

**TOWN OF BELMONT  
PLANNING BOARD**

**MEETING MINUTES**

**December 19, 2017**

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TOWN CLERK  
BELMONT, MA

2018 JAN 24 AM 8:50

Present: Charles Clark, Chair; Steve Pinkerton, Vice Chair; Karl Haglund; Sandy Sanderson; Ed Starzec; Thayer Donham

Staff: Jeffrey Wheeler, Senior Planner; Spencer Gober, Staff Planner

**1. Meeting Called to Order at 7:02 PM**

**2. Continued Public Hearing:**

**a. 11-13 C Street – Special Permit to Construct New Two Family – GR District**

Mr. Clark briefly described the history of the project and reviewed the updates that were made to the plans.

**MOTION to close the public hearing was made by Mr. Pinkerton and seconded by Mr. Haglund. Motion passed.**

**MOTION to approve the Special Permit was made by Mr. Pinkerton and seconded by Mr. Sanderson. Motion passed.**

**b. 395 Concord Avenue – Modify Design and Site Plan Approval to Construct a New Building – LBI District**

Mr. Clark explained that the Applicant returned to the PB after it was discovered that it was more cost effective to build a new building rather than renovate the existing one; therefore, the Applicant was seeking to modify the existing Design and Site Plan Review.

Ara Krafian, Architect, reviewed the challenges and limitations of the originally approved building. He reviewed the differences between the original application and the new proposal and noted that he was keeping similar aesthetics of the originally proposed building. Mr. Krafian displayed a detailed rendering of the newly proposed building.

**MOTION that the modifications made to the Design and Site Plan Approval were not significant to warrant a new public hearing was made by Mr. Pinkerton and seconded by Mr. Haglund. Motion passed.**

**MOTION to approve the modified Design and Site Plan Approval was made by Mr. Pinkerton and seconded by Ms. Donham. Motion passed.**

**c. 33 Knox Street – Special Permit for Addition Greater Than 30% - SR – C District**

Norman Kerlop, Architect, explained the revisions to the plans. He noted that the roof was lowered and that the shutters were eliminated to be in harmony with the other buildings in the neighborhood. He presented and reviewed the existing site conditions and proposed landscape plans. He also noted that he had signatures from neighbors who were in support of the project. Mr. Clark asked the Applicant to clarify the height of the proposed home and Mr. Kerlop noted that it was 33 feet tall.

Comments from the Audience:

1. Peter Siao, 44 Lamoine Street, stated that he was in support of the project and that he was not troubled by the proposed height.
2. Abutter, 29 Knox Street, stated that he was in support of the project and was not troubled by the height of the building.
3. Mark Grossman, 249 Rutledge Road, stated that this was being proposed as a 3-1/2 story project and he believed that 25 feet is the allowed height in the neighborhood. He added that a good portion of the sky would be blocked and he was not in support of the project.

Mr. Gober noted that he had previously met with the Applicant and it was determined that it was a three-story proposal.

4. Alex Sheng, 24 Knox Street, spoke in support of the project.
5. Fred Haggerty, 243 Rutledge Road, stated that the proposed building was too tall and he was concerned about the possibility of an apartment in the basement.
6. Jeane Harrington, 20 Knox Street, stated her support for the project. She noted that she has lived there for over 20 years and has seen many of the houses expand and change over time. She noted that no one has the right to air rights.

Norman Kerlop, Architect, explained that there was a much bigger building already existing in the neighborhood and there were plenty of trees and the house was not as big as it was being perceived. He noted that it was not possible to have anything in the attic. The surveyor's calculations showed that if the ground was raised with one foot of dirt that they would meet the definition of a cellar but it was not going to change the height or look of the building.

7. Margaret Chua, 44 Lamoine Street, was in support of the project and noted that this was not really a very big building. She noted that there were two other buildings at the top of the hill that are much taller.
8. Amy Grossman, 249 Rutledge Road, stated that the building would be too big and looming over her property. She does not think that it should be allowed as proposed.  
  
Balasubramani Sakarraj, Applicant, explained that the building was on a slope and that he was adding a small portion. He noted that he had been working on this project for over a year and that the home at the rear of his property is much bigger.
9. Alex Sheng, 24 Knox Street, noted that the ones who objected to the project came from the bigger more expansive homes.
10. Mark Grossman, 249 Rutledge Road, noted that the proposed house will be larger and will have more floors than his and that they were not meeting the regulations regarding height. He didn't understand why it couldn't be a simple attic expansion. He would like to see the height problem resolved.

Mr. Norman Kerlop, stated that the plans met the regulations.

11. Fred Haggerty, 243 Rutledge Road, stated that the lots on Rutledge Road were much larger than the lots of the homes on Knox Street.

