

REPORT OF THE BOARD OF APPEALS

The Town of Weston adopted its first set of zoning regulations in 1928. Since that time, the Zoning By-Laws have been amended periodically to promote the health, safety, convenience, morals and welfare of the citizens of the Town. The zoning regulations provide for certain building restrictions, and it is the role of the Board of Appeals to determine whether relief from these restrictions is warranted in certain situations. To that end, the Board of Appeals hears and makes decisions on applications for: variances from zoning restrictions; findings for the reconstruction, alteration or extension of a pre-existing, non-conforming structure or lot; special permits; Comprehensive permits, and appeals of the decisions of the Building Inspector.

Variances: A property owner may petition the Board of Appeals for relief from the Zoning By-Law's building restrictions. The Board of Appeals will publish a legal notice of the petitioner's request, notify the petitioner's abutters, and hold a public hearing on the matter. A variance may be granted only upon the petitioner demonstrating that:

- Special circumstances relating to the soil conditions, shape or topography of the land or structures make the literal enforcement of the zoning regulations a substantial hardship;
- Desirable relief may be granted without detriment to the public good; and
- The granting of the variance would not nullify or substantially derogate from the intent of the Zoning By-Laws.

Satisfaction of these three legal requirements must be made at the public hearing before the Board of Appeals will grant a variance request. The Board makes a written decision which is then filed in the Town Clerk's office.

Findings: Many of Weston's properties were developed and built prior to the current Zoning By-Law's adoption. These older properties may be deemed to be pre-existing, non-conforming structures and lots. Although they are "grandfathered," any property owner seeking to extend, alter or reconstruct the buildings must petition the Board of Appeals for a finding that the proposed addition or change will not be more detrimental to the neighborhood than the existing structure. This procedure requires published legal notice, notice to abutters, and a public hearing in much the same manner as a variance request. The Board of Appeals files its written decision with the Town Clerk's office.

Special Permits: Special permits may be granted for a variety of exceptional uses of property as described in the "Use Regulations" section of the Zoning By-Law. Special permits are granted for uses which are in harmony with the general purpose and intent of the Zoning By-Law and may include conditions, safeguards and limitations on time. Examples of special permits are those granting the operation of summer camps and the conversion of a residential dwelling to include an accessory apartment.

Comprehensive Permits: In 1969 Massachusetts enacted the "Anti-Snob Zoning Act," allowing for the override of local zoning legislation, in order to construct low and moderate income housing. A developer seeking to build such housing appears before the Board of Appeals with an application for a comprehensive permit. This process is handled similarly to other requests before the Board, with the exception that these requests typically require multiple hearings before a decision is reached, due to the complexity of the Comprehensive permit process.

The Board of Appeals typically meets twice a month. The Board's hearings are public, and notices appear in the local newspaper, and are mailed to legal abutters. Notices of hearings are posted at the Town Clerk's office and on the Town website. The Board makes every effort to consider the opinions of the petitioners, their neighbors, and other interested Town entities such as the Planning Board, the Board of Selectmen, the Historical Commission, the Conservation Commission, the Board of Health, the Building Inspector and the Town Engineer.

Assistance: Assistance with applications and questions related to the Zoning Board of Appeals may be directed to the office in the Town hall.

In 2008, the Board held 26 meetings, to hear and decide 82 cases, including:

- 57 cases involved variance requests
- 3 sites involved cell requests
- 14 cases involved only findings
- 4 cases appealed the Building Inspector
- 1 case involved commercial property
- 1 case involved Town land
- 1 case involved a camp
- 1 accessory apartment was renewed

Board of Appeals members: Wendy Kaplan Armour, Chair, Winifred I. Li, Peter C. Knight, Marc Margulies, Jane Fisher Carlson and Gary Wolf.

The volunteer members of the Board are appointed by the Selectmen for a three year term.

The Town thanks Elizabeth H. Munro for her many years of service with the Zoning Board of Appeals and the Planning Board

REPORT OF THE CASE ESTATES BUILDING ADVISORY COMMITTEE (CEBAC)

In connection with the expected purchase of the Case Estates by the Town of Weston, the Board of Selectmen formed the Case Estates Building Advisory Committee (CEBAC) to recommend actions to be taken with regard to the following three existing buildings on Lots 4 and 5: the c. 1790 Thomas Rand Jr. House (on Lot 5); the c. 1909 Hillcrest Clubhouse/Schoolhouse (on Lot 4); and the 1927 yellow brick Hillcrest barn (also on Lot 4).

CEBAC considered four options and their financial consequences, including a review of existing conditions and improvements that would be needed if the Town were to rent or sell the buildings. The CEBAC Final Report, submitted to the Board of Selectmen in April 2008, included a financial analysis of each option. The following is a brief summary of the report:

Option 1: Unrestricted Sale. Selling the properties outright without restrictions maximizes revenue to the Town; however, this alternative would probably result in demolition of all three buildings and construction of two large new homes. CEBAC rejected this alternative as inconsistent with the Town's goal in acquiring the Case Estates property.

Option 2: Sale with Preservation Restrictions. Protecting the three buildings with preservation restrictions lowers market value but would be necessary if the Town's goal is to preserve the character of the adjacent Case Estates land being acquired for conservation. A sale

under these conditions provides the Town with immediate cash proceeds and avoids future maintenance and administrative burdens.

Option 3: Rent or Lease at Market Rates. This option also accomplishes the Town's preservation goals while maintaining the flexibility for alternative future arrangements. It would, however, burden the Town with administrative and maintenance responsibilities.

Option 4: Rent or Lease on "Special Terms". CEBAC analysis shows that, based on current cost and income assumptions, certain lease arrangements could provide a suitable financial alternative to a sale with architectural and landscape restrictions. One organization, the non-profit Land's Sake, contacted CEBAC regarding leasing the buildings on "special terms."

CEBAC analyzed the Land's Sake proposal to lease both parcels as a campus for a "Suburban Ecology Institute." Such an institute would use the adjacent conservation land for farming, horticulture, and forestry programs and use the buildings for educational programs for all ages. Land's Sake has expressed interest in negotiating a lease or lease-to-buy arrangement, whereby it would take over responsibility for all three buildings with a "master lease" allowing it to rent or provide free space to other community groups for the public benefit.

Recommendation: CEBAC recommends that the Board of Selectmen enter into negotiations with Land's Sake with the goal of determining a revenue-neutral financial arrangement that would cover the Town's bonding costs for the two parcels over a 20-year period and allow Land's Sake to pursue its goal of developing a Suburban Ecology Institute.

Based on our current cost and income assumptions and a discounted cash flow model over a 20-year period, having Land's Sake lease the property on special terms is very competitive with selling the properties now on a restricted basis. Assuming that lease income covered the payment of bond interest and other maintenance and administrative costs, the advantages to the Town of having Land's Sake lease the entire property include the following:

- The Case Estates buildings would remain in the public domain
- Land's Sake could maintain portions of the remaining Case Estates land under contract with the Conservation Commission, subject to public bid laws
- The Town has the option to redirect use/ownership at the end of the 20-year term

COMMITTEE TO REVIEW ACCESS TO 40-ACRE FIELD AT CASE'S CORNER

The Committee to Review Access to 40-Acre Field was appointed by the Board of Selectmen to make recommendations regarding the driveway access to the 40-Acre Field near Case's Corner. In doing so, we took into account the various aspects of vehicle and pedestrian safety and to the extent possible, aesthetics, abutter impacts, cost, and minimizing impacts on the current farm operation.

The existing driveway location on School Street is shared with two residential properties and is located between two intersections, Wellesley Street/School Street and Wellesley Street/Newton Street. The Town currently lacks ownership rights or an access easement for the existing driveway, which in part, prompted formation of the committee. While the committee examined the pros and cons of acquiring an easement and leaving the driveway location 'as is,' this option failed to meet any of the Board's criteria established for our analysis: "...visitor and pedestrian safety, traffic impacts, impact on neighbors, cost, and aesthetic impacts on the Case's Corner area of Weston."

