

Belmont Citizens Forum

Vol. 4, No. 2

A Newsletter for Belmont Residents

March 2003

Last Working Farm in Town to Be Preserved

By Neal Winston

An historic event occurred on December 24, 2002, at 10:34 a.m., when an Agricultural Preservation Restriction, known as an APR, was recorded at the Middlesex Registry of Deeds for the Richardson Farm on Blanchard Road in Belmont. An APR is a permanent agreement that the land will always remain in some form of agricultural use and never be developed. Asked why she took this step, owner Lydia Ogilby said at the time, "This farm is sacred to me, an ancestral treasure. I wanted to be sure that it would be safe in perpetuity."

The complex process necessary for creating and completing the filing of this restriction took over two years. The farmland restriction is a covenant between the Ogilby family, the "grantor," and the Belmont Land Trust (known as the BLT) and the American Farmland Trust, the "holder." Approval was also required by the Massachusetts Department of Food and Agriculture and the Town of Belmont. The parcel comprises nearly ten acres of land on the east side of Belmont near Fresh Pond and is bordered by Blanchard, Bright, Glenn, and Taylor Roads. It is the last operating farm of the many in Belmont that were developed or converted to other uses during the past century.

Although the market value of the land was substantially reduced by the APR, the Ogilby family received no payment for the restriction. Ogilby's son Henry, explaining why he and the rest of the family supported Lydia in making this permanent gift, said: "Our effort to keep this space open is important to maintaining the wonderful feeling that

we all have for the character of Belmont. Hopefully this restriction will act as a catalyst for others to consider restrictions on their land as well. Besides, I'm really a farmer at heart."

Previously farmed by the Ogilbys' ancestors, the Richardson and Hill families, the farm has been operated since World War II by the Sergi family, now in its third generation. Crops have changed over the years and now include corn, tomatoes, cucumbers, lettuce, spinach, beets, carrots, squash, herbs, and fresh flowers such as dahlias, gladiolas,

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Environmental Events Calendar

Insects in Winter. In March, insect activity increases as the days lengthen and temperatures rise. Fresh Pond Chief Ranger Jean Rogers will show you where to look for these tiny creatures.

Saturday, March 22, 1 p.m. to 3 p.m. Meet at Neville Place, 650 Concord Avenue, Cambridge. Walk in the front door and follow the signs to the downstairs classroom. Dress warmly. This program is free, but you must register for it by calling (617) 349-4793 or sending email to Elizabeth Wylde at friendsoffreshpond@yahoo.com. Children are welcome when accompanied by an adult.

Winter Tree Identification. Learn how to identify the various species around Fresh Pond using the Watts and Watts "Winter Tree Finder." Tree buds are swelling and some have already begun to bloom.

Sunday, March 30, 1 p.m. to 3 p.m. Dress for walking in the mud. The program is free, but please

register by calling Chief Ranger Jean Rogers at (617) 349-4793 or sending email to Elizabeth Wylde at friendsoffreshpond@yahoo.com. Children are welcome when accompanied by an adult.

Walkable Communities Workshops. Learn how to make your community more pedestrian-friendly by attending one or more of a series of half-day workshops given by three nationally recognized experts: Dan Burden, former Bicycle and Pedestrian Coordinator for the state of Florida and current Executive Director of Walkable Communities, Inc.; Peter Lagerwey, Bicycle and Pedestrian Program Coordinator for the City of Seattle and co-author with Dan Burden of the book *Road Diets*; and Mark Fenton, former editor-at-large of *Walking Magazine* and host of the PBS series *America's Walking*. Each workshop includes a visit to a specific site in the community to evaluate pedestrian facilities.

Monday, March 24: 1 - 5 p.m., City of Everett, City Hall, 484 Broadway. **Tuesday, March 25:** 8 a.m. - 12 p.m., City of Quincy, City Hall, 1305 Hancock Street and 1 - 5 p.m. Town of Burlington, Town Hall Annex, 25 Common Street. **Wednesday, March 26:** 8 a.m.- 12 p.m., City of Salem, City Hall Annex, 120 Washington Street, 3rd Floor and 1 - 5 p.m., City of Boston, Player's Club Room, Fenway Park. **Thursday, March 27:** 8 a.m. - 12 p.m., Town of Norwood, Norwood Civic Center, 165 Nahantan Street and 1 - 5 p.m., City of Marlborough, City (Memorial) Hall, 140 Main Street. **Friday, March 28:** 9 a.m. - 1 p.m., City of Somerville, The Family Center, 366 Somerville Avenue. Sponsored by the Boston Metropolitan Planning Organization. For general questions, directions, or to register, contact Jonathan Church or Cathy Lewis at the Central Transportation Planning Staff, 617-973-7100 or walkable@ctps.org.

Inventing the Charles River. Belmont resident Karl Haglund, MDC Project Manager for the New Charles River Basin, will give two slide presentations charting the colorful history of this river.

April 2 at 6:30 p.m. at the Bostonian Society in the Old State House, 206 Washington Street (at the corner of State and Washington Streets), Boston and **May 20 at 12:00 p.m.** at the Boston Athenaeum, 10 ½ Beacon Street, Boston. For information on the

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Belmont Citizens Forum Officers and Trustees

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Belmont Citizens Forum, Inc.
is a not-for-profit organization that strives to maintain the small-town atmosphere of Belmont, Massachusetts, by preserving its natural and historical resources, limiting traffic growth, and enhancing pedestrian safety. We do this by keeping residents informed about planning and zoning issues, by participating actively in public hearings, and by organizing forums on key subjects.

Our newsletter is published six times a year (January, March, May, July, September, and November). Published material represents the views of the authors and not necessarily those of the Belmont Citizens Forum.

Letters to the editor may be sent to
P. O. Box 609, Belmont MA 02478
or to editor@belmontcitizensforum.org

Candidate for Selectman Answers 10 Questions

Every year, Belmont voters elect one member of the town's three-person Board of Selectmen. On April 7, incumbent Anne Marie Mahoney will seek re-election to this office. She is unopposed. For the benefit of the voters, the *Belmont Citizens Forum* asked Mrs. Mahoney to explain her position on the following planning and zoning issues.

1. How can we improve the commercial vitality of Belmont Center, Cushing Square, and Waverley Square? Do you support the construction of municipal parking garages and/or the granting of full liquor licenses to restaurants?

