

**TOWN OF BELMONT
PLANNING BOARD**

**MEETING MINUTES
JANUARY 8, 2013**

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7:15 p.m. Meeting called to order.

Present: Sami Baghdady, Chair; Michael Battista, Vice Chair; Charles Clark, Elisabeth Allison, Joseph DeStefano; Andres Rojas, Board of Selectmen Liaison; Jeffrey Wheeler, Staff Liaison to the Planning Board.

7:15 p.m. Annual Town Meeting Planning

- Richardson Farm Historic District, and Inclusionary Housing, and Religious and Municipal Building Preservation By-Laws will be discussed on January 22, 2013.

All agreed that the Religious and Municipal Building Preservation By-Law was timely given the sale of the 1st Congregational Church in Waverley Square.

- Medical Marijuana Moratorium By-Law - Mr. Baghdady stated that the Town's proposal for a moratorium will allow the state to issue its rules and regulations regarding licensing medical marijuana dispensaries. He mentioned that several communities restrict the location of dispensaries to commercial districts which are not in close proximity to day cares and schools.
- Demolition Delay By-Law - Mr. Wheeler agreed to call Mr. Smith, Co-Chair of the Historic District Commission, to check on status of the Demolition Delay By-Law.

7:30 p.m. Cushing Village

Mark Donahue, attorney for the Applicant, reviewed the progress that has been made up to this point. He mentioned that issues raised at the last meeting and during working group sessions have been addressed in the current plans before the Board. He reviewed the neighborhood meeting that occurred the night before and stated that the Shadow Study had been expanded.

Mr. Rhodin, architect, gave a presentation on the Hyland Building. He discussed the 4th story in the middle of the Common Street façade and noted that the façade of the upper level had been pushed further back. He showed images of the 4th story from pedestrian eye level. On the west elevation, Mr. Rhodin noted that the upper level had been pushed back thereby changing the roofline and that a trellis element was inserted at the bottom of the structure to help break up the façade. For the Trapelo Road view, Mr. Rhodin showed images with the corner pushed back and the roofline changed.

Peter Quinn, architect, showed images of the Pomona Building with the upper floor pushed further back from Horne Road and the Winslow Building.

Mr. Baghdady asked for clarification about the reduction in the 4th story of the Hyland Building and the setbacks. Mr. Quinn stated that the 4th story was reduced from 22% at the last meeting to 19% as presented, with the Pomona Building losing approximately 800 square feet, which resulted in the reduction of 1 unit.

Mr. Quinn presented a 3-d presentation that simulates walking around the Village. The presentation started at the Winslow Building along Trapelo and Williston Roads and highlighted details of the building and various site elements. The presentation then walked up Common Street, passed the Pomona Building and up to the Hyland Building. The presentation walked down Horne Road to view the pedestrian plaza and the facades facing it. Mr. Quinn pointed out the location of the electrical transformer and then walked behind the Pomona through access road to Trapelo Road.

Mr. Battista noted that the Hyland Building has a metal roof and measures need to be taken to prevent snow from sliding off onto the sidewalk. He suggested installing gutters and snow rails around the building.

Mr. Baghdady asked for information regarding the condensers at the Hyland Building. Mr. Rhodin replied that each of the commercial tenant spaces will have its own condenser and that they will be located in 2 areas: 1 on top of the 4th story element and the other around the stair tower. The units are 3-1/2' tall and he argued that you shouldn't see them from the street because they will be set back from the edge of the building.

Mr. Quinn presented Shadow Studies for the project. From March to September the shadow is off the neighborhood about 11:00 am. In June, there is little shadow at 8:00 a.m., however at 4:00 p.m. there is a shadow cast across Trapelo Road. In December at 8:00 a.m. everything is in shadow, from 10:30 to 11:00 shadows off neighborhood.

Mr. Quinn reviewed the project data including the original submission and the current plans. On January 17th the area total area of the development was 179,600 square feet (36,500 square feet for commercial and 143,100 square feet for residential) with a 2.25 FAR and 142 units. The current plans indicate a total floor area of 165,000 square feet (37,500 square feet for commercial and 127,500 square feet for residential) with a 1.92 FAR and 113-118 units. Mr. Quinn stated that the building heights were 36' for the Winslow, 48' for the Pomona and 45.75' for the Hyland Building from the highest point at average grade. He reviewed the percent of 4th floor and noted that the Winslow Building does not have a 4th floor, the Pomona Building is 69% (22,551 square feet on the 3rd and 15,545 square feet on the 4th floor), and the Hyland Building is 19% (15,973 square feet on the 3rd with 3,134 square feet on the 4th). As a result, the total 4th story for the development is 37% (the total footprint is 50,374 square feet with a 4th floor of 18,679 square feet).

