

TOWN OF BELMONT
PLANNING BOARD

MEETING MINUTES

July 12, 2011

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TOWN CLERK
BELMONT, MA.

AUG 3 2 17 PM '11

7:00 PM. Meeting called to order.

Attendance: Sami Baghdady, Chair; Michael Battista; Charles Clark; Andres Rojas (arrived 7:10 pm); Karl Haglund, Associate Member; Jay Szklut and Jeffrey Wheeler, Staff.

Absent: Joseph DeStefano

7:00 P.M. Affordable Housing Lottery

The lottery to select pre-qualified households to apply to purchase the affordable units under construction as part of the Oakley Neighborhood Smart Growth development was held. Sami Baghdady briefly gave some of the background to the development.

Beth Rust of the Sudbury Housing Trust, who was hired by the developer as the affordable housing lottery coordinator, provided background on the application process and how the lottery is organized. Following her description, the lottery was conducted.

Ralph Jones, Chairman of the Board of Selectmen, began randomly drawing the names of applicants from a bucket, followed by Mr. Baghdady and the rest of the Board and Staff. Ms. Rust will contact those selected to coordinate the purchase and sale and application process

7:20 P.M. Wellington School Site Plan Changes

Mr. Baghdady requested that the Board reconsider its minor amendments to the site plan based on new information received from several residents. Mr. Baghdady explained that the Planning Board had approved minor changes to the site plan at its meeting of June 28, 2011. However, residents of neighborhood who were very concerned about the proposed changes to the site plan were inadvertently not notified that the matter was going to be before the Planning Board. Moreover, the residents represented a different perspective which had not been previously presented to the Board. In the interests of transparency and giving the residents an opportunity to be heard, Mr. Baghdady felt that this matter was appropriate for reconsideration. The rest of the Planning Board members agreed.

Anne Paulsen and Gretchen Mullen presented the concerns of the residents to the Board. Both argued that maintaining a grass strip between the sidewalk and the curb enhanced the safety of pedestrians, especially children, walking on the sidewalk along School Street.

Discussion ensued and revolved around safety issues such as traffic and pedestrian traffic presented by the proposed elimination of a grassy strip on the sidewalk on the School Street side.

Concerns were also raised regarding the volume of sidewalk traffic. Karl Haglund noted that studies have shown that if sidewalks are safe, the more likely they will be used. It was also mentioned that if a child stepped off the sidewalk curb, he/she will be in traffic. Also, that because School Street has a rise that impedes visibility of the oncoming traffic, it makes it more difficult to see pedestrians.



Ralph Jones, Chairman of the Board of Selectmen, suggested moving the grass strip back between the sidewalk and the curb of the street as the residents had requested, but not planting any trees within the grass strip.

Mr. Baghdady supported Mr. Jones' suggestion, adding that trees within the grass strip may impede visibility of children by drivers. However, Mr. Baghdady also stated that the trees would be relocated on or along the Wellington School property, and that the number of trees should not be reduced.

Andy Rojas noted that there will be no drop off of students allowed on School Street.

Moved by Mr. Battista to re-amend the approved site plan to place the grass strip between the sidewalk and street curb as shown on the original plan. No trees are to be planted within the grass strip. The trees shall be relocated, to be placed on or along the Wellington School property, and the number of trees shall not be reduced.

**Seconded by Mr. Rojas
Motion passed unanimously.**

8:00 P.M. Public Hearing (cont) – 70 Concord Ave.

Sami Baghdady invited Attorney Noone to sit before the Board. The Attorney introduced Mr. Finger, project engineer, to present some revised plans for the 70 Concord Ave. property.

The revisions were as follows:

- The number of street trees were increased.
- A minor modification to the landscaping in the Eastern Corner where sweetgum plants will be planted.
- A revision will be made to the curbing. The curbing will be rounded so that there will be less of an angle.
- The developers will work with the neighbors/abutters regarding fencing surrounding the property. In addition, the rear façade of the building will be brick or stucco.

