

## **PLANNING BOARD MEETING**

Minutes, November 25, 2003

**Members present:** Joseph Barrell, James Heigham, Deborah Emello, Andrew McClurg  
Karl Haglund

**Also present:** Tim Higgins, Senior Planner

**7:06 p.m.:** The meeting opened by Chairman Joseph Barrell.

### **General Business:**

- It was agreed that the December meeting will take place on the 16<sup>th</sup>.
- October 21<sup>st</sup> meeting minutes were approved unanimously (4:0, K. Haglund not yet present).

- **Economic Development/Corridor Study Update:**

Andrew McClurg provided the Board with an update on the Trapelo Road/Belmont Street corridor segment meetings. This work was a result of the corridor study. Four have been held to date at two (2) different locations. He explained the segments that were discussed and noted citizen participation was lively. There will be a wrap up meeting on the whole corridor on December 2nd. He will report to the Board after that. At a minimum, an Article 1 presentation to 2004 Annual Town Meeting will be made along with possibly some zoning articles. The TAC was an interested observer in this process.

The role of the Vision 21 Committee was brought up. Karl believes the Belmont Economic Planning Group (BEDPG) should be involved as they have taken the lead role in issues surrounding economic development.

All of the groups should be in agreement before formal recommendations are made to the Board of Selectmen. Town member will not be asked to “vote” on a plan for the entire corridor at the spring Town Meeting or in the future. Concepts will be brought forward but the final designs will be approved through the Massachusetts Highway Department Plan Review Process.

Joe Barrell suggested preliminary meetings with the Board of Selectmen and others (TAC, V-21, BEDPG) prior to a Town Meeting to better inform them.

This was unanimously agreed to and Andrew McClurg will follow up.

Ms. Sue Bass from the Belmont Citizen Forum invited Andrew McClurg and Karl Haglund to make a presentation to them in late January, early February. Andrew McClurg expressed reluctance at making a formal presentation but would make a verbal report in their recommendations. He noted that the Planning Board needs to work within the structure of Town government first. Karl Haglund does not believe the time frame of

late January will work as he anticipated a late February “completion” time period. A lengthy discussion ensued.

- Town Meeting discussion:

James Heigham wants to hold a public hearing on the set back lines for consideration at the annual Town Meeting. Tim Higgins recommends the Board look at the Economic Development Study recommendations to come up with other articles to do several at once.

**7:35 p.m.: Public Hearing on the Uplands requested re-zoning** was opened with James Heigham reading the hearing notice.

Jim Ward from Nutter, McClennen & Fish on behalf of the petitioners discussed the changes from the October 21 Public Hearing on the zoning language. These changes were highlighted on revised drafts and have been placed in the web site by Office of Community Development. Copies were distributed and he walked through each proposed change in highlight. All were the result of comments from the Board and the general public.

The hearing was then opened to the public.

Dix Campbell has a question on the open space figures. It includes all of the O’Neill Property. He is opposed to the proposal and is not comfortable with the lack of facts.

Carolyn Bishop has a question on including the term “fertilizes” in prohibited chemicals. It would be included. She was concerned with how this project has grown over its review period. It is too big. Carolyn also did not like the way the affordable housing is laid out in the by-law. Mr. Ward noted that this issue is addressed in the MOA. It will be done to Mark Bobrowski’s satisfaction.

Edy Netter questioned the deed rider and LIP documents if they would be best/most suitable for the Town. Mark Bobrowski will be drawing up the final documents for the Town. She will send proposed language for consideration. She also opposed using Site Plan Review rather than Special Permit. She promoted 40B over the proposal. She would like to see a pro forma to determine if the density requested is really necessary. She also noted that the marketability of the project is very important.

Don Mercier noted that the deed holder should be responsible to compensate the Town for costs of enforcement of all of the restrictions. He suggests that Mr. O’Neill wait till the market changes to build the allowed office/R&D building. The existing zoning is more valuable and should be maintained. It is not suitable for residential use.

Meg O’Brien asked about the impervious surface including the access road as paved. Charles Katuska on behalf of the BCF presented an ecological issue with the Uplands summarizing a public forum held by the BCF last month and to the Conservation Commission.

