

**TOWN OF BELMONT
PLANNING BOARD**

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BELMONT, MA

**MEETING MINUTES
July 10, 2018**

2018 AUG -1 AM 9:29

Present: Charles Clark, Chair; Steve Pinkerton, Vice Chair; Karl Haglund; Ed Starzec;
Thayer Donham

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

1. Meeting Called to Order at 7:00 PM

2. Adult Use Marijuana By-Law Discussion

Mr. Gober reviewed the topics and comments from the June 19, 2018 meeting, including location, buffer, signage and permit process. Mr. Wheeler noted that there were at least 45 people who attended the meeting and the discussion lasted an hour and a half or so. Mr. Gober and Mr. Wheeler reviewed the buffer zone around the public and private k-12 schools for the 500-foot buffer zone, the 300-foot buffer zone and the 100-foot buffer zone. The Planning Board discussed the 500-foot "default" buffer zone and noted that none of the buffer zones eliminated the major commercial areas in Belmont.

Mr. Wheeler and Mr. Gober reviewed the process to get a permit for all types of marijuana uses. There are four steps and the two retail establishments would have to go through all of these steps and in this order:

Step 1. The Applicant would be required to host a Community Outreach and Engagement meeting and develop a Community Host Agreement.

Step 2. Acquire Massachusetts Cannabis Control Commission (CCC) Licensing.

Step 3. Comply with Board of Health Regulations and complete its permitting process.

Step 4. Apply for a Special Permit and be approved by the Granting Authority.

The PB discussed the time frame to go through the entire permitting process. Mr. Clark noted that the Zoning guidelines would need to be in place to bring them to Town Meeting by November 2018. Mr. Wheeler noted that the drafting of the by-laws should begin soon. He suggested that perhaps at the next meeting the draft by-law can be started or there can be more information regarding the four questions (buffer, permitting, location and signage).

The PB asked questions about the exterior look of the stores. Mr. Wheeler noted that he was not sure yet as to the exterior requirements or limitations for the retail sales storefront. The PB then discussed the location of the retail stores and where it would make sense to allow them to be located. Mr. Pinkerton would like to invite others to future meetings to hear their

thoughts. The PB asked the Planning Staff to do more research regarding location and what the surrounding towns are doing. Mr. Clark noted that the PB would look at the buffers after they decide on allowable locations. The PB did not have any questions or concerns regarding signage other than being sure that the sign will fit into the style of the retail area. Mr. Clark noted that the PB should be the Special Permit Granting Authority and their biggest issue was the location of the marijuana establishments.

3. Review Belmont High School Building Project MOU

Mr. Wheeler reviewed the purpose of the Memo of Understanding. The MOU was discussed at the June 19, 2018 meeting and feedback was received. The draft of the MOU reflected the input from the meeting. The MOU listed the 10 issues that needed to be addressed on the final site design plan. Mr. Clark noted that the traffic circulation would likely be the big issue once the plan came back to the Planning Board. He also noted that a small committee including the BOS would be formed to address some of the outstanding issues. He thought that the list was complete and included the PB's outstanding issues.

4. Open Meeting Law Advisory from Town Counsel

Mr. Wheeler discussed the history of the Open Meeting Law complaint that was filed against the Planning Board during the Design and Site Plan Review of a new building and roadway proposed by Belmont Day School. The complaint was that Staff had drafted a decision and the Chair reviewed it, provided edits and then it was updated and sent to the PB. That document was not made public and this action was the action that prompted the complaint. There was also a document from the Fire Department that was not made public that was also part of the complaint. Mr. Wheeler reviewed the Open Meeting Law Advisory from Town Counsel and talked about the three steps in connection with the distribution of written materials prior to future PB meetings.

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

a. Waverly Square/South Pleasant Street Land Use Study and Committee

Ms. Donham noted that the Zoning Board of Appeals had approved a Special Permit for a new development by Mr. DeStefano [to construct two mixed-use buildings at 493 Trapelo Road and 495-505 Trapelo Road] and she recommended that the PB review the plans. She asked how the PB would like to proceed with this topic. Mr. Clark noted that the PB would come back to this topic in the late fall.

b. 33 Knox Street – Enclose Front Porch – Minor vs. Major

Balasubramani Sankarraj, 33 Knox Street, noted that he had recently received a Special Permit for a home addition that was greater than 30%. He would like to now make a

change to the plan and enclose the front porch. Mr. Wheeler explained that if this was deemed as a major change then this would have to be reopened for public hearing and if it was a minor change then Staff could approve this change. The enclosed porch would increase the size of the building by 27 sq. ft. The PB discussed and determined that it did not have a significant impact in terms of the size of the footprint and the mass of the building. Mr. Pinkerton asked the Applicant to simplify the door design.

MOTION that enclosing the front porch was a minor change to the previously approved Special Permit was made by Mr. Pinkerton and seconded by Mr. Haglund. Motion passed.

MOTION to approve the changes with a condition (to simplify the door design) was made by Mr. Pinkerton and seconded by Mr. Clark. Motion passed.

c. Neighborhood Determinations:

45-47 Channing Road and 22 Houghton Street:

The PB concurred that the neighborhood determination was acceptable.

d. Zoning By-Law recodification - funds available

Mr. Wheeler noted that the Town Clerk had previously hired a consultant to recodify the General Bylaws to make it easier to search on the Town's website. There was about \$6,000.00 available to do a recodification of the Zoning By-Law. He asked if the PB wanted to carry over this money and manage this project. The money would have to be spent by June 30, 2019. The PB decided that the money should not be carried over and not to take on this project this year.

6. **Review and Approval of Minutes**

MOTION to approve meeting minutes (with minor edits) was made by Mr. Starzec and seconded by Ms. Donham. Motion passed.

7. **Adjourn 9:07 PM**