

**TOWN OF BELMONT**  
**PLANNING BOARD**  
**MEETING MINUTES**  
**January 10, 2023**

**RECEIVED**  
**TOWN CLERK**  
**BELMONT, MA**

DATE: March 8, 2023  
TIME: 1:51 PM

**Present:** Matt Lowrie, Chair; Thayer Donham; Jeff Birenbaum; Karl Haglund, Carol Berberian; 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. Presentation by the MBTA Communities Advisory Committee - The Committee will provide an update to the Board.**

Rachel Heller, Co-chair of the MBTA Community Advisory Committee and Co-Chair of Housing Trust, provided an update on the action plan that the Town will submit to the State by January 31, 2023. She noted that zoning must be in place by December 2024. She reviewed the action plan and presented the form that will be submitted to the State. The Housing Production plan will be updated in time before the current plan expires. She reviewed the preliminary zoning strategies, the public outreach plan, the Planning Board meeting schedule and the Town Meeting schedule. The Select Board voted to endorse this plan.

**MOTION to endorse the plan as presented was made by Mr. Lowrie and seconded by Mr. Haglund. Motion passed.**

**YES votes-**

**Mr. Haglund**

**Mr. Lowrie**

**Ms. Donham**

**Ms. Berberian**

**Ms. Guo**

**Mr. Birenbaum**

**3. Continued Cases:**

**a) Case No. 22-16 - Design and Site Plan Review 350 Prospect Street – Belmont Hill School 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 reminded the audience to communicate and respond in a respectful manner. He has not reached a conclusion that there was an open meeting law violation, there may have been, but it has not yet been determined. He noted that he would like to see additional information on the usage of the parking, specifically a description of what the parking areas were and what they were used for and how that compares to what they have now.

Ms. Cordoza, representing the Belmont Hill School, addressed the usage of the east campus. She presented - an overview of the east campus and discussed parking needs. She noted that the Daily School Use was between 6 am – 7 pm for 464 students (160 parking spaces stickers for students), 153 employee spaces, 13 visitor spaces on east campus, 6 visitor spaces on main campus, 7 accessible spaces on east campus and 7 accessible spaces on main campus. The east campus lot will eliminate or at least lessen the need for on-street parking during events. Mr. Lowrie noted that the Table 1 Parking Space (existing and proposed) slide was posted on the Town website.

Mr. Lowrie noted that there had been over 130 letters received from neighbors, abutters, etc. He explained that the peer reviewers and experts would be heard on many of the issues that are of concern.

Mr. Schwartz, Belmont resident, came before the Board to comment on the Belmont Hill School proposal. He presented a slide show, and his points were:

- Belmont Hill School proposed parking space numbers were more than what was required per code.
- It is possible for the school to remove 48 spaces where the impact would be significantly less. He would be willing to live with a 37-space parking lot.
- The parking for overflow for sporting events is not an educational use and parents can park on the street and walk five minutes to go see the game.
- 2,500 neighbors say that they are happy to have people park on the street.
- Chief McIsaac said that the complaints were over 15 years old, and the neighbors were not complaining about street parking now.
- 63 spaces (numbers corrected for inflation) would be okay, and this is half the size of what they were proposing.
- They need more information if the future use was going to be relevant, they will need the numbers, the details, and the traffic impact study.

Diane Mabardi, 25 Knox Street, asked for more information regarding the next steps of the process. She asked about the bus routes and if the school had considered the number of bus routes. Mr. Lowrie confirmed that the school has looked at this. She inquired about the number of fuel storage tanks approved in the past in Belmont and Mr. Lowrie noted that they could likely install the tank by right along with other State permitting requirements if any.

She asked about the possibility to buy several parcels and for clarification regarding the subdivision control law. Mr. Lowrie explained that the properties were being merged outside of the PB. She asked for clarification of the 25 % rule and Mr. Lowrie explained that they were in compliance with that. She inquired about the extra parking space in front of a house. Mr. Lowrie explained that there was a rule against putting a parking space in front of a house.