Proposed Driveway

The location that best meets the Board's criteria is to place the new driveway opposite the cut-through in the island at Case's Corner. In this way, vehicles exiting the farm stand and heading south on Wellesley Street could simply go straight through the existing opening, rather than turning onto the street only to make another immediate left-turn. Although there is no ideal exit from the farm into this busy and complex intersection, the committee felt that this point was at least as safe as the current exit, and perhaps marginally better, and certainly better than any other alternative on town-owned land. It would also impose the least aesthetic and operational impact on the farm.

Proposed Parking

The proposed gravel driveway described above would curve in a southerly direction for approximately 200 feet into the 40-Acre property where it terminates into a parking area. With regard to a new parking area location, the committee's aim was to find land that would be large enough for 30 vehicles, which the committee determined would be sufficient for all but the largest events at the farm stand, e.g., the strawberry festival. A center aisle with parking at each side was determined to be the most efficient layout to minimize the parking footprint. Thirty spaces were also believed to be approximately equal to the existing parking supply. The goal was to keep the parking close to the existing farm stand, and not impact a productive growing area. The parking area and driveway design were also chosen to minimize mature tree removal, required excavation, and to utilize existing natural contours in order to visually screen the driveway and parking area as much as possible in all directions. While the existing farm stand could be potentially rebuilt or relocated as a separate project, the objective was not to necessitate such work due to the new parking area location. Similar to the driveway materials recommendation, to minimize surface runoff impacts and construction costs, a gravel surface is proposed.

Estimated Construction Cost

The cost for this work is estimated to be in the range of \$30,000 to \$45,000, not including any contingency.

Conversion of the Wellesley St/ School St Intersection to a Modern Roundabout

While the committee's charge focused on appropriate driveway access to the 40-Acres, the group could not ignore existing congestion and safety issues on adjacent streets. Significant review and discussion leads us to recommend a roundabout for the Wellesley Street/School Street intersection. The proposed driveway relocation would be an "interim solution" and construction of a modern roundabout would be a preferred "permanent solution." Two traffic consultants reviewed the peak hour traffic volumes (Regis 2005 study traffic counts) and available right of way and indicated that a roundabout would be a safety and traffic flow improvement that could be constructed within the existing "footprint" of the intersecting roads.

A roundabout would provide associated benefits to the Case Campus, including facilities served by Alphabet Lane (e.g., Country School, Woodland School, Field School, Weston Community Center, Town Pool, School Administration Building). Also, the roundabout is believed to be the best solution to safely accommodate increased pedestrian and bicycle travel given the proposed sidewalk down Ash Street, increased foot traffic to the new Case Estates open space, and pedestrian connections between the Case Campus, Case Estates, and 40 Acres. As the Committee completed its work in late 2008, a new study of traffic circulation and parking on Case Campus was anticipated as part of the Field School pre-design work in 2009. A cost estimate and further study of a modern roundabout was determined to be outside the

committee's scope. Thus, the committee expects the Town will further examine a roundabout concept in the near future.

If a roundabout is eventually designed and implemented at the Wellesley Street/School Street intersection, a new driveway location for the 40 Acre Field may be necessary. Although the driveway would probably only have to be moved a few feet to make the best connection with the roundabout, a new break in the stone wall may be necessary. The cost for any such adjustment is not included in the estimate of the cost of the "interim solution" proposed here. The new parking area would not be impacted.

In closing, we hope that the committee's work, as summarized by this report, will facilitate future safety and access improvements to the 40-Acre Field. We thank the Board of Selectmen for the opportunity to serve the Town in this capacity.

REPORT OF THE COMMUNITY PRESERVATION COMMITTEE

The Community Preservation Committee (CPC) evaluates proposals submitted by Town boards and committees or community groups for use of funds that the Town receives pursuant to Article 31 of the Town By-Laws and the state Community Preservation Act (CPA) which the Town accepted in 2001. The Act provides for a participating town to adopt a property tax surcharge up to 3% with the State matching the local receipts. The Town of Weston voted in 2001 to surcharge up to the 3 % maximum.

In October the Town received its seventh disbursement from the State's matching Community Preservation Trust Fund. For the first time, due to the popularity of the program and declining real estate activity (the program is funded through deed recording fees), the State did not match at the 100% level. All CPA communities received a first round match of 67.62%. The seventy-one communities including Weston who had adopted the full 3% surcharge received additional funding in the second round distribution. Weston's total State match was \$1,065,215, or approximately 72% of the reported CPC surcharge. The State is projecting a first round match of 35% in October 2009, though legislation is pending that would raise the guaranteed minimum State match from 5% to 75%. From the program's inception through the end of FY08, the Town collected over \$7 million in CPA revenue from the State and nearly \$8.5 million in CPA revenue locally and earned over \$1.7 million in investment income on these receipts.

Pursuant to the CPA legislation, a community must spend, or set aside for future spending, a minimum of 10% of annual CPC receipts on: open space (excluding recreational purposes), historic preservation, and community housing. The remaining 70% of funds, the so-called "unreserved funds," may be allocated to any one or a combination of the three main uses, including public recreational purposes, at the discretion of the CPC and subject to the approval of Town meeting. Up to 5% of the annual CPA funds may be spent on the operation and administration costs of the CPC.

At the Annual Town Meeting on May 12, 2008 and the Special Town Meeting on December 1, 2008, the CPC presented its recommendations for FY09. Appropriations approved by Town Meeting were as follows:

Administrative Allowance	Operating Expenses	80,000
Open Space	Open fields restoration, 5th phase	20,000
	Debt service on Case Estates	513,675
	Preservation of recreation areas	250,000
	Hemlock treatment	25,000
Historic Resources	Josiah Smith Tavern and Old Library final design	750,000
Community Housing	Brook School Apts debt service	301,323
	Staffing for housing needs	30,000

Projects approved in 2008 are in various stages. The Conservation Commission hopes to complete its 5 year, field restoration project and its hemlock treatment program by early spring. The Town's purchase of Case Estates (for which funds were originally appropriated in November 2006) continues to be delayed as the Town and Harvard University negotiate the details of the cleanup of the arsenic discovered on the property. The cleanup plan must be approved by the Town's Planning Board and Zoning Board of Appeals before the Town can acquire the property.

The decision handed down in October by the Supreme Judicial Court (SJC) of MA concerning a clarification regarding use of CPA funds for recreational purposes has caused a number of the Master Plan Field Steering Committee's (MPFSC) plans for systematically preserving and improving the Town's recreation areas to be put on hold. In *Jeffery Seideman & others vs. the City of Newton*, the SJC affirmed that CPA funds could be used only for "preservation and protection" of recreation areas, not "rehabilitation and restoration" of recreation areas, unless those recreation areas were acquired by CPA funds. In its ruling the SJC narrowly defined "preservation and protection" and specifically excluded many expenditures that the Town, and many communities across the state, had previously considered permissible uses of CPA funds. The SJC did, however, take pains to clarify that its ruling would have "no effect on CPA appropriations already expended by municipalities throughout the Commonwealth." The practical impact of the Seideman ruling was that MPFSC projects for which work had commenced were completed, but projects for which the Town had not yet incurred any contractual obligations were halted. Thankfully, a majority of recreation projects recommended by MPFSC and approved by the Town have been completed. The preservation of Brook School tennis courts and the preservation of High School Field #10 are on hold until and if pending legislation is passed that would allow CPA funds to be used to rehabilitate existing recreational areas.

Schematic design is nearly complete for the Josiah Smith Tavern and Old Library (JST/OL). In February the Town will issue a request for proposals for an operator to run the restaurant portion of the proposed project. The Women's Community League (WCL), the Historical Commission, and the Historical Society are working with the JST/OL Committee and the Project Manager to design space that will house the WCL and a history center in the Old Library. At Special Town Meeting in the fall, the JST/OL Committee plans to ask the Town for funds to begin construction of the project.

The table on the following pages details CPA fund revenues and appropriations through FY08.

