

**TOWN OF BELMONT  
PLANNING BOARD**

**MEETING MINUTES**

**January 19, 2016**

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BELMONT, MA

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Present: Elisabeth Allison, Chair; Barbara Fiacco, Vice Chair; Charles Clark; Karl Haglund; Raffi Manjikian

Absent: Joseph DeStefano

Staff: Jeffrey Wheeler, Office of Community Development

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

**1. Finalize Proposed Zoning Amendments for Single Residence C Zoning Districts**

Ms. Allison gave a brief overview of the history of the amendments and then asked Mr. Wheeler to provide a summary of the non-conforming zoning by-laws that he reviewed in drafting the proposed amendment. He reported that he read 29 municipalities' by-laws and discovered that there were 3 types of non-conforming by-laws: those that are allowed by-right, those that require full review regardless of the scope of the project and those that establish thresholds that require further review. Mr. Wheeler then reviewed the proposed zoning amendments. The Board discussed the draft language whereby several members asked for clarification of a particular clause and suggested changes to the wording.

Ms. Allison noted the desirability of by-laws that provides clarity to property owners as to the situations in which Special Permits are required. She added that in the case of voluntary demolition, one may re-build a structure if it is done within the same footprint and size without a Special Permit, but a Special Permit is needed if one intends to build a larger home with increased volume. The Board discussed "voluntary demolition" and "gross floor area". Mr. Wheeler clarified that increases in non-conformity require a Special Permit. Ms. Fiacco suggested that the By-Law should not create incentives for people to rebuild on the same foundation.

Comments from the audience:

1. Steve Pinkerton, Co-Sponsor of the Citizens Petition, thanked the Board for the work they were doing on the Zoning amendments and for the opportunity for to participate in the process. He stated that he supports the proposed amendments.

The Board discussed the next steps in the zoning amendment process.

**MOTION made by Ms. Fiacco to approve the amendments to the Zoning By-Laws subject to the Board's approval of the final text. Seconded by Mr. Manjikian. Motion passed.**

**2. Discussion on Decision Making Process for GR Zoning District Applications**

Ms. Allison presented a PowerPoint presentation on the Special Permit process for the GR districts and areas for potential improvement. She emphasized that this was the beginning of this discussion. She reviewed the current application documents and identified additional

information that was necessary for the Board to make a decision. She suggested that they ask an applicant to submit the total living area (TLA) with their initial application submission. She suggested that the board clarify that if the TLA differs from the Assessor's TLA, the Board will use the Assessor's number since that is the one that taxes are based on. She also suggested that the Board might ask for street elevations so that a comparison can be made between what is proposed and what exists on the street.

Mr. Wheeler explained the process of meeting with an applicant and reviewing their application. He stated that when he meets with an applicant, he always stresses to them the "extremes" that the Board is likely to accept and those that they are likely to reject. This way, he explained, the applicant won't waste their time and the Board's, and won't waste a lot of money revising plans. He added that he typically meets with an applicant at least 3 times before their application is forwarded to the Board.

### **3. Discussion on Demolition Delay and the HDC Inventory**

Ms. Allison briefly reviewed the history of the Demolition Delay By-Law and noted that it will expire on June 16, 2016. Joe Cornish, Co-Chair of the Historic District Commission (HDC), reported that the By-Law has been working well and reviewed the two properties that were subject to it. He stated that the Historic Building Survey that will be used to list the buildings subject to the By-Law requires additional review by the HDC. As a result, a new by-law will not be ready for Town Meeting and the Commission will be requesting a one year extension of the current Demolition By-Law. While a formal vote was not taken, the sense of the Board was to support the one year extension of the By-Law.

### **4. First "On-Ramp" Project: Airbnb**

Ms. Allison briefly reviewed the 'on-ramp' process and stated that it is an opportunity to look at an issue ahead of time and to get additional people involved who might be interested in being on the Board. She added that each project will be chaired by a member of the Board and noted that Mr. Manjikian agreed to chair the Airbnb working group. The Board briefly discussed this issue and agreed to take it up in full after the sub-committee completes its work. Mr. Manjikian agreed to draft a charge for the sub-committee for the Board's next meeting.

### **5. Update on Cushing Village**

Ms. Allison reviewed the most recently submitted weekly update. Mr. Haglund stated that he was surprised that now the Applicant is disclosing that the buildings are collateral for the loans and agreed to an optimistic demolition date. Ms. Fiacco expressed surprise that a date for the closing has not been set especially since it was understood that only one document was missing. Mr. Manjikian stated that more substance and detail on the closing would have allayed concerns.

### **6. Review Planning Topics for 2016**

Ms. Allison reported that she will have a list of upcoming topics ready by the next meeting.

**7. Updates on Potential Cases and Planning Board Projects, and Committee Reports**

Mr. Wheeler stated that 23 Poplar Street would be coming before the Board soon. He distributed a map outlining the neighborhood. The Board discussed and agreed upon the boundaries in the relevant neighborhood.

Ms. Allison reported that Mr. Wheeler and she had followed up with Verizon's counsel to underscore the importance of compliance with the Town's noise bylaws and the close attention the Town boards give to test results.

Ms. Allison briefly described the applications for Community Preservation Act (CPA) grants that will be advanced to Town Meeting. There was a consensus that none of these required review by the Board.

**8. Preview of February 2 Agenda Items**

The Board briefly reviewed the agenda items.

**9. Review and approval of Minutes of January 5, 2016**

**MOTION made by Mr. Manjikian to accept the minutes of January 5, 2016. Seconded by Mr. Haglund. Motion passed. (Mr. Clark abstained.)**

**Adjourn: 8:55 p.m.**