Andy Rojas expressed a concern regarding light fixtures saying that the drawing of the property did not show any light fixtures on Concord Ave.

Paul Fingers responded, saying that Belmont Electric would like to have input into the lighting plan and asked the Board if they could request that they and the local department would work with them. He felt such a working relationship would be beneficial to the project.

Karl Haglund raised a concern about the planting strips and stated that he thought a walkway should be put in at the center entrance of the property so that the plant strips would not be trampled.

Sami Baghdady also raised a concern about the dumpster, saying that he did not want any type of food disposal.

Paul Fingers assured him that they were not anticipating any food service type establishment moving in, and if they did, the issue would be revisited.

Sami Baghdady asked for comments from the public:



Attorney Paul Jackson (representing Belmont Dental Group) said he wanted the Board to condition its approval on the applicant securing off-street parking spaces at another location for employees of tenants. He argued that the parking in the area was tight, and would impact his client's business.

Andy Rojas, who was at the previous evening meeting of the Zoning Board, said that the ZBA had already granted the applicant relief from the required number of parking spaces. Mr. Wheeler stated that the Zoning Board's approval would include a condition that employees may not park within the residential streets. Mr. Baghdady stated that he believed the Planning Board could not require additional parking off-site, since the applicant was not seeking a waiver of the number of required on-site parking spaces from the Planning Board.

Sami Baghdady asked if there were any additional comments. Hearing none, Mr. Baghdady moved to close the public hearing. Motion was seconded by Mr. Rojas and carried unanimously. The Board began deliberations on the project.

Charles Clark stated that providing off site employee parking is reasonable, and that although the Board may not be able to require that the applicant rent spaces from the Temple, the Board should encourage him to do so.

Moved by Mr. Clark to approve the site plan.

Seconded by Mr. Battista

Andy Rojas said the approval should be subject to the following conditions:

That an agreement regarding the fencing be reached with the neighbors. The applicant shall provide letters from neighbors evidencing their agreement.

That no restaurant food product be disposed in the dumpster

That the Board of Selectmen approve the off-site landscaping plan, and a maintenance agreement for the landscaping in the public right of way be made and agreed upon between the applicant and the Town.

Motion is amended to include the conditions.

Motion passed unanimously

9:05 P.M. 948 Pleasant Street

Board members reviewed and signed the written site plan approval decision.

9:10 P.M. Discussion of the South Pleasant Zoning Proposal

Sami Baghdady introduced Elizabeth Allison, who appeared as an interested Town Meeting Member to present estimates on the per capita costs of Town and School services. Mr. Baghdady felt that such information could be useful for the Board in reaching decisions about zoning changes.

Ms. Allison reported that the Warrant Committee had determined that in Fiscal Year 2011, the cost per resident of Town services was \$1500. The cost per student for School services was \$12,000. Finally, the Town's real estate tax rate was set at \$13.24 per thousand of valuation. Based on these figures, a family of two adults and two children, living in a home valued at



\$670,000, would pay about \$8, 870 in real estate taxes, but demand \$16,250 in Town and School services. This is a net loss to the Town of about \$7,380.

Sami Baghdady commented that such an example makes a case for strictly commercially zoned areas, which would not increase the demand for School services, within the Town. He opened the floor to comments from residents:

Sue Bass – Town Meeting Member from Precinct 3. She commented on the contrast between the towns of Acton and Concord in what each would allow in terms of development, saying that Acton over-developed their town, making it a nightmare to get to places easily, while Concord “did it right”, and it is a pleasant and inviting town. She urged that Belmont also do it right.

Mr. Baghdady invited staff to discuss the most recent draft proposals on the South Pleasant Planned Village District.

Jay Szklut recommended that the South Pleasant Planned Village District (SPPVD) be broken into 2 sub-districts, a northern district, labeled TOC, which begins at the White Street Extension and runs through the Flett property, and a southern sub-district, labeled WAV, that includes the properties abutting Trapelo Road.