	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>
<u>Community Preservation Act - Revenue</u>							
Prior Year Balance		931,777	1,832,972	3,285,506	4,396,304	5,675,116	3,916,605
Property surcharge	927,936	1,042,135	1,123,880	1,186,916	1,321,730	1,382,903	1,484,306
State match		935,343	1,051,629	1,122,336	1,189,089	1,315,380	1,404,486
Investment income	2,457	8,141	16,750	117,960	320,375	663,808	608,191
Donations/other	1,384	2,821	2,145	23,713			840
Total Revenues	<u>931,777</u>	<u>2,920,217</u>	<u>4,027,376</u>	<u>5,736,432</u>	<u>7,227,498</u>	<u>9,037,207</u>	<u>7,414,428</u>
<u>Use of CPA Funds</u>							
<u>Open Space Allocation</u>							
Balance - beginning of fiscal year		93,212	239,101	123,101	(6,149)	1,351	199,681
Appropriation not used						18,330	
New allocation	93,212	180,000	220,000	220,000	800,000	1,200,000	1,800,000
Open Space subtotal	<u>93,212</u>	<u>273,212</u>	<u>459,101</u>	<u>343,101</u>	<u>793,851</u>	<u>1,219,681</u>	<u>1,999,681</u>
<u>Less: Appropriations for</u>							
Debt service -- Sunday Woods		(34,111)	(336,000)	(329,250)	(322,500)	(315,000)	(307,500)
Field restoration				(20,000)	(20,000)	(20,000)	(20,000)
Dupont/Nicholas land					(450,000)		
Recreation - Multipurpose Field						(600,000)	
Rec. - Pres. of Fields/Ten. Courts							(1,000,000)
Case Estates Consultants						(85,000)	
Debt Service -- Case Estates							(638,939)
Balance at end of fiscal year	<u>93,212</u>	<u>239,101</u>	<u>123,101</u>	<u>(6,149)</u>	<u>1,351</u>	<u>199,681</u>	<u>33,243</u>

	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>	<u>FY07</u>	<u>FY08</u>
Affordable Housing Consultant						(20,000)	(25,000)
Balance at end of fiscal year	93,212	273,212	333,212	190,212	186,491	13,184	73,136
Administrative Funds							
Allocated		59,500	44,000	60,000	120,000	116,000	75,840
Spent		(8,134)	(20,870)	(37,878)	(76,161)	(35,791)	(22,786)
Returned to unallocated Funds		51,366	23,130	22,122	43,839	80,209	53,054
Unallocated Funds							
Balance - beginning of fiscal year		652,141	1,262,447	2,775,981	4,179,029	5,434,062	3,530,362
New Unallocated Funds	652,141	1,388,940	1,490,404	1,730,926	1,211,194	1,296,091	421,983
Appropriation not used							100,000
Unexpended Administrative Funds		51,366	23,130	22,122	43,839	80,209	53,054
Unallocated subtotal	652,141	2,092,447	2,775,981	4,529,029	5,434,062	6,810,362	4,105,399
<u>Less: Appropriations for</u>							
Sunday Woods		(800,000)					
Fiske Law Office		(30,000)					
Historic Pres. -Josiah Smith Tav.				(350,000)		(360,000)	
Open Space - Case Estates						(2,920,000)	
Balance at end of fiscal year	652,141	1,262,447	2,775,981	4,179,029	5,434,062	3,530,362	4,105,399
Total all balances at end of fiscal year	931,777	1,832,972	3,285,506	4,396,304	5,675,116	3,916,605	5,184,655

REPORT OF THE CONSERVATION COMMISSION

The Conservation Commission is responsible for the protection and management of Weston's conservation land and the administration of the Massachusetts Wetlands Protection Act.

Conservation Commission Members and Staff

The Conservation Commission is comprised of 7 residents who serve 3-year terms and are appointed by the Board of Selectmen. In 2008, Laurie Bent was appointed to the Commission in September after Marilyn Zacharis resigned (member since 2003). Janette Patel (member since 2003) was reappointed. The following five members continue to serve on the Commission: Alison Barlow (member since 2006), George Bates (member since 1988), Tom Chalmers (member since 2004), Brian Donahue (member since 2001), and Joyce Schwartz (member since 2005).

The Commission employs one full-time Conservation Administrator. In September, Dorothea Thomas retired after serving 18 wonderful years in this role. Michele Grzenda began in September as the new Conservation Administrator.

Wetland Protection Act Administration

Persons contemplating any work in or within 100 feet of a wetland, or within 200 feet of a stream which flows continuously throughout the year, should seek information about the Wetlands Protection Act at the Commission's office in the Town Hall. The administration of the Wetlands Protection Act continues to take over one half the time of the Conservation Commission. The Commission held 20 public meetings and reviewed the following applications: 25 Notices of Intent; 2 Abbreviated Notices of Resource Area Delineation and 4 Request for Determinations of Applicability. In addition, the Commission issued the following: 28 Orders of Conditions; 3 Amended Orders of Conditions; 4 Orders of Condition Extensions; 5 Enforcement Orders; and 21 Certificates of Compliance.

Land Management and Stewardship

The Commission manages approximately 2,000 acres of Conservation Land. During the past year, the Commission has remained committed to the responsible use and management of the Town's Conservation land. The Commission continues to survey the bounds of the land under its jurisdiction. This project will clarify the limits of the private land which abuts the conservation land in town.

Trails, fire roads, and hilltop outlooks have been maintained for public use and enjoyment with most of the funding provided by the Weston Forest and Trail Association. Fields throughout the Town have been mowed under contract by Land's Sake. Land's Sake also continues to maintain the apple orchard on Concord Road.

Forest Management

A forest management plan has been implemented which now provides fire wood and saw logs. By selective cutting and careful management, the Town's forests will ultimately be more productive and will provide improved wildlife habitat. Interpretive and signed trails are located on Conservation land off Crescent Street.

Woolly Adelgid Treatments

In October, the Commission hired Bransfield Tree Company to treat 100 Eastern Hemlocks located in Highland Forest which were infected with the Hemlock Woolly Adelgid. In December, Town Meeting voted to authorize the expenditure of \$25,000 from the Community Preservation Act Fund to treat additional stands of hemlocks in 2009. Left untreated, the invasive

Woolly Adelgid would most like kill most if not all the hemlocks in Weston. This would dramatically change the species composition and habitat quality of Weston's open space.

Wild Reserve

In 2008, the Conservation Commission voted to designate approximately 200 acres in the northern part of Jericho Forest as a Wild Reserve. The reserve will be a part of town conservation land that is not actively managed but where natural aging and disturbances are allowed to run their course, providing an ecological and aesthetic contrast to managed areas. Trails in this portion of the town forest will remain open for enjoyment, but no firewood or timber will be harvested.

Agricultural Activities

Case Estates' Forty-Acre Field

The Commission enjoyed another year of stewardship of the Case Estates' Forty Acre Field, which was purchased by the town for municipal purposes from Harvard University's Arnold Arboretum. This area has been managed for the Commission by Land's Sake. Land's Sake is a nonprofit, community service organization and was awarded the Community Farming and Education Contract by the Town. Their services include operating an organic farm, providing produce to the needy, maintaining Conservation land in Weston as well as providing education and employment for young people in Weston. The Commission supported Land's Sake's involvement with environmental education projects which were conducted with the School Department.

Vegetables, flowers, herbs and fruit were provided for sale at a farm stand or on a pick-your-own basis. Maintenance of this area continued with brush clearing, mowing, walking path upkeep, and tree work.

Greenpower Farm

The Greenpower Farm project continues to be a vital part of the Town's activities. This project is administered and paid for by the Conservation Commission and managed for the Commission by Land's Sake. Approximately 16,500 pounds of fresh produce was delivered at no cost to homeless shelters and food pantries. About 75 youngsters participated in this program. These young people received a practical introduction to organic farming and gardening. They were also involved in the distribution of produce to those who needed it. As in the past, land was also made available for community garden plots.

Maple Syrup Project

The Commission's popular maple syrup project was continued at the Bill McElwain Sugar House at the Middle School. Land's Sake installed 304 taps into 213 trees throughout town. Over the course of the season, 528 children from various schools and scouting groups came to the sugar house for tours. A total of 129 gallons of maple syrup was produced in 2008 (an increase of about 90 gallons from the preceding year).

Sears Land

Land's Sake has been granted a license by the Commission to occupy the Melone Homestead off Crescent Street. This property provides office space and living quarters for some of their staff. In 2008, Land's Sake constructed a new greenhouse. There are several fields and a developing sugar bush in the same area which is being used by Land's Sake in connection with the maple syrup project. This location makes an ideal home for Land's Sake and many of their activities.

