

TOWN OF ARLINGTON  
BOARD OF SELECTMEN

Meeting Minutes  
Monday, March 21, 2016  
7:15 PM

Present: Mr. Greeley, Chair, Mrs. Mahon, Vice Chair, Mr. Dunn, Mr. Curro and Mr. Byrne  
Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Krepelka  
\*Mrs. Mahon arrived late for meeting due to a prior commitment.

**FOR APPROVAL**

1. Farmers' Market 2016

Patsy Kraemer, Market Manager

Mrs. Kramer stated that the Arlington Farmers' Market requests permission to hold the nineteenth Farmers' Market at the Russell Common Parking Lot, for the 2016 season.

The market is held on Wednesday's 2:00 p.m. to 6:30 p.m. The Market will begin on Wednesday, June 8, 2016 and close on Wednesday, October 26, 2016.

Mr. Dunn moved approval.

SO VOTED (4-0)

**CONSENT AGENDA**

2. Minutes of Meeting: February 22, 2016

Mr. Dunn moved approval.

SO VOTED (4-0)

3. Request: One Day Beer & Wine License, 4/9/16 @ Arlington Center for the Arts Theatre,  
41 Foster Street for Blues Apocalypse 2.0

Carol Band, Arlington Center for the Arts

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

SO VOTED (4-0)

**APPOINTMENTS**

4. Introduction: Newly Appointed Open Space Committee Member

Kelsey Cowen (term to expire 6/30/2019)

Ms. Cowen was approved at the Board of Selectmen's Meeting on March 7th but was unable to be present at that time.

The Board thanked her for her willingness to serve.

SO VOTED (4-0)

**LICENSES & PERMITS**

5. Request: Common Victualler and Wine & Malt License

Mashed, LLC, d/b/a OTTO, 202 Massachusetts Avenue

Anthony W. Allen & Michael P. Keon, Co-owners

Mr. Byrne moved approval subject to all conditions as set forth.

SO VOTED (4-0)

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

6. Arlington Commission on Arts and Culture 2015 Annual Report  
Barbara Costa and Stephanie Marlin-Curiel, ACAC Co-Chairs

The mission of Arlington Commission on Arts and Culture is to advocate for arts and cultural opportunities throughout Arlington and advise the Town on matters of cultural and artistic nature. Originally established under Article 21 of Town Meeting in 1993, but not populated at the time, the Commission was reestablished in January of 2013. The Commission meets monthly, on the first Thursday of the month in the Jefferson Cutter Gallery. All meetings are open to the public. The Commission focused a great deal of effort on preparing the Town to apply for Cultural District status from the Mass. Cultural Council. The Commission worked with a summer intern, Will Sullivan, to produce the Town's first inventory of public art. More detailed information on each piece of art, including photos, installation date, expected duration, property owner, artist information, materials, budget and funding sources where applicable, is stored on Google Drive.

The Board thanked Ms. Costa and Ms. Curiel for all their work that they have done for the Town regarding Public Art.

Mr. Byrne moved approval.

SO VOTED (4-0)

7. For Approval: Center Safe Travel Project - Request for Use of Parking Spaces  
Adam Chapdelaine, Town Manager

Mr. Chapdelaine requested the area including 6 spaces at the Railroad Lot closest to Uncle Sam Park be used for storage of material and 4 spaces at the northeast corner of the Municipal Lot at Chestnut Street as overnight parking locations for equipment.

Mr. Byrne moved approval.

SO VOTED (4-0)

8. For Approval: Authorization to Draft RFP for Sale of 1207 Mass Ave  
Adam Chapdelaine, Town Manager

Mr. Chapdelaine requested that the Board authorize the Town Manager, Town Counsel and the Director of Planning & Community Development to develop an RFP for the sale of the property for presentation to the Board at a future meeting. The only specific requirement is a minimum bid price of \$750,000.

Mr. Dunn moved approval.

SO VOTED (5-0)

9. For Approval: Medical Marijuana Dispensary Community Benefit Agreement  
Adam Chapdelaine, Town Manager  
Douglas Heim, Town Counsel

Mr. Heim reported that he had been in negotiations with Massachusetts Patient Foundation, Inc. regarding a community benefit agreement for a medicinal marijuana dispensary in Town. He stated the stipulations have been agreed to in principle, but that he was in the process of working out the agreement.

