town Meeting in 1971 and came across hand written notes from former Town Counsel Joseph Purcell and wanted the Board to know that all 132 Articles were hand written by Attorney Purcell.

Mr. Chapdelaine attended the EcoFest at Town Hall on Sunday, March 3rd and it was a great event.

Ms. Rowe stated she attended the Police Department Annual Award Ceremony on Thursday, March 7th and had a great time.

Mr. Hurd stated he also attended the EcoFest Event and the Police Award Ceremony and had a great time at both events.

Mr. Curro and Mr. Dunn both attended that Long Range Planning Committee meeting this morning. At the meeting Michael Mason, CFO School Department, presented a 5 year plan regarding enrollment growth from FY20 - FY24 which was very well received. The next meeting will be Wednesday, March 20th.

Ms. Rowe asked if Mrs. Krepelka would make arrangements to have a five minute presentation about Mill Brook shown to the Board at their March 25th meeting.

Mrs. Mahon moved to adjourn at 9:50 p.m.

SO MOVED (5-0)

Next Scheduled Meeting of Select Board March 25, 2019

A true record attest

Marie A. Krepelka  
Board Administrator

3/11/2019

Agenda Item	Description
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6	Request: Special (One Day) Beer & Wine License, 3/31/19 at Robbins Memorial Town Hall for a Private Event - Cathy Cabrera
7	Reappointment: Board of Youth Services, Justine Bloch (term to expire 1/31/2022)
8	For Approval: Common Victualler License, Villa House of Pizza, 1367 Massachusetts Avenue, Sumendra Shrestha
9	For Discussion and Approval: Authorization to Execute Consolidated Revised Community Host Agreement with "Apothca, Inc." Previously known as the Massachusetts Patient Foundation and Provide Letter of Non-Opposition, Adam Chapdelaine, Town Manager, Douglas, Town Counsel
10	Articles for Review: Article 27 - Bylaw Amendment/Time Limit for Town Meeting Speakers Article 30 Bylaw Amendment Waterline Replacement Article 35 Bylaw Amendment/Short-Term Rental Regulations Article 41 - Vote/Arlington Redevelopment Board Membership and Terms

	Article 53 - Endorsement of Parking Benefit District Expenditures Article 78 - Resolution/Indigenous Peoples' Day
FINAL VOTES & COMMENTS	Article 31 Bylaw Amendment/Rename Community Preservation Committee Article 32 Bylaw Amendment/Tree Protection and Preservation Article 33 Bylaw Amendment/Notice of Demolition Article 36 Vote/Election Modernization Study Group Article 37 Vote/Remove Police Chief From Civil Service Article 42 Home Rule Legislation/Town Treasurer Article 47 Acceptance of Legislation/PEG Access Fund Article 50 Local Option/Short Term Rental Impact Fees