

**TOWN OF BELMONT
ZONING BOARD OF APPEALS
MEETING MINUTES
January 11, 2021**

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: October 7, 2021
TIME: 3:00 PM

Present: Nick Iannuzzi, Chair; James Zarkadas, Vice Chair; Andrew Kelley; Teresa MacNutt; Casey Williams; William Fick; Elliot Daniels

Staff: Ara Yogurtian, Assistant Director, Community Development

1. CALL TO ORDER 7:00 PM (MEETING WAS HELD VIA VIDEO CONFERENCE)

Mr. Iannuzzi called the meeting to order and introduced the Zoning Board of Appeal's members. He noted the order of the meeting and explained the video conference process.

2. CONTINUED CASES:

- a. CASE NO. 20-26 – ONE (1) SPECIAL PERMIT
55 Trapelo Road (SRC) – Alexander Athanasiou

MOTION to continue to February 8, 2021 was made by Mr. Iannuzzi and seconded by Mr. Zarkadas. Motion passed.

- b. CASE NO. 20-37 – TWO (2) SPECIAL PERMITS
90 Hull Street (GR) – Meng Lin

Mr. Iannuzzi reviewed the public notice.

Mr. Yogurtian noted that the plot plan had the same plan but it was just moved to the front and that would not work out. He sent a sketch to Ms. Lin to review and the case will be continued.

MOTION to continue to April 2021 was made by Mr. Iannuzzi and seconded by Mr. Zarkadas. Motion passed.

- c. CASE NO. 20-39 – TWO (2) SPECIAL PERMITS
24-26 Creeley Road (GR) – Lois Erickson

Mr. Iannuzzi reviewed the public notice.

Josh Pressey, Ms. Erikson's son-in-law, noted that they had submitted a new design.

Mr. Zarkadas noted that this was a much better design and blended better with the neighborhood.

Ms. Williams noted that she was satisfied with the revised plans.

Mr. Yogurtian noted that the ridge elevation was reduced by 1 foot and it met the half-story requirements and calculations.

MOTION to approve was made by Mr. Zarkadas and seconded by Mr. Iannuzzi. Motion passed.

3. PUBLIC HEARINGS:

a. CASE NO. 21-01 – COMPREHENSIVE PERMIT

91 Beatrice Circle (SRA) – 91 Beatrice Circle, LLC, Stephen A. Tamposi, Manager

Mr. Iannuzzi noted that the Applicant would present the proposed project and there would not be any public comment at this hearing.

Mr. Hall explained the safe harbor claim that was received by Attorney Fallon, requesting that the Board consider exercising its right to claim safe harbor under the provisions in Chapter 40B that provide that Belmont has attained 1.5 percent of its developable land area and it has already been dedicated to affordable housing. If this is the case then the ZBA may deny or impose conditions on a project. He recommended to the ZBA to schedule a meeting for next week to review this topic so that he could respond and have that response available by the end of this week.

Mr. Iannuzzi asked Attorney Hill and Attorney Fallon not to email him directly. He also added that if they were going to oppose this project, then it will need to be done fairly and in the timeline of the ZBA requirements. As a result, the ZBA will need to meet to discuss the letters that they have submitted. The meeting will be held on January 21, 2021 at 7 PM.

Mr. Iannuzzi read the public notice.

Jesse Schomer, Attorney, representing the Applicant, introduced his colleagues. He reviewed the general overview of the project and described the location. He noted that the location was sited well to have easy access to public transportation and they would make improvements to the access of the existing pedestrian foot bridge. He

explained that Massachusetts Housing issued a PEL (Project Eligibility Letter) stating that this project was generally eligible for development under the Chapter 40B. The determination was that the project provides for 25% of affordable units which will be restricted to residents at or below 80% of area median income as required by Chapter 40B. The letter also stated that the Applicant is a limited-dividend organization, this project would be economically feasible and the Applicant owns the site. Mr. Schomer noted that they were proposing to remove the existing home and to build in its place five buildings, an 8 unit 4-story townhouse building and four 2-story single-family residences. There are 12 rental units and all units have four bedrooms. He reviewed the parking plan, the site access and the turn-around location for emergency vehicles. He noted that there was Traffic Impact Study as part of the submittal. Lastly, he noted that the proposed building were a tastefully designed would integrate well into the neighborhood.

Dartagnan Brown, Embarc Architecture Design, reviewed the Comprehensive Permit Application plans. He showed an aerial image of the parcel and reviewed the layout of the site. He gave an overview of the site itself and described the topography of the site. He described the style of architecture in the neighborhood and reviewed possible building materials. He presented the schematic plans and described the architectural intentions for the building. He reviewed the location of proposed parking spaces and explained how the parking entries would flow throughout the site. Next, he presented the cross sections and elevations of the buildings, the layout of the units and floor plans and how the height and topography would work out. He reviewed the window styles and the proposed exterior materials, the parking plans, the sizes of the single families and the size of the townhouses. He presented architectural renderings and described how the layout works with the topography.