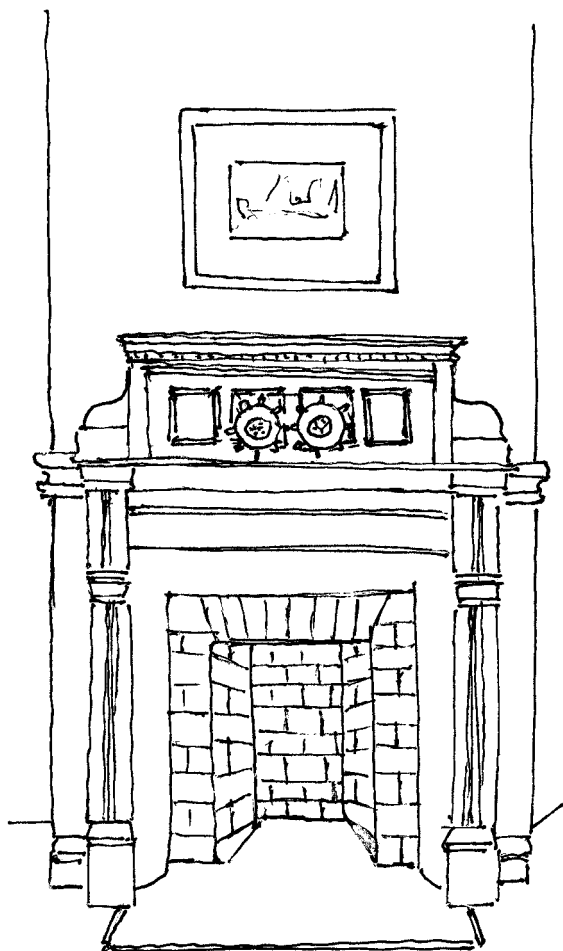
Mahoney: If we listen to the merchants, the answer would be "fast permitting and more parking." I agree that the Town may need a speedier permitting process, particularly for establishments offering

food. However, quicker permits may require more town staff and we cannot afford more personnel this fiscal year. We need more parking space to entice people to shop in Belmont. I think a well-designed, unobtrusive parking structure in Belmont Center would help business. Perhaps the Town could form a partnership with the merchants to make this happen. The real answer to the question is "shopper mindset." People have to want to shop in Belmont and not in the malls or Harvard Square. I reluctantly voted for beer and wine licenses to lure restaurants into town. I don't think that change has drawn the size and type of restaurants that it promised. I would be very cautious about full liquor licenses.

2. Belmont intends to consolidate its fire department staff at two new stations that will replace the three existing stations. Exactly where do you believe these two stations should be located?

Mahoney: The Board of Selectmen appointed a Fire Station Study Committee, which met and studied the fire station location question for more than a year. They consulted experts who analyzed the geography, natural and physical barriers, housing stock, and history of calls for fire and medical assistance. They studied every parcel of property and ranked about a dozen possible sites for size, location, response time, and cost of acquisition. They recommended that one station be located in Belmont Center and one on Trapelo Road around the Volkswagen and Video Plus area. The Selectmen decided to build a new fire headquarters on Trapelo Road and a sub-station on the Alexander Avenue lot in the Center. These may not be perfect solutions in everyone's eyes but I believe they are the best sitings we can find in the Town.

3. In what order would you recommend completing the following capital projects: the two new fire stations, a new main library, a new Wellington School, a permanent senior center, renovations to the high school?



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Mahoney: The existing fire stations are in deplorable condition and building two new fire stations is my top priority. Then, the so-called “Mega Planning Group” (Selectmen, Warrant Committee, Capital Budget Committee, School Committee, Library Trustees, COA, etc.) should rank the other projects based on all the studies and data we have collected. Personally, a town-owned center for the seniors should be next on the funding list. I cannot rank the Wellington School and the library because of the uncertainty of state reimbursement. We should set aside a fixed amount every year to slowly upgrade the high school, much like we are doing with the roofing project. We must be very careful in timing these projects to spread out the impact on the taxpayer. We are realistically looking at ten or more years to address these four major projects.

4. Reductions in state aid will necessitate further cuts in the town’s budget for the upcoming fiscal year. Where do you think the town can save money? If the school budget must be reduced, what is the best way to do that?

Mahoney: I think there are very few places left for the town to save money. I believe that we should focus our energies on new revenue. Getting the McLean’s and Uplands projects moving will help the town, as would development of vacant parcels such as the empty dealership on Pleasant Street. Similarly, there is little left to save in the school budget. I believe that the school department, when making choices, should focus on core curriculum. I think that librarians, guidance counselors, and classroom teachers are more important to preserve than a volunteer coordinator or more technology. Additional revenues are important here, also. Consolidating day care programs in the school department could add revenue. I am not convinced that adding school choice students is a good long-term solution. Perhaps the teachers’ union would consider giving back a percent of their 4.5% pay increase to save the jobs of their colleagues.

5. What uses are appropriate for Belmont’s Rock Meadow conservation land? Should mountain biking, gardening, ball playing, berry

picking, or a designated dog park be permitted there?

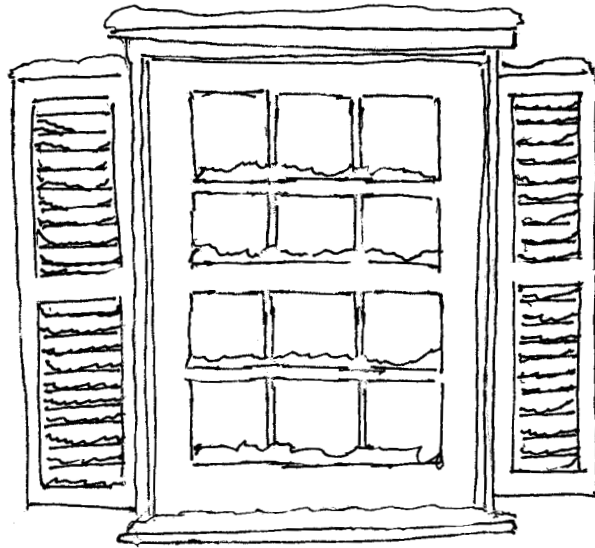
Mahoney: Rock Meadow should be a place to walk or jog and enjoy nature, quietly. (No cell phones!) I do not believe that a dog park or mountain biking belong in this space. Both can be very intimidating to people out for a walk. I am interested but ambivalent about a soccer or baseball field for young children since there was a ball field there in the past and the proposal for the soccer field on Route 2 was defeated.

6. How can Belmont best protect its historic buildings and neighborhoods? For example, do you favor the creation of additional historic districts in town? Should the historic cottages at McLean Hospital be saved? Should large additions to the town’s historic homes be permitted?

Mahoney: I love beautiful, old architecture and believe we should preserve as much of our past as possible. However, our preservation should not be so restrictive as to be a disincentive for people to purchase historic houses or buildings for business. Large additions should be tastefully designed and carefully negotiated between the Historic District Commission and the homeowner. Neither should have absolute power over the other. Additional historic districts would have to be carefully chosen with the support of the existing owners. I would dearly love to save the historic cottages at McLean. I wish we had the funds to move them to some of our vacant town-owned parcels and use them for housing. (Alex Beam’s *Gracefully Insane* has given me an even deeper appreciation for the historic value of those cottages.)

7. Should Belmont rewrite its zoning by-law to prevent mansionization, that is, out-of-scale residential renovation or rebuilds? Why or why not?