Discussions included the possible expansion of Shaw’s Supermarket, residential development versus commercial development, and the boundaries of the district. The floor was opened up to comments from residents.

Lisa Oteri noted her concern with the possible height of buildings along South Pleasant Street.

Judith Sarno asked if the materials handed out at the meeting along with the new version of the drawing of the SPPVD could be put up online. Jay said that it is currently there. She also expressed concern that in the two years she has been attending Planning Board meetings as it discussed South Pleasant Street, she never heard any discussion of including Shaws in the South Pleasant Street Zoning Proposal, saying that it had been decided that it was part of Waverly Square. Mr. Rojas asked Ms. Sarno to comment on what was wrong with planning for Waverley Square.

Sheila Flewelling said the problem is with the title of the zoning district. If the Board is going to include the Car Wash, Shaw’s and properties along the White Street extension, which are in Waverly Square, then change the title to reflect that.

Bob Sarno agreed with Ms. Flewelling noting that had the District been named something else a different audience would have attended the meetings. He urged the Board to reconsider the boundaries of the zoning district.

Joe White requested that visuals could be improved to highlight the area of discussion.

Board members questioned why the Subaru property was not included in the proposed District.

The Board voted unanimously to define the boundaries of the SPPVD district as the area along Pleasant Street from the White Street Extension parcel between Shaw’s and Waverly Landscaping, running north-easterly along Pleasant Street to and including the MBTA owned parcel.

Mr. Baghdady then asked for a discussion on whether to allow residential uses in the district. Noting that at the forums residents had supported retaining the district as a commercial district, he recommended removing residential use.

Mr. Rojas noted that developers will often favor residential development, over commercial, if given the option due to the strong demand and its profitability in Belmont.

The Board voted unanimously to remove residential as an allowed use within the proposed South Pleasant Street district.

10:05 P.M. Election of Officers and Committee Appointments

Andy Rojas nominated Sami Baghdady to serve a second year as Chairman of the Planning Board. Nomination was approved unanimously.

Charles Clark nominated Andy Rojas to serve a second year as Vice- Chairman/Secretary of the Planning Board. Nomination was approved unanimously.

The following appointments were made by the Chair:

Charles Clark to serve as the Board representative to the Housing Trust.

Mike Battista to serve on the Capitol Budget Committee.

Joe DeStefano to serve on the Community Preservation Committee (when that committee is formally formed)

Karl Haglund reappointed to the Traffic Advisory Committee.

Andy Rojas to continue serving on the Economic Development Advisory Committee.

Minutes of June 14, 2011 were approved.

10:20 P.M. – Meeting Adjourned

Next Meeting: Tuesday, July 19, 2011, 7:00 p.m.
Board of Selectmen's Meeting Room, Town Hall

List of Documents presented:

- 70 Concord Ave supplemental materials (kept in Office of Community Development)
- Revised Draft of a South Pleasant Planned Village Development zoning district.

8/2/2011 Minutes Approved

SOUTH PLEASANT PLANNED VILLAGE DEVELOPMENT

Intent

The South Pleasant Planned Village Development (SPPVD) is intended to permit a mix of land uses, densities and building types in one development. It is further intended to promote a vibrant, compact, pedestrian friendly development with the virtues of a traditional New England Village. The Town of Belmont desires to encourage projects that will meet the demands of the market, improve the economic base of the community and protect the Town's character. Any development proposed under this by-law must recognize that protection of Belmont's residential character will be a prime consideration for approval or denial, and therefore developments under this by-law will require more rigorous development standards than those found in other zoning districts.

Boundary of South Pleasant Planned Village Development District

A South Pleasant Planned Village Development may only be proposed in the area shown on the South Pleasant Planned Village Development Map and which is generally described as the area bounded by Pleasant Street on the north, Trapelo Road on the west, White Street and the southerly boundary of the MBTA (formerly the Boston and Maine Railroad) lands on the south, and the eastern boundary of Parcel 29-18 as listed on the Town's Tax Assessors Map on the east. The SPPVD boundaries shall be superimposed on the Town of Belmont Zoning District Map so as to indicate the extent of the SPPVD.