Judith Feinleib, 87 Oakley Road, had concerns regarding wildlife. The PB needs to take into consideration that people are very concerned about the project and the entire town is concerned not just the abutters. The school is using the Dover amendment to put in an unnecessary project. They will reduce the amount of property tax that they are paying during a time when Belmont is having problems, and this will cost the taxpayer more money in the future. It is important to include the public and people are feeling left out.

Ira Morgenstein, noted that the student parking for the Belmont Public High School was limited to encourage other means of getting to school and the parking was reduced by 90 spaces. What was the Belmont Hill School doing to reduce the number of drivers and cars? Mr. Lowrie noted that they are trying to encourage public transportation. There is a memo from Town Council, and it may not be appropriate to ask questions like that because of the Dover Amendment. The Planning Board should think about whether the school is encouraging public transportation and whether that has an impact on evaluating the parking needs. Mr. Morgenstein touched on the income tax loss and Mr. Lowrie noted that they cannot say no to a nonprofit educational institution because they want more taxes, the issue of a PILOT payment could be brought up with the Select Board. Mr. Morgenstein said that the proposed maintenance facility location introduces harmful materials close to homes, especially cleaning supplies and aromatics. He would like to know what they plan to store in there. Mr. Morgenstein asked for a Phase 1 and Phase 2 environmental study of existing buildings to see how they currently managing leaks, disposal, etc. He said that the above ground fuel tanks allow them to avoid paying road use taxes and Belmont taxes and there is a gas station less than one mile away. Are they being a good neighbor and a good citizen in the context of this proposal? Mr. Lowrie said that they need to ask if it complies with the zoning by law - given the Dover Amendment especially and what is the outcome of the DSPR.

Mr. Peter Dorfman, a lifelong resident of Belmont, said that the completion of the proposal would be highly destructive with regards to the environment, the cutting of the trees, the change of the visibility to the neighbors and the financial impacts of the property values on Rutledge Road. The Dover Amendment was a gray area, and he was not sure how much benefit the Belmont Hill School should receive under the Dover Amendment. The Town and the PB should make strenuous efforts to prevent these negative and irreversible impacts from occurring as the ongoing erosion of the character of the Town will be affected.

Mr. Abercrombie, a lifelong resident of Belmont, noted that he walked to school and never did he use a parking space. The woodland habitat is limited here, and the wildlife need to be in a continuous dense wooded area and the other 7 acres on the property will be impacted and

the ecosystem will be impacted. These parking spaces will encourage students to drive and not find alternative transit. The Belmont Hill School project was seeking to harm the environment and encourages students to further harm the environment by driving cars to school. It would be worth looking into to see if there is a State level resolution to this.

Laura V., (name and address was not stated), would like to see a development impact report with information on how the project would affect the wildlife. Mr. Lowrie noted that the Development Impact Report does not provide any further information than the peer review reports and he was concerned that this was not necessary as the McLean project did not require a Development Impact Report and it would appear that they are imposing a special requirement due to pressure created by a political process and this cannot happen under the Dover Amendment. Laura stated that it was her understanding that the EIR would provide more full-blown knowledge in addition to the peer review. She inquired about HOV lanes coming down the pike, Mr. Lowrie was not sure about this. She noted that this could increase coyote attacks and she was concerned about the installation of artificial turf. She was concerned about the impact of trees on the children's nervous system and there is less violence where there are more trees and there is value to keeping the trees. She wondered if the Family Forest Carbon program has been taken into consideration. She asked the Board to consider when does religious freedom rub up against public health in a climate crisis under the Dover Amendment.

Mr. Lowrie noted that everyone would get a moment to speak at a future meeting.