Mahoney: Although Belmont is known as the “Town of Homes” our lots are small and most areas of town are very densely built up. I would support zoning to limit mansionization and out of scale additions. Unfortunately, there are already too many



out-of-proportion home additions in our neighborhoods. Because our lots are so small, any addition, no matter how well designed, can look huge and out of place. It is a delicate balance between the aesthetics of the neighborhood and the rights of the property owner. Well-written zoning can help.

8. What is the best way to increase the amount of affordable housing in Belmont? Do you support the adoption of an inclusionary zoning by-law that would require developers to either include this type of housing in their design plans or contribute to an affordable housing fund?

Mahoney: I don't know how we increase the amount of affordable housing in a town that is 99 percent built up. Contributions to an affordable housing fund would give the Town the most flexibility. I think affordable housing can best be achieved in Belmont by purchasing existing housing stock and renting it as affordable.

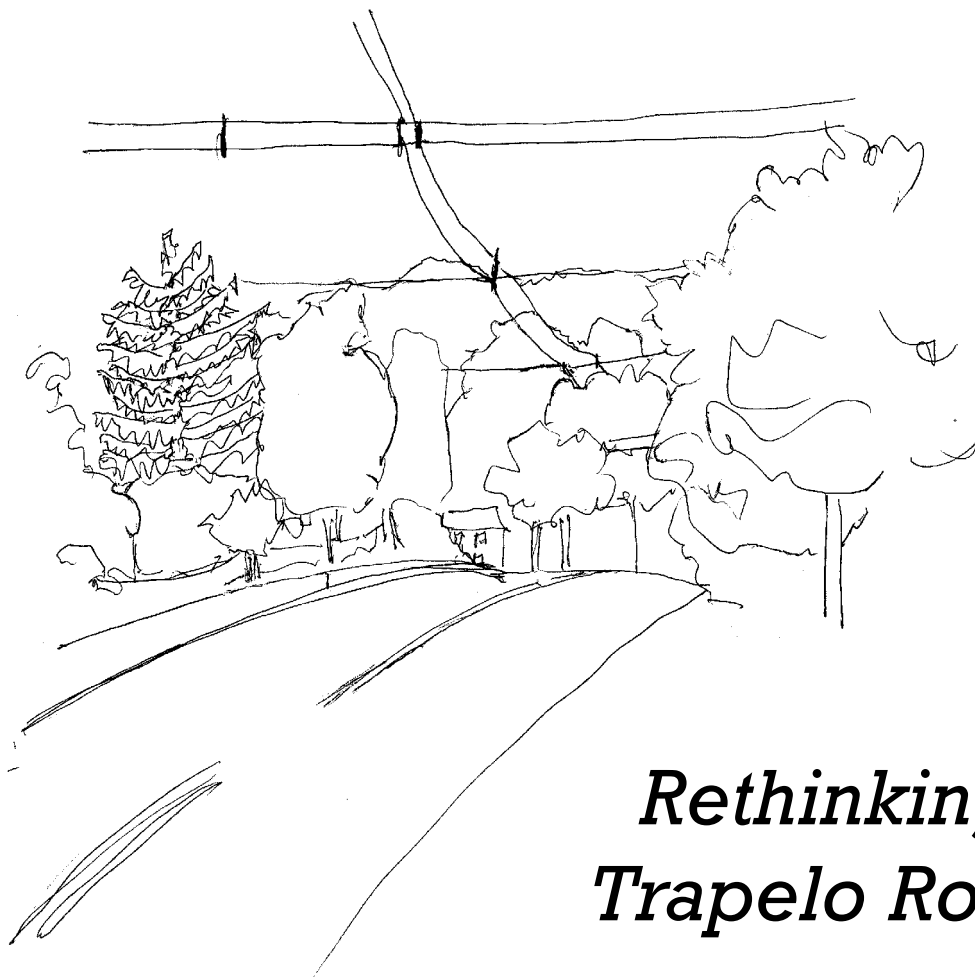
9. Do you favor the construction of a rail trail through Belmont?

Mahoney: I prefer a rail trail to bike paths on our major streets because I worry constantly about bicycles traveling so close to speeding cars, heavy trucks,

and busses. However, a rail trail can't be in people's back yards, either. Again, we have small lots and dense housing in many of our neighborhoods. It's unreasonable to impose public bike access on residents who happen to live near train tracks.

10. Do you have any proposals for reducing or redirecting cut-through traffic in town and improving pedestrian safety?

Mahoney: I jokingly favor big gates with swipe card access, for Belmont residents only, on all our major access roads. This would be a return to the historical origins of the "turnpike." The real solution today, however, is allowing the town to post every street at 15 or 20 mph and having rigid police enforcement. Cut-through traffic is an increasing problem. But some of the cars cutting through neighborhoods belong to our own residents who are rushing to drop children at school and activities. I walk around town a lot and I have observed that smooth sidewalks, clear of shrubbery and snow, as well as police enforcement of speed and traffic signs do the most for pedestrian safety. However, if we cut the number of officers in the police department or continue to raid the sidewalk repair account to fund operating expenses, we jeopardize pedestrian safety.



Rethinking Trapelo Road

How can we make this commuter thoroughfare an enjoyable place to walk, shop, and live? At this public forum, we will take a virtual walking tour of Belmont's main street, the busy Trapelo Road/Belmont Street corridor. After a narrated half-hour slide show, there will be a public discussion, moderated by Belmont resident Mary Tinkham, with a panel of experts: Alan McClennen, the Arlington town planner who has overseen the transformation of Massachusetts Avenue; Gus Bailey, Watertown Town Councilor responsible for traffic calming on Charles River Road and North Beacon Street; Herb Kronish of

the Boston Architectural Center, whose community design students have been studying the corridor; Edith Netter of Belmont, an urban planner and zoning lawyer; Mary Jo Frisoli, Chair, Belmont Traffic Advisory Committee; and Karl Haglund and Andy McClurg, both of the Belmont Planning Board. Belmont is considering both traffic-calming measures and rezoning along this corridor. Here's a chance to study the issues and share your opinion. Popcorn and refreshments will be served. For more information, contact the Belmont Citizens Forum at 617-484-1844 or www.belmontcitizensforum.org.

Tuesday, April 1, 7 p.m.

Belmont Studio Cinema, 376 Trapelo Road

Sponsored by the Belmont Citizens Forum

Tighter Restrictions Proposed for Dog Kennels

By Sharon Vanderslice

Complaints about excessive barking from a commercial dog kennel at 820 Pleasant Street, followed by several lawsuits, prompted the Board of Selectmen to appoint a committee last fall to draft formal regulations for dog kennels in town. The Kennel and Dog Noise Regulation Committee, chaired by Judith Ananian Sarno, has since reviewed kennel bylaws in other towns and drafted restrictions for Belmont that limit the number of dogs that may board at a kennel and the way in which these animals are housed and exercised. The regulations, which committee members say are designed to protect the animals as well as the neighbors, are scheduled to be voted upon by Town Meeting in April.