Joe Barrell asked that he focus on the impacts of the proposed rezoning – not just ecological issues. He distributed a handout of the slides he wanted to present. He then proceeds to go through a detailed slide show on the ecological values of the property. Joe

Barrell asked how the presentation was relevant to the zoning issue before the board. Charles Katuska could not say, but asked that the environmental issue be heavily weighed in the process.

James Heigham asked several questions and noted that the BCF should obtain a legal opinion that the Town can prevent development of the site as it appears that this is their objective.

Ernie Kerwin, Cambridge resident, representing Friends of the Alewife presented a critique of the proposed residential plan. James Heigham asked for a comparison of the proposal with the existing commercial zoning on footprint impacts. They are similar according to Ernie Kerwin.

Brian O'Neill has several comments on the residential versus commercial; residential will leave 3.4 acres of impervious as compared with 4.4 acres for commercial. The residential building is 40% lower, 80% less traffic is generated by the residential option and the footprint is smaller than the commercial building.

Barbara Passero wants the Board to realize how impossible the property is ecologically and development should be restricted significantly below the proposal.

Hale Bradt suggested that O'Neill donate the land to open space use. Andrew McClurg reiterated the fact the Board is here to look at a rezoning – not the option of purchase. Others should pursue that option but the Planning Board should not.

Karl Haglund is not convinced that the parking garage in the middle of the complex works. The examples supplied by O'Neill are not sufficient. He wants to be sure the proposal is livable.

Virginia Fuller read lengthy statement against changing the zoning or developing the property in any manner to preserve the property.

Mike Flamang, Chair Conservation Commission, noted a report on the proposal will be sent to the Board of Selectmen next week. The conclusion is that the best use is for open space if possible. He suggested decking parking over Acorn Park Drive with a mixed use and less impervious surface (re: building farther from the view and Little Pond).

Tim Higgins noted that a meeting was held on September 25, 2001 in this room to identify options to raise money to purchase the property. The Office of Community Development went to great lengths to attract interested parties inviting federal, state politicians as well private land preservation groups. The result was that there were no funding sources identified.

Martha Moore questioned the effort of the Office of Community Development to identify funding sources. Tim Higgins replied in detail and read from the written invitation sent to over 25 people and entities.

Monica King, Conservation Commission member, asked about the original residential zoning and the two proposals. Which is valid? Joe Barrell explained the process to date.

Sue Bass spoke in opposition to the rezoning proposal.

Brian O'Neill reiterated the importance of the affordable housing component (it would result in a 25% increase in Town's affordable stock). Approximately 20 adjustments to the proposal have been made since the proposal's inception. The Town needs housing as does the region (70,000 jobs lost in Massachusetts last year alone). Mr. O'Neill offered to fly members down to New Jersey to site inspect three similar structure at his expense.

Darrell King spoke in opposition to the proposed rezoning noting the building is too dense.

A discussion centered on the deed rider for the affordable housing.

Edy Netter spoke against including such in the MOA. Jim Ward from Nutter, McClennen & Fish noted the language has Mark Bobrowski, special counsel for the Town to make the final decision. Ms. Netter submitted written comments to the Board for consideration.

Ellen Maas, a Cambridge resident, spoke about preserving the land as open space.

James Burham spoke in opposition to the rezoning and wanted to preserve the property as open space.

Fred Paulsen reminded the Board to review the Conservation Commission recommendations being developed now. He believes the times have changed and that the land is more valuable today than in 2001 and should be preserved.

James Heigham move to close the oral portion of the public hearing portion but allowing written comments over the next two weeks. This would end all verbal public input.

Edy Netter wants to propose many edits and changes to the by-law. Joe Barrell asked her to submit them to the Office of Community Development or work through Mark Bobrowski. She was not comfortable with that and wants to work in detail with the Board. This was not agreed to as the Board has been working on the proposal for many, many months. The Board then voted unanimously to close the oral portion of hearing. The hearing was continued to December 16<sup>th</sup> to review any written commentary and to begin deliberation on the request.

**10:05 p.m.** Meeting closed.