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**TOWN OF BELMONT
PLANNING BOARD**

**MEETING MINUTES
February 2, 2016**

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

Staff: Jeffrey Wheeler, Office of Community Development

7:00 p.m. Meeting called to order

1. Request to Reduce Surety Bond for South Cottage Road, McLean District

(Ms. Fiacco recused herself from this matter.)

Mr. Wheeler gave a brief history of the construction of the Woodlands condominiums. With the final sale of the last condominium, the developer requested that the surety bond for the construction of the roadway and other public features in the development be reduced to zero. Ms. Allison read a letter to the Town from the developers.

Mr. Manjikian inquired if there was a warranty for the storm water management system, and was told by Mr. DeStefano that the storm water management would now be the homeowner's association's responsibility.

MOTION made by Mr. DeStefano to allow the reduction of the surety bond. Seconded by Mr. Manjikian. Motion passed.

2. Update on Cushing Village

(Mr. DeStefano recused himself from this matter.)

Mr. Starr thanked the Board for all their hard work and reported that his team was working on two issues, the financial closing and retail leasing and have made a lot of progress. He stated that they are close to getting the leases signed for the restaurant and the retail establishments.

Regarding the financial closing, he reported that Michaels Development, a national residential developer, has committed to providing the equity financing. He stated that they bring executional capability to the table since they understand mixed-use developments and have expertise and knowledge about such projects. As a result, however, he asked the Board to grant an extension to the closing by four months.

The Board had several questions for Mr. Starr. Mr. Manjikian confirmed that Michaels Development will be providing \$8 million in financing where the prior lender provided \$14 million and asked how the difference in funding will be made up. Mr. Starr responded that Michaels has development expertise that will translate into lower costs and the additional funds,

if needed, will be provided with funds from his family entity. Mr. Starr stated that pre-leasing is the key to securing the financing and that he is on the cusp of signing the third lease. Mr. Clark expressed surprise that the senior lender was requiring that the leases be signed. He added that he thought there was enough value in the land and the entitlements that this would not be necessary. Mr. Starr noted that the signed third lease became a requirement of the funding agencies at the beginning of January.

Ms. Allison reported that the requested extension would take the Special Permit beyond the effective date of the purchase and sale agreement for the municipal parking lot. Therefore the Planning Board needs to meet with the Board of Selectmen who control the parking lot so that the Town can act in a unified fashion. She and Vice Chair Fiacco will meet with the Board of Selectmen on February 22 in executive session to discuss this development. She concluded by stating that she expects to have a joint announcement on how the Town will proceed at the Board's February 23 meeting. All agreed that this was a reasonable way to proceed.

3. Prepare for Public Hearing on Proposed Zoning Amendments for Single Residence C Zoning Districts

Ms. Allison reported that the language concerning HVAC units and outdoor equipment and their associated set-backs needed some further clarification. Ms. Fiacco reported that she and Mr. DeStefano have been working on revising the language and believe that they will have it resolved shortly. Ms. Fiacco briefly discussed a problem with applying the current language to corner lots. Mr. DeStefano stated that the language should be consistent with good design rather than have language that is so restrictive that it will drive the design of the house.

4. Review of draft changes in General Residence SP review process

The memo previously distributed regarding potential changes in the Special Permit process was discussed. The following items will be considered for adoption at the next meeting

- Notification of the Planning Board when the Building Department denies an application in the General Residence District.
- Creation of a standardized format for applications and plans, using 13 Birch Street as a model.
- Incomplete applications should not go before the Board.
- Early warning when an applicant is iterating plans that the Board is not likely to approve.
- Resolution of discrepancies between the total living area reported by the applicant and the Assessors by the Assessors conducting a site visit. Numbers provided by the Assessor after this review will be definitive.
- Notification of all the abutters of an application, both public and private, coming before the Board.

In addition, Mr. Haglund noted that the more complex plans are, the more detailed they should be. Mr. DeStefano felt that the Design Guidelines should also be added. Board members will propose design guidelines to Mr. Wheeler for discussion at the next meeting.

5. Update on Forming a Sub-Committee to Review Airbnb Regulations

Mr. Manjikian asked the Board for its initial response to Airbnb. Mr. DeStefano felt that allowing Airbnb was the same as creating a business and he argued that cannot be justified in a residential district. Ms. Fiacco noted that there was a hotel tax for the Town to consider. Ms. Allison noted that a review of the Zoning By-Laws in their totality reflected very clear direction from Town Meeting as to the importance of maintaining separate uses, particularly with respect to residential versus business. She also suggested that an Airbnb use should be judged by the same criteria as the Board uses in granting Special Permit for use: does it enhance a neighborhood? Both Mr. Haglund and Mr. Clark were not ready to offer an opinion. Mr. Manjikian agreed to come back to the Board with a charge for the “on ramp” Airbnb committee at the Board’s next meeting on February 23.

6. Public Hearing – Case 16-01, 23 Poplar Street – Special Permit

Ms. Fiacco read the public hearing notice.

Tom Timko, architect for the project, provided an overview of the project. He reviewed the plans and argued that the addition is not detrimental to the neighborhood since it is relatively small and within the character of the neighborhood. Bernie and Diane Ryan, the applicants, briefly discussed their need for the addition and submitted letters of support from the abutters.

Ms. Allison reviewed the neighborhood metrics and stated that there are no red flags. Mr. DeStefano confirmed that the vinyl siding will be replaced by clapboard, unless it is revealed that there are shingles underneath which can be restored. Mr. Timko stated that if they cannot be restored, clapboards will be used. Mr. DeStefano also requested that a detailed landscaping plan be submitted as has been requested of other applicants. Ms. Fiacco commented that she liked that the supplemental information that tracks the Zoning By-Law and confirmed that the wood shutters will be installed. Chair Allison asked that a view of the rear elevation from the rear abutters be submitted.

MOTION made by Ms. Fiacco to continue the public hearing to February 23. Seconded by Mr. DeStefano. Motion passed.

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

Ms. Allison reported the following:

1. The Board needs to clarify its role in the High School construction project.
2. She offered a correction to the noise issue at the Wellington School. She reported that the issue was not that the HVAC violated the Noise Bylaw. The Wellington HVAC units did not violate the bylaw. The neighborhood concern reflects the difference between the noise levels prior to (very quiet) and post school construction (noticeably less quiet at night.)

3. The first 45 units in the Uplands Development are scheduled to be available for rent in June and that full occupancy is expected by the end of the year.
4. The Assessor's Office will be providing information on its market defined neighborhoods as part of the Board's review of its neighborhood definition process.

8. **Preview of February 23 Agenda Items**

Covered in previous discussions

9. **Review and approval of Minutes**

MOTION made by Mr. Haglund to accept the minutes of January 19, 2016, subject to changes made by Ms. Fiacco. Seconded by Mr. Manjikian. Motion passed.

Adjourn: 9:00 p.m.