

TOWN OF BELMONT
PLANNING BOARD

MEETING MINUTES
September 22, 2010

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SEP 23 2010

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

Attendance: Jenny Fallon, Chair; Sami Baghdady, Karl Haglund, Andres Rojas; Jay Szklut & Jeffrey Wheeler, Staff.

Ms. Fallon called the meeting to order and stated that the first order of business would be the election of new officers. Ms. Fallon thanked the other Board members for their support and effort during her tenure as Chair and opened the floor to nominations.

Mr. Rojas expressed the Board's appreciation for Ms. Fallon's efforts as Chair.

Mr. Rojas nominated Mr. Baghdady to serve as the Chair. Mr. Haglund seconded the nomination. By unanimous vote Mr. Baghdady, was elected Planning Board Chair for the upcoming year.

Mr. Baghdady assumed the Chair and requested nominations for Vice-Chair and Secretary.

Ms. Fallon nominated Mr. Rojas to serve as Vice-Chair and Secretary. Mr. Haglund seconded the nomination. By unanimous vote, Mr. Rojas was elected Vice-Chair and Secretary for the upcoming year.

Mr. Baghdady asked about the timing of the Board's annual reorganization date, and how this is determined. Staff informed the Board that a specific reorganization date does not currently exist in the Town or Zoning By-Laws. Staff also informed the Board that the Selectmen intend to place an article on the Special Town Meeting Warrant allowing the appointment of an associate member to the Board. It would be possible to also specify a reorganization date on that warrant article. A second alternative would be to adopt Planning Board Rules and Regulations that would specify a reorganization date. If adopted by the Planning Board, under their Regulations, the Board would retain some flexibility in the scheduling of a reorganization date. There was a consensus that the annual reorganization date should be close to the beginning of the new fiscal year of the Town which is July 1st, but no later than the first meeting of the Board in September.

The Board directed staff to notify the Board of Selectmen that the Planning Board supports the appointment of a single associate member. The Board also directed staff to update Planning Board Rules and Regulations to include an annual reorganization date.

Minutes of July 14, 2010 were approved.

7:23 p.m. PUBLIC HEARING – Site Plan Review, Comella's Restaurant, Belmont Center

Mr. Rojas read the Notice of the Hearing.

Representing the applicant were John Paul Comella, Gene Comella, and Joe Tellier, owner of the property. The applicant provided a brief overview of the history of the restaurant chain and its

current menu and operating philosophy, and noted that the proposed Belmont Center site will be one of their larger sites and will be serving alcohol.

Mr. Baghdady inquired on the size of the proposed establishment.

The applicant responded, "2,800 square feet".

Ms. Fallon inquired as to how deliveries would be handled.

The applicant responded that there is a driveway from Channing Road that connects to the rear of the building. Deliveries would be from the rear utilizing this driveway. The dumpster would also be located in the rear with pick-up of trash occurring three times a week.

Mr. Wheeler noted that the Board of Health regulates dumpsters and an annual permit is required.

The applicant represented that take out would not be the principal activity of the restaurant.

Mr. Rojas raised questions on whether the basement would be used for storage and what would be the impact of the new restaurant on the municipal parking lot.

The applicant responded that the majority of the business would be after 5 to 6 PM, a time when the parking lot is not heavily used.

A question was raised concerning the granting of the parking waiver and whether a future business would automatically benefit from this waiver.

Mr. Wheeler noted that the decision could include a condition limiting any waiver to the current applicant.

Mr. Baghdady asked if there is anyone to speak in favor of the application.

Sheila Flewelling, 36 Sycamore Street, was in favor, but asked where the employees would park.

The applicant responded that many employees will be walking to the restaurant or will be parking in the municipal lot.

Anne Paulsen, 90 School Street, also spoke in favor, but noted that employees should not be allowed to park on Leonard Street.

Chris Starr, property owner, 495 Common Street, supported the restaurant and asked about the expected mix among lunch/dinner customers.

The applicant responded that they project 75% of their business would be dinner customers

No one spoke in opposition to the application.

Moved by Ms. Fallon to close the public hearing.

Seconded by Mr. Haglund

Motion passed unanimously

During deliberations the Board agreed to add the condition that employees of the applicant would not park on Leonard Street. In addition, any waiver to parking would be limited to the applicant and his restaurant use as presented.

