

**Advisory Committee
Public Hearing and Meeting #7
October 15, 2009**

Peter Cory, Chair, called the meeting to order at 7 p.m. Those present included Judi Donnelly, Virginia Ferko, Jack Haley, Rick Hill, Kathy Macdonald, Barbara McMahon, Maura Murphy, Rich Page, Caren Parker, Derek Redgate, Steve Simons, Steve Sykes, Marc Taylor, and Jason Whittet

Warrant Public Hearing for the 2009 Special Town Meeting. Mr. Cory opened the public hearing at 7 p.m. He welcomed those present and reviewed the public hearing process, indicating that Advisory would listen to comments, but would not respond at this time.

Article 3 – Local Option Meals Excise. Mr. Cory read and briefly explained the intent of the article. Maura O'Brien, President of the Chamber of Commerce addressed the Committee. She indicated she was speaking on behalf of the local restaurants and other food service companies, none of whom are in favor of this article. She expressed concern with what appears to be a discriminatory tax that will be imposed on just one sector of the business community, noting it is a bad precedent for future tax increases. Ms. O'Brien indicated the restaurant businesses have a fairly low profit margin, and this additional tax will discourage recession-conscientious patrons from eating out, or at minimum, they will decrease their spending habits when they do eat out. She questioned the Department of Revenue's projected revenue receipts for the Town, noting she does not believe they are realistic since the projections are based on data obtained during a booming economy. She also questioned the timetable for receiving this revenue from the State. In addition, Ms. O'Brien expressed her concern that Wellesley will be at a competitive disadvantage with neighboring communities who may choose not to impose the local meals tax. She respectfully requested that the Advisory recommend unfavorable action on this article.

Article 4 – Amend Article 8 of 2009 ATM Mr. Cory read and briefly explained that Advisory expects no motion under this Article, which has been placed on the Warrant by the Board of Selectmen as a place holder in the event that so-called "9C" cuts in state aid are announced by the Governor during the weeks leading up to Special Town Meeting. There were no comments made by members of the audience.

Mr. Cory then read and explained the intent of the following articles; in each case no comments were made:

Article 5 – Retaining Walls

Article 6 – Amend Definition of Trailer and Vehicle Signs

Article 7 – Aqueduct Leases

Article 8 – Sidewalk Easement 219 Washington Street.

Article 9 – Land Acquisition – Cartwright Road/Greenbough Lane.

Article 10 – Accept Amendments – Tax Benefit

Article 11 – Glen Grove Apartments Mr. Cory read and explained the intent of the article. Robert Goldkamp, Vice Chair of the Wellesley Housing Development Corporation (WHDC), informed the Committee that the WHDC is in favor of this article because it secures elderly housing at reasonable rates. He urged the Committee to recommend favorable action.

The public hearing closed at 7:20 p.m.

Citizens Speak. No one was present.

Minutes. Upon a motion made by Ms. Macdonald and seconded by Mr. Simons, the minutes of the Committee's meeting on October 7, 2009 were unanimously approved as written.