Dr. J. Matthew Schofield, MD. from Arlington Pediatric Families, 5 Water Street spoke against the location to be used as a Registered Marijuana Dispensary. He feels it is too close to a nursery school that is within a 1000' and also should not be located in said building because of the children visiting the pediatric practice. Dr. Schofield was advised to contact Town Counsel Heim at his office to discuss his concerns. The Board moved to endorse the Medical Marijuana Dispensary Community Benefit Agreement.  
SO VOTED (5-0)

10. Discussion: Proposition 2.5 Override and Debt Exclusion

Daniel J. Dunn, Selectman

The Board voted to authorize debt exclusion conversations to occur at future Long Range Planning Committee meetings. In a meeting of the Budget & Revenue Task Force, Supt. Bodie and other members of the task force discussed potential costs for each school building project. Mr. Byrne made a motion for the Long Range Planning Committee to develop plans for a Debt Exclusion ballot question.  
SO VOTED (5-0)

11. Rehearing of Warrant Article 24: Bylaw Amendment/Camping on Public Property

Douglas W. Heim, Town Counsel

The Arlington Human Rights Commission, among many others, believes that more information regarding the extent and nature of the challenges facing the homeless should be cultivated prior to the adoption of any Town Bylaw establishing a broad prohibition on camping. The Arlington Human Rights Commission provided recommendations to the Selectmen in a memo from Christine Carney that outlined the group's concerns regarding the impact on the homeless population. Town Counsel Heim recommended the Selectmen create a task force to further study the challenges Arlington's homeless population face. The task force will be consist of members from the Police Department, Health and Human Services Department, Planning Department, Recreation Department, two residents to be appointed by the Town Moderator and two residents appointed by the Town Manager. At least two of these residents should be from the precinct most closely in contact with the area around Thorndike Field. Said task force will work with the Human Rights Commission to examine the pertinent issues facing the homeless. The Board recommends a vote of no action with the understanding that we will establish a Task Force to investigate and report on the resources available to assist the homeless and report back by next year's Town Meeting.

Mrs. Mahon moved no action.  
SO VOTED (5-0)

Mr. Curro moved to establish new Task Force with Chairman to be named by Town Manager.  
SO VOTED (5-0)

## **WARRANT ARTICLE HEARINGS**

Articles for Review:

Article 22: Bylaw Amendment/Tree Preservation Bylaw

The Tree Committee previously sought the Selectmen's position on developing a bylaw to

curtail the unnecessary removal of trees on private property during development or expansion projects. The proposed bylaw has been adopted by other municipalities throughout the Commonwealth, including Lexington, Cambridge, Newton and Wellesley.

Under the new bylaw, developers would be required to submit a tree plan that accounts for each sized tree to be removed. The trees will either be designated as maintained or removed and mitigated. In order to mitigate the impact of cutting down trees during construction, developers would either have to plant the required number of new trees or pay fees into the Arlington Tree Fund.

The Board asked Ms. Stamps and the committee to speak with developers to assess the additional cost and impact on the community and come back at a later date. Developers would be fined for violating this process. Mrs. Mahon challenged Ms. Stamps on the assumption that it wouldn't affect development timeline. Mrs. Mahon feels this bylaw would create additional work for the town's tree warden. Mr. Greeley also stated he would like to hear from a developer or a homeowner going through this process first before he makes his decision.

Mrs. Mahon moved to table until Ms. Stamps has the information that the Board requested.

SO VOTED (5-0)

#### Article 30: Transfer of Town Property/1 Gilboa Road

Mr. Greeley, Mr. Curro and Mr. Byrne do not believe that the proposed transfer of the property to the Arlington Housing Authority is the best vehicle by which we can achieve either of those goals, especially given the substantial opposition of Mt. Gilboa neighborhood residents.

1 Mt. Gilboa Road parcel itself is part of Mt. Gilboa and is protected by Conservation Land. In order to shift ownership of this property, the conservation restriction would have to be lifted.

Mr. Byrne recommended that no action be taken.

SO VOTED (3-0-2)

Mr. Dunn recused himself and Mrs. Mahon abstained.

#### Article 33: Revolving Funds

Mrs. Mahon moved to table until April 4th meeting.

SO VOTED (5-0)

#### Article 59: Resolution/Handicap Parking Spaces

The Board unanimously supports this resolution.

Mrs. Mahon moved favorable action.

SO VOTED (5-0)

### **FINAL VOTES & COMMENTS**

Articles for Review:

Article 21: Bylaw Amendment/Arlington Commission on Arts and Culture Membership

Article 23: Bylaw Amendment/Electronic Distribution of Notices and Materials

Article 60: Resolution/Return of Precinct 17 to Highland Fire Station

Mr. Byrne moved approval.