Petcetera Boarding and Grooming, operated by Healthy Pet, Inc., of Trumbull, Connecticut, is the town's only dog kennel. It currently takes in dogs from both individual owners and municipalities. The kennel serves as the dog pound for the City of Cambridge, the Town of Watertown, and the Town of Belmont and is being considered for a contract with the City of Waltham. Strays are delivered by local animal control officers. (Belmont's officer, John Marguranis, said that he placed only two strays at the Petcetera kennel last year, while Cambridge

impounds approximately 85 animals per year, according to a contract dated March 2001. Waltham's animal control officer said that she picked up 110 strays in 2002.) Veterinary services are provided by the adjacent Belmont Animal Hospital, also owned by Healthy Pet, Inc. The facility dates to 1946, when the owners of 820 Pleasant Street were granted a building permit to construct an animal hospital.

Residents of C Street, across the railroad tracks from the kennel, complained to the selectmen in October 2001 that the noise from the facility had become unbearable. One resident said that he took his hearing aid out and could still hear the dogs. Another said she could hear barking over the noise of her television set, even with the windows closed. Petcetera's attorney, Michael Giaimo of Robinson & Cole, LLP, said that the kennel has since altered its practices to mollify the neighbors. He told the selectmen last year that the kennel previously exercised dogs in groups of 20 or more but now limits the number to 12 smaller dogs or seven larger ones outside at any one time. The dogs are let out three times per day, he said. Also, the kennel no longer houses professional security dogs, which tend to bark more loudly than other animals.

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In August 2002, Petcetera agreed to erect a new fence around its outdoor dog run in order to muffle the noise. The enclosure is made of chain link covered with a sound-absorbing vinyl and fiberglass material. Angela Sullivan, a four-year resident of C Street, admits that the noise level is “better than it was.” She does not hear barking when her doors and windows are closed. “But,” she said, “we’re not sure if it’s because of the fence or because they are keeping fewer dogs than they were before.” Still, Sullivan said, during peak times such as February school vacation week “it seems just as loud as it ever was.” Micheal Reck, who lives on Pearl Street, said that the barking is not as frequent as it was last summer, but it still wakes him up at 7:30 many Saturday and Sunday mornings and, he said, “I’m aware that it bothers my tenants.”

Dog Run Would Have to Be Enclosed

Belmont’s bylaws currently do not regulate kennels. Nor are such facilities required to undergo inspections by the Board of Health. To remedy these oversights, the Kennel and Dog Noise Regulation Committee is proposing a series of bylaw amendments that would require Petcetera to apply for a special permit to operate in Belmont, restrict any new dog kennels in town to the south Pleasant Street area, impose a limit of 25 dogs at any one kennel, and make it illegal for a kennel to house dogs outdoors. This means that the fenced outdoor area behind Petcetera would have to be roofed as well as walled in order to accommodate unleashed dogs. If the facility wanted to exercise dogs outdoors, its employees would have to walk them one at a time on a leash.

Giaimo said that he can understand the town’s desire to regulate new dog kennels in town but is concerned that the proposed bylaw amendments “would have a significant impact on existing business.” For example, during holidays and school vacation weeks, Petcetera boards a lot more than 25 dogs and has the physical capacity to do so. “If there were health and safety issues, we could understand, but to limit it arbitrarily seems unfair.” Most towns do not set absolute limits, he added, but base their limits on the physical capacity of the building

in question. Selectman Anne Marie Mahoney questioned the kennel committee on March 3 about the 25-dog limit. “Is this number economically viable for the kennel?” she asked. Committee members replied that no other bylaws they studied allowed more than 25 dogs and some set limits as low as 15. “Winchester and Arlington do not allow kennels at all,” Sarno pointed out.

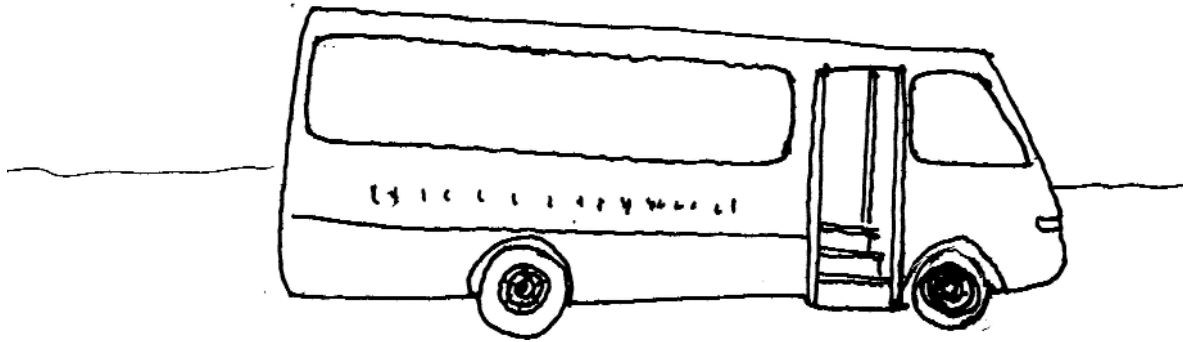
Article 28, the proposed bylaw amendment on kennels, defines a kennel as “four or more dogs, six months of age or older, kept on a single property, whether for boarding, breeding, sale, training, hunting, companionship, or any other purpose.” It mandates periodic inspections by the Belmont Board of Health and allows the town to impose fines or revoke a kennel license if the facility is not operated “in a safe, sanitary, and humane condition.”

The committee has also proposed that an Animal Control Appeals Board be appointed to hear unresolved complaints about dogs and recommend action to be taken. Animal control officer Marguranis told the committee that he had investigated 50 complaints about dogs around town in the past year. Of these, two had to be referred to the selectmen.

Escalating Fines for Noisy or Dangerous Dogs

Based on a recommendation from Marguranis, the kennel committee has also proposed a schedule of escalating fines for residents who violate the town’s dog regulations by either keeping an unlicensed dog, failing to pick up after a dog, allowing a dog to run off leash beyond its own yard, or owning a dog that “disturbs the peace and quiet of a neighborhood” or endangers a person’s safety. Right now, a resident can be fined, after a warning, \$25 for each offense. The new bylaw amendment would raise the penalty for a second offense to \$50, a third to \$75, and so on. As a practical matter, Maguranis said, he does not impose a fine on the owner of a barking dog unless the dog has been barking continuously for 20 minutes or more.

There will be a public hearing on the proposed amendments before they are brought to Town Meeting for a vote. The five members of the Kennel and Dog Noise Regulation Committee are Judith Ananian Sarno, Donald Becker, Elizabeth Cahill, Robert Gallant, and Susan Purcell.



Traffic Calming Forum

March 27, 7:30 pm
Hosmer School
1 Concord Street, Watertown

What makes a city pedestrian-friendly?