Mr. Rojas requested that the rear façade of the Pomona Building be enlivened so that people are not looking at blank wall. He also commented that the Applicant will have to select roof top units that do not make a lot of noise and that he will have to test the equipment before and after construction. Mr. Donahue stated that he assumed that there would be a specific condition relating to noise in the final decision.

Mr. Heikin, peer review consultant, stated that there have been significant improvements on the design of the buildings and the site. He thought that the proposal addresses the intent of the overlay district.

Comments from the Audience:

1. Donald Becker, 35 Horne Road, distributed a memo regarding noise for HVAC units. He noted that current plans show improvement on Horne Road. He stated that the 4th story on the Hyland Building does not belong and that the 4th story of the Pomona Building is greater than originally intended. He argued that if the Applicant needs the 4th stories for financial purposes then he must show his financials. He stressed that the mass of the building is in excess of the intent of the By-Law but did acknowledge that there has been progress.
2. Devin Brown, 54 Horne Road, stated that the Hyland Building is too tall and that a slight set back does not solve the shadow problems that it creates. He added that the Board needs to continue to work to design a building that meets the intent of the By-Law.
3. Steve Carlini, 31 Horne Road, noted that the walls that surround the roof deck make the façade seem taller and requested that the roof decks be eliminated. He argued that the stair tower should be included in the 4th story calculation since it is 4 stories tall.
4. Nicole Gianoukas, 569 Belmont Street, requested that there be no 4th story on the Hyland Building. She stated that a 4th story is a 4th story regardless of how far it is set back. She urged the roof top mechanicals to be put into the basement since they create a 5th story feel and requested that the shadow studies include all roof top mechanicals and screening.
5. Susan Golzales, 52 Willow Street, questioned whether this project was considered in context with the reconstruction of Trapelo Road.

Peter Biere, traffic peer review consultant, responded that Cushing Village has been incorporated into the Trapelo Road reconstruction project.

6. Michael Kamm, 16 Horne Road, stated that he will be greatly impacted by the project and requested that the 4th story of the Hyland be removed. He also wondered if Horne Road will be plowed once it is closed.

Mr. Rojas stated that snow removal will be included in a snow management plan and will be reviewed and approved prior to construction.

7. Cynthia Vergados, 623 Belmont Street, stated that she cannot believe that the Planning Board is even considering such a massive development. She requested that this project be scaled down. She added that this is terrible to impose on a nice neighborhood.
8. Ronald Sacca, 27 Moraine Street, read the Cushing Square Overlay District criteria. He argued that the Town does not have to approve this project. He suggested that the Board

look at the Oakley Neighborhood development and expressed concern for precedent that a 4th story would create. He also expressed concerns about the noise and suggested that levels be monitored now and after construction is complete.

9. Mary Kennedy, 11 Lorimer Road, stated that the proposed buildings would be a significant improvement, yet it is unfortunate that the buildings do not reflect the fabric of the Town. She would like the Board to consider the materials since brick is dominant in many of the buildings in Town. She added that plantings needed to be considered to screen lights and noise.

Ms. Allison provided a brief overview of the economic impact analysis. She is working with the Town's department heads to build a fiscal model but needed additional information about the development. She stated that she would work with the Applicant to get the information that she needed.

Mr. Donahue wanted to conclude the discussions regarding bulk, so that they could move on to discuss other issues. He added that further issues regarding bulk can be incorporated as conditions of the Special Permit. Mr. Haglund stated that the Board needs to make some decisions so that the process can move to the next step, however, one more bulk and height presentation needs to be made to the residents. Mr. Baghdady agreed that the Board should come to a decision; however, there should be only one vote on the Special Permit. He noted that the other issues should move faster. He concluded that the concerns of the neighborhood have been heard and that the design of the buildings has come a long way.

The Applicant volunteered to make a bulk and height presentation to residents on January 14, 2013.

Moved by Mr. Battista to continue the Public Hearing on the Cushing Village Application to January 22, 2013 at 7:00 pm. Seconded by Mr. Clark. Motion passed unanimously.

Adjournment: 9:30 p.m.