

Mark F Clark
28 Oak Avenue
Belmont, MA 02478

July 1, 2014

Board of Selectmen
Town of Belmont Massachusetts
Office of the Board of Selectmen
455 Concord Avenue
Belmont, MA 02478

Re: Temporary Cushing Village Parking

Gentlemen:

I understand that you are considering measures to ameliorate the parking situation in Cushing Square while Cushing Village is being built. It may be appropriate to do so, particularly as the construction site will attract a number of construction workers.

There is danger, however, lurking in that effort unless great care is taken to limit both the duration of the arrangement and the times of day during which such parking may be used, and the persons who may use it. (For example, intense competition can be expected from commuters who already park along Belmont Street and Trapelo Road when taking the T, and intense policing and enforcement will be required.)

As you may be aware, Mr. Christopher Starr, the promoter of Cushing Village, is seeking to be granted a special permit to convert a building he controls in an LB III District (6-8 Trapelo Rd.) for restaurant use. He is also seeking to have a special permit issued to one of his tenants (Starbucks) to operate in the converted premises. As you might imagine, given the surrounding residential neighborhood, the applicant has not been able to demonstrate the quantity or safety of the convenient, "live" parking required by Starbucks customers (or those of any restaurant). I believe you have already received a communication concerning the opposition of the neighborhood to having a restaurant located here. (I would be happy to supply copies of the letters I have written to the ZBA that explain my reasons for opposing these special permits.)

It appears that the applicant has resorted to recycling proposals that he has already made to others regarding parking. They are utterly implausible in the circumstances of the ZBA case. There are, however, subtle dangers in this issue. *Vigilance is required to avoid confusing the issue of parking mitigation during construction of Cushing Village and the issue of locating a restaurant in this neighborhood.*

The applicant claims that his efforts to move a restaurant into this LB III are temporary. He has yet to explain what he intends to do with the building once it is converted to a restaurant and no longer needed by Starbucks. Even regarding use by Starbucks, however, a special permit would be "temporary" only in the sense that it would last only as long as Starbucks is using it. In effect, that would make the special permit contingent on the completion of Cushing Village and contingent upon Starbucks being satisfied with the arrangements that are then available to it.

Any parking that may be created at Benton Square, at the VFW (or anywhere else) in an effort to make the construction of Cushing Village tolerable, should be (a) limited, (b) truly temporary, (c) available only as a stop-gap measure because of the construction work at Cushing Village, (d) restricted in usage to only those who come to Cushing square because of that work and (e) not available for any use in connection with a follow-on special permit. *In other words, there should be no opportunity to confuse the construction of Cushing Village with the current ZBA case or to "grandfather" any temporary arrangement that may be made in connection with the construction of Cushing Village for the benefit of a later special permit application in this LB III zone.*

This neighborhood is being called upon to put up with a great deal during the reconstruction of the Belmont Street/Trapelo Road corridor and the construction of the Cushing Village project. The ZBA case is outrageous. There is a reason why 6-8 is in an LB III zone and why a special permit must be obtained: to protect the surrounding residential neighborhood.

Very truly yours,

Mark F Clark

Cc: Mr. David J. Kale
Town Administrator

Members of the Zoning Board of Appeals