Board of Selectmen. The Committee was joined by Selectmen Chair Barbara Searle, Vice Chair Katherine Babson, member Terri Tsagaris, Executive Director Hans Larsen, and Deputy Executive Director Christopher Ketchen, to discuss the seven articles sponsored by the Selectmen in the Special Town Meeting. Ms. Searle indicated that **Article 4** is a placeholder in case there are drastic cuts in local aid from the State. This would allow the Town to make reductions in FY10 budgets if necessary. **Article 7**, Aqueduct Lease, is still in review stages and if it appears that negotiations will be close to completion prior to Special Town Meeting, the Selectmen will inform the Committee of any potential changes to the existing lease. **Article 8** concerns acceptance of an easement from the Friendly Aid Association for a piece of property which would provide for the relocation of the sidewalk near 219 Washington Street. Mr. Larsen reviewed the easement plan and indicated it is hoped that the sidewalk will be in place before the bridge construction is completed in the Spring 2010. **Article 9** provides for the acceptance of a small strip of land on Cartwright Road and Greenbough Lane that had been deeded to the Town a number of years ago. This area would be added to the right of way for highway purposes. **Article 10** permits the Selectmen to increase the property tax benefit offered through the Senior Workoff Program from \$750 to \$1000 per year. **Article 11** will likely seek approval of a Town waiver of its right of first refusal to purchase the Glen Grove Apartment building at 50 Grove Street. Mr. Larsen explained that the Glen Grove Apartments provide 125 units of affordable housing for the elderly who qualify. The current owner advised the Town of its intention to sell the property. The proposed buyer is Property Realty Investments of Rhode Island. The company is experienced in federally- and locally-assisted affordable properties. Under the terms of financing, MassHousing will require them to maintain the property as affordable housing for 60 years. It also requires the buyer to invest \$4 million in property upgrades. Mr. Larsen noted that the Ardmore Apartments decision from a number of years ago bolsters the Town's view that affordability must be maintained into perpetuity. The Town is seeking further assurances that the buyer will continue to renew the HUD Section 8 contract or equivalent; and also confirm right of first refusal will survive into the future. Town is also consulting with MassHousing and others to confirm its understanding of the deal terms.

Followup Discussion to Public Hearing.

Article 3 – Local Option Meals Excise. The Committee discussed the article. Upon a motion made by Mr. Simons and seconded by Mr. Sykes, the Committee voted to recommend favorable action on **Article 3. The vote was 12 in favor; 2 opposed.**

Article 8 – Sidewalk Easement. The Committee discussed the article. There was concern that if the easement is accepted, and the State does not provide funding for the work, whether it would fall onto the Town to pay for the sidewalk. Some believed that the easement approval is confined to sidewalk purposes, and if funding is not provided by the State, then the work will not be done. Action was deferred pending Mr. Cory's clarification on the stipulations for payment of the sidewalk installation.

Article 11 - Glen Grove Apartments. The Committee discussed the article. Members were concerned with the nature of the guarantees provided by and the terms of agreement with the proposed new buyers, and how these might ensure that the Town's interests are being adequately protected. Action on this article was deferred pending additional information.

Article 7 - Aqueduct Leases. This issue is still in flux. Action was deferred pending additional information from the Selectmen if negotiations will be completed prior to Special Town Meeting.

Article 9 – Cartwright Road and Greenbough Lane Land Acquisition. The Committee discussed the article. Upon a motion made by Ms. Donnelly and seconded by Mr. Simons, the Committee voted to recommend favorable action on **Article 9. The vote was 14 in favor; 0 opposed.**

Article 10 – Tax Benefit Amendment. The Committee discussed the article. Upon a motion made by Ms. Macdonald and seconded by Ms. Parker, the Committee voted to recommend favorable action on **Article 10. The vote was 14 in favor; 0 opposed.**

Article 6 – Amendment to ZBA Regulations - Trailer or Vehicle Signs Definition. The Committee discussed the article. Questions were raised concerning why the Planning Board determined to offer an amendment to the Bylaws that produces an outright ban on certain trailer or vehicle signs, rather than regulating these types of signs in a more nuanced way. Clarification was requested on the definition of stationary versus movable signs. Action was deferred pending additional information.

Liaison Reports

NRC/CPC – Fuller Brook Preservation. The NRC and CPC will discuss this project when they meet with Advisory on December 2nd. NRC has had two public hearings on this issue.

Schools. Mr. Cory noted that the School Committee, at its next meeting, plans to review its FY11 capital budget, enrollment report, and stimulus budget status.

Library. Ms. Parker discussed that the Library Trustees have three private funding programs: The Friends of Wellesley Libraries, the Library Foundation, and the Centennial Fund. There was a brief discussion on the revenue generated from these private funding programs and how they are applied.

Advisory Schedule: The Capital Budget presentations schedule was reviewed.

Adjournment. Upon a motion made by Ms. McMahon and seconded by Ms. Parker, the Committee unanimously voted to adjourn at 9:30 p.m.

Respectfully submitted,

Adeline G. Doherty
Administrative Assistant