

**TOWN OF BELMONT
PLANNING BOARD
MEETING MINUTES
December 5, 2023**

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: April 30, 2024
TIME: 11:41 AM

Present: Jeff Birenbaum, Chair; Carol Berberian, Vice Chair; Thayer Donham; Andrew Osborn; Taylor Yates; Renee Guo

Staff: Christopher Ryan, Town Planner ; Ara Yogurtian, Inspector of Buildings

This meeting was held remotely using Zoom video conferencing technology, as permitted by the Massachusetts Act Relative to Extending Certain State of Emergency Accommodations, which became effective July 16, 2022. Update 3/30/23: The State has extended authorization for virtual public meetings through March 31, 2025.

This meeting recording has been posted to the Belmont Media Center webpage.

1. Call to Order 7:00 PM

Mr. Birenbaum called the meeting to order at 7:02 PM.

2. Review and approve October 17, 2023 and November 14, 2023 meeting minutes.

At 7:03 PM, Mr. Birenbaum moved to approve the meeting minutes of October 17 and November 14.

The motion was seconded by Ms. Berberian.

Ms. Donham stated that the titles for Mr. Yogurtian and Mr. Ryan may be incorrect. Mr. Yogurtian assured her that he will correct them.

The motion passed unanimously.

3. The Board will select February 2024, March 2024 and April 2024 meeting dates.

Mr. Birenbaum introduced the schedule for February, March, and April 2024. He inquired if everyone is able to meet on the second and fourth Tuesday.

Ms. Berberian pointed out that February 20th and April 16th are both school vacation weeks.

Mr. Birenbaum proposed the final schedule as follows: February 6, February 27, March 5, March 19, April 9, and April 23.

4. The Board will discuss potential upcoming zoning changes to be proposed to be approved in spring of 2024 by Town Meeting. Details of proposed changes will follow.

Mr. Birenbaum introduced Chris Ryan, the Town Planner and Director of the Office of Planning & Building.

Mr. Ryan spoke briefly about the MBTA Communities project and suggested it should be a recurring agenda item going forward before becoming disconnected from the meeting.

Mr. Birenbaum assured the Board that they would return to this item.

5. Belmont Middle School and High School Building Committee requests to Amend Order of Conditions to Remove Dugout Shelters at Baseball and Softball Fields to allow Inspector of Buildings issue a final Certificate of Occupancy prior to completion of these structures.

Mr. Lovallo presented an update on the Middle and High School Building Project and explained the request to amend order of conditions to remove dugout shelters at the baseball and softball fields to allow the Inspector of

Buildings to issue a final Certificate of Occupancy prior to the installation of these structures. In the Spring of 2023, the Brendan Grant Foundation informed the building committee that they were not comfortable with the types of shelters presented and that they wanted to replicate the style of dugouts from the previous fields. They decided that they would do so after the fields had been turned over, thus the building committee requested from the Planning Board to make this change to their design. This past June, the Grant Foundation informed the building committee that they wanted to redesign the canopies they were to install. At this time the building committee had already cancelled their previous order. They reordered the same style of canopies and are now in line to have them installed in the Spring of 2024. The building committee has provided the purchase order and anticipated delivery date with the Board.

The building committee, Mr. Lovallo continued, he is requesting to make this amendment to the order of conditions in order to begin the final audit with the Massachusetts School Building Authority sooner.

Ms. Guo asked for clarification on the timeline of purchase presented.

Ms. Dunham asked Mr. Yogurtian if he is able to administer the permit in this way. Mr. Yogurtian answered that if the building committee receives approval from the Planning Board than he will be able to approve the final certificate of occupancy.

Mr. Yates inquired about the work the building committee is doing with the Conservation Commission. Mr. Lovallo responded that the building committee is anticipating an imminent vote of approval from the Conservation Commission to close out the conservation permitting.

Ms. Berberian asked about who will be responsible for installing the dug outs. Mr. Lovallo responded that there are plenty of resources to complete the installation including Skanska if necessary.

Mr. Yates requested Mr. Ryan about the ability of the Planning Board or Office of Building and Planning to respond if the project is not completed. Mr. Ryan responded that there is very little that can be done if the final certificate of occupancy has been issued. Mr. Ryan emphasized the importance of trust between town entities.

Mr. Lovallo proposed that \$20,000 be set aside in an escrow account to ensure the installation of the canopies.

Ms. Berberian asked if this amount would cover the cost of installation. Mr. Gatzunis and Mr. Lovallo assured the Board that this sum would more than cover the installation costs.

Mr. Osborn stated that the Board should not require the money set aside because he did not view this project to be different than any other submittals presented previously.

