

TOWN OF BELMONT

PLANNING BOARD

MEETING MINUTES

February 6, 2024

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: April 30, 2024

TIME: 11:47 AM

Present: Online: Thayer Donham, Taylor Yates, Carol Berberian, Jeff Birenbaum, Andrew Osborn, Renee Guo

Staff: Online: Chris Ryan, Director, Office of Planning & Building, Ara Yogurtian, Inspector of Buildings, Office of Planning & Building, Michelle Blanchette, Recording Secretary, Office of Planning & Building

1. Meeting Called to Order.

Mr. Birenbaum called the meeting to order at 7:00pm. Quorum was established.

2. Continued Cases:

a) Case No. 24-02 Waiver to Erect a Sign

30 Church Street (LBI) – Acton Management

Applicant requests a Waiver under section 5.2.2 of the By-Law to alter an existing sign at 30 Church Street located in a Local Business I (LBI) zoning district. Section 5.2.7 of the By-Law requires “non-confirming signs as a result of a change to this By-Law are subsequently enlarged, redesigned, replaced, or altered in any way including repainting in a different color, shall comply immediately with all the provisions of this By-Law....”. Applicant requests to retain existing standing sign frame structure with new sign design.

Note: Application submittals, meeting agenda & instructions on remote access can be found on the Town’s website: https://www.belmont-ma.gov/sites/g/files/vyhlf6831/f/uploads/24-02_30_church_street.pdf

Ms. Neely Sullivan, Leasing Director of 30 Church Street stated that there is a sign frame in place which she intends to keep intact. Ms. Sullivan is requesting a waiver to change the signs placed in the sign frame and is working with a vendor called Alphagraphics. Ms. Sullivan presented an image of the current sign frame which currently includes signs for just two businesses located at 30 Church Street. Ms. Sullivan holds that current business tenants would benefit from being able to advertise their presence by placing a sign in the existing sign frame. In addition, future business tenants would find this appealing and be more attracted to leasing space at 30 Church Street. It would be the financial responsibility of each tenant to pay for their own sign expense. The presented image included ten available sign slots presented as two side by side for five rows. When asked, Ms. Sullivan stated that no lighting was currently planned yet, if an option, she would speak with the landlord. Mr. Yates suggested that the bylaw on what is allowed be referenced on the question of lighting.

Mr. Birenbaum asked if all signs would share the same font. Ms. Sullivan responded that each business would decide on their lettering, specific fonts and colors. Ms. Berberian confirmed with Ms. Sullivan

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that the 10 signs correspond to the same (ten) number of primary tenants in 30 Church Street. Note that there are a few tenants with smaller operations that would not want a sign. Ms. Berberian inquired about the dimensions of the sign. Ms. Sullivan stated that they are included on the application submitted. Mr. Yogurtian stated after referencing the application submitted that the dimensions are 72" by 96". In terms of background color, white is planned and Mr. Birenbaum expressed that it is important to maintain uniformity and consistency. Mr. Birenbaum confirmed that business tenants can come in front of the Planning Board with special requests. Ms. Berberian inquired how high off ground level the sign frame stands. Ms. Sullivan stated that it is above shrub level, does not interfere with landscaping and ultimately pedestrians and cars can see it. Ms. Berberian inquired how the sign slots would present if there were no tenants or if tenants did not opt to place a sign. Ms. Sullivan stated that the sign slots would be plain white, not flipped showing lettering from previous tenants.

Mr. Birenbaum asked if all sign slots would be used otherwise it would look unappealing having a lot of blank sign slots. Ms. Sullivan had not inquired of the current business tenants. Mr. Birenbaum requested that Ms. Sullivan go back to current business tenancies and gain a sense of interest by collecting letters of intent and report back the results to the Planning Board. Ms. Sullivan agreed to do this.

Mr. Birenbaum asked if sign slots could be added as business tenants had demand for them so that there would not be a number of blank sign slots. Ms. Sullivan agreed to check with Alphagraphics on this point.

