

**TOWN OF BELMONT
PLANNING BOARD**

RECEIVED
TOWN CLERK
BELMONT, MA

2021 NOV 17 PM 1:30

CASE NO. 21-16

APPLICANT: Brian Lafferty, Empire Management Corporation

PROPERTY: 774A, 778, 782, and 790 Pleasant Street

DATE OF PUBLIC HEARINGS: September 9, 2021
Continued: October 5, 2021
October 19, 2021
November 2, 2021
November 16, 2021

MEMBERS VOTING: Matt Lowrie, Vice Chair
Thayer Donham
Ed Starzec
Karl Haglund
Renee Guo, Associate Member

Introduction:

This matter came before the Planning Board ("Board") of the Town of Belmont ("Town") acting as the Design and Site Plan Review Approval Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicant, Brian Lafferty, requested Design and Site Plan Review by the Board for an application to allow the construction of a new building greater than 2,500 gross square feet by Design and Site Plan Review by the Planning Board. The proposal showed a new multi-level 39,000 square feet addition.

Proposal:

The applicant proposed to replace the existing Subaru Dealership building with a new 39,000 square feet building with multi-stories.

Submissions to the Board:

- 1) July 12, 2021 Application Submissions:
 - a. Application Page;
 - b. Denial Letter;
 - c. Traffic Report;
 - d. Cover Sheet;
 - e. Zoning Compliance Check List;
 - f. Certified Plot Plan;
 - g. Variance Status Determination;
 - h. Site Plans.
- 2) Revised Documentation:
 - a. Long Term Pollution Prevention and Operation and Maintenance Plan, dated November 9, 2021;
 - b. Revised Site Plans, dated November 9, 2021.
- 3) Applicant Response:
 - a. Applicant's Response Letter, received October 29, 2021.

- 4) Staff Comments:
 - a. Fire Department, dated September 16, 2021.
- 5) Peer Review Comments:
 - a. BSC Group Stormwater Peer Review Letters, dated October 21, 2021.
- 6) Continuation Requests:
 - a. October 4, 2021 Continuation Request by the applicant;
 - b. October 19, 2021 Continuation Request by the applicant;

Public Hearing:

The Board held a duly advertised public hearing conducted via ZOOM videoconference (in connection with current restrictions regarding social distancing in connection with COVID-19) on September 9, 2021, and it was continued to October 5, 2021 (no deliberation), October 19, 2021 (no deliberation), November 2, 2021, and November 16, 2021. The public hearing was closed at the November 16, 2021 public hearing. Mr. Almonte from Land Design Collaborative presented the project to the Board.

The applicant received a variance & special permit from the Zoning Board of Appeals (Case 19-42). The variance approved relief to the applicant for number of proposed stories and height of building. The applicant also received an approved special permit for lot coverage.

Issue raised by Board members at the September 9, 2021 Meeting:

- Stormwater

The board asked town staff to arrange a third-party peer reviewer to review the proposed stormwater. After reviewing the comments, the board asked the applicant to make the required changes before the board votes on the application. The applicant made the requested corrections and submitted revised plans prior to the November 16, 2021 continued public hearing.

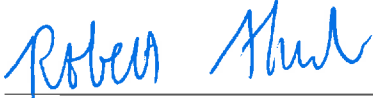
Deliberation and Decision:

On November 16, 2021, the Board deliberated on the Applicant's request for Design and Site Plan Approval under Section 7.3.2 a) of the Zoning By-Law to allow the construction of a new multi-level 39,000 square feet addition. Mr. Pinkerton attended all of the previous public hearings prior to the November 16th meeting. He was absent at the November 16th public meeting. In Mr. Pinkerton's absent, Ms. Guo was elevated from an alternate member to a full member for this public hearing for voting purposes.

Accordingly, upon motion duly made and seconded, **the Board voted 5-0 to approve the Applicant's request for a Design and Site Plan Review at 774A, 778, 782, and 790 Pleasant Street located in a Local Business II (LB-II) zoning district with the following conditions:**

1. This approval is based upon the revised plans submitted prior to the November 16, 2021 Planning Board Meeting, dated November 9, 2021. No modifications may be made without the approval of the Board, or a determination in writing by the Board that the modification is so minor that the approval by the Board is not required.
2. The applicant must meet the outstanding comments listed in the BSC Group peer review letter dated October 21, 2021.
3. The access driveway located at the south entrance of the proposed building shall be only for one way traffic for customers and truck deliveries. Any change in the future to the sites' access shall be approved by the Planning Board.
4. Prior to any building permit being issued, this decision shall be recorded at the Middlesex South District Registry of Deeds or the Middlesex Registry District of the Land Court. Proof of recording shall be forwarded to the Zoning Enforcement Officer prior to the issuance of any building permit.

On Behalf of the Board,



Robert Hummel, Senior Planner

Dated: November 17, 2021