Moved by Ms. Fallon to approve the Site Plan Review with conditions and to waive the required number of on-site parking spaces.

Seconded by Mr. Rojas

Motion passed unanimously

8:00 p.m. Discussion – Community Preservation Act

Anne Paulsen of the Community Preservation Act Committee described the Act for the members of the Board. The Act allows Towns to increase the property tax amount by up to 3% with the funds raised dedicated to 3 uses: historic preservation, affordable housing, and open space. The local committee is proposing a 1.5% surcharge. The Commonwealth will match funds raised by the Town with the current match being approximately 30%. If passed, the Town would create a CPA committee to evaluate various projects and select those for funding. Possible projects include restoring the McLean Farm barn, restoring the Underwood Pool, acquiring open space, etc. She was before the Board to request the Board's support for passage of the CPA in Belmont.

Mr. Baghdady questioned whether it was proper for the Planning Board to be taking an official position on whether Belmont should adopt the CPA, or whether the Board should remain apolitical. It was noted that the CPA would allow the Town to raise funds for initiatives affecting the future planning of the community, and that it would be proper for the Board to support the CPA since planning is a core function of the Board.

Moved by Ms. Fallon to support passage of the Community Preservation Act Ballot question.

Seconded by Mr. Haglund

Motion passed unanimously

8:30 p.m. Discussion – Bringing Design into Zoning

Chris Klutchman, consultant, led the Board through a discussion on the goals of the Board and asked where the Board wanted to go in terms of incorporating design into zoning. Concerns raised by Board members included:

- Distinction between “written into the by-law” and incorporated into regulations,
- The current Design and Site Plan Review by-law is deficient, and needs to allow the Board more discretion in reviewing the design of a project,
- Flexibility is important,
- Site Plan Review has no “design” components,
- Main concern is height and bulk; need to add standards to Site Plan Review.

Mr. Rojas would like to see more 3-dimensional visualizations incorporated into the by-law.

Another concern was to consider how a building actually works with the topography and how it fits into its setting.

9:20 p.m. Discussion – Fall Town Meeting

The Board approved submitting a zoning warrant article to amend the definition of “owner” in the Historic Accessory Building By-Law.

The Board supported a change in the Town By-Laws to appoint an associate member to the Planning Board. The associate could expand the expertise of the Board, and could vote when another Board member had a conflict of interest.

Town Meeting is scheduled for November 8, 2010.

9:35 p.m. Discussion – Comprehensive Plan

The Board briefly discussed timing and bringing the Plan back for more discussion on the components of the plan. More discussion on “what is in the Comprehensive Plan” is needed. There was also some discussion on whether the Board should meet with other Boards to have this continuing discussion. The Board will continue this discussion.

9:55 p.m. Discussion – Oakley Neighborhood Development

**Moved by Ms. Fallon to approve the draft affordability documents.
Seconded by Mr. Haglund
Motion passed unanimously**

10:00 p.m. Discussion – Wellington School

**Moved by Ms. Fallon to approve the landscape plan as presented by Mr. Rojas.
Seconded by Mr. Rojas
Motion passed unanimously**

10:05 p.m. Meeting Adjourned

Next Meeting: Wednesday, October 13, 2010, 7:00 p.m., Board of Selectmen’s Meeting Room, Town Hall

List of Documents presented:

- Application for Site Plan Review and waiver of parking requirement for Comella’s Restaurant, Belmont Center (on file in OCD office).
- Community Preservation Act informational packet.
- Oakley Neighborhood draft Affordability documents (on file in OCD office).
- Wellington School landscape plan (on file in OCD office).

10/13/10 MINUTES APPROVED

CPA EXPLAINED

1. What is the Community Preservation Act?

The Community Preservation Act is a state law providing matching funds to towns and cities to acquire open space; preserve historic buildings; create, preserve, and support community housing; and create or acquire recreational facilities. 143 Massachusetts cities and towns already take advantage of this money, including Bedford, Cambridge, Concord, Lexington, Lincoln, and Waltham. We should too.