Ms. Guo stated that any font would most likely be too small to be legible from the street with the proposed sign slot layout being two by two per row with five rows. Ms. Guo suggested that Ms. Sullivan consider a different sign slot layout where each sign slot would be as wide as the sign frame in order to accommodate larger lettering and font size. Ms. Guo suggested that Ms. Sullivan mock up the sign slots in different ways to see what would work best and Ms Sullivan agreed.

Mr. Birenbaum inquired about the condition of the existing pylon structure. Ms. Sullivan stated that it is in fine condition, made of steel and painted over in black. There is minor wear yet nothing significant.

Mr. Yates expressed concern about creating a perception of numerous vacancies in the building and supported Mr. Birenbaum's suggestion to check in on intended participation to which Ms. Sullivan agreed.

MOTION was made by Mr. Birenbaum to continue this request cited above until the time of the Planning Board's next meeting scheduled for February 27, 2024. Ms. Berberian seconded the motion. Motion passed with all in favor.

3. The MBTA Advisory Committee Co-Chairs made a presentation and provided updates to the Board.

Two co-chairs presented – Rachel Heller and Roy Epstein.

Ms. Heller, Co-Chair stated that meetings were taking place to engage the community. There was a meeting on January 29, 2024 at the Beech Street Center which was a full house. Other community engagement meetings are planned for the February-March timeframe. Feedback from the community is helping to shape the work.

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Ms. Heller shared that Josh Fiala of Metropolitan Planning had shared a presentation at the January 29, 2024 meeting at the Beech Street Center. The presentation covered five initial viable options for the required zoning changes and is now focused on three of those options. The next community meeting is scheduled to take place on February 15, 2024 at the Beech Street Center where people are invited to come and provide their input which the Committee will use in turn to further refine the selection of viable options to be presented at the March, 2024 meeting.

Mr. Roy Epstein, Co-Chair and Chair of the Selectboard then presented stating that affordability was a focus. Mr. Epstein described that MAPC, an external consultant, initially presented five options and recommended that the first and fifth options not be pursued leaving the second, third and fourth options for consideration. At the time of the presentation, MAPC provided the underlying data in their compliance model. The three viable options are geographically inclusive (including Brighton Street, Concord Avenue near Bright Road and Pleasant Street) and represent opportunities for economic development. This information is public and the community can review.

Mr. Epstein stated that a detailed memo was sent to MAPC this morning requesting more information and clarification on questioned points. A response is expected by this coming Friday. Mr. Epstein stated that more information is needed on underlying assumptions made as they either appear to be contradictory or unapplicable to Belmont. For example, MAPC included an assumption that zoning proposed for the southern part of Concord Avenue be mandatory, mixed use which does not seem to be appropriate.

Mr. Epstein raised the question of whether Sherman Gardens located on Sycamore Street would be included. If so, rezoning will be needed to include these units in the count for Section 3A. Belmont Housing Authority (BHA) has age restrictions related to 125 of these units with 10 units available to families. Mr. Epstein stated that Sherman Gardens would need to have no age restrictions in order to be included in the count for Section 3A zoning.

Mr. Epstein discussed the possibility of including Star Market and Belmont Car Wash on Trapelo Road and stated that they would need to be classified as mixed use for Section 3A. Mr. Epstein said that it is thought not to include either Star Market or Belmont Car Wash in the plans. Mr. Epstein added that Waverly Oaks is another age-restricted development.

Mr. Epstein discussed the importance of being able to provide more affordable housing. There are plans to develop a community called Belmont Village.

Mr. Epstein added that MAPC modeling resulted in unit counts that were as high as approximately 5,000 units and that the lower bounds had not been explored. Mr. Epstein stated that 1,632 units are the required amount per Section 3A and that 3A zoning has mandatory mixed use. Mr. Epstein pointed out that the land area for the building does not count for compliance purposes. It is the units that count and the land area is an offer to the required number of units.

Ms. Heller stated that in regards to senior housing, the zoning must be suitable for families. It can include senior housing, the zoning is not limiting.

Ms. Donham expressed concern over lowering the total planned unit count too much. Ms. Donham is concerned that the compliance number of units of 1,632 could be cut lower resulted in too few units to

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reach compliance. Clarification is needed on how to best plan for the total number of units when making recommendations to Town Meeting.

