

TOWN OF BELMONT
PLANNING BOARD
MEETING MINUTES
November 8, 2010

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6:13 p.m. Meeting called to order.

Attendance: Sami Baghdady, Chair, Michael Battista, Jenny Fallon, Karl Haglund, Andres Rojas; Jay Szklut, Staff.

6:13 p.m. **PUBLIC HEARING: ASSOCIATE PLANNING BOARD MEMBER
ZONING AMENDMENT**

Mr. Rojas read the Notice of the Hearing.

Mr. Baghdady noted that the Board of Selectmen initiated this amendment due to a concern that as the Board became more involved in issuing special permits and design and site plan review decisions the possibility of conflicts of interest and recusals increases. The Selectmen want to insure that proposals before the Planning Board receive a full five member decision. The zoning amendments are required along with an amendment to the Town's General By-Law allowing the Board of Selectmen to appoint an associate Planning Board member. Additionally, Massachusetts General Laws, Chapter 40A, the Zoning Enabling Act, limits the number of associates such that a 5 member Planning Board can have only a single associate member.

Staff clarified that the Associate's role on the Board is limited to participation and possible vote on special permits and design and site plan review only. For zoning amendments and other issues before the Board, the Associate may have no additional role beyond that of any other resident of the Town.

The Board requested clarification on when the Associate could actually vote. Ms. Fallon noted that she understood that the 5 members of the Zoning Board of Appeals (ZBA) that would be rendering a decision were designated at the opening of the public hearing. Staff informed the Board that it was their understanding that the decision on which members would be rendering the decision would be made after the close of the public hearing and prior to the actual vote. Staff will research the procedures of the ZBA and report back to the Planning Board with a recommendation for a Planning Board process.

Mr. Baghdady asked if there was anyone wishing to speak in favor of the amendment.

Sheila Flewelling, 36 Sycamore Street voiced her support.

Judith Ananian Sarno, 30 Waverley Terrace, also supported the amendment.

Mr. Baghdady asked if there was anyone in opposition to the amendment.

None opposed.

Moved by Mr. Rojas to close the public hearing.

Seconded by Ms. Fallon

Motion passed unanimously

**Moved by Mr. Rojas to recommend favorable action on the amendment.
Seconded by Mr. Batista
Motion passed unanimously**

6:25 p.m. Report on Belmont Center Meeting

Mr. Haglund briefly reported on the Belmont Center Traffic Advisory Committee meeting that was held on November 4th. He noted that the consultants would be recommending changes to the traffic patterns at the Common St/Concord Ave intersections. Board members were encouraged to attend subsequent meetings to insure design and streetscape considerations were brought into the discussion.

6:34 p.m. Meeting Adjourned

Next Meeting: Wednesday, November 17, 2010, 7:00 p.m.,
Board of Selectmen's Meeting Room, Town Hall

List of Documents presented:

- Associate Planning Board Member Zoning By-law Amendment

Minutes Approved 11/17/2010

PROPOSED ZONING BYLAW AMENDMENT

Associate Planning Board Member

November 8, 2010

Add the following as a second paragraph in section 7.4.1.:

Pursuant to Chapter 40A, Section 9 of the General Laws, the Planning Board shall have an associate member for the purposes of acting on a special permit application in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board or in the event of a vacancy on the Board. Said associate member shall be appointed by the Board of Selectmen."

and add the following after the second sentence in section 7.3.3.c.:

The associate Planning Board member shall sit on the Board for the purposes of acting on a Design and Site Plan Review application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the Planning Board or in the event of a vacancy on the Board.