2. What could Belmont use this money for?

CPA projects would improve the quality of life in Belmont but are often difficult to fund through our regular operating or capital budgets. Here are some things we might do with CPA funds:

- Renovate the Underwood Pool.
- Create playing fields and walking trails at the former incinerator site on Concord Avenue.
- Restore the McLean barn at Rock Meadow as a community nature/art/music center.
- Build the Belmont Bikeway.
- Renovate Belmont houses for sale or lease to moderate-income residents.
- Repair and clean the historic stone bridge in Belmont Center.
- Help protect the Silver Maple Forest.
- Build an off-leash dog park.

In any year, 10% of Community Preservation Act funds must be earmarked for open space preservation, 10% for restoring historic buildings or landscapes, and 10% for affordable housing. The remaining 70% may be used for recreational purposes or for additional projects in the above three categories.

3. Who is supporting this idea?

More than 1,200 Belmont residents have signed a petition to put the Community Preservation Act to a vote on the November 2 election ballot. A YES vote will let us take advantage of state

matching funds under CPA to enhance the quality of life in Belmont.

4. What will the CPA cost me?

The State of Massachusetts Community Preservation Fund matches local monies raised through a small percent surcharge on the property tax. If the CPA is adopted in Belmont, the typical homeowner (with a home worth the median \$668,000) would pay about \$104 a year, or \$26 per quarter. Low-income residents and senior citizens with moderate incomes would pay nothing. Also, the first \$100,000 in value of all owner-occupied properties would be exempt.

For 2011, every dollar of Belmont money would be matched by 32 cents from the state. In 2011 alone, this would increase the money available by a third, giving us more than one million dollars to spend on worthy projects.

5. Who would decide how this money is spent?

Town Meeting would decide—based on recommendations made by an independent CPA committee. This committee of up to nine members would include one member from each of the following local boards: Conservation Commission, Recreation Commission, Housing Authority, Planning Board, and Historical Commission. Town Meeting would have the final say on all proposed projects.

6. How is this different from an override?

- a) CPA funds are directed to specific projects that result in visible improvements to the community. They cannot be diverted to other uses.
- b) The state matches local CPA revenues. Currently, that match is 32%. In the future, it could be more (under pending legislation).
- c) Low-income residents and senior citizens with moderate incomes would be exempt from any charges.
- d) The CPA would pay for projects outside our normal operating budget.

- e) Belmont could bank some of the money for the future or borrow against it to finance larger projects.
- f) An independent CPA committee appointed by the Town Moderator would recommend allocation of funds for Town Meeting approval.
- g) Belmont could repeal the CPA in the future by a simple majority vote of the Town.

7. Where does the state get the matching funds?

These funds come from land transfer fees paid at the State Registry of Deeds each time a property is sold or a mortgage is refinanced in Massachusetts. Belmontians with Registry transactions already have paid more than \$600,000 in such fees. In the past, our money went to other cities and towns. Why give it away? A YES vote on November 2 is a vote to get our share of this cash.

8. How many votes are needed to adopt the CPA in Belmont?

Probably 5,000 to 6,000 votes will be needed to adopt the Community Preservation Act in Belmont. That's a little more than half of those expected to vote in the November gubernatorial election.

9. Has the Town studied this?

Yes. Both a committee appointed by the Selectmen and the League of Women Voters of Belmont spent more than a year studying the Community Preservation Act, and both concluded that Belmont should participate. The Town committee's report to the Selectmen commented: "While the CPA would involve a tax surcharge, the Committee feels that the significant state matching funds, the ability to undertake projects which the Town has been unable to undertake in the past, and the large amount of local control over project funding make the CPA attractive for Belmont."

10. What can I do to help?

- Talk about the benefits of the CPA with your friends.
- Add your name to our endorser list. You can do that on our website, www.belmontcpa.org.
- Volunteer to hold a sign, send cards, or distribute leaflets.
- Donate to help us get the word out. Make your check payable to Belmont CPA Committee and mail it to PO Box 450, Belmont, MA 02478. Or donate via our website: www.belmontcpa.org.
- **Vote YES on November 2!**
Polls are open 7 a.m. to 8 p.m.