Mr. Yates expressed the need to target a certain total unit count. Mr. Yates suggested a total unit count of 1,800 for planning purposes. This amount meets the baseline requirement of 1,632 and also provides for a buffer of approximately 10 percent to provide for any potential commercial offset.

Ms. Berberian asked for clarification on the total unit counts for the three viable scenarios identified. Ms. Berberian expressed that the Planning Board should be a part of the conversation now and have a full understanding as the process moves forward. Mr. Epstein stated that he had sent the presentation to the Planning Board and stated that the three viable options provided for 3,341 units, 2,151, units and 3,034 units respectively with varying geographic coverage. Ms. Berberian inquired as to why these three total unit counts were so much higher than the compliance estimate. Mr. Epstein explained that MAPC made these estimates based on a basic understanding and without seeking guidance from Town of Belmont. Mr. Epstein went on to explain that for Section 3A, a housing structure must have at least three units and in the Waverly area most housing structures are two-family units. Mr. Epstein added that the MAPC scenarios are very dense with 30-70 units per acre.

Ms. Donham raised the question of building typologies and expressed the importance of spreading zoning around town, not just in the Waverly Square area. Contiguity also needs to be balanced. Mr. Epstein stated that 50 percent of the planned district will need to be contiguous and within a half mile of the commuter rail station. Contiguous properties include those across a given street.

Ms. Heller shared that in 2020 there were 10,882 dwelling units in Belmont. Ms. Berberian stated that the Planning Board needs to plan for compliance with a buffer for changes in both Waverly Square and Belmont Center. Mr. Osborn asked how a unit is defined. Mr. Epstein stated that a unit is suitable for families with 1,000-1,100 square footage. Mr. Epstein stated that meeting the zoning compliance was just zoning, not necessarily building. If developers are interested in building, they will either find an empty lot or purchase a building and tear it down. Thayer Road in Waverly Square has several quad buildings. This area could be rezoned as an option. Mr. Osborn inquired if such a development would be low-income housing. Mr. Epstein stated that it would be like other multifamily housing in the area and available at market rates although a certain percentage as much as 15 percent must satisfy affordability criteria. Emphasis on preserving businesses to the extent possible. Mr. Epstein indicated that the MAPC would be providing updated maps shortly.

Mr. Birenbaum raised the question of performing a financial impact analysis. What impact would all of this potential development have on the Town of Belmont? What burden to school system, fire departments, etc.? Mr. Epstein stated that the Committee is not planning to do this. It was said that Liz Allison might have useful information. Either the Planning Board or Mr. Ryan can reach out to her. Mr. Ryan added that there are two options: Performing a market and fiscal impact analysis which might be funded later this month. This could include a scenario with all MBTA housing included in showing the impact. The Town of Milton performed a similar analysis. Second, RKG could perform a larger market and fiscal impact analysis.

The meeting was then opened to public comments. Mr. Ade Baptista joined the meeting virtually. Mr. Baptista requested that the Planning Board work with the spirit of the law in mind, remembering that there is a housing crisis and increased financial pressures in lower income families. Mr. Baptista stated that change is needed as many people cannot afford to live in Belmont.

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There were no other public comments.

Ms. Heller expressed the importance of supporting business growth which could result in a net win for the Town of Belmont by increasing revenue needed to cover town services and increasing the supply of affordable housing. Ms. Heller stated that the McLean property should be considered.

Mr. Birenbaum stated that a cost-benefit analysis is needed. Revenue over the long-term needs to be projected and the threshold where benefits exceed costs needs to be determined. Mr. Birenbaum suggested that the Selectboard might assist with this.

4. The Board discussed potential upcoming zoning changes to be proposed to Town Meeting in spring of 2024.

At this time, Mr. Birenbaum opened the meeting to public hearing. Mr. Ryan read the Public Hearing Notice aloud during the meeting. The Public Hearing Notice details are posted on the Planning Board's website.

Mr. Ryan shared his screen showing the documents related to the following discussion.

The concept of building a limited boutique hotel emanated from the Economic Development Committee (EDC) and Vision 21. Mr. Ryan developed the initial language which Mr. Birenbaum edited. The language was then sent to Town Council who reviewed and approved it. Mr. Yates inquired as to the Planning Board's role at this point. It was clarified that the Planning Board is to write a report and submit it to Town Meeting.