Appreciation and Assistance

Many people have donated time and effort on behalf of the Commission. Without this assistance, we could never accomplish all that we have. Special thanks to Weston Forest and Trail, Weston Land Trust, and Land's Sake.

REPORT OF THE CRESCENT STREET HISTORIC DISTRICT COMMISSION

The Crescent Street Historic District is a Local Historic District established under MGL Chapter 40C, the only such district in Weston. There are eight houses in the district. The Crescent Street Historic District Commission is charged with review of proposed exterior modifications of structures and other features located within the district, in accordance with Article XXIV of the Bylaw as enacted in 1993, provided that the changes are visible from Crescent Street. Of the five members serving on the Commission, three are district residents.

On March 13, in response to a request by the owner, the Commission met to review proposed changes to the 1812 residence at 21 Crescent Street, a property located within the District. The owner proposed to replace the existing 20th century, 1/1 window sash with new 6/6 divided-light sash consistent with the building's original configuration. In addition, the owner proposed to refurbish or replace the shutters. After deliberation, the Commission determined that the changes were in keeping with the Federal style of the residence and voted 4-0 to grant a Certificate of Appropriateness for the proposed work.

We are saddened by the death this year of Member George Amadon, who had served faithfully and continuously on the Commission since its inception. We will miss his thoughtful insight and the genuine pleasure of working with him. He was a great colleague and a good friend.

REPORT OF THE HISTORICAL COMMISSION

The Weston Historical Commission is appointed by the Selectmen to preserve Weston's architectural, cultural, and landscape history and to educate the public about the value of preservation. The seven-member commission formally meets every three to four weeks at Town Hall, but commission members are also engaged in other aspects of the commission's work throughout the year. Weston resident and architect, Stephen R. Oppenheimer, was appointed by the Selectmen to fill a vacancy in the commission until 2010. The current commission members are Marisa Morra (Co-Chair for Demolition Delay activity), Gloria Cole (Co-Chair for administrative matters), Alfred Aydelott, Phyllis Halpern, Stephen R. Oppenheimer, Alicia Primer, and Steven Wagner. The following is a summary of the commission's activities for 2008.

Demolition Delay Activity

The Historical Commission administers Weston's Demolition Delay By-Law, which requires the Historical Commission to review every demolition application for a building constructed by 1945 to determine whether the proposed demolition would adversely affect a historically or architecturally significant structure. If the building is deemed significant and the proposed demolition detrimental, the commission may impose a six-month delay on construction to try to find a way to save the structure while still fulfilling the applicant's needs. A delay may be lifted whenever the proposed demolition is no longer detrimental. If a structure constructed by 1945 is demolished without proper authority, the building inspector is authorized to impose a two-year building moratorium on the site.

Since 2006, the commission has experienced a nearly 50% increase in applications received. The following table tracks the commission's activity and the disposition of applications received since 2006.

Total applications	Applications allowed w/o initial hearing	Applications sent to initial determination hearing	Applications sent to public hearing	Applications with a 6 month demolition delay imposed	Two-year building moratoriums imposed by building inspector
2008					
62	34	28	20	3	0
2007					
57	26	31	12	5	1
2006					
43	28	15	2	2	0

Historical Markers

In 2008, the commission authorized five new historical markers for pre-1945 houses that retain their architectural and/or landscape integrity and contribute to their neighborhoods. The cost of the markers (\$160) covers expenses and is paid by the applicant. Successful applicants receive a brief written history of their house prepared by Pam Fox and a hand-painted wooden marker with the date of the house and name of the original owner. The commission is eager to enhance the visibility of significant properties throughout Weston and encourages homeowners to apply whenever they have business before the commission. Most of this year's applications were received immediately after the Historical Commission ran public service announcements in the local newspaper inviting homeowners with significant properties to apply.

Community Preservation Act / Preservation Restriction Committee Projects and Activity

The children of Modernist architect Henry Hoover contacted the Preservation Restriction Committee about the prospect of protecting his remaining residential work in Weston. Research continues into how to protect these threatened but often "invisible" gems. The Nathaniel Jennison House, 266 Glen Road, is the subject of a pending preservation restriction, initiated by the homeowner. Provisional approval has been granted to remove a distressed tree from within the no-cut area surrounding the protected residence at 171 Church Street. At the request of the owner, an architectural inventory of 16 Love Lane will be prepared in early 2009 in preparation for a preservation restriction there.

Weston resident and attorney, Stephanie Kelly, was appointed by the Selectmen to fill a vacancy in the Preservation Restriction Committee through 2010. Current Preservation Restriction Committee members Alicia Primer and Thomas C. Chalmers were reappointed to terms expiring in 2011.

Fiske Law Office and Melone Homestead Rehabilitations.

After years of planning, reconstruction of the Fiske Law Office began this fall. The original circa 1805 building is being preserved in the least invasive manner, including disassembly, cleaning and reassembly of the old windows, and preservation of the old back stairway. The shutters are beyond repair and are being copied in the original style. The back "L" section of the building was stripped to the original framing and is being rebuilt with new floors,

windows, doors, and roof structure. New utilities will serve the front and back buildings. As soon as the weather breaks we will begin the new septic system, underground utilities and parking.

The Melone Homestead design is complete and in the final stages of detailed review. We plan to send out bids by mid February 2009, with bid openings in early March. The Melone work includes very serious repairs to the back foundation and walls. The first floor will have a new kitchen and bath, improvements to the office and den, and a new laundry. The second floor will have a new dormer with a full bath. The building will be de-leaded, re-roofed and utilities will be brought up to code. We believe our budget will support a bid alternate to line the fireplace chimney.

Weston Facilities Manager Gerald McCarty and the WHC Fiske and Melone Subcommittee continue to manage the construction phase.

Josiah Smith Tavern / Old Library Committee

Early in the year, the Josiah Smith Tavern/Old Library Committee (JST/OL) refined and completed its work on the schematic design of the two buildings in cooperation with architect Kaffee Kang. During the Spring, committee members held many informational meetings with various interested groups and individuals, culminating with a presentation at Town Meeting in May. Town Meeting authorized a liquor license that will remain under town control and be specific to the Tavern. Town Meeting also approved funding for the next stage of design.

During the summer, the committee, working with the Permanent Building Committee, solicited proposals for a project manager and interviewed the more promising respondents. The firm of Smith + St. John was selected and hired. Early in the Fall, the JST/OL Committee and the Permanent Building Committee received proposals from interested architectural firms, and after interviews, retained PCA as the project architect. The committee also hired MetroWest Engineering as the civil engineer, Thomas Wirth Associates as the landscape architect, and Michael Staub as restaurant consultant. During the Fall, committee members began working with the State Legislature to craft legislation ratifying the liquor license authorized at Town Meeting.

Development of the schematic design occupied the committee and its consultants over the remaining months of the year with a view to sharing the results with the public in the Spring. The committee continues its work incorporating feedback from all constituencies and completing the bid documents. The committee will seek construction funding at the Fall 2009 Town Meeting. The committee also anticipates that the town will solicit proposals from restaurant operators and retain the most qualified candidate early in 2009. With that last addition to the design team, the JST/OL Committee looks forward to developing fully the town's vision for this unique and exciting gathering place.

The Massachusetts Historical Commission, which holds a preservation easement on the Josiah Smith Tavern, has approved all of the committee's work to date.

(Additional information about the JST/OL project is available at the Town's web site - www.weston.org)

Historical Archives Committee

The Historical Archives Committee worked with the Josiah Smith Tavern and Old Library Committee on preliminary designs for the Town Archives, which are being planned as part of the adaptive reuse of the lower level of the Old Library as the Weston History Center. Designs were refined and expanded through meetings with (among others) the Historical Commission, Historical Society and Women's Community League. The Historical Archives

Committee is grateful to Weston voters who supported this project at the May Town Meeting.