What are the best ways to calm traffic? What transportation alternatives exist? Peter Lagerwey, Bicycle & Pedestrian Program Coordinator for the City of Seattle will discuss progressive transportation management strategies at this public forum. Lagerwey is co-author of the book *Road Diets* and is a nationally recognized expert in the area of pedestrian safety and design. Residents of Belmont, Arlington, Newton, Watertown, and Waltham will attend. For information, call (617) 926-3878.

Directions to the Hosmer School:

From Mt. Auburn Street (Rte. 16) in Watertown, go south on School Street toward Arsenal Street. Take the second right, Boylston Street. Entrance and parking on Boylston Street.

Sponsored by
Watertown Citizens for Environmental Safety

Ogilby Family Preserves Old Farm Forever With

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and snapdragons. Angelo Sergi has already begun preparations for next season's crops. Belmontians can look forward to another year of purchasing fresh vegetables picked the same day. During harvesting season, which usually begins at the beginning of July, you can enter the gate on Glenn Road on weekends to drive to the farm stand in the center of the field area.

An Agriculture Preservation Restriction, known as an APR, is described in Chapter 184, section 31, of the Massachusetts General Laws as "...a right...in the form of a restriction...appropriate to retaining land or water areas predominately in their agricultural farming or forest use, to forbid or limit any or all...acts or uses detrimental to such retention of the land for agricultural use...in perpetuity... All other customary rights and privileges of ownership shall be retained by the owner including the right to

privacy and to carry out all regular farming practices." It cannot be removed without the agreement of the land trusts, the town, the state legislature, and—in a special provision for this APR—the court. Ownership of the land can change, but each subsequent owner must abide by the terms of the restriction.

For example, no owner could erect a dwelling on any portion of the restricted land. The owner, the land trusts, the town, or any other governmental body would not have the authority to individually waive this restriction. However, the agreement delineates a square "envelope" where farm buildings are allowed. This area measures 150 feet on each side and surrounds the present farm stand and former green house foundation. New or restructured agricultural buildings, such as a barn or greenhouse, could be erected there.

It is the duty of the Belmont Land Trust, with back-up support from the American Farmland Trust, to monitor, defend, and enforce the use of the property according to the terms of the restriction agreement, including the prevention of an eminent domain taking by a governmental body. For this purpose, the BLT is creating a Stewardship Fund through tax-deductible donations from its supporters.

At the time that the restriction was created, the BLT performed a "Baseline Survey" of the existing agricultural operations and condition of the farm. The survey included photographs, a certified plot plan, an environmental assessment, GPS (Geographic Positioning Satellite) recordings, and a general written review of the farm operations. The purpose of the survey was to establish a permanent record for the land trust to refer to in performing its annual monitoring evaluation. If any substantial violations of the restriction covenant were found, it would be the duty of the BLT to work with the owner and operator of the farm to alleviate the



Agricultural Restriction Managed by Land Trust

problem and take whatever actions were necessary to keep the property within the limitations of the agreement. Generally, any agriculture-related growing and harvesting activity would be permitted, including differences from its present use such as tree farming or allowing a field to lie fallow.

Conservation Restriction Considered

Another form of development restriction used to protect properties in Belmont is a private Conservation Restriction agreement, also based on Section 31 of Chapter 184 of the General Laws. This CR must be agreed upon by (1) the owner, (2) a holder of the restriction such as a land trust, (3) the town, and (4) the Executive Office of Environmental Affairs. A private CR is usually recommended when a landowner wants a property to remain forever in its present state of non-development. Access to the property can remain private. The Ogilby family and the BLT are also seeking a CR for the farm property that would run concurrently with the APR. This CR would further protect the property under a non-development restriction in the event that the owner ceased to use it for agricultural purposes.

Under an APR or a CR, the public is required to respect the privacy rights of the owner. There is a popular misconception that a restriction of this sort gives the public permission to use or wander around the property. On the contrary, people may enter the property only when invited, such as during harvesting season when the farm stand is open. The Ogilby and Sergi families have many stories to tell of property abuse over the years. People have dropped loads of garbage and yard waste, trampled and cut farm produce, dismantled the historic stone walls, damaged farm machinery, and committed many other acts of vandalism or trespass that most landowners would find very disturbing.

In order to be allowed to place the property under a CR and receive the protections and tax benefits offered by Chapter 184, however, the property must have a legitimate conservation benefit to the community, such as a scenic view from adjoining property accessible to the public. By gifting the

development rights to a charitable, non-profit organization such as the Belmont Land Trust, the landowner is left with property that can be privately used and enjoyed in its present undeveloped state, but is substantially reduced in value for tax purposes. This “gift” can be used to create a reduction for income taxes, a smaller estate for estate tax purposes, and sometimes a lesser real estate tax assessment. The actual effect of the gift for income and estate taxation purposes depends on the owner’s own personal tax situation and can vary from property to property. For example, because the Ogilby farm property (not the residences) was placed in special agricultural land tax status under M.G.L. c. 61A several decades ago, the present APR or potential CR will not further reduce the family’s property taxes.

It is not the size of the property that is most important; sometimes a relatively small piece of property can be preserved with a CR. Each property needs to be individually evaluated. For example, last year, the Belmont Land Trust received a CR on a 1.5-acre parcel of field, trees, and original stone wall on Concord Avenue. A conservation-minded owner with a property that does not meet the requirements for a formal CR can always place a non-development covenant on a property deed, although this does not offer the tax benefits and some of the formal protection provided to a CR holder under Chapter 184.

If you are interested in finding out more about how a Conservation Restriction or non-development covenant might apply to your land, you may call Belmont Land Trust President Neal Winston at (617) 484-0539 or send e-mail to nwinston@erols.com. You may also contact the Land Trust Alliance at www.lta.org, (202) 638-4725, or Land Trust Alliance, 1331 H St. NW, Suite 400, Washington DC 20005-4734. The Belmont Land Trust also would be pleased to send you additional written information. Contact Neal Winston or write to Belmont Land Trust, P.O. Box 79138, Belmont, MA 02479-0138.

Neal Winston is an attorney and president of the Belmont Land Trust.

Smart Growth Advocated for Alewife

By Ernest Kirwan

The City of Cambridge has expressed concern about Belmont's plans to permit development of the uplands silver maple forest at Alewife, on the Cambridge and Arlington border. The Cambridge Conservation Commission submitted a letter to

the City Council Health and Environment Committee raising the issues of water quality, wildlife habitat, endangered species, and flood control if the land is developed. Belmont Town Meeting voted last May to rezone the 13-acre uplands parcel for commercial use. The rezoning allows construction of a 245,000-square-foot Research and Development building, along with parking for 796 cars—some in a surface lot and some in a three-level garage. These buildings, according to the Environmental Notification Form filed by O'Neill Properties, the developer, would remove seven acres of woodland and add 4.4 acres of asphalt and concrete paving.