Applicability

The South Pleasant Planned Village Development shall be considered as overlaying other existing zoning districts. The SPPVD confers additional development options to be employed at the discretion of the property owner, subject to the requirements of this by-law. SPPVD development projects shall be subject to Design and Site Plan Review. Certain SPPVD development projects will also be eligible for a Special Permit to increase building height and/or to exceed otherwise applicable square footage limitations.

Existing Zoning Districts

The SPPVD does not in any manner remove or alter the zoning rights permitted by the underlying, existing zoning districts.

Eligibility

Minimum Project lot size = 50,000 sq ft
Bonus density for projects exceeding 150,000 sq ft

Authority

The Planning Board shall have Design and Site Plan Review authority for all projects in the SPPVD. As part of its Design and Site Plan Review authority under this Section, the Planning Board may waive some or all of the dimensional and parking requirements of this Section if, in its determination, such waiver will result in an improved design. In addition, the Planning Board is also the Special Permit Granting Authority (SPGA) for SPPVD developments requiring a Special Permit.

Uses

The following uses shall be allowed within a SPPVD project. Uses in excess of the sizes permitted below may be allowed by Special Permit.

Retail sales and services up to 12,000 square feet
Office, but not including banks, credit unions or similar establishments;
Restaurant up to 12,000 square feet, but not including fast food or take out restaurants;
Mixed use development projects consisting of a combination of retail sales, office, restaurant, movie theater, art gallery or commercial off-street parking facility uses.

Movie theaters up to 10,000 square feet;
Art galleries up to 10,000 square feet; and
Commercial parking lot or facility.

The following are expressly prohibited uses in a SPPVD development project

Exterior mounted or stand alone automated banking facility;
Banks, credit unions and similar establishments;
Drive-through establishments;
Adult entertainment establishments; or
Storage trailers and outdoor storage of goods associated with a commercial use unless use of such structure is necessary during construction.

Existing Uses

Any use otherwise permitted in the underlying district and which already exists on the premises proposed for a SPPVD development project shall be allowed to remain as part of the development project.

Intensity of Use

FAR requirements = 2.5 overall

Parcels within 100 ft of residential = 1.5 FAR

Staggering or separation of buildings requirement. (Sight lines/view corridors)

Dimensional Requirements

Setbacks

Height

Building Orientation – Building within 50 ft of Trapelo Road to be oriented such that building faces Trapelo Road.

Other – At least 1/3 of the gross floor area to be contained in buildings three stories and under.

Only 1 four story building may be built for every 50,000 sf of parcel area.

How to deal with ½ stories.

Step backs on upper floors.

Performance and Design Standards

Parking Requirements

Design Standards

Building
Site

Scale

The size and detailing of buildings shall be pedestrian oriented and shall reflect community preference for moderate-scale structures that reflect the residential character of the Town, rather than city blocks. Building design shall incorporate features to add visual interest while reducing appearance of bulk or mass. Such features include, as appropriate, varied facades, rooflines, dormers, roof heights, materials, and details such as brick chimneys or shutters.

External Materials and Appearance

Except for windows and minor trim, buildings shall avoid reflective materials such as porcelain enamel or sheet metal.

