

TOWN OF BELMONT
WARRANT FOR
SPECIAL TOWN MEETING



CHENERY MIDDLE SCHOOL AUDITORIUM
FEBRUARY 7, 2005

TOWN OF BELMONT
WARRANT FOR SPECIAL TOWN MEETING
FEBRUARY 7, 2005
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

To either of the Constables in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in Town Affairs, to meet at the Chenery Middle School Auditorium on Monday, February 7, 2005 at 7:30 p.m., and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles, viz:

ARTICLE 1: To hear the report of the Selectmen and other Town Officers. To hear the report of any Committee heretofore appointed and to act thereon.

ARTICLE 2: To see if the Town will vote to transfer from Water Retained Earnings the sum of \$4,523.41, more or less, to the MWRA Meter account to reinstate grant funds and interest that were closed in error, or in any way act thereon.

ARTICLE 3: To see if the Town will vote, pursuant to Chapter 40, Section 15A, of the General Laws, to transfer to the Board of Selectmen the care, custody, management and control of, the real property known as the Waverley Fire Station shown on Assessors' Map 27 as Parcel 76A, to be held for the purpose of conveyance, and to authorize the Board of Selectmen to sell or otherwise dispose of said property on such terms and conditions as the Board of Selectmen determined to be in the best interests of the Town, or in any way act thereon.

This article will give the Board of Selectmen authority to sell the Waverley Fire Station property and to take any actions in connection with the sale that are necessary to accomplish the sale.

ARTICLE 4: To see if the Town will amend the Town of Belmont Zoning Map to expand the Local Business I (LBI) District by changing from General Residence (R) to Local Business I (LBI) three properties shown on Assessor's Map 27 as Parcels 127 (a commercial property at the south-east corner of the intersection of White Street and Trapelo Road), 133 (a mixed use property with a business in an accessory structure) and 76A (the Waverley Square Fire Station), all of which front on Trapelo Road or in any way act thereon.

This article will rezone to LBI the Waverley Fire Station property and two other parcels as part of the plan for re-use of the Fire Station.

ARTICLE 5: To see if the Town will vote to amend the following Sections of the Town of Belmont Zoning By-Laws to permit multi-family-use of surplus municipal or school building(s):

The intent of this option is to permit multi-family use of surplus municipal or school building(s) (i.e., the Waverley Square Fire Station) by amending the existing public building conversion by-law and by rezoning several abutting properties. Section 6.3 Public Building and School Conversion within the Belmont Zoning By-Law would be amended to permit conversions to multi-family use “by right” as recommended by the Waverley Square Fire Station Re-Use Steering Committee. This would occur through the Design & Site Plan Review process with the Planning Board. The fire station and two other non-residential properties on Trapelo Road would also be rezoned as provided for in Article 4 from General Residence to Local Business I (LBI). The following amendments are necessary to implement this option.

- a. **Revise Section 3.3 Schedule of Use Regulations** - under the Use Group “RESIDENTIAL”, use category “Conversion of large public buildings or public or private school buildings”, provide for conversion of such buildings as follows –
 - i. With 10,000 Square feet of gross floor area or less to be allowed by-right (Y) in the Local Business I (LBI) Zoning Districts and in all other zoning districts by Special Permit (SP) except prohibited (N) in the Parking Lot District (PL), and
 - ii. With more than 10,000 square feet of gross floor area to be allowed by Special Permit (SP) in all zoning districts except prohibited (N) in the Parking Lot District (PL)

The revised Residential Use Group will read as follows (new text in **underlined, bold face**):

3.3 Schedule of Use Regulations								
USES	DISTRICTS							
	SR-A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
<u>RESIDENTIAL</u>								
Detached single-family dwelling	Y	Y	N	SP	SP	SP	N	N
Two-family dwelling	N	Y	Y	SP	SP	SP	N	N
Conversion of large public buildings or public or private school buildings								
> <u>With 10,000 square feet of gross floor area or less (see §6.3B)</u>	SP	SP	SP	Y	SP	SP	SP	N
> <u>With more than 10,000 square feet of gross floor area (see §6.3A)</u>	SP	SP	SP	SP	SP	SP	SP	N
Elderly housing (see §6.4)	SP	SP	SP	N	N	N	N	N
Cluster development (see §6.5)	SP	N	N	N	N	N	N	N

3.3 Schedule of Use Regulations								
USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
Other apartment house	N	N	SP	N	N	N	N	N

- b. **Section 6.3 Public Building and School Conversion** - insert a new Section 6.3B “Public Building and School Conversion –10,000 Square Feet or less in LBI” to read as follows, and rename the existing Section “6.3” to “6.3A Public Building and School Conversion

6.3B Public Building and School Conversion –10,000 Square Feet or Less in LBI

Conversion of public buildings with 10,000 square feet of gross floor area or less to multi-family residential use shall be permitted by right in the LBI Districts, subject to the requirements and conditions set forth below and those found in Section 7.3 of these By-Laws.

