

**TOWN OF BELMONT
PLANNING BOARD**

**MEETING MINUTES
MARCH 12, 2013**

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

Present: Sami Baghdady, Chair; Michael Battista, Vice Chair; Elisabeth Allison, Charles Clark, Joseph DeStefano, Karl Haglund; Andres Rojas Board of Selectmen Liaison; Jeffrey Wheeler, Staff Liaison to the Planning Board; Glen Clancy, Director, Office of Community Development

7:05 p.m. Discussion Regarding Inclusionary Housing Zoning Amendment

The members of the Belmont Housing Trust were invited to join the Planning Board for the discussion. Mr. Baghdady provided an overview of the background that has led to the drafting of an Inclusionary Housing By-Law zoning amendment for the Annual Town Meeting. He explained that the intent of the amendment is to clarify the By-Law since several developers pointed out that the existing wording is difficult to understand. He further reported that a working group, consisting of members of the Planning Board and Housing Trust, have been working on this and have made considerable progress.

Mr. Wheeler clarified that the outstanding issues still needing to be addressed include:

1. Mixed use and the percent of affordable units required;
2. Implementation of the By-Law;
3. Definition of development; and
4. Ambiguity of language

Mr. Baghdady stated that further work was needed on the details of the calculations. He indicated that the public hearing on this issue will be held on March 26th. Alisa Gardner-Todreas, Chair of the Belmont Housing Trust, reported that the working group would shortly have a draft document that combined the recommendations of the Housing Trust and the Planning Board. She stated that the draft authored by the working group has been reviewed by the Town Council and has been vetted.

Ms. Allison expressed two concerns. She wondered how the draft worked as a legal document and what impact it would have on future development. Mr. DeStefano agreed and urged that the document work for the whole community.

Mr. DeStefano recused himself for the public hearing on the Cushing Village.

7:15 p.m. Continued Public Hearing on the Cushing Village Application

Ms. Allison gave her report on the municipal fiscal impacts of the Cushing Village project. She formulated her report based on fiscal impact information submitted by the Applicant and actual data gathered from the Town's Department heads. She concluded that after deducting the general government and school costs from the property and excise tax revenues of the project,

the net annual revenue for the Town would be approximately \$11,000.

Comments from the Audience:

1. Nicole Gianoukus, 569 Belmont Street commented that Belmont High School was ranked #4 in the state, and that renters did not have to pay property tax. Mr. Clark responded that the property taxes were built into rent.
2. Ed Kazanjian, 355 School Street, questioned some of the numbers.
3. Benjamin Bauer, 52 Willis Street, commented that the focus of the project has changed in terms of who will be living at Cushing Village and what the effect this will have on economic forecasts and net numbers. Ms. Allison responded that it may or may not change.

Mark Donahue, the Applicant's attorney, stated that the Applicant and the Planning Board are in general agreement on methodology. However, he thought that the pool of the data used by the Planning Board was too narrow and limited, and urged that data from other communities be considered.

Mr. Donahue next introduced Gregory C. Tocci of Cavanaugh Tocci Associates, Inc. Mr. Tocci reported on the Mechanicals and Sound Analysis.

Mr. Tocci looked at existing background noise and found noise levels of 55 decibels between the hours of 7:00 am and 10:00 pm, and 45 decibels between 10:00 pm and 7:00 am. He noted that a facility is probably at its noisiest in the summer because the air conditioning units are running. He also reviewed noise controls such as screening and roof shielding and concluded that all sound limits will be met and any sound produced by Cushing Village will be minimal and could be controlled by standard construction methods.

Mr. Baghdady commented that the Noise By-Law needed work, and asked what the goal for increase in noise will be. Mr. Tocci responded that the noise goal is 5 decibels above the average lowest noise measurement before the development is constructed. Mr. Clark inquired what the anticipated decibel level was during the quietest time. Mr. Tocci responded 30-40 decibels. Mr. Battista asked if noise from the restaurant exhaust fans would be mitigated. Mr. Tocci responded they would. Mr. Clancy inquired whether residences could hear the noise if the house was above the roof-line of the development, up on Belmont Street. Mr. Tocci stated that this could be part of the computer modeling.

Comments from the audience:

1. Kathy Rush, 64 Horne Road, agreed that it would be worthwhile to invest in a topography study of the surrounding residential area to better assess what areas to test.
2. Judith Ananian Sarno, 30 Waverly Terrace, asked about an emergency generator. Mr. Quinn responded that the emergency generator would be housed in the basement and that there would be one generator for the entire project.

3. Don Becker, 35 Horne Road, expressed a concern that the Planning Board is being asked to sign off on a scenario similar to the one at the Wellington School. He felt that roof top units were not appropriate, and felt that all mechanicals should be placed inside the buildings. He urged the Planning Board to specify that the noise from the mechanicals be no greater than measurements taken during quiet hours and use those figures as a baseline. He reported that the ambient noise at the Wellington School is 26, and would like decibel levels to be no greater than 31.

Peter Quinn, the Applicant's architect, reported on lighting, and stated that the developer will be using very precise LED lighting. Mr. Quinn stated that various types of lighting will be used throughout the development:

- Pole mounted lighting in the parking lots;
- Wall mounted lighting in pedestrian areas;
- Bollard lighting in traffic areas, as this type of lighting had great light control; and
- Pathway lighting in the Plaza behind the Winslow.

He also reported there would be minimal light spillover, as the light is highly controlled. Mr. Clancy pointed out the need to adhere to the Town's By-Law.

Moved by Mr. Clark to continue the Cushing Village Public Hearing to April 9, 2013 at 7:00 pm. Seconded by Mr. Battista. The motion passed unanimously.

9:40 p.m. Discussion Regarding Town Meeting Articles

1. Religious and Municipal Building Preservation

Mr. Battista, Mr. Clark and Mr. Wheeler have been working on a draft of the By-Law. Mr. Clark suggested that the year 1950 be used to help determine which buildings would be eligible under the By-Law. Mr. Battista mentioned that the idea of granting relief to contiguous lots needed to be addressed. Mr. Baghdady clarified that the recommendation would be that contiguous property be looked at together as one parcel under the By-Law and that future Planning Boards retain flexibility in deciding issues. Ms. Allison suggested the use of CPA funds to help preserve these buildings. Mr. Baghdady commented that the Town should be granted perpetual preservation restrictions in exchange for the development bonuses. The Board agreed to keep the list of the buildings out of the By-Law.

2. Medical Marijuana Moratorium

Mr. Baghdady suggested adding language restricting private home cultivation.

3. Demolition Delay

Mr. Baghdady reported that the Planning Board will present the Demolition Delay By-Law with the Historic District Commission to Town Meeting. The length of delay would be 6 months for residential properties, and one year for commercial properties.

4. Recodification of Zoning By-Laws

Mr. Baghdady stated that it is good to promote consistency in the Zoning By-Laws, however, he questioned whether this initiative would interfere with the number of other proposed zoning amendments being proposed by the Planning Board at this Town Meeting. The other members agreed that recodification of the Zoning By-Laws could be proposed at a subsequent Town Meeting.

5. Richardson Farm Local Historic District (General By-Law)

Mr. Baghdady stated that a formal vote was needed on whether or not to recommend to Town Meeting adoption of the Richardson Farm Local Historic District.

Moved by Mr. Battista to recommend to Town Meeting that it adopt the Richardson Farm Local Historic District. Seconded by Mr. Clark. Motion passed unanimously.

Adjournment: – 10:20 p.m.