Since the proposed complex is near Little Pond and the Little River, it could create downstream problems for Cambridge, including flooding and discharges of sediment, nutrients, pesticides, and road salt directly into the water, reported members of the Conservation Commission at a City Council hearing on March 4. Albe Simanes, Chair, and Cynthia Jensen both made strong pleas for regional cooperation in planning for the entire lower watershed of the Mystic River.

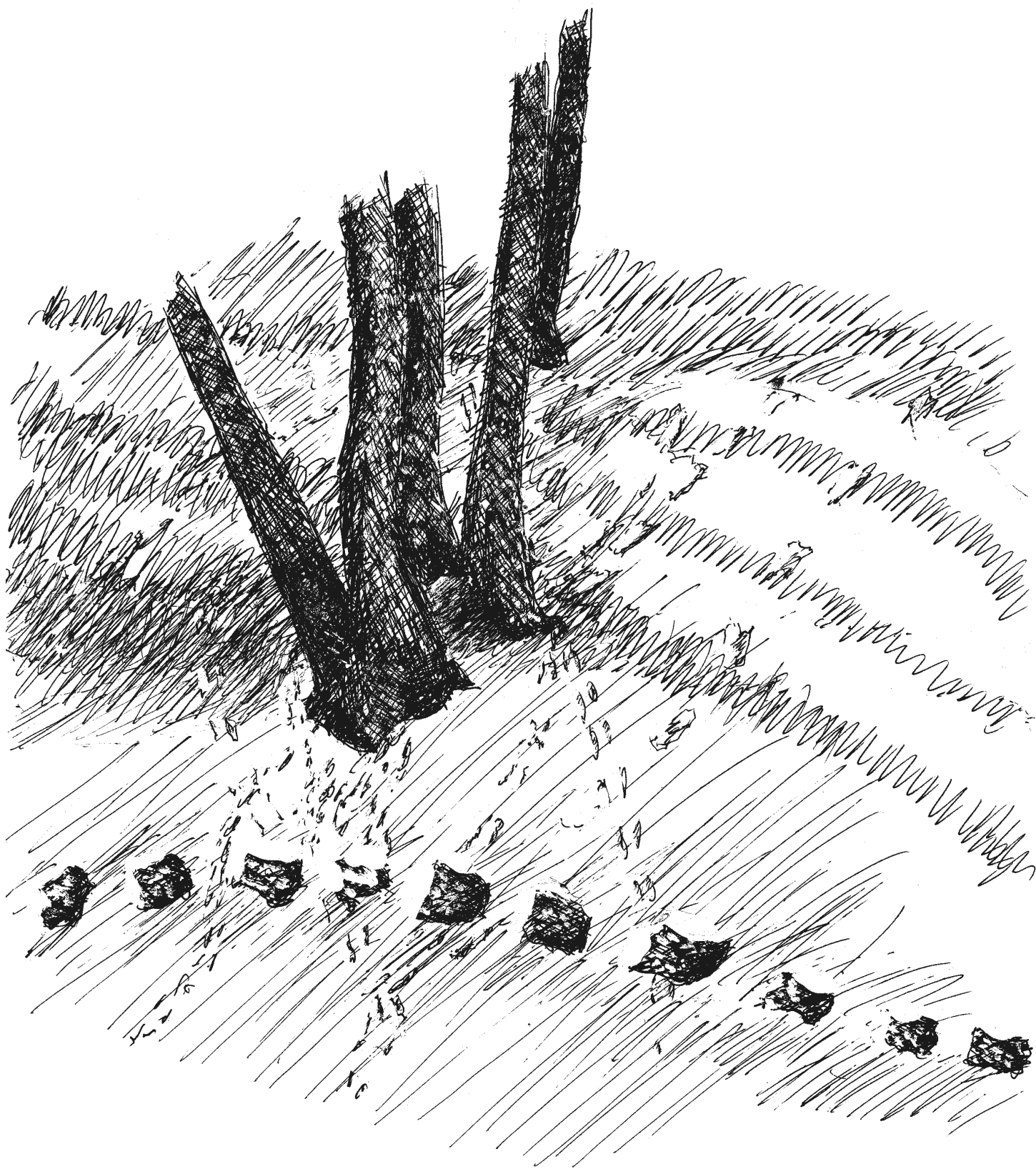
Arlington, which is particularly vulnerable to flooding in that area, had earlier opposed the Belmont development; Arlington Selectmen even attended a meeting in Belmont to voice their concern. Others raising concerns about the O'Neill development are Friends of Alewife Reservation (FAR), the newly organized Save Our Forest Committee, the Coalition for Alewife, the Mystic River Watershed Association, and the Belmont Citizens Forum.

A major issue is that by cutting down the silver maple forest, now recognized as rare, damage would be done to the flood retention capacity of the wooded area. The forest now protects neighbors and the Alewife Reservation from flooding and highway noise, improves air quality, and preserves critical habitat for many bird and animal species, which need both the wetlands and the upland areas for year-round survival. It also provides open space of exceptional beauty and educational value, according to Ellen Mass, President of FAR, and several technical specialists who spoke at the hearing. These included architect John Walker, engineer Bruce Jacobs, environmental attorney David Hobbie, Harvard University professor Robert France, and naturalist Peter Alden. Alden called the preservation of the upland forest a crucial factor in the long-term viability of this unique urban wild, one of the three largest in the Boston area.

The Health and Environment Committee hearing, chaired by Vice Mayor Henrietta Davis, was held to review a request from O'Neill for hookups to Cambridge water and sewer systems. City engineer Owen O'Riordan stated that there is, or will be, sufficient capacity in these utilities once Cambridge completes the proposed project to eliminate combined sewer overflows (CSO's) under a federal mandate. Since the developer would pay a fee for this service, O'Riordan said he could see no reason to deny the hookups. Belmont Senior Planner Timothy Higgins said that, if necessary, O'Neill could make a direct connection to Belmont sewers but that this would cost more and be a greater disruption to the neighborhood. In any case, according to engineer Steve Kaiser, the effluent would have to come back through the same MWRA pipes which are now experiencing blockages; this problem was also cited by Jennifer Griffith, an environmental engineer whose East Arlington street has experienced sewage overflows during many recent floods.

Several speakers, including Stash Horowitz of the Associated Neighborhoods of Cambridge, spoke of the need for a regional approach to planning in the Alewife watershed in order to avoid future damage to our quality of life; he also suggested that more housing should be built and less office/R&D space, of which there is an oversupply. This approach was seconded by Nancy Hammett,

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Director of the Mystic River Watershed Association (MyRWA). Hammett offered to host a regional workshop that would bring together several municipalities, real estate developers, state agencies, and area residents to develop a win/win solution for the Alewife area using “smart growth” principles that could benefit the economy, the environment, and our local communities.

As a result of the hearing, Vice Mayor Davis and Councilor Brian Murphy drafted orders request-

ing (1) that the city cooperate with MyRWA in convening such a regional planning process, (2) that the city refrain from granting sewer and water connections, subject to discussion and support of the Cambridge Conservation Commission, and (3) that further information be provided on the utilities capacity and flooding issues for current and future development in the Alewife area.