Section 1: There was a discussion around whether the word 'boutique' needed to be added to 'hotel'. Mr. Ryan expressed that the term 'boutique' is not needed per Town Council. Mr. Birenbaum expressed that the term 'boutique' relates to design standards and guest experience. Mr. Birenbaum felt it is an important word to include to set the expectation that using a hotel as temporary housing is not the expectation. Mr. Yates asked if there is legal agreement on what the word means and Mr. Ryan confirmed that there is. The term 'boutique' is defined under hotel regulations. Mr. Birenbaum expressed again that the term 'boutique' be included. It was mentioned that this term does appear in other zoning bylaws in California and New York. Mr. Ryan agreed to add the term 'boutique' back with the consensus of the board.

Mr. Birenbaum stated that there should be a time limit of 30 days from check-in and check-out to avoid transient occupancy. Mr. Ryan clarified that this is already covered in Section 6.

Mr. Birenbaum added that each of the planned 48 hotel rooms should have its own bathroom. Even if this matter is covered in hotel regulations, Mr. Birenbaum advised that the Planning Board provide a clear statement on its intentions and expectations to close any potential loophole.

Ms. Berberian stated that a 48-unit hotel seems large and inquired as to limitations on the types of hotel chains that would be permitted. Mr. Ryan stated that 48 surface parking spaces would be needed as well. These parking spaces will require a special permit and can be paired with design guidelines. Mr. Ryan added that formula-based business restrictions can be written as the Planning Board wants to achieve its vision.

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Mr. Osborn questioned why we need a hotel in the Town of Belmont if we have no sports arena, university, etc. to serve as a draw.

Mr. Ryan stated that the hospitality industry would be included in the expected market analysis and that the number threshold could be informed by the market analysis. Mr. Ryan said that, in terms of scale, the hotel industry would only be interested in building a hotel in Belmont if the scale were sizable enough. Also, a smaller scale would have no structured parking integrated into the building and would require surface parking which is harder to arrange as it takes more land. From the Economic Development Committee (EDC), the original number of units was 35 by right and 36-100 by special permit. The number has been updated to be 48 units all by special permit. Mr. Ryan recommended that the plan be paired with design guidelines which would need to be developed separately. Definition of 'boutique' already discussed.

Mr. Birenbaum said that there must be economic return on investment (ROI). The Town of Belmont has two commuter rail train stops and offers access to the northern corridor. It was stated that adding a hotel would not be permitted in R or LB1 areas and would require a special permit under LB2, LB3 and general business areas. McLean area under consideration and there may be other overlay areas. Mr. Yates suggested a relaxation of the requirements by allowing hotels in LB1 and LB3 areas by special permit and by right in LB2 areas and the general business districts. Mr. Birenbaum inquired as to why hotels are not permitted in LB1 areas and Mr. Ryan agreed to check with Town Council. Both Mr. Yates and Mr. Birenbaum hold that hotels should be permitted in LB1 areas at least by special permit. Mr. Yates clarified that for special permits, the Planning Board would have oversight. There was a discussion of special permit size. Mr. Ryan clarified that it pertains to anything greater than 15,000 square feet. Mr. Birenbaum contemplated whether a developer would try to come in just under this threshold. The Planning Board had a conversation about how to relax language without losing control. A discussion of how to suggest to Town Council that LB1 be included. Mr. Yates recommended following the recommendations of the EDC. Mr. Ryan confirmed that design site plan review can be included if written that way. Mr. Yogurtian recommended using special permit by size (SPS) language (5,000-7,000 square feet) as the applicant would need to come back to the Planning Board for a special permit, otherwise would be by right. The Planning Board agreed that this discussion is not being closed tonight and to follow up by asking Town Council why LB1 was excluded. Ms. Donham referenced the zoning map to identify where LB1 is and shared that it relates to areas in Cushing Square, Belmont Center and small part of Waverly Square. It was thought that the intent of excluding LB1 related to avoiding residential areas with single-family homes.

