

## Hummel, Robert

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**From:** Cliff Boehmer <CBoehmer@davissquare.com>  
**Sent:** Thursday, October 14, 2021 3:51 PM  
**To:** Stephen Pinkerton; Hummel, Robert  
**Cc:** Yogurtian, Ara  
**Subject:** [EXTERNAL]RE: McLean Architectural Review

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Hi Steve (and others). Sorry for the late response. [See sections in green below.](#)

**Clifford Boehmer, AIA** | PRINCIPAL

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**From:** Stephen Pinkerton <pinkerton@alum.mit.edu>  
**Sent:** Wednesday, October 13, 2021 8:46 AM  
**To:** Robert Hummel <rhummel@belmont-ma.gov>  
**Cc:** Ara Yogurtian <ayogurtian@belmont-ma.gov>; Cliff Boehmer <CBoehmer@davissquare.com>  
**Subject:** Re: McLean Architectural Review

Robert,

I offer the following observations in response to the attached report from Davis Square Architects (DSA).

One of the most important questions we posed to DSA was whether the subterranean floors of the townhouses in the proposed McLean Zone 3 development are basements or cellars. [Sorry if there was a mis-communication on this point. We did not understand that making that determination was in our scope.](#) That determination has implications for two important dimensional requirements for the townhouses in Subdistrict A of Zone 3 - Gross Floor Area (maximum 3,600 sf) and the number of stories (maximum 2½).

In Belmont, we do not subdivide subterranean floor areas into part basement and part cellar. In both cases, they are defined as, "a portion of a building partially underground," not a "portion of a building between floor and ceiling, which is partly below and partly above grade," as Mr. Boehmer asserts. [This is my mistake. Your excerpt from the code is correct.](#) If the subterranean floor has "less than 60% of its clear height below grade," then it's a basement. Otherwise it's a cellar.

Also, Belmont's Zoning By-Law (ZBL) does not have a definition for "Non-habitable/Unconditioned Unfinished Area." Under ZBL §6B.3.1, the only areas specifically excluded from calculation of Gross Floor Area are "unfinished garage, unfinished attic area and exterior porch or deck areas." Basements are to be counted under that section, but cellars are not mentioned. However, cellars are specifically exempted under the general ZBL definition of Gross Floor Area:

**Floor Area, Gross** - The sum of the horizontal areas of the several floors of all buildings on the same lot, measured from the exterior face of exterior walls, including basements and any interior parking and loading areas, but not including cellars or areas having less than six feet floor-to-ceiling height.

Note that neither definition exempts stairwells from being tallied in Gross Floor Area, nor are they omitted in practice. If I read DSA's summary correctly, that means that all of TAT's Gross Floor Area calculations for second floors are incorrect. DSA's report does not indicate what the differences are. ("Living Area" is not defined in the ZBL, so we may accept omission of second floor stairwell openings in those calculations.) For the unit types that we examined, here are the differences that would be added to square footages if the single excluded run of stairs is added to TAT's calculations:

A2.01 – 2BR Inline Affordable

- Livable – 34.8 Sq. Ft.
- Gross – 39.5 Sq. Ft.

A2.02 – 2BR Inline

- Livable – 34.7 Sq. Ft
- Gross – 39.1 Sq. Ft

A2.03 – 2BR End Front Entry Garage

- Livable – 34.8 Sq. Ft
- Gross – 40.0 Sq. Ft

A2.04 – 2BR End Side Entry Garage

- Livable – 34.8 Sq. Ft
- Gross – 40.0 Sq. Ft

A2.05 – 3BR End – A Front Entry Garage

- Livable – 33.6 Sq. Ft
- Gross – 35.8 Sq. Ft

A2.06- 3BR End – A Side Entry Garage

- Livable – 33.6 Sq. Ft
- Gross – 35.8 Sq. Ft

All of these factors considered, it is clear that many of the proposed Subdistrict a townhouse units exceed the required maximum allowable Gross Floor Area by significant amounts, but DSA has not identified which ones require adjustment in size or a waiver from that requirement. Again, limited to the six unit types that we examined, if TAT includes the spaces that were listed as the "Non-Habitable Unconditioned Unfished Area" then all unit types would exceed the allotted 3600. If only the additional stairwell area gets added then all units besides 3BR End – C Garage Under Unit on A2.09 would exceed the 3600 as well.

As for the number of stories, the ZBL definitions of story and half-story are as follows:

**Story** - That portion of a building, other than a cellar, included between the upper surface of a floor and upper surface of the floor or roof next above.

**Story, Half** - A space under a sloping roof where:

1. a) the line of intersection of the rafter bottoms and the interior wall surface is not more than three feet above floor level on at least half the perimeter of the second floor,
2. b) the potential space having headroom of five feet or more is not more than 60% as large as the second floor,
3. c) provided that the length of any dormer does not exceed 75% of the length of the roofline of the side of the structure where the dormer is constructed, and
4. d) for purposes of this calculation, when the height of the second floor is indeterminate, the height of the second floor (from finished floor to finished ceiling) shall be equal to 12 feet, the remaining portion of the wall shall be factored into the half-story calculation.

Northland Residential does not appear to have provided enough building elevation information to determine which townhouses have basements and which have cellars; but based on TAT floor area plans provided in "2021-08-04 Subdistrict A Enlarged Unit Plans with Living Area & GSF.PDF," it appears that at least four of the three-bedroom units fail to meet the 60% area limit for the loft floor level. If the corresponding lowest floors qualify as basements, then those units will require modification or a waiver from the 2½ story limit. The number of non-compliant units may increase when Gross Floor Area calculations are corrected to include stairwells. It would be helpful if DSA could provide information about the size of the stairwell openings, particularly for the three-bedroom units, that would allow us to make the correction ourselves. [See stairwell numbers noted above.](#)

Very best,

Steve

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On Oct 12, 2021, at 1:05 PM, Hummel, Robert <[rhummel@belmont-ma.gov](mailto:rhummel@belmont-ma.gov)> wrote:

FYI

Thanks,  
Robert Hummel

Robert Hummel | Senior Planner  
Town of Belmont | Planning Division  
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**From:** Cliff Boehmer [<mailto:CBoehmer@davissquare.com>]  
**Sent:** Monday, October 11, 2021 3:37 PM  
**To:** Hummel, Robert <[rhummel@belmont-ma.gov](mailto:rhummel@belmont-ma.gov)>; Yogurtian, Ara <[ayogurtian@belmont-ma.gov](mailto:ayogurtian@belmont-ma.gov)>  
**Cc:** Adam Richter <[ARichter@davissquare.com](mailto:ARichter@davissquare.com)>  
**Subject:** [EXTERNAL]McLean Architectural Review

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Hi Ara and Robert. Here is the memo that summarizes our measuring efforts at the proposed McLean development. I hope you will get back to me with any questions you may have!

Did you want me to attend the hearing on the 19<sup>th</sup>? Is it to be held by Zoom?

**Clifford Boehmer, AIA** | PRINCIPAL

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