Ernest Kirwan is an architect, a resident of Cambridge, and a member of the Friends of Alewife Reservation and the Save Our Forest Committee.

Safe Lawns and Gardens that Feed the Earth

Wednesday, April 9 at 7:30 pm
Bramhall Room, All Saints Episcopal Church
Corner of Clark & Common Streets, Belmont

Gardening season is here!

Come to our April Friends Meeting and learn about making and maintaining gardens and lawns without synthetic pesticides and chemical fertilizers.

Our guest speaker, Henrietta Light of Watertown Citizens for Environmental Safety (WCES), is the former horticulturist at the Lyman Estate in Waltham, where she managed greenhouses and gardens without pesticides. Ms. Light maintains a demonstration garden in Watertown and will bring with her an educational display and a variety of informative brochures and handouts. She is active in the Pesticide Use Reduction and Education Campaign of WCES, which is affiliated with the Wellesley-based Massachusetts Pesticide Awareness Collaborative. For information, call (617) 484-1844 or visit www.belmontcitizensforum.org

Friends of the Belmont Citizens Forum

Western Greenway Trail Guide Now Available

By Roger Wrubel, Marie Daly, and Allison Mooney

A map and brochure showing access points, trails, and highlights of the 1000+ acre greenway that straddles Belmont, Lexington, and Waltham is now available at the Belmont Public Library and at Habitat Wildlife Sanctuary on Juniper Road. This contiguous open land, known as the Western Greenway, is comprised of uplands, wetlands, forests, meadows, several working farms and community gardens, a Girl Scout camp, and various historic homes—some of which are open to the public. A determined hiker could complete a 12-mile loop through the greenway in about eight hours. It is home to a diversity of flora and fauna: wild turkey, coyote, foxes, wood frogs, pink lady's slippers, painted turtles, bluebirds, hawks, and great horned owls, to name a few.

The benefits of maintaining the greenway as open land are many. Trees slow global warming, by producing oxygen, removing carbon dioxide from the air, and storing it in their trunks. Wetlands act as sponges—soaking up rainfall and snow melt, mitigating flooding, and filtering out impurities before water reaches local streams, rivers, and ponds. This rare swath of greenery also helps moderate the climate west of Boston, keeping the suburbs cooler than the city during hot, humid summers. Property

values rise too when nearby land is conserved and people are able to find refuge from the urban environment.

19th Century Landowners Donate Tracts

Originally, Native Americans lived and hunted on the hills, drumlins, eskers, and ridges of what is now the Western Greenway. From colonial times, as Europeans settled, more of the land was cleared for farms and pastures. A few families maintained large tracts. Some of their names may be familiar. Among the first generation were Wellington, Chenery, Lawrence, Stearns, and Brown; later came the Warren, Atkins, Lyman, and Paine families. From 1875 on, land ownership shifted from these families to institutions. The Metropolitan District Commission acquired one of its first reservations, Beaver Brook, from the Stearns and Atkins estates in 1893. The Lyman estate came under the ownership of the Society for the Preservation of New England Antiquities. The Paine family estate was purchased by the City of Waltham with state funds. Cornelia Warren donated her land to the City of Waltham, the University Of Massachusetts, and the Patriot Trail Girl Scouts. Habitat was established in 1970 on the Belmont estate of Ruth Atkins Churchill.

continued



In the latter part of the nineteenth century, several hospitals chose this area to locate their campuses, based on the belief that the pastoral setting would aid the healing process. First, the Fernald School opened in Waltham, followed by McLean Hospital in Belmont, which moved here from Charlestown. The Commonwealth assembled over 400 acres of land formerly owned by the Lawrence and Broderick families in Waltham, Lexington, and Belmont and built the Metropolitan State Hospital. Middlesex County established a hospital for the treatment of tuberculosis in Waltham. These properties comprise the majority of the greenway. Currently, most of the properties are held by the Commonwealth of Massachusetts, non-profit organizations, or local communities. One property, Olympus (part of the former county hospital), is privately held and another parcel is owned by the Catholic Church. For a more complete list of properties, see the box at right.

Roger Wrubel is the director of the Habitat Education Center and Wildlife Sanctuary in Belmont. Roger Wrubel, Marie Daly, and Allison Mooney are members of the board of the Waltham Land Trust.

Guided Greenway Walks

May 11

“Birding the Western Greenway”

Led by Roger Wrubel and Brooke Stevens

\$20 for Mass Audubon members

\$24 for non-members

May 31

“Western Greenway Walk”

Led by Roger Wrubel and Allison Mooney

\$20 members/\$24 non-members

To register, call Habitat at
(617) 489-5050

What's in the Greenway?

A greenway is a corridor of land and water linking natural, cultural, and recreational resources. It is not a legal designation in the sense that it does not change the zoning of any property, but it does serve as an important planning tool by highlighting valuable resources within a community. The Western Greenway comprises the following properties:

- Massachusetts Audubon's Habitat Wildlife Sanctuary 617-489-5050, open to Mass Audubon members and guests
- McLean Hospital, Belmont. Private. Trails open to public, campus closed to public.
- Rock Meadow, Town of Belmont Conservation Land. Open to the public.
- The Metropolitan District Commission's Beaver Brook Reservation. Open to public.
- The former Metropolitan State Hospital. Permission required.
- The Fernald School, Waltham. Campus closed to public.
- University of Massachusetts Lawrence Meadow and Agricultural Field Station. Open to public.
- Cedar Hill Patriots Trail Girl Scout Reservation, Waltham. Permission required.
- Waltham Woods. City of Waltham, Open to the public.
- S.P.N.E.A.-The Lyman Estate, Waltham. Grounds and greenhouse open to the public. Estate house closed to the public.
- Robert Treat Paine Estate and Storer Conservation Land, Waltham. Open to public.
- Chester Brook Woods, Waltham. Open to the public.
- Our Lady of the Afflicted Catholic Church. Permission required.
- Former Middlesex County Hospital, Parts are privately owned in Waltham and Lexington, permission required. Parts owned by the City of Waltham and the Commonwealth are open to the public.



sources, total operating revenue will grow by approximately \$1 million in fiscal 2004, a tiny 1.4 percent increase and much less than the spending increases required to support the present level of town services.

The result is that both the school system and town departments are facing staffing and programmatic cuts in 2004.

To make matters worse, the fundamental dynamic of expenses rising faster than revenues will produce larger and larger potential deficits in future years. Five-year projections developed by the Selectmen and Warrant Committee show projected deficits of \$1.7 million in 2004, \$2.8 million in 2006, and \$4.8 million in 2007.

What can town leaders do to reverse this trend?

There are no easy answers. The two major revenue sources—property taxes and state aid—are both constrained. Belmont has among the highest property taxes in the state, and the voters have already approved two overrides in the past two years. The 2002 override passed by a narrow 52 to 48 percent margin, and in this difficult economic climate another operating override is unrealistic.