Section 5 – Off-Street Parking and Loading: Mr. Ryan opened the discussion, and it was agreed to remove 'motels, room and board'. Mr. Birenbaum suggested removing other commercial accommodations except for boutique hotel and stated that parking could be waived if in Belmont Center. Mr. Ryan said that if the 'boutique hotel' definition is inclusive of accessory and ancillary uses it should work.

Mr. Ryan read through the various sections of 6.13 – Special Regulations – Hotel Regulations

Section 6.13.1 - Purpose

Section 6.13.2 – General Requirements

Section 6.13.3 – Amenity Accessory Uses

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Mr. Ryan clarified that this section will have 'eating establishments' the way that changes were made at Town Meeting last Fall. This needs to go through the Attorney General. It was noted that such uses will not exceed 30 percent of the gross floor area of the hotel. It was agreed to remove 'gymnasiums' and 'fast food and take out'.

Ms. Berberian raised the concern of where those working in the hotel would park. It was thought that this should not be an issue. Ms. Berberian raised the question of whether additional uses of the hotel such as wedding functions might effect parking and negatively impact other local businesses. Mr. Ryan stated that with a 30 percent limitation on function space, the impact should not be significant.

Section 6.13.4 – Exception to Schedule of Dimensional Requirements

Floor Area Ratio is 1.25 with lot coverage of 50 percent. Mr. Ryan said that this should be shown graphically. These measures would result in a building of about 2.5 stories in height which is relatively small. Mr. Yogurtian clarified that lot coverage does not include parking. Note that a Floor Area Ratio of 1.5 for the LB1 district is available by special permit. Mr. Ryan said that he would team up with Mr. Yogurtian to work up a few lots in a few districts.

Section 6.13.5 – Special Permit Criteria

Mr. Birenbaum questioned why it was not in the domain of the Planning Board to oversee the quality and standards of proposed hotels. It was thought that Town Council might not know about the special permits available to the Planning Board for hotels. Clarification is needed. Mr. Ryan discussed three points: a) having retail/restaurant/commercial entities on the ground level of a hotel, b) the quality and standards of the proposed hotel and c) the potential of the hotel to draw users. Mr. Ryan said that the list has been simplified as his original list had eight items. Mr. Ryan said that item b) does not make sense. Mr. Yogurtian explained that special permits could be used to have oversight of design site review plans including landscaping and traffic mitigation. Mr. Birenbaum stated that the special permit definition should include design site review plans and that he wants full entitlement authority included. This discussion was not closed out.

Mr. Birenbaum opened the meeting to public comment. There were no public comments.

Section 6D – Mr. Ryan mentioned that the only change is in the title which reads 'Enlarged and reconstructed'. Mr. Yogurtian expressed that he disagrees with the way that the title is written as enlarged means addition. The intent of this section is for new structures, not additions. Mr. Yogurtian wants 'New' to replace 'Enlarged and reconstructed' as this section was written for new buildings. Mr. Birenbaum suggested that the intent of this Section may need to be clarified with Town Council. Mr. Yogurtian added that 'Alteration' should be removed as well. Mr. Osborn questioned whether a foundation needs to be new as well. Mr. Yogurtian responded that if a building is 85-90 percent new, it is considered new overall. Mr. Birenbaum suggested that the language be changed as needed and to go back to Town Council.

MOTION was made by Mr. Birenbaum to continue the public hearing portion of this meeting until the Planning Board's next meeting on February 27, 2024. SECONDED by Ms. Berberian. All board members voted in favor.

5. Update on Cases, Planning Board Projects and Committee Reports.

Ms. Berberian shared that there will be an update on Community Preservation at the time of the next Planning Board meeting.

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Mr. Birenbaum asked all Planning Board members to review meeting minutes in anticipation of the next board meeting and to send comments to Mr. Yogurtian.

There was a discussion on the timeline for MBTA planning. Mr. Ryan shared that the cutoff is the close of the warrant, sometime in March. Mr. Birenbaum requested that the timeline be shared as the first order of business at the time of the next board meeting.

6. MOTION was made by Mr. Birenbaum to adjourn the meeting at 9:31pm. With all in favor, the meeting was then promptly adjourned.

The Planning Board's next scheduled meeting will be held on Tuesday, February 27, 2024.