Historic Area Designations / GIS Map - Historic Layer

Weston currently has eight National Register Historic Districts and one Local Historic District (at Crescent Street). Weston's GIS historic layer map showing all of the town's historic areas and its National Register buildings is available for viewing or downloading on the town's web site at "Prepared Maps" or at <http://weston.govoffice.com/vertical/Sites/{264E11B6-4A4A-4EC0-B631-35FE907B479E}/uploads/{AF8D0DB4-8594-41CE-B60E-6C0BF8834043}.PDF>

The **1798 Federal Tax Census** book (including tax and property records for Weston, Newton, Waltham) was scanned and made into six archival quality DVDs and one external hard drive. One set of the DVDs will be given to the Weston Library, Weston Historical Society, Mass Historical Society, Waltham Historical Society and Newton Historical Society. The Historical Commission will keep one DVD and the hard drive. The DVDs and hard drive will allow for research without handling the original book. The recipients of the DVDs will be asked for contributions to help cover our costs

Educational Outreach

On May 29 & 30, the Historical Commission participated in *Town Government Day* to explain the workings of the Commission and the importance of historic preservation to all of Weston's third grade public school students. Students were excited to receive a color photocopy of the map of Weston from the 1875 Middlesex County Atlas. The Commission is also working with the Weston Public Schools and the Golden Ball Tavern to enhance its educational outreach with a project about the National Register Historic District between the Josiah Smith Tavern and the Golden Ball Tavern to be completed in 2009. Several members of the Historical Commission began collaboration with the Golden Ball Tavern and Weston High School Arts Department on its production of a movie about the "Weston Tea Party" scheduled for release in 2009.

The Field School Project Committee

(FSPC - a subcommittee of the School Committee and not a part of the Historical Commission) has been very busy planning for a new Field School to either restore or replace the existing structure. Because the building is an important example of modernist architecture, designed by a noted architect and prominently located in a historic part of town, the Commission has been actively engaged with the FSPC to advocate for the building's preservation and to ensure that all local and state mandated historic preservation procedures have been followed. A decision on the fate of the building will be made in 2009 pending a thorough analysis of (among other considerations) costs, environmental impact and the availability of state funding.

Appreciation

The Commission is very grateful to:

- Ann Swaine for her patience and consistency in administering the Demolition Delay Bylaw at Town Hall. As the Historical Commission's first contact with the public, Ann is a model of steady professionalism.
- Pam Fox for her continued support administering the Historic Marker program and for her countless, generous and good-natured contributions to the commission's work on behalf of our town.
- Susan Haber and Rob Morra for their tireless work on behalf of the town and in supporting the work of the commission.
- Members of the Historical Commission and its Committees for their continued professionalism and dedication to the work of the commission.



REPORT OF THE JOSIAH SMITH TAVERN & OLD LIBRARY COMMITTEE

Weston's Josiah Smith Tavern, built in 1757, and the Old Library, constructed in 1900, are important examples of the architecture of their times. Prominently sited on Boston Post Road across from the Town Green, they are visible, constant reminders of Weston's rich history and heritage. Despite their historical significance, these majestic buildings have been under used and minimally maintained in recent years.

In 2003 the Historic Commission established The Josiah Smith Tavern Committee to plan and oversee the interior and exterior restoration of the Josiah Smith Tavern & Barn. In 2007, exterior renovation of the Tavern (including a new roof, restored windows and shutters, and painting)



was completed. Also in 2007, Weston's Board of Selectmen expanded the Josiah Smith Tavern Committee's mandate to include renovation of the Old Library, and the Josiah Smith Tavern & Old Library Committee (the "JST/OL") was formed. The JST/OL is tasked with preserving the Tavern and Old Library while restoring their productive contribution to Town social life.

At the Annual and Special Town Meetings in 2007, the Town appropriated \$85,000 from the Community Preservation Fund to pay for a feasibility study to develop a plan for the re-use of the Tavern and Old Library. At the May 2008 Annual Town Meeting, Weston citizens voted in favor of transforming the Josiah Smith Tavern back to its original function, a tavern/restaurant. The Town also approved the restoration and transformation of the Old Library into a new home for the Women's Community League and a Weston History Center.



The Town appropriated \$750,000 from the Community Preservation Fund to pay for architectural and other predevelopment expenses associated with these planned uses and granted permission to petition the Massachusetts General Court for a site-specific liquor license for use at the Josiah Smith Tavern's restaurant.

During 2008 the JST/OL, under the guidance of the Town's Permanent Building Committee, worked with the following firms who are providing various consulting services to the Town:

- Metrowest Engineering for soil testing/design of the sewage disposal system, drainage development and system design, site design, and conservation permitting;
- MDM Consultants for a traffic impact and parking study;
- McPhail Associates, Inc. for a foundation engineering report;
- Group M Restaurant Development for restaurant consulting services;
- Thomas Wirth Associates, Inc. for landscape design services;
- Will Twombly for archive display design services;
- Prellwitz Chilinski Associates for architectural design and construction services; and
- Smith & St. John, Inc. for project management services.

Also during the past year the JST/OL continued to consult with Historic New England (HNE) to ensure that planned renovations are consistent with a preservation restriction on the Tavern held by HNE, and the JST/OL maintained regular contact with the Women's Community League (WCL), the Historical Commission, and the Historical Society so that they could contribute to the design of the WCL and Weston History Center space.

Some highlights of 2008 include the near completion of schematic design drawings and the approval by the State Legislature of a site-specific liquor license (necessary for the viability of the proposed restaurant).

At the May 2009 Town Election, residents will be asked to approve the Tavern's liquor license which they voted to pursue last May. At Special Town Meeting next fall, the JST/OL plans to ask the Town for funds to begin construction of the project.

REPORT OF THE PLANNING BOARD

The Planning Board is responsible for the review of land division, either through construction of a subdivision road or, where sufficient frontage exists, through submission of an Approval Not Required ("ANR") plan under the Subdivision Control Law. The Board also reviews and approves proposals for: (1) new residential development that is constructed on Scenic Roads and/or that exceeds a certain square footage, (2) commercial projects, (3) tree and stone wall removals/enhancements where they are or will be in the Town's right of way on a Scenic Road, (4) long-range planning activities including proposed amendments to the Zoning By-law (the "By-law") and other land use regulations. In 2008, the Board held 39 formal meetings, numerous public hearings, and 17 site walks.

More specifically, in 2008, the Board:

- Reviewed and approved fourteen (14) Site Plan Approval Applications for new or replacement residential construction under the Residential Gross Floor Area ("RGFA") provision to the By-law. Of these RGFA applications, six (6) also qualified for review because of their location on a Scenic Road;
- Reviewed and approved one (1) Site Plan Approval Application for new residential construction under the Scenic Road provisions of the Zoning By-law;
- Reviewed and approved thirteen (13) amendments to previously issued Approvals under the RGFA and/or Scenic Road provisions of the By-law;
- Reviewed and approved one (1) removal and rebuilding of a stone wall under the General Town By-law, the Scenic Road By-law;
- Endorsed 3 "ANR" plans under the Subdivision Control Law;
- Reviewed and approved two (2) Flexible Development Subdivision plans;
- Reviewed, held public hearings, and approved recommendations by the Tree Warden for removal of dead and dying trees along the right of ways of designated Scenic Roads
- Reviewed and approved amendments to the Special Permit for "Highland Meadows", a 69-unit Active Adult Residential Development ("AARD");
- Reviewed and approved five (5) Site Plan Approval applications for commercial changes in use ;
- Reviewed and granted site plan approval for a day camp
- Met with the Zoning Board of Appeals ("ZBA") numerous times to develop a zoning amendment by adding a definition of the word "structure" to the Zoning By-law. Held joint public hearings on the zoning amendment;
- Continued discussions on improvements to the zoning by-law including re-codifying the by-law and changing the Residential Gross Floor Area ("RGFA") provision to the by-law. RGFA changes discussed included allowing waivers to submission

requirements and public hearing requirements; providing incentives in the RGFA process; examining different methods for triggering Site Plan Approval for construction of large new or replacement homes; and developing procedures for reviewing additions to new or replacements homes that trigger the “RGFA” threshold.

