

**BELMONT WARRANT COMMITTEE MEETING MINUTES
FINAL**

2016 JUN 16 PM 2:27

**JUNE 6, 2016, 6:00 P.M.
CHENERY COMMUNITY ROOM**

Present: Chair Libenson; Members Alcock, Dash, Epstein, Fallon, Gammill, Helgen, Lisanke, McLaughlin, McVay, Mennis, Sarno, Starzec, and Selectman Baghdady.

Planning Board members and staff present: Chair Elisabeth Allison, Member Joseph DeStefano, Senior Planner Jeffrey Wheeler.

Amendment filers present: Charles Hamann (representing Robert McGaw), Anthony Ferrante, Christine Kochem.

Members absent: Schreiber, School Committee Rep. Burgess-Cox

The meeting was called to order at 6:03 pm by Chair Libenson.

Chair Libenson began by turning to the first item on the agenda.

Approval of Minutes

The minutes of 5/25/16 were unanimously approved with three abstentions.

The Public Safety subcommittee approved its minutes of March 15, 2016 unanimously. The Public Safety subcommittee also unanimously approved, with one abstention, its minutes of April 13, 2016.

Discussion of TM Warrant Article 6 and Amendments

Article 6: Relating to the Construction of Oversize Dwelling Units in the Single Residence C Zoning Districts – Substitute Motion by the Planning Board

Planning Board Chair Allison explained that the proposed Substitute Motion changes one part of the original Article 6 to improve the clarity of the language. The proposed Substitute Motion is not meant to change the intent or substance of the Article.

Member Fallon asked about the nature of voluntary demolitions. Member Epstein asked whether the Article addresses the issues that led to the Citizens' Petition approved at the April 2015 Town Meeting. Planning Board member DeStefano said that the Board is trying to allow creative design and not stop development, but instead trying to avoid disproportionate changes to existing neighborhoods.

Member Dash moved: Favorable action on the substitute Article 6, Second motion. The motion passed unanimously with one abstention.

Article 6: Amendments 4 and 5

Mr. Hamann, speaking on behalf of Mr. Bob McGaw, the sponsor of Amendments 4 and 5, described them as technical in nature. Planning Board Chair Allison voiced support for the spirit of the motions but that the Planning Board is developing a plan for orderly cleanup of the language, and that Amendment 5 proposes changes beyond the scope of the Article. She reported that Planning Board recommends unfavorable action on both amendments. Member Gammill said that these amendments do not address significant financial issues and thus the Warrant Committee would not have to weigh in. Chair Libenson said his intention is to ask the Warrant Committee to vote on all amendments to Articles that have been already voted on by the Committee.

Member Dash moved: Unfavorable action on Amendment 4. The motion passed unanimously.

Member Dash moved: Unfavorable action on Amendment 5. The motion passed unanimously.

Article 6: Amendments 7 and 8

Mr. Ferrante spoke to Amendment 7, which strikes “design” from the considerations available to the Planning Board in this Article. He said that design is too subjective for a zoning regulation, and he spoke of his experiences and those of his neighbors. Planning Board Chair Allison reported that the Planning Board recommends unfavorable action and noted that this amendment was filed on May 31, well past the public comment periods that the Planning Board had provided in recent months. Planning Board member DeStefano said that design is an essential tool for the Planning Board’s deliberations. Member Baghdady noted that design is already included in other parts of the by-law. Member McLaughlin spoke in favor of the amendment and against giving the Planning Board the discretion to decide on special permits based on what the members consider to be acceptable design. Member Dash said this amendment and discussion reveals that a more sweeping review of the Town’s zoning by-laws is overdue, but that the amendments under consideration tonight are not the proper way to do that.

Member McLaughlin moved: Favorable action on Amendment 7, Second motion. The motion was defeated, 5 yeas to 7 nays, with 2 abstentions.

Ms. Kochem spoke to Amendment 8, seeking to allow a second story addition by-right. She said that it is difficult to add a second story and stay within the upper limit of a 30% addition of living space to avoid the special permit process, and described the Article as a huge taking from owners of single story cape style houses. Planning Board Chair responded that this amendment would be an enormous change to the Article, and noted that this amendment was also filed on May 31, the final day for amendments, and after all other opportunities for the Planning Board to consider it in scheduled public hearings had

passed.

Member Epstein moved: Unfavorable action on Amendment 7, Second motion. The motion passed unanimously, with 4 abstentions.

Article 6: Amend Zoning Bylaw Demolition Delay – Amendments 2 and 6

Mr. Hamann spoke to Amendment 2, seeking to modify the restrictions on the newly placed external placement of HVAC equipment and propane tanks. Planning Board Chair Allison reported that the Planning Board recommends unfavorable action because the amendment weakens protections for the neighbors.

Ms. Kochem spoke to Amendment 6, seeking to secure one element of Amendment 2, changing the setback of the equipment from ten feet from the front of the house as proposed in the Article to five feet. Planning Board Chair Allison reported that the Planning Board recommends unfavorable action.

Member McLaughlin moved: Favorable action on Amendment 6, Second motion. The motion passed with 5 yeas, 2 nays, and 7 abstentions.

Member Lisanke moved: Favorable action on Amendment 2, Second motion. The motion was defeated with 3 yeas, 4 nays, and 7 abstentions.

Adjournment

Member McLaughlin moved to adjourn at 7:03 p.m.

Submitted by Jim Gammill
WC Secretary