Blair Hines, Landscape Architect, reviewed the landscaping plans for the site. He described how they tried to minimize the development of the impact on the neighbors by incorporating screening and fencing to the abutting residences. He reviewed the grade of the site and the access to the units with walkways and an entry terrace. He noted that they would clean up and trim the overgrown shrubbery that were in the sightline and they would add shade trees. He reviewed specific plant materials for shrubs and trees.

Jim Burke, Civil Engineer, noted that he did the site survey, he described the proposed location of the building, the topography of the site and the property's utilities. He noted that the soil testing was done and the soil was primarily ledge and sand. He reviewed the stormwater management storage solutions and the offsite flow.

Robert Michaud, MDM Transportation, based in Marlborough, reviewed the transportation and traffic plans for the site. He described the pedestrian connections

and the transportation amenities. He explained the number of expected incoming and outgoing trips in the morning and in the evening, this was a low generating traffic use with less than 100 trips being generated on a daily basis. He noted that there were 50 trips per day over the pedestrian path. He also reviewed bicycle activity on the frontage road and pedestrian crossings in the overpass. He reviewed the numbers of pedestrian crossings over the property's driveway, the number of vehicle trips on the frontage road and the number of pedestrians using the pedestrian overpass. This was important as they will look at pedestrian related improvements. He also reviewed what this site was likely to add and this would be relatively very small numbers of trips. He reviewed access for service and emergency vehicles and noted Belmont's largest emergency vehicle could access the site, access the buildings and exit the property through a hammerhead design for egress movement by the large vehicles. The design of the driveway will have ample site visibility so that a vehicle approaching the driveway would have ample visibility to a vehicle exiting the property that would meet or exceed applicable standards based on travel speeds and likewise a vehicle exiting would have sufficient visibility to an oncoming vehicle. The pedestrian crossing location would need to be redesigned and to be ADA compliant and more visible.

Joe Tamposi, Applicant, was introduced to the Board. He deferred to Attorney Jessie Schomer for questions. There were no questions for the Applicant.

Mr. Glenn, Consultant, Massachusetts Housing Partnership, introduced himself to the Beatrice Circle team and described his role in the review of the project. He recommended the Massachusetts Partnership Guide to learn more about the Chapter 40B law. He explained the project review process and explained that it was an expedited project, a comprehensive project and it was flexible. It is an informed process and everything needs to be reviewed.

Mr. Iannuzzi noted that the February meeting would be open for public comment and Attorney Fallon and Attorney Hill will speak on behalf of their clients and the people they are representing. If anyone had sent an email, this will serve as public comment. Public comments will be timed and issues will be categorized. The meeting on January 21 will be only to discuss the letters from Attorney Fallon and Attorney Hill.

Mr. Glenn recommended that the peer review process begins. Mr. Yogurtian will discuss this with Mr. Clancy, Director of Community Development.

Mr. Iannuzzi opened the meeting to one caller with an urgent call.

Lois Pines, noted that there were people who were unable to get on to the webinar meeting and she wanted to know what the alternatives would be. Mr. Iannuzzi noted

that if there are over 100 participants, they can log on through webinar though Belmont Media Center. The next meeting would allow for 500 participants

Mr. Yogurtian noted that all materials and comments must be received by noon on Friday.

MOTION to continue January 21, 2021 was made by Mr. Iannuzzi and seconded by Mr. Zarkadas. Motion passed

b. CASE NO. 21-02 – ONE SPECIAL PERMIT
4 Pine Street (SRC) – Siobhan O’Niell, MD

Mr. Iannuzzi read the public notice.

Ms. O’Niell, Applicant, was seeking permission to conduct psychiatry/psychotherapy of low-risk patients at 4 Pine Street. Her home was located in the SRC Zoning District. She would like to move her office to her home where she could control the conditions of covid-19. She has spoken to all of the immediate neighbors and addressed their questions about parking and she noted that she would ask her patience to park on Trapelo Rd. She noted that her patients are seen two or three or four days per week and she sees between 2 to 8 patients in one day.

Mr. Yogurtian noted that the special permit would allow her to have patients visiting her house.

Ms. O’Neill noted that she would take care of her own ventilation and sanitizing of the space. The landlord at her rental office space has not been responsive to her requests for information regarding air exchange in the building or providing safe conditions in the restroom. She would follow the list of disinfecting treatments as recommended made by the Department of Public Health.

Mr. Iannuzzi would like to read the DPH guidelines and to have the floor plans resent with dimensions that are legible. Also, to learn more about the parking and to share the petition from the neighbors.

MOTION to continue to April 2021 was made by Mr. Iannuzzi and seconded by Ms. MacNutt. Motion passed.

4. Adjourn at 9:15 PM