- Met with the Permanent Building Committee to discuss the proposed DPW Building and provided comments on the plans;
- Attended meetings with the Board of Selectmen, state officials, municipal leaders from abutting communities, and the developer of the project to discuss “The Commons at Prospect Hill” , the proposed 1.69 million square foot mixed development at the Polaroid site in Waltham.
- Approved the removal of trees along Scenic Roads, after a public hearing, based on recommendations from the Tree Warden
- Approved removal of a portion of a stone wall and significant trees along a designated Scenic Road.
- Reviewed a proposal for a Dunkin’ Donuts at No. 284 North Avenue

Approval Not Required Plans

A landowner with sufficient frontage as defined in the By-law may request endorsement from the Board for his/her subdivision plan. The Board endorsed three (3) ANR plans under the Subdivision Control Law. All three plans changed the size of the lots by either adding or subtracting to the square footage of the lot. None created a new building lot. Plans were endorsed at No. 50 Winsor Way, 34 Winsor Way, and No. 240 Highland Street.

Site Plan Approval for Residential Construction

The Board reviewed and approved fourteen (14) projects that exceeded the RGFA for a house greater than 10% of its lot size or greater than 6,000 square feet (“SF”) ¹, five of which were also located on a Scenic Road. Twelve of these properties involved tear-down of the existing house. In each case, the Board placed conditions on Site Plan Approval which included the elimination of excessive exterior lighting, modification of the elevation of the proposed house, maintenance of existing vegetation, addition of new vegetative buffers, reduction in the amount of impervious surface, and management of storm water. Additionally, the Board granted amendments to thirteen (13) properties that previously were issued a Special Permit or Site Plan Approval².

Non-Residential Site Plan Approval

The Board reviewed and granted Site Plan Approval to a real estate office at 405 Boston Post Road, an expansion of Omni foods on Centre Street; a medical office at No. 500 Boston Post Road; a swim camp at Regis College during the summer months; and a storage building at the Weston Golf Club.

The Board continues to review a proposal for a Dunkin Donuts at No. 284 North Avenue.

¹ 42 Longmeadow, 109 Chestnut, 115 Chestnut, 55 Black Oak, 50 Cherrybrook, 703 Boston Post Road, 34 Winsor, 4 Pond Brook Circle, 19 Silver Hill, 25 Perry Lane, 157 Oak, 10 Trailside, 200 Concord, 2 Byron.

² 81 Sherburne Circle, 63 Ash, 33 Skating Pond, 55 Hidden Road, 56 Chestnut, 795 Boston Post Road, 682 Boston Post Road, 31 Cartpath, 34 Winsor, 17 Silver Hill, 535 North Avenue, 445 Concord Road, 25 Ash Street.

Subdivision Approval

In 2008, the Board completed its review and approved the flexible development subdivision plan at 80 Concord Road, a 12-acre parcel of land. This plan proposed a three-lot subdivision with demolition of the existing house. The proposed subdivision plan was reviewed by the Conservation Commission and the Zoning Board of Appeals because a significant amount of the parcel is in the wetlands resource area, as defined by the Massachusetts Wetland Protection Act M.G. L. c.131, s. 40, the Wetland and Floodplain Protection District "A," and both the 100-foot and 200-foot riparian zone under the Rivers Protection Act. Cherry Brook, classified as an Outstanding Resource Water and tributary to the City of Cambridge water supply, is located on the westernmost portion of the parcel. An intermittent stream runs north to south under the existing driveway and is culverted. A large vernal pool is located in the southeast portion of the parcel. Among the issues addressed by the Planning Board were the location of the septic system on the lot nearest to Concord Road; the preservation of woods along the parcel's frontage with Concord Road, a designated Scenic Road; and screening of the rear lot from conservation land .

The Board reviewed and approved a two-lot flexible development subdivision plan at 33 Derby Lane. This parcel is bounded by Derby Lane, an existing private way, to the east, and Perry Lane, an existing public way, to the south. The two roads are not connected. Number 33 Derby Lane supports an existing house. The additional lot contains 1.34 acres and fronts on Perry Lane, an existing public road. A private driveway off Perry Lane will access this house. Perry and Derby Lane will not be connected, as requested by the neighbors on both roads.

Highland Meadows

The Planning Board continues to work with the developers of Highland Meadow, the Town's first "Active Adult Residential Development" ("AARD"). Construction of the roads in Phase A and Phase B occurred during the fall and early winter. The developer has returned to the Planning Board several times during the past year to make slight adjustments to building footprints, and modifications to the architectural elevations of some of the units including additions of screened porches, a reduction in square footage for some of the units, and changes to window locations, sizes, and trim. The developer requested a change in the Condominium documents, approved as part of the Special Permit. These changes dealt with "limited common area", defined as for the exclusive use of the homeowner and which the homeowner needs to maintain. The developer asked and the Board approved the use by a homeowner in the "AARD" of a five-foot strip directly behind the home that could be customized with foundation planting and flowers.

Traffic

In conjunction with Town Counsel, the Town Planner and Planning Board are working on a re-codification of the Zoning by-law. The last re-codification occurred in 1989. The purpose is to make the by-law consistent with changes to the state Zoning Act and with recent Case Law, as well as to ensure that provisions of the by-law are not contradictory.

During the last 12 months, Board members have spent a significant amount of time discussing ways in which the Residential Gross Floor Area ("RGFA") provision to the by-law could be improved. The Town has hired a new Building Inspector, who has added valuable insight to the process. The Planning Board has discussed revisions to the "RGFA" provision that could provide "incentives" to a developer if specific standards were met, such as a decrease in light pollution with the use of full-cut-off lighting fixtures on exterior lights, preservation of trees on the site, reduction in impervious surfaces, and minimization of cut and fill on a site. These discussions continue with other boards and the development community.

The Board has enacted a procedure for review of additions to houses built after 1998 that trigger the RGFA threshold.

Board members meet informally with developers each week to answer questions about the By-law as it relates to their projects.

The Town Planner is working on a committee with other Department Heads (Building Inspector, Board of Health, Zoning Board of Appeals, Conservation Commission, and Town Engineer) to update and broaden storm water regulations for the Town. The Director of the Metrowest Growth Management Committee was hired to assist the staff with development of this by-law. It will be presented for vote at the annual Town Meeting in May 2009.

REPORT OF THE METROPOLOTIAN AREA PLANNING COUNCIL

Created by an act of the Legislature in 1963, the Metropolitan Area Planning Council (MAPC) promotes inter-local cooperation and advocates for smart growth by working closely with cities and towns, state and federal agencies, non-profit institutions, and community-based organizations in the 101 cities and towns of Metropolitan Boston. MAPC strives to provide leadership on emerging issues of regional significance by conducting research, building coalitions, advocating for public policies, and acting as a regional forum for action.

MAPC provides technical assistance and specialized services in land use planning, water resources management, transportation, housing, resource protection, economic development, public safety, geographic information systems (GIS), collective purchasing, data analysis and research, legislative and regulatory policy, and the facilitation and support of inter-local partnerships. More information is available at www.mapc.org.

MAPC is governed by 101 municipal government appointees, 21 gubernatorial appointees, and 13 appointees of state and City of Boston agencies. An Executive Committee comprising 25 elected members oversees agency operations. The agency employs approximately 40 professional staff under the leadership of an executive director. Funding for MAPC activities is derived from governmental contracts and foundation grants, and a per-capita assessment on member municipalities.

To better serve the people who live and work in Metro Boston, MAPC has divided the region into eight subregions. Each subregion is overseen by a council of local leaders and stakeholders, and a staff coordinator provides organizational and technical staff support.

Advancing Smart Growth

MAPC is directed by statute to adopt, from time to time, a comprehensive regional plan. Our current plan, **MetroFuture: Making a Greater Boston Region**, was adopted by the Council on December 2, 2008. This initiative, which has engaged over 5,000 individual and organizations throughout the region, will guide Metro Boston's growth and development, as well as the preservation of critical resources, through the year 2030. At the December 2 meeting, Council members and MetroFuture friends and supporters voted to move the project from planning into advocacy and action, and participants helped to set priorities among a series of implementation strategies designed to move MetroFuture into this dynamic next stage. MetroFuture is uniting the efforts of MAPC, partner organizations, and the thousands of "plan-builders" in an effort to alter regional priorities and growth patterns consistent with the new plan.

As a member of the **Massachusetts Smart Growth Alliance**, MAPC helped to form the Transportation Investment Coalition last year. This year, the group of business, environmental, public interest, and planning organizations changed its name to **Our Transportation Future**, and has actively advocated for savings, efficiencies, and new revenues to address the state transportation finance deficit.