Because of prior debt exclusions for the Chenery Middle School, the Town Hall Annex, and the athletic complex, property taxes will rise an average of 7.2 percent in 2004, or \$485 for the average home, *even without an override*. Furthermore, a long list of capital projects awaits funding, including the fire stations and senior center. These last two are likely to come before the voters as debt exclusions in the next few years.

The other significant source of revenue—state aid—will be level at best in fiscal 2005 and 2006, following a major cut in 2004. Because the state is struggling with a multiyear fiscal crisis, the major increases in state aid that Belmont enjoyed in the 1990s will not return for years to come.

Finally, for a variety of reasons the town is not likely to see any meaningful tax revenues from either the McLean or Alewife developments until at least fiscal 2007. And those revenues, when finally realized, will be more in the nature of a palliative than a cure for Belmont's fiscal ills.

With revenue possibilities severely limited, Belmont must address its spending in order to slow

down the rate of annual growth.

The Selectmen and Warrant Committee are working to find savings wherever possible. A recently approved change in the health insurance program for employees and retirees is anticipated to save \$700,000 in fiscal 2004, with *no* reduction in benefits. A proposed consolidation of several departments into a new Department of Public Works will create real efficiencies. That proposal will come before Town Meeting in late April. Warrant Committee task forces are also exploring several other areas, including better controls on overtime and a reduction in the number of town-owned vehicles.

Ultimately, however, the town can only bring spending into line with revenues by controlling personnel costs. This can be achieved in only two ways—by reducing the number of employees or by limiting annual salary increases under collective bargaining, or both. These are difficult measures, but we have no choice. We must control employee costs.

As a town of homes, Belmont cannot depend on significant commercial or industrial development to provide property tax relief. In the end, the citizens of Belmont must decide what level of taxes they will pay for what level of services. Unfortunately, the taxes are likely to be higher and the services lower than most of us would like to see.

Michael Widmer chairs the Belmont Warrant Committee.



We need you.

If you can volunteer even a few hours a month, you can make a difference. You do not need to be an expert—just a person who cares about our town.

I can devote time to:

_____ Archaeology & Historic Preservation
_____ Environmental Protection
_____ Planning & Zoning
_____ Traffic & Transportation
_____ Mailings
_____ Newsletter
_____ Website

I can help pay for this newsletter:

It costs about \$3500 to publish each issue of our newsletter. Please donate for this purpose:

_____ \$25 _____ \$50 _____ \$100 _____ \$250

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The Belmont Citizens Forum is a nonprofit 501(c)(3) organization. Your donation is deductible from federal taxes to the full extent provided by law. If you have questions, please call (617) 484-1844.

Make checks payable to Belmont Citizens Forum and mail to Belmont Citizens Forum, P.O. Box 609, Belmont MA 02478. Thank you!

Environmental Events, continued from page 2

first talk, visit www.bostonhistory.org, call (617) 720-1713 ext.25, or email education@bostonhistory.org. To inquire about the second talk, visit www.bostonathenaeum.org or call (617) 720-7600. Haglund's book, *Inventing the Charles River*, was published by MIT Press in December.

Charles River Clean-Up. Over 1000 volunteers will pick up trash at 40 sites along the 80-mile length of the Charles River on **Saturday, April 12, between 9 a.m. and 12 p.m.** If you would like to bring your neighborhood group, school, or scout troop to a site, or participate as an individual, please contact Colleen Tuohy at (617) 879-7735 or charlesrivercleanup2003@yahoo.com

How to Change Global Climate Change. Kevin Knobloch, Executive Director of the Union of Concerned Scientists, will speak on **Tuesday, April 15 at 7 p.m.** at the Robbins Library Community Room, 700 Massachusetts Avenue, Arlington. This is one in series of talks sponsored by Sustainable Arlington. Free and open to the public.

Solving Regional Flooding Problems. A Tri-Town Committee that includes Belmont Selectman Will Brownsberger and other official representatives from Arlington, Belmont, and Cambridge will discuss flooding problems and solutions at a regional public meeting on **Tuesday, April 22, 7:00 – 9:30 p.m.** at Arlington Town Hall. Presentations will be made by both state and local officials, and flooding experts will be on hand to answer questions from citizens.

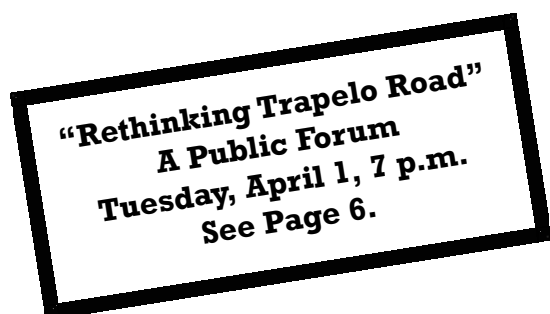
Zoning Reform Forum. Kurt Gaertner, Director of Growth Planning at the state's Executive Office of Environmental Affairs, will speak about proposed changes in state zoning laws and the significant impact these will have on local communities.

Thursday, April 24 at 7:30 p.m. in the Government Center Auditorium, 119 School Street, Waltham (corner of Lexington and School Streets). Public parking one block away. Co-sponsored by the Waltham Land Trust, the League of Women Voters of Waltham, the Waltham Alliance to Create Housing, and the Waltham Council of Neighborhood Advocates. Direct questions or comments to Inge Uhler at (781) 899-2844 or 75122.1245
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People Are Asking

How Can Belmont Make Ends Meet?

By Michael Widmer

As chair of the Belmont Warrant Committee, I have been asked to describe the state of the town's finances and what options are available to balance the budget in 2004 and beyond.

Belmont is in the midst of a long-term financial squeeze because year-to-year spending is growing at a greater rate than year-to-year revenues.

For Belmont and other communities, employee salaries and benefits—for teachers, police, fire and others—account for almost three quarters of the operating budget. Collective bargaining increases and escalating health care and special education costs are pushing the town's expenditures up by four to six percent a year—even with tight budgeting and

some cuts in programs and services.

Revenue, on the other hand, is constrained by Proposition 2 1/2, which limits annual increases in total property taxes to 2 1/2 percent plus any growth from home renovations or new development. During most of the 1990s, major increases in state aid allowed the town to balance its budget without program cuts.

However, as state aid leveled off beginning three years ago, the town was forced to turn to operating overrides to preserve a basic level of services—a \$3 million override for fiscal 2002 and a \$2.4 million override for 2003. Now state aid to Belmont is actually being cut. As a result, the town faces large budget deficits for the next several years.

For fiscal 2004, which begins July 1, 2003, the town is anticipating a \$1.5 million or 20 percent reduction in state aid. Property tax revenues supporting the operating budget are expected to grow by only about \$2 million. After adjusting for cuts in state aid and small increases in other revenue

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