

TOWN OF BELMONT

PLANNING BOARD

MEETING MINUTES

September 17, 2019

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2019 DEC 18 PM 2:19

Present: Steve Pinkerton, Chair; Karl Haglund, Vice Chair; Thayer Donham, Ed Starzec;
Matt Lowrie; Renee Guo

Staff: Jeffrey Wheeler, Senior Planner; Spencer Gober, Staff Planner

1. Meeting Called to Order at 7:00 PM

2. Continued Public Hearings:

a. 26 Statler Road – Special Permit to increase greater than 30%, Single Residence – C

Mr. Pinkerton noted that the application was still needing further information and a working group was assigned. A more thorough landscaping plan with existing conditions and proposed new plantings and elevations would be required. Mr. Pinkerton and Mr. Lowrie agreed to be the working group for this project.

MOTION to continue to November 5, 2019 was made by Mr. Pinkerton and seconded by Ms. Lowrie. Motion passed.

3. New Public Hearings:

a. 117 Alexander Avenue – Special permit to increase greater than 30%, SR-C

Mr. Starzec read the public notice.

Ms. Miller, Miller Design, stated that the Applicant would like to construct a two-story addition, however, the basement counted as a story. She reviewed the plans and noted that the existing family room will be replaced and a second story master bedroom added, which would give the house a total of four bedrooms. She noted that the addition was designed to improve the massing and scale and that particular attention was paid to the vernacular and the design of the homes on Channing Road. She reviewed the setback and proposed lot coverage and noted that the Working Group design change requests were met. She added that the proposed design would be an improvement to the property and neighborhood as a whole.

A petition in support of the project was signed by 14 of the neighbors.

Alex Corbett, 114 Alexander Avenue, spoke in support of the project.

Mr. Gober reviewed the Neighborhood Analysis.

MOTION to close the public hearing was made by Mr. Pinkerton and seconded Mr.

Starzec. Motion passed.

MOTION to approve was made by Mr. Haglund and seconded by Thayer Donham. Motion passed.

b. 14 and 16 King Street – Special Permit to construct two single-family homes, GR District

Ms. Donham read the public notice.

Cliff Rober, Rober Survey, presented the plans for the proposed single family-homes. He noted that there was currently a two-family home on the property. The Applicant would like to put two single-family houses on the two lots. Mr. Rober walked the PB through the elevations and proposed heights. Mr. Pinkerton suggested ways to reduce the height of the houses. Mr. DeStefano, Owner/Applicant, noted that he would not want to compromise the architecture; they are within ten percent of the different heights. He added that he was sensitive to the neighborhood's existing character and that he wants to do what was right for the neighborhood.

The PB asked the Applicant to look at ways to reduce the massing and height of the proposed homes.

Mr. Gober reviewed the Neighborhood analysis.

MOTION to continue the public hearing to October 1, 2019 was made by Mr. Pinkerton and seconded by Mr. Lowrie. Motion passed.

c. 486 Common Street – Waiver for two nonconforming wall signs, LB-I

Mr. Pinkerton read the public notice.

Jim Savas and Fred Pizzi, Applicants, reviewed the application and provided the history of the existing signs. The signs at the front of building and two sign panels had to be updated in 2015 and the modular signs were changed. The Applicant's sign designer spoke and described the updates as simple and straightforward and noted that the size of the signs was not changed.

MOTION to close the public hearing was made by Mr. Pinkerton and seconded by Mr. Starzec. Motion passed.

MOTION to approve was made by Mr. Pinkerton and seconded by Ms. Donham. Motion passed.

d. Amendment to the Zoning By-Law – Insert Definition of Municipal Recreational Use

Mr. Lowrie read the public notice.

Mr. Wheeler explained that the Town was contemplating entering into a public-private partnership where a private developer who would construct, operate and manage the Town's ice-skating rink. The Zoning By-Law does not allow that use to occur, it allows for Recreational Municipal Use presuming the Town would build, construct and operate the facility. In order to allow the use to occur, "municipal use" needs to be defined to include "all general recreation municipal use", a change in the definitions that would apply to the facilities across the Town. The PB reviewed the language for the proposed amendment. Mr. Pinkerton noted that he was concerned about the implications of this decision as it was an enhanced use lease. He does not have the confidence that Belmont has the administrative structure to administer an enhanced use lease. He noted that he would like to see a clearer picture on how the Town would administer the lease. Mr. Wheeler reviewed the proposed calendar. He noted that the lease of land by the Town required a two-thirds vote by Town Meeting and the proposal was to be taken up at the November 13, 2019 Town Meeting. The PB concerns were long term maintenance of the facility and how to best manage the lease. Mr. Wheeler noted that the School Committee and Select Board would have to agree to approve the release of the RFP. If the RFP is not released, the PB could request that the amendment be dismissed.

MOTION to continue to October 1, 2019 was made by Mr. Pinkerton and seconded by Mr. Starzec. Motion passed.

4. Updates on Potential Cases and Planning Board Projects, and Committee Reports

a. Neighborhood Determinations

- i. **45 Waterhouse Road** - The PB approved the neighborhood determination.

b. Potential Zoning Amendments

i. McLean Zone 3

Mr. Pinkerton noted that the Housing Trust had been working with the potential developer to revise his development proposal. He noted that historic preservation, traffic, tax revenue, and snow removal were still on the table.

ii. Short-Term Rentals (Airbnb)

Mr. Gober gave a presentation on the local implications and current state laws with regards to short term rentals (Airbnb). He noted the positive impacts as tax revenue, income stream for residents and economic development. He noted the negative impacts as safety concerns, code violations, impact of town character, trash removal issues, parking issues, traffic issues, reduced housing availability (more money to be made than traditional renting), increase in rental rates and unfair competition for

hotels. He reviewed the state level Airbnb regulations and noted that there were two components: zoning and the tax revenue. None of Belmont's peer communities have taken action to enforce short-term rentals as of yet. Mr. Gober reviewed the research for best practices for short term rental. He reviewed the schedule in order to be prepared in time for Town Meeting. Mr. Pinkerton noted that this must generate enough revenue in order to pay for the public services necessary to enforce the by-law. He would like to see more information on the costs to enforce the short-term rentals. Mr. Pinkerton recommends cleaning up the regulations that are currently in place and making it easier for the Zoning Board of Appeals.

Libby Boss, 155 Oakley, noted that the Zoning Board of Appeals was saying that they interpret anything less than a month as a short-term rental and it was not allowed. She asked the PB to clarify what daily vs. weekly means.

c. **Master Plan Refresh** – PB did not discuss this item.

5. **Review and Approve Minutes**

The July 2 and 16 meeting minutes were approved by the PB.

6. **Meeting Adjourn 9:05 PM**