At 7:43 PM, Ms. Berberian moved to approve the removal of the dugouts from the original plan contingent upon the Office of Planning & Building working with the applicant to develop a suitable letter describing the measure of surety - the aforementioned \$20,000 - that can be found acceptable by the Town Administration.

This motion was seconded by Mr. Yates.

The motion passed unanimously at 7:44 PM.

4. The Board will discuss potential upcoming zoning changes to be proposed to be approved in spring of 2024 by Town Meeting. Details of proposed changes will follow.

Mr. Birenbaum reintroduced Mr. Ryan to speak about potential upcoming zoning changes.

Mr. Ryan spoke about the requirement of the Board to hold a public hearing on the MBTA Communities initiative.

Mr. Ryan expanded upon tools available to the Board to collect public opinion and engage with residents. Mr. Ryan noted that the meeting on December 19th will be crucial in setting the upcoming agenda.

Ms. Berberian expressed her support for the Board's active role in upcoming zoning projects.

Ms. Berberian highlighted that the issue of parking at the Homer House will also be discussed at an upcoming Planning Board meeting.

6. Continued cases:

a. Case No. 23-17 297 Concord Ave. Municipal Skating Rink, Design and Site Plan Approval

Building Committee Applicants request Design and Site Plan Approval to construct a new Ice-Skating Rink at 297 Concord Ave. located in a General Residence (GR) zoning district. Section 7.3.2 a) of the Zoning By-Law requires Design and Site Plan Review Approval from the Planning Board for the construction of a non-residential building that has a total Gross Floor Area greater than 2,500 square feet or a proposal that results in the need for six (6) or more parking spaces.

Mr. Gatzunis asked the Board that this agenda item be continued at the next hearing of the Planning Board.

At 7:58 PM, Mr. Birenbaum moved to continue Case No. 23-17 to December 19, 2023.

The motion was seconded by Ms. Donham.

The motion passed unanimously at 7:59 PM.

b. Case No. 23-21 336 Concord Ave (SRC) - Belmont Public Library Design and Site Plan Review Approval

Conrad Ello, AIA, LEED AP, agent Applicant requests Design and Site Plan Review Approval to construct a Library at 336 Concord Ave. located in a Single Residence C (SRC) zoning district. Section 7. 3. 2 a) of the Zoning By-Law requires Design and Site Plan Review Approval from the Planning Board for the construction of a non-residential building that has a total Gross Floor Area greater than 2,500 square feet or a proposal that results in the need for six (6) or more parking spaces.

Noel Murphy of Oudens Ello Architecture provided an update on the library project. The Conservation Commission has met twice with the architects and completed two site visits. The Conservation Commission is now awaiting their peer review of the project. The applicants are requesting relief from the Planning Board on several zoning requirements including setbacks and building height. Many of these requests for relief stem from efforts to preserve the environment create a usable landscape.

Ms. Berberian asked if the side setback requiring relief is the overhang or the foundation. Mr. Murphy replied that the it is the overhang. The foundation sits 18 feet from the property line. Mr. Gatzunis added that the property is abutting Town of Belmont owned land thus the library overhang is several hundred feet from the next non-Town of Belmont owned abutter.

Mr. Murphy continued discussing the height and maximum stories of the building. The max height allowed is 30 feet yet the highest point of the roof line is 39 feet. Mr. Murphy noted that the highest portion of the roof is found in the middle of the structure and not along the street edge.

Ms. Berberian asked if the applicants had been in contact with the single residential abutter.

Mr. Murphy replied that they have had a number of interactions with the abutter. She has been very involved in the project in regards to the local history. She is aware of the plan and the project and has shared no negative feedback.

Mr. Murphy concluded that they are making every effort to ensure that the library is respectfully integrated into the neighborhood while also fulfilling its educational mission to the community.

Ms. Berberian inquired about the noncompliance of the parking lot.

Mr. Murphy responded that the proposed plan has 42 spaces and includes four additional street parking spaces than what is available currently.

Mr. Ryan added that he has sent out a document to Town Department heads to provide feedback on the conditions of the project. He noted the importance of having well documented feedback.

At 8:22 PM, Ms. Berberian moved to approve case number 23-21 design and site plan approval for 366 Concord Ave Belmont Public Library as presented with the conditions that there will be compliance with the parking plan and no construction parking outside of the designated area; that approval is provided from the Conservation Commission; that confirmation of the restoration of the Golden Bowl is received in coordination with the Select Board; that the Storm Water bylaw is complied with, and that conditions required by Department Head are met. The motion was seconded by Ms. Guo.

The motion passed unanimously by roll call vote.

Mr. Gatzunis thanked the Planning Board for the careful review of the projects presented.

7. Adjourn

At 8:25 PM, Ms. Berberian moved to adjourn.

The motion was seconded by Mr. Osborn.

The motion passed unanimously.

*Respectfully submitted by,
James Goudie*