Awnings and Signs

Vehicle and Pedestrian Features

Landscaping and Off-Site Improvements

Incentives

Submittal Requirements (review, revise and rewrite)

Any person seeking Design and Site Plan Approval or a Special Permit for a SPPVD development shall submit 13 copies of the application in such form as the Planning Board may require which shall include the following:

- Development plans bearing the seal of a MA Registered Architect, MA Registered Landscape Architect, Registered Civil Engineer, or similar professional as appropriate;
- Narrative description of the proposed work affecting the exterior of the building or structure, including a description of the materials to be used;
- Site plans and specifications showing total square footage and dimensions of all buildings and site improvements, including:
 - New buildings, additions, adjacent structures;
 - Streets, sidewalks and crosswalks;
 - Existing and proposed open spaces, including, existing and proposed walls, fences, outdoor lighting, street furniture, new paving and ground surface materials;
 - Points of vehicular and pedestrian access/egress;
 - All utilities, easements or service facilities, insofar as they relate to the project;
 - Proposed site grading, including existing and proposed grades at property lines.
- A certified plot plan less than 6 months old;
- Architectural Layout Plans at a scale of 1/8" = 1' or appropriate scale. All spaces within the proposal must be properly labeled and all dimensions must be clearly shown;
- Site perspective, sections, elevations 1/8" = 1';
- Detailed description of the proposed use of the building, including hours of operation, numbers of employees, method and types of deliveries, etc;
- Detailed plans for disposal of sanitary sewage;
- Detailed plans for landscaping;
- Parking plan;
- Plan for lighting, including the type of fixtures, and the off-site overspill (foot candles) of the lighting;
- Signage plans; and,
- The proposed method of storm water removal accompanied by calculations for a 20-year storm event.

The Planning Board may also require the following prior to acting on the application:

Material boards of proposed buildings; and

An estimate of municipal revenues and costs expected to be generated by the project, including anticipated real estate valuation and public service needs.

The Planning Board may request additional information necessary in their deliberations relative to the application for the Special Permit.

Procedures

Design and Site Plan Review

The Planning Board shall promulgate rules and regulations requiring an applicant for Design and Site Plan Review under this Section to pay a review fee in an amount to be determined by the Planning Board to cover the reasonable costs of the Planning Board for the employment of any independent consultants determined to be needed to assist in the review of the application for Design and Site Plan Review. Such consultants shall be qualified professionals in the relevant fields of expertise as determined by the Planning Board.

Review of a submitted application shall follow the procedures below and as specified in Section 7.3.3 of the Zoning By-Laws. Where there is a conflict in procedures, those specified below shall prevail. The Planning Board, or its designee, shall review a submitted application for completeness and shall notify the Applicant within thirty (30) days of its submission whether the application is complete or, if not, what items are missing. If the Planning Board fails to so notify the Applicant within such time, the application shall be deemed complete; provided that nothing herein shall be interpreted to limit the ability of the Planning Board to require additional information. The time for holding a public hearing shall not commence until the Planning Board has received a complete application.

An application for Design and Site Plan Review hereunder shall be approved if such application, as affected by such reasonable conditions as the Planning Board may impose, is consistent with the objectives in this Section and all other requirements of this By-Law. The Planning Board may impose such reasonable conditions on its approval as it shall deem appropriate to assure the continuing consistency of the development project with the purposes of Section 8.

An application may be denied where:

- An application is incomplete; or
- No reasonable conditions will ensure that the proposed development is consistent with the standards and criteria set forth in Section 8.3. Such a denial shall be in writing and shall set forth the reasons for denial.

Any proposed amendment to an Approval under this Section shall follow the procedures set forth herein for an initial application.

Notwithstanding any provisions hereof to the contrary, Design and Site Plan Review shall not be required for alterations or repairs to an existing building in a previously approved SPPVD development project which do not increase the height, bulk, or footprint thereof, which are not being performed to provide for its use for a substantially different purpose and which do not violate the conditions contained within any prior Design and Site Plan Approval applicable to such building.

Special Permit Application

All applications for a Special Permit in the SPPVD will follow Section 7.4.4 and Section 7.4.5 of the Town of Belmont Zoning By-Law for the application procedures.

This Section together with the rest of this By-Law constitutes the zoning regulations for the South Pleasant Planned Village Development. Where conflicts exist between this Section 8 and the rest of the By-Law, the provisions of the Section shall govern."