10. More questions?

If you have a question not answered here, feel free to send an email to former Belmont Selectman Paul Solomon, who chairs the CPA Ballot Question Committee: solomon@massmed.org

or

Write to us at:

Belmont CPA Committee
P.O. Box 450
Belmont, MA 02478

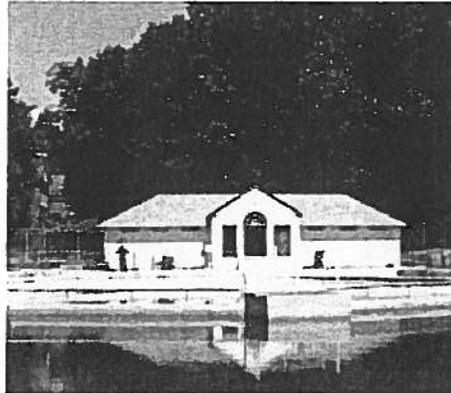
To read the complete text of the Community Preservation Act, go to:
<http://www.communitypreservation.org/index.cfm>



Get \$1.3 million in state matching funds over 5 years for projects like these:



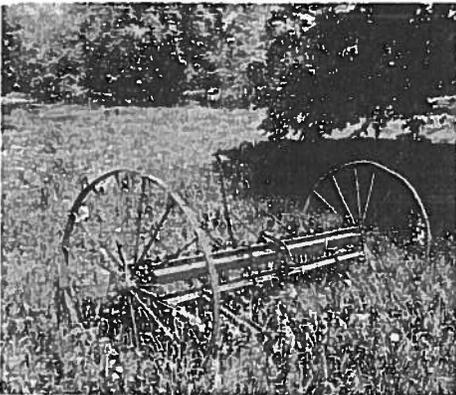
Build the Community Path



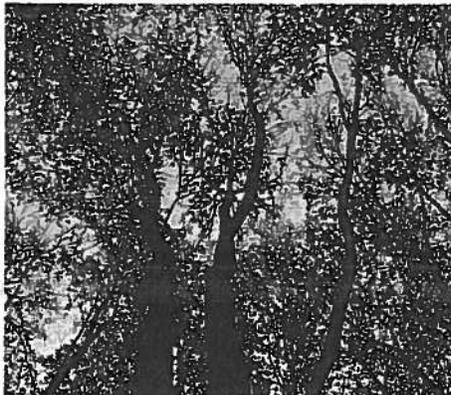
Renovate the Underwood Pool



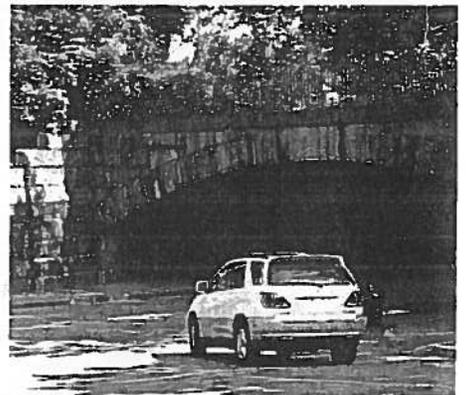
Create new playing fields



Conserve open land



Protect the silver maple forest



Clean and repair the stone bridge



Make more homes affordable



Create an off-leash dog park



Restore McLean barn for our use



Vote **YES** on Question #4 on November 2 to adopt the Community Preservation Act. To learn more, visit www.belmontcpa.org

CPA. It will pay.



Community Preservation Coalition
Preserving our past. Building our future.

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COMMUNITY PRESERVATION FUND ALLOWABLE SPENDING PURPOSES

DEFINITION	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel or real property listed or eligible for listing on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field Does not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure	Housing for low and moderate income individuals and families, including low or moderate income seniors Moderate income is less than 100%, and low income is less than 80%, of US HUD Area Wide Median Income
ACQUIRE	Yes	Yes	Yes	Yes (effective 12/5/2006)
CREATE	Yes	No	Yes	Yes
PRESERVE Means protect from injury, harm or destruction, not maintenance	Yes	Yes	Yes	Yes
SUPPORT	No	No	No	Yes, includes funding for community's affordable housing trust
REHABILITATE/RESTORE Means remodel, reconstruct or repair (extraordinary, not maintenance) to make property functional for intended use, including improvements to comply with federal, state or local building or access codes or with federal standards for rehabilitation of historic properties	Yes, if acquired or created with Community Preservation funds	Yes	Yes, if acquired or created with Community Preservation funds	Yes, if acquired or created with Community Preservation funds

Chart courtesy of the Massachusetts Department of Revenue

www.communitypreservation.org