Mr. Clark asked the PB for comments. He explained that this was a Special Permit and one of the issues is the size of home being proposed. Mr. Pinkerton noted that the SR-C By-Law changes were to protect the interest of the neighbors. He noted that 2/3 of the houses in this neighborhood were small and 5 houses were way too big. He also noted that he would like to see the height be more in conformance with the abutting homes. Mr. Haglund stated that he found Mr. Pinkerton's comments to be persuasive. Ms. Donham suggested removing the second floor deck since that can be perceived as reducing the sense of privacy of the abutters. Mr. Kerlop explained the math and noted that he could lower the building by 2 feet. He noted that the concept of lowering the building was not the right direction and it wasn't going to be anything significant.

Mr. Pinkerton asked that the Applicant come back with a revised plan with a significant reduction to the height of the roof. Mr. Kerloff explained how he can reduce the height of the roof and he would go ahead and revise the plans.

**MOTION to continue that public hearing to January 4, 2018 was made by Mr. Pinkerton and seconded by Mr. Haglund. Motion passed.**

### **3. Discussion with Board of Health on Marijuana Establishments**

Dr. Alper, Chair of the Board of Health, discussed the status of recreational marijuana at the state level and reviewed several of the issues that the PB will have to face. He noted that he met with George Hall, Town Counsel, and the BOS to discuss the issue of marijuana licensing and what the Town can or cannot do. He provided handouts from George Hall that explained Belmont's options. Mr. Alper also distributed a handout that listed the dates from the State in terms of how things were progressing. He stated that the Town must come up with zoning regulations to allow the establishments, but noted that the Town could 'opt out'. The BOS will decide on January 8, 2018 whether or not they will bring the vote to the Town to 'opt out'. Dr. Alper noted that Belmont is allowed to have 1 establishment (based on 20% of Town's liquor stores). He noted that the BOH will regulate licenses, edibles, hours, etc., but are waiting for the BOS to decide about 'opting out'. He noted that the PB must have regulations in place by April 1, 2018, regardless of the 'opt out' since that vote will take place on April 4. He added that there are four different types of marijuana businesses allowed: cultivation, processing, testing and retail. He asked the PB to remember that these establishments can only accept cash. He also noted that every town is allowed to vote to increase the sales tax by 3% to be earmarked for antidrug education in the Town. Mr. Wheeler noted that the Attorney General has indicated that they were willing to extend the moratorium another 6 months, if necessary. Dr. Alper added that the CCC has indicated that they will allow use at a message therapist's office, yoga studio, and retail establishments that have a room on the side (for edibles and oils only). He suggested that the Town's alcohol and medical marijuana regulations might be helpful as a template.

### **4. Bradford Review Update**

Mr. Wheeler made a presentation to the PB and reviewed the documents delivered to them. He presented a general overview of the project, described what was approved, and reviewed each of the buildings elevations, uses and locations. He also described the site plan; parking layout and the general traffic flow for the project. He noted that the contractor will likely seek a Building Permit at the end of January 2018. He described the list of the outstanding issues and explained what the PB will need to review and approve prior to issuance of the Building Permit. He noted that there was a lot of time spent reviewing the plans for dens/study areas and that the Applicant was updating them to meet the PB's requests.

### **5. Preparation for Public Meeting on January 4, 2018 on General Residence Zoning Amendments**

Mr. Clark noted that the PB will be preparing the General Residence Zoning Amendment recommendations for Town Meeting. Mr. Wheeler reviewed the proposed meeting structure and timeline for the PB. The PB discussed who to invite to the public meeting.

Tara Donner, 47 Payson Road, asked the PB a question regarding the process.

Mr. Wheeler noted that the Board would review what was approved in 2014.

**6. Updates on Potential Cases and Planning board Projects, and Committee Reports**

Mr. Clark reminded that PB that there will be a joint meeting on January 8, 2018, with the ZBA to review the Trapelo Road project and the Belmont Manor addition.

Mr. Gober noted that the HDC invited the PB to comment on the proposed 291 Brighton Street Historic District. He invited the PB to the public hearing on January 9, 2018 and asked the PB to attend this meeting and provide input.

Mr. Sanderson gave a brief update on the CPC projects.

**a. Committee Appointments**

**MOTION to nominate Mr. Clark as the representative to the Housing Trust Committee was made by Mr. Pinkerton and seconded by Ms. Donham. Motion passed.**

Mr. Clark noted that Mr. Pinkerton was appointed to the Capital Budget Committee at the last meeting.

**7. Review and Approval of Minutes**

**MOTION to approve meeting minutes for the December 5, 2017 Planning Board meeting was made by Mr. Pinkerton and seconded by Ms. Donham. Motion passed.**

**8. Adjourn 9:22 PM**