SO VOTED (5-0)

## **CORRESPONDENCE RECEIVED**

Request 'No Parking Here to Corner' Sign at Intersection of Massachusetts Avenue and Willow Court

Taylor Fitzpatrick, Willow Court

Mr. Dunn asked that Mr. Fitzpatrick's letter be sent to Safety Officer Corey Rateau for review and recommendations. SO VOTED (5-0)

FY2016 CDBG Allocation

Harriet Tregoning, US Department of Housing and Urban Development

Minuteman Regional School Committee Vote re: Section 16(d) of Chapter 71

David C. Horton, Secretary, Minuteman District School Committee

Mr. Curro moved receipt of Correspondence Received. SO VOTED (5-0)

## **NEW BUSINESS**

Mr. Greeley thanked Mary Ann Sullivan, Eve Margolis, Town Counsel Heim and Steven Byrne for working with him on the Board of Selectmen Handbook. The handbook is to serve as a resource for the Board of Selectmen, other officials and agencies of the Town of Arlington. The Board thanked Mr. Greeley and his Committee for producing an updated Handbook.

Mr. Greeley also asked the Board to review the Town Manager's Evaluation Process and send said evaluations to Mrs. Malloy, Director of Human Resources.

Mr. Greeley, Mr. Curro and Town Manager Chapdelaine participated Sunday in the Annual Trivia Bee Fundraiser at Town Hall. Although they were not winners, Mr. Greeley stated they had a great time.

Mrs. Mahon stated the Arlington Boys Basketball team lost the North Quarterfinals to Malden Catholic. Under Coach John Bowler the basketball team was 19-5. The Paul J. Leone Sportsmanship Award was given to Senior Clark Uwen.

## **EXECUTIVE SESSION**

To review and approve executive session minutes for February 4, 2016, and February 10, 2016 meetings of the Board of Selectmen, and to release such prior executive session minutes pursuant to M.G.L. c.30A, Section 22(f) as appropriate.

Mrs. Mahon moved to convene in Executive Session at 10:55 p.m. for the release of prior Executive Session Minutes pursuant to M.B.L. c30A, Section 22(f) as appropriate

The Board will come out of Executive Session only to take a public vote on said minutes.

Roll Call:

On Mrs. Mahon's motion:

Mr. Dunn	yes
Mr. Curro	yes
Mr. Greeley	yes
Mrs. Mahon	yes
Mr. Byrne	yes

Mr. Curro moved to release the February 4th and February 10th Minutes.

Mr. Byrne moved approval seconded by Mr. Dunn SO VOTED (5-0)

Mrs. Mahon made motion to adjourn executive session. SO VOTED (5-0)

Roll Call: On Mrs. Mahon's motion:

Mr. Dunn	yes
Mr. Curro	yes
Mr. Greeley	yes
Mrs. Mahon	yes
Mr. Byrne	yes

Mr. Byrne moved to return to open session at 11:05 p.m. in the Selectmen's Chambers.

SO VOTED (5-0)

Mrs. Mahon moved to adjourn at 11:06 p.m.

SO VOTED (5-0)

A true record: Attest

Marie A. Krepelka  
Board Administrator

Next Scheduled Meeting of BoS April 4, 2016.

3/21/16

Agenda Item	Documents Used
1.	Request from Farmers' Market Manager
2.	Draft Meeting Minutes 2-2216
3.	One Day Beer & Wine License at Arlington Center for the Arts Theatre
4.	Cowen meeting notice, Resume for Open Space Committee Member
5.	CV/B&W Applications & Inspection Reports for Otto

6.	Arlington Commission on Arts and Culture 2015 Annual Report
7.	Center Safe Travel Project – Request for Use of Parking Spaces
8.	Memorandum to Board - Authorization to draft RFP for sale of 1207 Mass Ave
9.	Medical Marijuana Dispensary Community Benefit Agreement
10.	Proposition 2.5 Override and Debt Exclusion
11.	Rehearing of Warrant Article 24: Bylaw Amendment/Camping on Public Property Comments from M. Goldsipe and Christine Carney, AHRC
Final Votes	Articles for Review D.H Final Votes & Comments W.A #21, #60
Corr. Recv'd	Request 'No Parking Here to Corner' Sign at Intersection of Mass. Ave and Willow from Mr. Fitzpatrick
	Harriet Tregoning, US Department of Housing and Urban Development Letter from HUD
	Minuteman Regional School Committee Vote re: Section 16(d) of Chapter 71 Letter from David Horton, Minuteman School Committee