MAPC has continued its participation on a zoning reform task force chaired by Undersecretary for Economic Development Gregory Bialecki. The "**Land Use Partnership Act**," developed through the task force, would establish a framework for municipalities to designate growth and preservation areas, and to develop consistency between master plans and zoning. The bill would significantly modernize the state's outdated zoning and subdivision laws, providing a menu of reforms to all municipalities, and additional relief to those who choose to opt into the bill's planning and smart growth requirements. Passing legislation to reform zoning and planning in the Commonwealth will remain a key area of focus at MAPC throughout 2009.

Collaboration for Excellence in Local Government

Subregional councils continued to communicate with MAPC's eight regions and to gather citizen input this year. Most of the subregional coordinators hosted legislative breakfasts this year, where participants could prioritize legislative goals and ideas with their delegation.

Through its Metro Mayors Coalition, MAPC helped 21 communities secure more than \$2 million in **Shannon Grant funding** over the past three years to implement multi-jurisdictional, multi-disciplinary strategies to combat youth violence, gang violence, and substance abuse. Our North Shore Coalition has grown and flourished during 2008, working on issues as diverse as transportation planning, anti-gang programs, and consolidation of services.

Collaboration for Public Safety

MAPC performs fiduciary, planning, and project management duties for the **Northeast Homeland Security Regional Advisory Council** (NERAC), a network of 85 cities and towns north and west of Boston. In 2008, MAPC helped to develop evacuation and sheltering plan templates across the region, and created three regional caches of emergency response equipment that can be loaned out to municipalities for drill exercises or emergencies.

MAPC completed **Natural Hazard Mitigation Plans** for 46 cities and towns this year, on top of the 29 plans already completed in recent years. Each plan recommends strategies to mitigate the impacts of natural disasters *before* they occur, along with a GIS map series depicting areas subject to various natural hazards.

Collaboration for Municipal Savings

MAPC's **Regional Services Consortia** administered procurements for more than 50 cities and towns, saving communities up to 20% on purchases such as office supplies, paving services, and road maintenance. In 2008, MAPC performed multiple procurements for five consortia: North Shore, South Shore, Metrowest, Northwest and Merrimack Valley (the last in collaboration with the Merrimack Valley Planning Commission). MAPC also entered the vehicle fuels market in 2008, procuring a contract for several South Shore towns.

Reliable Data, Available to All

MAPC, along with the Massachusetts Executive Office of Transportation, continued this year to provide municipalities with **Pictometry Oblique Aerial Imagery Technology** free of charge to cities and towns. The **Pictometry Oblique Aerial Imagery Technology** allows users to display features such as buildings, land areas and hydrology, which may be viewed from several directions and at different scales.

In April 2008, Pictometry International once again conducted a flyover of the entire state that provides five-way aerial imagery for all public sector agencies statewide. The five-way imagery consists of four oblique views (north, south, east and west) and one straight down view that may be viewed through Pictometry's Electronic Field Study software version 2.7, which is also available at no cost to municipalities.

MAPC also continued expanding the MetroBostonDataCommon.org Web site, which provides on-line mapping and chart-generating tools for users. This year, the Massachusetts School Building Authority contracted with MAPC for analysis and consulting services, including analysis of the impact of new schools on enrollment patterns. The Data Center also began distributing a monthly e-mail newsletter highlighting new datasets and resources for constituents.

MAPC's data center is partnering with the Donahue Institute at the University of Massachusetts to encourage more accurate counts on the **2010 Federal Census**. MAPC is helping municipalities prepare for the Census in many ways, including advocating for the formation of Complete Count Committees that can target hard-to-count population groups such as recent immigrants and renters in each city and town.

Getting Around the Region

MAPC continued its popular **Regional Bike Parking Program**, negotiating discount group purchasing contracts with three leading vendors of bicycle parking equipment. This allows MAPC communities, the MBTA, and the Department of Conservation and Recreation to purchase discounted equipment. The Boston Region MPO, the Executive Office of Transportation, and the Federal Highway Administration have provided generous funding to support 100% reimbursement of the cost of eligible bike parking equipment bought through this program. Communities around the region have used the program to put new racks at schools, libraries, parks, and shopping areas. A total of 788 racks holding 2472 bicycles have been installed at 25 communities throughout the region.

MAPC continued its work on the **Regional Pedestrian Plan**, administering a survey this year to nearly 2,000 people. The plan will identify policies to make walking more convenient, safe and practical.

On Beacon Hill

- **Municipal Health Insurance:**

MAPC continued encouraging municipalities to join the **Massachusetts Group Insurance Commission (GIC)**, which can help communities save millions of dollars each year by taking advantage of lower insurance rates available through the GIC. To date, 27 municipalities have joined the GIC.

- **Shannon Community Safety Initiative:**

Over the last three years, MAPC's advocacy and grant development services have helped more than two dozen communities to secure funding for interdisciplinary programs that focus on youth violence, drugs, and enforcement against gangs. The program was funded at \$13 million in Fiscal 2009.

- **Statewide Population Estimates Program:**

A \$600,000 line item in the 2008 budget provided the State Estimates Program with more resources to prepare for the 2010 Census. This program will help correct the deficiencies of recent population estimates and to prevent similar deficiencies from occurring in 2010. Conservative estimates suggest Massachusetts stands to gain between \$2.5 million and \$5 million per year in federal funding, or between \$7.5 million and \$15 million between 2007 and the 2010 Census as a direct result of the program's efforts.

- **Surplus Land:**

MAPC continues to advocate for passage of a new policy on the disposition of surplus state land. Specifically, we continue to build support for our proposal that encourages smart growth development on surplus land while giving municipalities a meaningful role in the disposition process, a discounted right of first refusal, and financial participation in the proceeds.

- **Community Preservation Act:**

CPA has been very popular throughout the region, but recently the state matching fund has declined precipitously. Legislation filed by Senator Cynthia Creem (D-Newton) and Representative Stephen Kulik (D-Worthington) would secure adequate funding over the long term for the state's CPA matching fund, and encourage even more communities to join.

- **District Local Technical Assistance**

The planning assistance offered through the District Local Technical Assistance Fund (DLTA) was funded at \$2 million for Fiscal 2009. It enables the state's 13 Regional Planning Agencies, including MAPC, to provide municipalities with technical assistance in two key areas: achieving smart growth land use objectives, and consolidating procurement, services and planning across city and town lines.

REPORT OF METROWEST GROWTH MANAGEMENT COMMITTEE

Twenty-five years ago, leaders of the MetroWest communities established the MetroWest Growth Management Committee (MWGMC) to help local elected officials and planning staff meet growth management challenges. The MetroWest Growth Management Committee (MWGMC) is a unique collaborative partnership of local communities and the Metropolitan Area Planning Council.

Local leaders face significant challenges. Managing growth requires elected officials to balance new development, protect the environment, and fund municipal services – all while maintaining a community's unique quality of life. MWGMC serves as a think tank and advocate for locally initiated regional solutions to policy and planning challenges shared by MetroWest communities. We regularly bring together elected officials and planning staff from neighboring communities to address regional growth management issues.

MWGMC includes leaders from Ashland, Framingham, Holliston, Marlborough, Natick, Southborough, Wayland, Weston and Wellesley. One selectman and one planning board member represent each member community. Weston's representatives to the Committee are Selectmen Steve Charlip and Planning Board member David Mendelsohn. MWGMC is funded by member assessments, grants and contracts, and MWGMC maintains an office in Framingham and employs a staff of two to deliver services to member communities. MWGMC is the oldest of the eight subregions of the regional planning agency, Metropolitan Area Planning Council (MAPC).

Technical Assistance – In 2008, the Technical Assistance we provide to our member communities continued to expand. The following is a brief explanation of the services we provided in 2008

Pre-Disaster Mitigation Plans - Pre-Disaster Mitigation Plans - MAPC and MetroWest staff worked with several MetroWest communities to help them permanently reduce or prevent loss of life, injuries and property damage due to natural hazards by using long-term strategies. Local governments are the primary decision makers when it comes to risk management. MWGMC worked with Weston officials to identify specific community needs, evaluate existing protection measures, and develop a multiple-hazard mitigations strategy to reduce damage, economic costs,

and social disruption from future natural disasters. MWGMC provided an in-kind match of \$3,000 for Weston rather than asking the town to provide the required local match for the grant.

