

TOWN OF BELMONT
PLANNING BOARD

MEETING MINUTES
February 23, 2010

RECEIVED
TOWN CLERK
BELMONT, MA.

MAR 23 10 19 AM '10

7:05 p.m. Meeting called to order.

Attendance: Jenny Fallon, Chair; Karl Haglund; Andres Rojas; Carla Moynihan; Jay Szklut and Jeffrey Wheeler, Staff.

Absent: Sami Baghdady

Committee Updates

Benton Library Reuse – Committee is meeting on Thursday, February 26 to discuss possible alternative uses.

Traffic Advisory Committee – Mr. Haglund noted that he had requested the committee to review and comment on the draft recommendations from the Comprehensive Planning process.

Other – Email policy

Staff distributed a memo to the Board outlining concerns with possible violations to the open meeting law and public process resulting from email communications sent directly to Board members. The memo recommended that Board members not open and delete emails they receive which they suspect are related to a matter currently before the Board whether or not that matter is part of a public hearing. Emails sent to staff will be distributed to Board members as hard copies at their meetings and will be available to the public.

Moved by Mr. Rojas to incorporate the following policy pertaining to email into the Planning Board's Rules and Regulations.

Board members will not open emails that are sent by individuals that they suspect pertain to a matter currently before the Board and that members will delete those emails upon receipt.

**Seconded by Ms. Moynihan
Motion passed unanimously**

7:12 p.m. Cushing Square – Informal Discussion (cont.)

Ms. Fallon opens the meeting by reviewing issues and comments raised to date.

Mr. Starr begins the presentation for this meeting. He outlines the neighborhood and planning board concerns that have been expressed at prior meetings and through correspondence. He follows with brief summaries of the development proposed at the Jan 6 meeting and the revised development shown at the Jan 27 meeting. The proposal to be shown this evening includes a new roof plan and details the development showing the 1, 2, 3, and 4 story elements. Mr. Starr also reviews the contamination clean-up schedule outlining a very detailed 10 step process of clean-up. The construction phasing schedule is also discussed and noted that from an engineering perspective the construction phasing should begin with the parking lot to allow construction of the ramps that follow the topography of the site.

Ms. Noyes of the development team briefly discusses the issues involved in the leasing of retail space and the relocation of existing tenants. She again reviews the amenities to be provided, the shadow studies of the site, and how the development addresses LEED requirements including building construction and site design.

Mr. Klipfel of Oaktree Development describes the exterior of the project. He presents a scale model of the project and surrounding area. He notes how the roof lines have been worked on to resemble a more residential appearance and how the buildings have been articulated to address the abutting residential area. Finally, he notes that density has not changed much as a smart growth project to be economically viable requires certain densities.

Ms. Moynihan asks whether the developer could provide documentation of the relationship between economic viability and smart growth requirement and the need for increased density.

Following the developers presentation, the Cushing Square Neighborhood Association presents a power point presentation detailing their concerns and hopes for the redevelopment of the Square. The presentation emphasized the neighborhoods concern with the scale of the project.

Highlighting several sections of the by-law, the CSNA argued that the development did not meet the intent of the by-law. CSNA also argued that the development if it moved forward to a formal review must provide a development impact report as stipulated in Section 7.5 of the Zoning By-Law. Finally, the CSNA urged that the project phasing should begin with the developer upgrading his property first, that the Town should maintain ownership of the parking lot and be protected from risk that the developer could not complete the project.

During the general discussion that followed, several concerns about parking, trash and loading locations were raised. The Board again explained that these details are part of the formal review process. The process at the moment is not a permitting process and will not result in the approval of the project. It is a process where a development concept can be discussed and broad general concerns identified.

A local business owner spoke in favor of the project noting that the merchants of Cushing Square supported the project.

The planning board felt that it was not prepared to close the informal sessions and requested the developer to provide an economic analysis of this type of development. The Board wanted to gain a better understanding of the economics at play in these types of development to better understand the tradeoffs between scale and feasibility. The developer agreed to take this under consideration. A tentative next meeting date of March 25 was scheduled. (Note: Due to a conflict with the league of Women Voter's Candidates night, the meeting date was changed to March 22. The developer agreed to provide economic information on costs and revenues and criteria for smart growth types of developments.)

9:40 p.m. Discussion – Building Set Back Lines

Staff presented a report to the Board outlining the locations of all the building setback lines and focused on those in the residentially zoned districts of the Town. Board members again reiterated their feeling that the lines were redundant given the existing zoning setback line and that they were inherently unfair as they did not apply uniformly to all properties within a district.

Several concerns with a zoning article that would require Town Counsel opinion identified by staff included:

Was there a need for a public hearing process similar to a zoning article.

Does passage require a 2/3 or simple majority?

Because these lines are recoded in the deeds to the properties, does this create an additional burden on the Town should the article to remove the lines be passed?

The Board directed staff to prepare an article for Town Meeting removing the Building Setback Lines in the residentially zoned districts of the Town.

9:55 p.m. Meeting Adjourned

Next Meeting: Wednesday, February 24, 2010, 7:00 p.m., Board of Selectmen's Meeting Room, Town hall

3/22/10 Minutes Approved