6.3B.1 Objectives

The general objectives of permitting such conversions are:

- a. To allow the re-use of surplus public buildings,
- b. To allow multi-family use at an appropriate scale and density,
- c. To promote the re-use and rehabilitation of historically significant structures,
- d. To enhance the economic vitality of the LB I Zoning Districts,
- e. To promote transit oriented development, and
- f. To increase the diversity of housing.

6.3B.2 Buildings Eligible for Conversion

A public building of 10,000 square feet of gross floor area or less and located in a Local Business I Zoning District is eligible for conversion to multi-family use by right, subject to Design and Site Plan Review by the Planning Board, but only provided the following criteria are fulfilled:

- a) The building was originally constructed more than 20 years prior to the filing of the application for Design and Site Plan Review.
- b) The building was used for more than 15 years for public or school purposes.
- c) The building contains 10,000 square feet or less in gross floor area.

6.3B.3 Application

The Planning Board shall hear all petitions for multi-family use through the Design & Site Plan Review process. All applications shall follow the guidelines and submittal requirements found in Section 7.3 of these By-Laws.

6.3B.4 Approval Criteria

Applications for the conversion of a public building to multi-family use shall comply with the following criteria as well as the applicable objectives listed within Section 7.3:

- a) Density shall not exceed seven (7) dwelling units
 - b) Off-street parking shall be provided at a ratio of not less than 1.5 spaces per unit to a maximum of two (2) spaces per unit. For proposed increases beyond 1.5 spaces per unit the Planning Board shall determine that the spaces can be created within the footprint of the building (i.e. no reduction in the existing open space on the lot) or that they can be provided off-site, provided that the applicant can exhibit long-term control over these spaces.
 - c) Only one (1) and two (2) bedroom units or a mix of these are allowed
 - d) If applicable, the façade(s) of any building that is determined to be eligible for listing on the National Register of Historic Places will be appropriately rehabilitated, as provided for in the Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67).
 - e) The conversion to multi-family use shall comply with the provisions of Section 6.11, Inclusionary Housing of these By-Laws
 - f) Open space surrounding existing buildings shall be maintained and any new outdoor parking areas shall be screened at a minimum with evergreens, all in harmony with the neighborhood. This screening shall be at least five (5) feet in height at the time of building occupancy and be planted not more than six (6) feet on center, provided that adequate sight lines for pedestrians and motor vehicles are maintained.
- c. **Section 7.3.2 Applicability** - Insert a new paragraph "e) Conversion of Public Buildings with 10,000 square feet of gross floor area or less to Multi-Family Use within the Local Business I Zoning Districts", at the end of the existing text, as follows in **bold highlight**:

7.3.2 Applicability

Applications for the following shall be subject to Design and Site Plan Review.

- a) Special Permits for public building and school conversion, elderly housing, cluster development, and major business development.

- b) All other applications for a new building or addition in Business Districts if creating either 1,000 square feet gross floor area, or resulting in six or more parking spaces on the premises, if that development also entails alteration to the number of parking spaces, or to the configuration of parking, screening, egress, utilities, drainage, or lighting on the premises.
- c) Change of use in a General Business District on property abutting a residential district or directly opposite a residential district and separated there from by a street.
- d) Wireless Telecommunications Facilities.
- e) **Conversion of Public buildings with 10,000 square feet of gross floor area or less to Multi-Family Use within the Local Business I Zoning Districts.**

The Planning Board recommends favorable action on this article.


ARTICLE 6: To see if the Town will vote to appropriate a sum of money for architectural and engineering services to develop schematic designs for a new Wellington Elementary School, to determine how such sum shall be raised, and to authorize and direct the Moderator to appoint a school building committee, which committee shall be authorized to enter into contracts and take all actions necessary to carry out the new Wellington Elementary School project, or in any way act thereon.

This article will fund the initial planning stages for the new Wellington School and will permit the Moderator to appoint a Building Committee for this project.

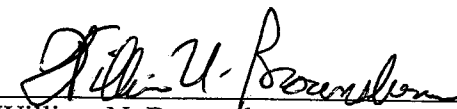
ARTICLE 7: To hear the reports of the Board of Selectmen and the Warrant Committee concerning budget issues facing the Town for Fiscal Year 2006, and discuss budget issues and priorities for said fiscal year.

Given under our hands this 20th day of January, 2005.

BOARD OF SELECTMEN



 Paul Solomon



 William N. Brownsberger



 Angelo R. Firenze

(Town Seal)
 234352/belm/0275