**MOTION to continue to January 17, 2023 was made by Mr. Lowrie and seconded by Ms. Donham. Motion passed.**

**YES votes-**

**Mr. Lowrie**

**Mr. Birenbaum**

**Ms. Berberian**

**Ms. Donham**

**Mr. Haglund**

**b) Case No. 22-18 – One Special Permit & Design and Site Plan Review Approval 18 Ash Street (GR) - Ruth Betts, owner Applicant requests One Special Permit and Design and Site Plan under sections 3.3 and 6D-2 of the By-Law to construct a two-family dwelling at 18 Ash Street Located in a General Residence zoning district.**

Ms. Steines, Architect, gave a brief review of the proposal and reviewed what has been updated so far. She had a revised plot plan, new parking, updated the dormer and an explanation for how the height fits in within the surrounding neighborhood. The height was revised and reduced by two feet. Ms. Donham noted that the neighborhood was a mix of one, two and three family homes. Ms. Steines noted that the TLA of the building ranked number 5 and it was 80%. FAR was 73%.

Michael Collins, Applicant, noted that in terms of solid contamination, there was an email from December 2022 that stated that the purchase and sale contract stated no hazardous or toxic materials. Masonry businesses in general do not contaminate soil or create hazardous soils. They did dig in the soil and there were no signs of contaminations of the soil. The previous owner stated that there were no oil or gas leaks from any of the equipment parked there. During demolition and excavation, they will have OCD inspect the soil before they can proceed and if there was substandard soil, they would be required to move it as per State law.

Ara noted that they would upload the new plans to the Town website.

Mr. Lowrie noted that a 93% TLA was way beyond what they would ordinarily allow, they have drawn the line at 80% and encourage 75% and have not approved over 80% so far as he knows. Is there something about this that make it not so big at 93%. He was concerned that the TLA was too high.

Ms. Guo noted that the FAR was in a reasonable range.

Mr. Yogurtian noted that he had not yet calculated the TLA and he said that he would like to calculate and confirm the TLA for the next meeting.

Ms. Steines noted that the comparison should also considered that these were well considered picks in the neighborhood. If you go broader you end up higher or lower so its subjective. If you built something next to 16-18 Ash that was smaller, it would look too small. This massing fits right in and is adjusted to today's living style.

Mr. Lowrie noted that the if they could to try to get it smaller to the size of 17-19 Ash or 17-19 Sheen or 9-11 Sheen.

Ms. Steines noted that a three bedroom would not be feasible at that size and that she could cut off maybe 100 feet.

Ms. Donham recommend that everyone on the Board go to take a walk through the neighborhood and see how diverse this area is. TLA is an odd way to make decisions because it is not even in the Zoning By-Law. It is worth everyone getting a close sense of this neighborhood and how they want to define the neighborhood.

They will wait to get the confirmed TLA from Mr. Yogurtian.

**MOTION to continue to January 17, 2023 was made by Mr. Lowrie and seconded by Ms. Berberian. Motion passed.**

**YES votes-**

**Mr. Lowrie**

**Mr. Birenbaum**

**Ms. Berberian**

**Ms. Donham**

**Mr. Haglund**

#### **4. Public Hearings:**

**a) Case No. 23-01 One Special Permit 130 Common Street (SRC) - New Roads Catholic Community, St. Joseph Church, owner Applicant requests One Special Permit under section 5.2.5-4-(b)-3 to erect a standing sign.**

Father Mahoney, came before the Board to present the sign proposal. He explained that there was a sign there for many years and they are replacing the old sign with a sign of the same size and dimensions but better materials and new wording.

The were no comments or concerns.

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

**YES votes-**

**Mr. Lowrie**

**Mr. Birenbaum**

**Ms. Donham**

**Mr. Haglund**

**Ms. Guo**

**Abstained-**

**Ms. Berberian**

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

The Housing Production Plan Zoning and Land Use Committee was being updated and they would like someone from the Planning Board to attend meetings. Jeff Birenbaum can go if it is once per month. Mr. Lowrie said that he will check on it.

Mr. Yogurtian suggested that the PB consider adding an extra two associate members in the future.

#### **6. Adjourn 10:03 PM.**

**The Planning Board's next scheduled meeting will be held on Tuesday, January 17, 2023**