

**TOWN OF BELMONT
PLANNING BOARD**

MEETING MINUTES

March 7, 2014

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8:10 a.m. Meeting called to order

Present: Michael Battista, Chair; Elisabeth Allison, Vice Chair; Sami Baghdady; Joseph DeStefano; Karl Haglund, Associate Member, Jeffrey Wheeler, Liaison to the Board

Absent: Charles Clark

**8:10 a.m. Public Hearing: Zoning By-Law Amendment
Proposed Amendment to regulate "Registered Marijuana Dispensaries"**

Ms. Allison read the public hearing notice.

Mr. Wheeler reported that he requested input on the proposed amendment from the Board of Health and the Fire and Police Departments. The Police Department sent an e-mail with 4 issues of concern they'd like addressed in the amendments: the ability to see into the building, controlling the use of the product in front of the facility, requiring all loading and unloading of products to occur inside the building, and that rubbish should be contained within the building. Mr. Baghdady added concerns about second hand smoke and limiting congregating in front of the building. He felt that these issues should be dealt within the By-Law as well, though he wondered if enforcement of them fell under the purview of the Board of Health. Ms. Allison felt that these issues should be addressed in the By-Law, and that the wording should be explicit.

No one spoke in opposition or support of the proposed amendment.

Moved by Mr. Baghdady to close the public hearing. Seconded by Ms. Allison. Motion passed.

Moved by Mr. Baghdady to recommend favorable action by Town Meeting on the Medical Marijuana Overlay District as amended. Seconded by Mr. DeStefano. Motion passed.

**8:35 a.m. Continued Zoning By-Law Amendments Public Hearing
A package of amendments to address the Citizens Petitioned General
Residence Zoning District Demolition Moratorium**

The Board discussed who should be the Special Permit Granting Authority (SPGA). Mr. Baghdady and Mr. DeStefano stated that the Planning Board should be the SPGA. The Board also made edits, insertions and deletions to the By-Law.

Comments from the Audience:

Judith Ananian Sarno, 30 Waverley Terrace, asked for clarification on the number of curb cuts that will be allowed.

William Dillon, 137 White Street, expressed concern about unintended consequences. He also stated that the amendments have been rushed and that there has not been enough time for the residents to review it.

Mr. Dillon spoke on behalf of Nicholas LaFauci, a landowner in Belmont. He argued that the proposed amendments will reduce the value of Mr. LaFauci's property. He asked that landowners whose property is greater than an acre be exempt. Mr. Battista responded that the Board has not rushed the process, since it has been working on this for more than a year. Mr. DeStefano added that it was unfair to ask the Board to exempt Mr. LaFauci's property. Mr. Baghdady stated that the Planning Board would not be comfortable making an exemption right before a vote. He suggested that Mr. LaFauci prepare an amendment for Town Meeting, and to submit it to the Planning Board in advance of the meeting for review.

Mr. LaFauci, owner of property on Moraine Street, stated that his should be exempt from the By-Law and that the proposed amendments impact his rights. He expressed remorse at not being to prior meetings and public hearings when this item was discussed. Mr. Battista urged Mr. LaFauci to prepare the amendment to the By-Law, as suggested by Mr. Baghdady, and to get it to the Board soon.

Moved by Mr. Baghdady to close the public hearing. Seconded by Ms. Allison. Motion passed.

Moved by Mr. Baghdady to recommend favorable action by Town Meeting on the proposed package of amendments to the General Residence Zoning District. Seconded by Mr. DeStefano. Motion passed.

9:20 a.m. Review Language of Proposed Zoning Amendments

Shared Driveways

Discussion ensued regarding requiring an easement and maintenance of the shared driveway.

Moved by Ms. Allison to accept the proposed changes to the Shared Driveway Zoning Amendment and to recommend favorable by Town Meeting. Seconded by Mr. DeStefano. Motion passed.

Kennels

Discussion ensued about where the definitions of kennels should be within the amendment.

Moved by Ms. Allison to accept the proposed changes to the Kennel Zoning amendment and to recommend favorable action by Town Meeting. Seconded by Mr. DeStefano. Motion passed.

Adjourned – 9:35 a.m.