The local plans for Ashland, Holliston, Marlborough, Natick, Southborough, Wayland and Weston have been completed and submitted to FEMA. The Weston draft Pre-Disaster Mitigation Plan submitted to FEMA is available on our website: www.metrowestgrowth.org.

Weston Housing Study

MetroWest Growth Management Committee was retained by the Town of Weston and asked to review and evaluate the role, mission, and charge of all town boards, committees and foundations to ensure that the Town government structure is effectively and efficiently structured to accomplish the Town's affordable and moderate housing goals. MWGMC met with all of the boards, committees, foundations and town staff that play a role in the creation of or conserving affordable and moderate housing for the Town of Weston, and provided a report to the Board of Selectmen in January 2008. The report is available on the MWGMC website at: www.metrowestgrowth.org.

Weston Stormwater Bylaw - MWGMC is working with the Weston Stormwater Committee to develop a stormwater bylaw for the Town of Weston. The bylaw and regulations will be completed by March 2009.

MetroWest Transportation Taskforce - The Task Force meets at least once a month and focuses specifically on analyzing and advocating for MWGMC communities on transportation matters. Chaired by John Stasik, the Transportation Task Force advocates for improved transportation services to the region, and strategizes to influence transportation planning and decision-making done by the Boston MPO. In 2008, the Transportation Task Force developed a draft mission statement, goals and strategies for consideration by the MWRTA Advisory Board. It was presented to the MWRTA Advisory Board, and subsequently adopted by the Board.

Transportation Finance Crisis

MWGMC has been concerned about the current inequity in funding transportation in Massachusetts. The dialogue will carry on for many months to come, and it is likely to change in pitch, volume and complexity as various aspects of the crisis are addressed. In 2008 MWGMC established a position paper on the Transportation Finance Crisis. Developed by staff and the Transportation Task Force, the Transportation Finance Position Paper contains a set of beliefs, and recommendations for reforms and funding. You can read the position paper at www.metrowestgrowth.org.

MWRTA Efforts

The MetroWest Regional Transit Authority has developed a strong partnership with the MWGMC. In 2008, the MetroWest Growth Management Committee wrote two grant applications for the MWRTA for a Green Line project which were awarded by the Boston Metropolitan Planning Organization (MPO). The Green Line project is designed to expand existing fixed route and demand responsive services provided by the MetroWest Regional Transit Authority, specifically those that would serve the needs of individuals with disabilities attempting to access fixed route or para-transit services, and would improve access to employment related activities for people with low incomes. An added benefit provided by the expanded services would be improvement of access to reverse-commute employment.

The first application was for funding under the Boston MPO's Suburban Mobility Program for a new route, Route 1, to provide service from MetroWest to the Woodland Station of the MBTA's green line. The second application was under the Jobs Access Reverse Commute (JARC) federal program for five new buses. The goal of the JARC program is to transport residents of

urbanized areas and non-urbanized areas to suburban employment opportunities, and to improve access to transportation services that provide transportation to employment and employment-related activities for welfare recipients and eligible low-income individuals.

The additional buses will provide a new connection to the MBTA Green Line. At present, the population of MetroWest has access to the MWRTA, the MBTA commuter rail service, and Logan Express. The addition of the new route can be realized in large part by the new buses, and will provide a heretofore unavailable connection to the Green Line. The two applications resulted in almost \$750,000 for the MWRTA, when they were awarded by the Boston Metropolitan Planning Organization in August 2008.

The Green Line project will improve access to reverse-commute employment from urban areas to MetroWest. Both MWGMC and the MWRTA regularly communicate with the CEO's of the largest public employers in the Commonwealth, and they express their frustration about the fact that they have a tough time attracting recent college graduates to work in MetroWest. The majority of the jobs that need to be filled in MetroWest are in engineering, computer and research & development. These employees work unusual hours, and need more public transit options than are currently offered to get from their homes in Worcester and Boston/Cambridge to the jobs available in MetroWest. In addition, the low income workers in both MetroWest and the urban areas east of MetroWest are needed to fill the multitude of retail and service jobs located in Golden Triangle of MetroWest.

NYANZA - MWGMC and MAPC secured a grant from the MetroWest Community Health Care Foundation to develop strategies to further study and mitigate the plume of contamination that has affected the Sudbury River in the past and may continue to adversely impact this valuable environmental resource in the future and conduct an educational awareness campaign. A Nyanza Advisory Committee has been formed with representatives from each community abutting the river and is working closely with MWGMC staff and the consultant to ensure that the project provides credible information to reduce the environmental and public health risks to MetroWest residents.

Housing -MWGMC provided significant technical assistance to the Town of Ashland by drafting an Inclusionary Bylaw to help implement the approved Housing Plan developed last year. In December, MWGMC applied for grant money through the District Local Technical Assistance fund to create a Regional Affordable Housing Trust which would provide member municipalities with technical support.

Route 9 Corridor Study - MWGMC worked with MAPC to conduct a Route 9 Corridor Analysis funded under the District Local Technical Assistance Program. MetroWest communities have been grappling with the issue of traffic and vehicular access on Route 9. There is no question that Route 9 and the MetroWest region are at a point where major infrastructure decisions must be made. We hope to develop a clear understanding of the land use and growth potential within the Route 9 communities so that the communities and state agencies can begin to evaluate options to increase mobility in this corridor. The first phase of the project was a "buildout analysis" for the corridor, which was completed in December with the assistance of the community planners, MWGMC staff, and MAPC staff. MWGMC has proposed a second phase for the next round of DLTA funds, and has proposed a similar study for the **Route 20 Corridor**.

Legislative Breakfasts - Our ties with the MetroWest legislative delegation continue to be strong.

Nearly fifty people participated in the Spring and Fall Legislative Breakfasts, including nine Legislators or their aides. A plethora of topics were discussed, including the three major agenda items, transportation finance, toll increases, and municipal finance/9C cuts. The discussion of

transportation finance, especially the proposed toll hikes and the idea of a gas tax, were hot topics at the breakfast.

Regionalism Breakfast – We held our first annual Regionalism Breakfast on December 8th in the Morse Institute in Natick. Recognizing the fiscal constraints that are burdening the MetroWest communities, our goal for the program was to emphasize the need to explore possible regional solutions to many of the significant fiscal challenges facing MetroWest. We were pleased to welcome Chairman Robert A. DeLeo of the House Committee on Ways and Means as the keynote speaker. Chairman DeLeo reported that the shortfall in local receipts coupled with declining lottery revenues has exacerbated the State’s current crisis and subsequently has jeopardized local aid to municipalities. Chairman DeLeo quoted incoming White House Chief of Staff stating that, “You never want a serious crisis to go to waste.” He urged municipalities to, “think outside the box and have a series of discussions about regionalization,” noting that turbulent times offer opportunities to address issues that were once overlooked.

Municipal leaders from the region concluded the breakfast by taking part in a workshop that asked participants to list services that their community may be able to share with a neighboring town. MWGMC has begun a compendium of "Municipal Best Practices", and a database of items our communities have identified as having the potential for regional collaboration. MWGMC will inventory responses and then serve as the facilitator in any potential regional initiative.

Planners Roundtable – MWGMC holds monthly Planners’ Roundtables for local planners and planning board members. The Roundtable provides staff and officials with technical information, and training on planning and growth issues. It also provides planners with the opportunity to share expertise, experience, and questions with their colleagues.

Regional Impact Review (RIR) - As always, environmental concerns are a high priority for MetroWest communities. One of the services MetroWest Growth Management provides is the **Regional Impact Review (RIR)**. Regional Impact Reviews provide local leaders an opportunity to comment on the impacts of proposed commercial, industrial, and residential development projects, and provides administrative services to citizen advisory boards. The MEPA review process is the most common trigger for a Regional Impact Review; however, members of the MWGMC and local planning boards also submit development proposals for a RIR. This allows the opportunity for regional development impacts to be considered early in the development process.