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PB 21-10

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**TOWN OF BELMONT
PLANNING BOARD**

CASE NO. 21-10

APPLICANTS: Kelly & Stephen Tomasello, CalVerde Naturals, LLC

PROPERTY: 1010 Pleasant Street

DATE OF PUBLIC HEARINGS: May 18, 2021
Continued: June 1, 2021

MEMBERS SITTING/ Stephen Pinkerton, Chair
Thayer Donham
Ed Starzec
Matt Lowrie
Karl Haglund
Renee Guo

MEMBERS VOTING: Stephen Pinkerton, Chair
Thayer Donham
Ed Starzec
Matt Lowrie
Karl Haglund

Book 77175

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Introduction

This matter came before the Planning Board ("Board") of the Town of Belmont ("Town") acting as Special Permit and 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 Applicants, Kelly & Stephen Tomasello, requested Design and Site Plan Review by the Board for an application to reconfigure existing floor space and accessory parking at 1010 Pleasant Street located in Local Business II (LBII) Zoning District. Section 7.3.2 a) of the Zoning By-Law allows changes to a building that exceeds 2,500 square feet of gross floor area or the creation of more than 6 associated parking spaces by Design and Site Plan Review and approval by the Planning Board. Calverde Naturals, LLC ("Calverde") is an Adult Use Marijuana Establishment and the use complies with the Section 6F of the Belmont Zoning By-Law ("By-Law")

Proposal

The applicants are leasing approximately 4,094 square feet of retail space with 25 exclusive parking spaces at 1010 Pleasant Street from Belmont Crossroads Realty Trust. A portion of the parking area on the east side of the property, is contained on the adjacent property, 1000 Pleasant Street, which is also owned by Belmont Crossroads Realty Trust. The exterior of the premises will be renovated in accordance with the submitted plans. The total public area inside the premises is 1,805 square feet and the non-public area is 2,131 square feet.

Submissions to the Board:

- 1) April 5, 2021 Application Submissions:
 - a. Application for Special Permit, dated April 5, 2021;
 - b. Narrative, provided by Calverde's attorney;
 - c. A Copy of the Lease Agreement;
 - d. Dispensing Procedures;
 - e. Plan for Restricting Access;

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- f. Prevention of Diversion;
 - g. Security Plan;
 - h. Qualification and Training;
 - i. Recordkeeping Procedures;
 - j. Floor Plans;
 - k. Site Plans, dated March 30, 2021;
 - l. Zoning Compliance Check List, dated April 5, 2021;
 - m. Traffic Impact and Access Study, dated February 2020;
 - n. Host Community Agreement, dated November 9, 2020;
 - o. Drainage Memorandum, dated March 16, 2021.
- 2) Revised Documentation:
- a. Site Plans, dated May 24, 2021;
 - b. Floor Plans, dated May 21, 2021.

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 May 18, 2021 and it was continued to June 1, 2021 and closed at the same continued public hearing. Mr. Noone, Avery Dooley & Noone, LLP presented the project to the Board on behalf of Calverde. No comments were received from the public at the public hearing.

An issue raised by Board members:

- The proposed ADA exit would go through the entrance way.
 - The applicants noted that they would revise the plans to install an accessible ramp to help the flow of customers leaving the retail shop.

The hearing was continued to June 1, 2021 to allow the applicants time to revise the site and floor plans based on the feedback at the public hearing. The applicants provided new revised plans and drawings with the following change made to the initial submission:

- An accessible exit ramp connected to building

Deliberation and Decision

On June 1, 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 changes to a building that exceed 2,500 square feet floor area or the creation of more than 6 associated parking spaces

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 1010 Pleasant Street located in a LBII zoning district with the following conditions:**

General:

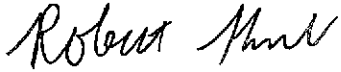
1. This approval is based upon the plans presented at the June 1, 2021's Planning Board Meeting. No modifications may be made without the approval of the Board, or a determination in writing by the Board that the modification is so minor that the approval by the Board is not required.
2. At the Building Permit stage of the project, the applicants shall submit building plans that comply with the Architectural Access Board (AAB) requirements and they shall be modified if needed from the approved plans. Floor plans that are modified to meet the Architectural Access Board (AAB)

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requirements do not have to go to the Planning Board for approval and can be approved administratively through the Community Development Department.

On Behalf of the Board,



Robert Hummel, Senior Planner
Dated: June 9, 2021

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on June 9, 2021, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with two (2) conditions.

June 30, 2021



Ellen O'Brien Cushman, Town Clerk
Belmont, MA