

TOWN OF BELMONT
PLANNING BOARD
MEETING MINUTES
December 6, 2022

RECEIVED
TOWN CLERK
BELMONT, MA

DATE: February 15, 2023
TIME: 2:35 PM

Present: Matt Lowrie, Chair; Thayer Donham; Jeff Birenbaum; Karl Haglund, Carol Berberian

Absent: Renee Guo

Staff: Ara Yogurtian, Assistant Director, Offices of Community Development

This meeting was held remotely using Zoom video conferencing technology, as permitted by the Massachusetts Act Relative to Extending Certain State of Emergency Accommodations, that became effective July 16, 2022.

Mr. Lowrie introduced Planning Board members and reviewed a summary of the items that were on the agenda.

1. Meeting Called to Order 7:00 PM.

2. Continued Cases:

a) Case No. 22-16 - Design and Site Plan Review 350 Prospect Street – Belmont Hill School

A proposal to construct a new parking lot and Facilities Building on land east of Prospect Street, along with minor changes to existing parking at 350 Prospect Street (off Marsh Street). The school is located in the Single Residence A (SR-A) Zoning District and the proposed work will be conducted at the joint properties of 283, 301, 305, 315, and 350 Prospect Street & 12 and 20 Park Avenue.

Mr. Lowrie began with a review of the agenda and explained each of the following procedural topics: The peer review process, Common terminology – Common vocabulary, Phasing and scope of DSPR, Dover amendment issues and definition of “Educational Use”.

Ms. Kelly Cordoza, Avalon Consulting Group, representing the school, noted that she would talk about the “whats and the whys” of the components of the parking spaces. She walked the Board through the general plans for the proposed parking lot and parking count details. She reviewed the east campus existing and proposed plans. She noted that they need to meet the parking needs during regular school hours and to increase the parking needs to reduce on-street parking during large events. The goal was to have 19 visitor spaces and 14 accessible spaces. They need 29 more parking

spaces just to accommodate all of the students and employees with parking stickers. They will also need to add more spaces now to accommodate parking for the future.

Bob Fitzgerald, Attorney for the school, discussed the legal definition of educational use. He said that the parking spaces to be used by students, faculty and staff make it pretty clear that this falls within an educational use under the Dover Amendment. He cited other cases where this was the case. The Facilities Building was integral to the operation of the campus and was only related to school functions on the campus. Regarding off-street parking regulation in these cases where the institution provides less parking than what was required by the ZBL, the courts have held that the application of the minimum parking was appropriate because of compelling municipal concerns around the congested streets around the campus.

Mr. Lowrie noted that the Belmont Town Council could go into executive session with the Planning Board to provide guidance for the PB regarding the applicability of the Dover Amendment.

Ms. Cordoza described the current parking permit process and scheduling system. The number of parking passes issued was 277, the number of spaces on site was 268, there were 13 visitor spaces and 7 handicap spaces. There would be 29 people without a space if everyone were to need parking at the same time.

Greg Schneider, Head of School, noted that they have not limited student parking spaces.

Abutter's comments:

Wesley Austin, 244 Rutledge Road, came before the Board. He wants the Board to consider similar parking situations at similar schools around the state. He presented a PowerPoint presentation to show the comparison between similar schools and their number of parking spots. He said that the Belmont High School had more parking than similar schools. He added that parking does not affect the quality of education. He said that Belmont Hill School currently had a large amount of parking, nearly three times more than the comparable schools. He noticed many empty spaces on school days and observations shows that they currently have enough spaces. He said that the Traffic Assessment said that the current supply of parking was sufficient to accommodate the needs entirely of students, staff and visitor "except to the extent that the off-campus parking facility is no longer available". He asked the Board to determine that 317 parking spaces is a reasonable limit under the Dover Amendment and the number of spaces that are moved to the lot should be no more 50 as this was the number of spots that are located at the church. The spaces should be located in a way that does not upset the residential character of the neighborhood and setbacks

larger than those that would be needed for a house to be put in place (setbacks of 40 feet in this case). Mr. Austin's slides would be made available to view on the Town of Belmont's website.

Ms. Cordoza noted that the reference to the traffic report when they talk about the peak hour was not done at the time during one of the events where traffic was parked up and down the street. Peak hour was defined in the report. She explained that the students were coming from over 80 communities and quite a distance and this was why they need this many parking spaces.

Mr. Schneider noted that the comparative school data was questionable. The schools were not similar to Belmont Hill School as the Winsor school includes lower school students has tons of public transportation to get there. The age, size of school and access to public transportation makes them different and he thinks there was more parking than what was represented. They need to look into the details of the study to be sure that they are accurate.

