

TOWN OF BELMONT
PLANNING BOARD

MEETING MINUTES
February 14, 2012

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7:00 p.m. Meeting called to order.

Present: Sami Baghdady, Chair; Michael Battista, Charles Clark, Joseph DeStefano, Andres Rojas; Jeffrey Wheeler, Staff

Absent: Karl Haglund

Michael Battista reported that the Capital Planning Committee will meet next week and begin to review budget requests for the 2012 Annual Town Meeting.

7:05 pm Cushing Village - Discussion Regarding Board Procedure

Sami Baghdady reported that he was approached by Board members Joseph DeStefano and Charles Clark regarding potential conflict of interests with the Cushing Village application. Charles Clark stated that he works as an appraiser for a commercial real estate firm that is seeking to provide brokerage services for the development. Mr. Clark spoke to the State Ethics Committee which stated that he should file a Disclosure Form with the Board of Selectmen, since they are the appointing authority. Mr. Clark sent the form to the Board of Selectmen who then approved his continued service as a member of the Planning Board.

Joseph DeStefano stated that his company developed 448 Common Street (The Spirited Gourmet building), which is across the street from the Cushing Village development site. Mr. DeStefano stated that in the interest of eliminating any perception of a conflict of interest, he will recuse himself from the public hearing and any further discussion regarding the application process. Mr. DeStefano stated that he thought these actions were in the best interests of the Town and its development.

Sami Baghdady stated that the Board members who will preside over the application will be Karl Haglund, Andres Rojas, Michael Battista, Charles Clark, and himself. (Mr. DeStefano left the room.)

7:15 pm Public Hearing – Cushing Village Application

Andres Rojas read the public hearing notice. Sami Baghdady reported that the hearing would be continued to February 28th since tonight was Valentine's Day and many people were unable to be present due to prior commitments. He added that the developer was also not present.

**Moved by Andres Rojas to continue the Public Hearing to February 28, 2012, at 7:15 pm.
Seconded by Michael Battista
Motion passed unanimously.**

7:20 pm Cushing Village: Discussion Regarding Peer Review Consultant

Mr. Baghdady stated that at the next meeting of the Planning Board, the Developer would present a general overview of the proposed development. He added that the Board would begin a topic by topic approach at following meetings where it would focus on various aspects of the development. He suggested that the first topic should be building height and density since all other issues will unfold once these are resolved.

At the request of Charles Clark, Jeffrey Wheeler gave a brief overview of the Peer Review Consultant process, saying that this process gives the Planning Board the right to hire a third party consultant(s) to review the development as well as other specifics, and that the review is paid for by the developer, not the Town.

Discussion ensued regarding the scope of services for the consultants. The Board expressed concern to make sure that anyone hired had no conflict of interest. The Board felt that invitations should be extended to several consultants for them to submit proposals. Andres Rojas stated that consultants should assemble a team to professionally address each component by discipline, since some consultants may be better than others to review different parts of the application. Mr. Baghdady stated that the Board would make the final decision of which consultant(s) to hire after a select few made presentations to the Board.

(Mr. DeStefano re-joined the meeting at 7:45 pm.)

7:45 pm Approval of Wellington School Landscape

Andres Rojas reported that he performed the final site review, and walked the site with the landscape architect and representatives of the Wellington School Building Committee. All the plants and materials that were required had been planted, and all the plants that have died will be replaced. He felt that site met the Planning Board's conditions and recommended approval of the Wellington School Landscape.

Moved by Andres Rojas to approve the final landscaping at the Wellington School.

Seconded by Mr. Clark

Motion passed unanimously.

7:55 pm Central/Palfrey Squares Interim Planning Overlay District Zoning Amendment

Sami Baghdady reviewed the background of the Overlay District. He asked the Board how it would like to proceed with this Overlay since it will expire at the conclusion of the 2012 Annual Town Meeting – should the Board go to town Meeting to ask for an extension to continue with the Overlay District Zoning Amendment or should the Board let it expire. Further discussion ensued regarding this topic.

Charles Clark stated that he preferred having something in place should sometime down the road someone wish to develop the parcels. He argued that the economy is getting better and that

someone may come forward who would like to develop under this Overlay. Michael Battista asked whether the amendment would pass again at Town Meeting. Jeffrey Wheeler responded that he thought the amendment would pass since so many people from the neighborhood supported the amendment at Town Meeting.

Joseph DeStefano felt that the Board should re-visit the Overlay District in a more comprehensive manner. Sami Baghdady stated that he felt uncomfortable with this by-law as currently drafted since it promotes large, dense projects with a high floor area ratio. He felt, and all agreed, that the Overlay should be discussed further.

It was the decision of the Board to let the Overlay District expire by its terms at the conclusion of the 2012 Annual Town Meeting.

8:15 Public Hearing Calendar

Discussion ensued regarding the Planning Board's tentative public hearing calendar. Three specific projects were discussed – the Cushing Village application, the Demolition Delay By-Law and the Solar Energy Systems zoning amendment.

- With respect to the Cushing Village application, the Board discussed the possibility of setting aside specific Planning Board meetings just to discuss the application and not discuss other issues.
- Mr. Baghdady stated that there was a minor technical change to make to the Demolition Delay By-Law so that the public hearing process could not be continued indefinitely.
- Mr. Baghdady reported that Roger Colton had submitted to him proposed changes to be made to the Solar Energy Systems zoning amendment. He stated that Jeffrey Wheeler and he would review the proposed changes and work with Mr. Colton to draft a revised by-law. Michael Battista requested a meeting with the Energy Committee soon in order to resolve outstanding issues.

Adjournment: 8:30 pm

The next meeting of the Planning Board will be held Tuesday, February 28, 7:00 pm, Board of Selectmen's room.

List of Documents Presented:

- Public Hearing Notice for the Cushing Village Application
- Draft Solicitation of Quotes for Peer Review Services Cushing Village
- List of Planning Consultants; Planning Consultants by Area of Expertise
- Central/Palfrey Squares Interim Planning Overlay District Zoning Amendment
- Planning Board Calendar
- Draft Inclusionary Housing Rules and Regulations – February 9, 2012