Mr. Justin Roe, 269 Prospect Street, noted that he would like to discuss the educational purpose, the size and layout. He noted that the primary purpose was not education, the scale was not consistent with the requirements of other similar educational establishments and its layout pushed the boundaries and shows no sympathy for the impact on the neighborhood. Mr. Roe presented a PowerPoint presentation and made some points about the available parking per student. He noted that Belmont Hill School already has the highest number of parking spaces per student as compared to similar schools. He did not feel that limiting the parking would not substantially diminish the educational mission of the Belmont Hill School. The 7,000 square foot building will be 38' tall including the 11' concrete base. The elevation of the ground level of the house next door had a 30' difference and the structure was standing 57' high from the ground floor of next door. One corner is 15' away from the fence line and such a towering building. He felt that it was beyond belief that they would place the building this close to the building next door. He thought it should be moved further away. They are dumping everything they do not want onto the pristine campus onto this one lot. They have pushed all of these elements as close to the boundaries as possible, the parking lot was way over proportion for a school that size and the Facilities Building is way out of proportion for a single home zoning neighborhood and far too close to the neighbors. He would suggest the Board to recommend that the plan is completely overhauled to take climate change and the neighbors into account. Mr. Roe listed many suggestions for how this project could be redesigned. Mr. Lowrie noted that this list would be published on the Town's website and that the topics would be discussed in the future. Mr. Roe noted that there should be a Development Impact Report.

Mr. Schneider, responded to some of Mr. Roe's questions. The list of schools that were presented to the Board were not exactly fair comparison because the parking needs were entirely different for boarding schools. Mr. Schneider said they are trying to address the concerns about what they have heard over the years from Tyler Road and the Village Hill neighborhood. They are public roads where people are aloud to park. They are trying to keep parking out of the neighborhoods and bring it on to their property. They spent 1.5 years with a Board of 35 people to design this plan and they think it will be safer for the neighborhood for the future. The Facilities Building will be thoughtful and they will continue to communicate with the neighbors.

Motion to continue the hearing to December 20, 2022 was made by Lowrie and seconded by Mr. Birenbaum. Motion passed.

YES votes-
Carol Berberian
Thayer Donham
Jeff Birenbaum
Karl Haglund
Matt Lowrie

- b) **CASE NO. 21-11 – AMEND TWO SPECIAL PERMITS 1010 Pleasant Street (LBII) - Cal Verde Naturals, LLC, Kelly Tomasello and Stephan Tomasello, principals.**

The Applicants request to amend Two Special Permits to erect a free-standing sign and multiple wall signs at 1010 Pleasant Street located in a Local Business II (LBII) Zoning District. Special Permits: 1.- §5.2.5 b) 3 of the Zoning By-Law allows Standing Signs by a Special Permit granted by the Planning Board. 2.- §5.2.5 4-b-1 of the Zoning By-Law allows multiple signs by a Special Permit granted by the Planning Board.

Kelly Tomasello, Owner and Emma Thurston, Owner, we available to comment and answer questions from the Board.

Vasu Patel, Fast Signs, noted that sign #1 would be reduced in size and sign #2 would be larger and they would add illumination to the monument sign.

Jessie Molberg, Signage Designer and Architect explained that from the original application the signs are in the same locations but different sizes and adding illumination to the monument sign. There was updated branding and signing information and it was all in compliance with the Town of Belmont Sign By-Laws. Ms. Molberg walked the Board though the details of the signs.

Mr. Lowrie noted that the Co-Chairs of Belmont's Economic Development Committee were in favor of the signs as stated in a memo to the Planning Board.

MOTION to approve subject to the limit of hours of operation no earlier than 8 AM and no later than one hour after closing not to be after 9 PM and subject to revision with approval by Offices of Community Development. Motion passed.

YES votes-
Carol Berberian
Thayer Donham
Jeff Birenbaum
Karl Hagund
Matt Lowrie

3. Public Hearings:

a) Case No. 22-19 One Special Permit 28 Pierce Road – Jonathan and Michele Britt

Applicants request One Special under section 1.5.4C(2) of the By-Law to construct an addition at 28 Pierce Road Located in a Single Residence C zoning district.

This case was a new matter and was moved to the December 20, 2023 meeting at the request of the Applicant.

b) Case No. 22-20 One Special Permit and Design and Site Plan Review 76 White Street - Daniel Da Fonesca

Applicant requests One Special Permit and a Design and Site Plan approval under sections 3.3 and 6D-2 of the By-Law to construct a two-family dwelling at 76 White Street Located in a General Residence zoning district.

This case was a new matter and was moved to the January 17, 2023 meeting at the request of the Applicant.

4. Board to acknowledge receipt of colors for signage submitted by Mint Retail Facilities, LLC, Located at 768 Pleasant Street.

Acknowledged.

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

There will be a meeting between Planning Board and the MBTA communities at the January 10, 2022 meeting.

6. The Board to review and vote on meeting minutes: October 11, 2022 and November 1, 2022.

**Motion to approve was made by Mr. Lowrie and seconded by Ms. Donham.
Motion passed.**

YES votes-
Thayer Donham
Jeff Birenbaum
Karl Hagund
Matt Lowrie

Abstained-
Carol Berberian

7. Adjourn 10:00 PM.

**The Planning Board's next scheduled meeting will be held on Tuesday,
December 20, 2022.**