

TOWN OF BELMONT
PLANNING BOARD
MEETING MINUTES
March 7, 2023

RECEIVED
TOWN CLERK
BELMONT, MA

DATE: April 19, 2023
TIME: 2:15 PM

Present: Matt Lowrie, Chair; Thayer Donham; Jeff Birenbaum; Karl Haglund, Carol Berberian; Renee Guo

Staff: Ara Yogurtian, Assistant Director, Offices of Community Development

This meeting was held remotely using Zoom video conferencing technology, as permitted by the Massachusetts Act Relative to Extending Certain State of Emergency Accommodations, which became effective July 16, 2022.

Mr. Lowrie introduced Planning Board members and reviewed a summary of the items that were on the agenda.

1. Meeting Called to Order at 7:00 PM.

2. Continued Cases:

**a) CASE No. 23-02 One Special Permit and Design and Site Plan Review
57 Burnham Street – Robert Calnan**

Applicant requests One Special Permit and a Design and Site Plan approval under sections 3.3 and 6D-2 of the By-Law to construct a to construct a single family dwelling at 57 Burnham Street Located in a General Residence (GR) zoning district.

Mr. Mena, Architect, presented a height analysis and he noted that the proposed homes will be 28 feet in height. Directly to the right, there is an apartment building which is 40.9 feet in height, other homes in the height analysis were taller than the proposed single-family homes.

Ms. Donham noted that she was okay with the proposed height as the homes on the other side of the street were quite tall.

Ms. Berberian noted that she looked at what was available on the surrounding streets to get an overall look at the TLA. She said that the proposed 2,000 square feet of living space was reasonable.

Mr. Birenbaum asked if the mature trees would stay or go. Mr. Mena noted that they would both be removed and 2 new trees would be planted. Offices of Community Development will decide on the type and size of trees that would be acceptable.

Ms. Burchard, 42 Burnham Street, asked if it would make more sense to renovate the existing home. Mr. Mena noted that the home is very old and the amount of work to bring it up to code was not cost-effective.

Mr. Benson, School Street, noted that the application on the Town's website shows the attic has a ceiling height of 8 feet. Was this to be considered as living area? Mr. Yogurtian noted that anything more than 7 feet is calculated towards the TLA. Mr. Mena noted that this will not be a finished space. Mr. Yogurtian noted that anything below the first floor is not considered TLA and he did not think it was taxable. Mr. Benson noted that he was hesitant to support the project because of the dimensional non-conformities. Mr. Lowrie said that he was satisfied with the spreadsheet that was presented by Ms. Berberian as it pertains to that part of the analysis. Mr. Benson asked to review the Zoning Compliance Checklist on page 4 as it does not meet the table on page 1. Mr. Mena noted that there were changes to the plan and the revised plans show the correct numbers.

MOTION to approve CASE No. 23-02 and Case No. 23-03 as amended and subject to the condition of an additional tree to be planted (one for each property) with the size and type to be determined by the Offices of Community Development was made by Mr. Lowrie and seconded by Ms. Donham. Motion passed.

YES votes-

Mr. Birenbaum

Ms. Berberian

Ms. Donham

Ms. Guo

Mr. Haglund

Mr. Lowrie

**b) CASE No. 23-03 – One Special Permit & Design and Site Plan Review Approval
59 Burnham Street – Robert Calnan**

Applicant requests One Special Permit and a Design and Site Plan approval under sections 3.3 and 6D-2 of the By-Law to construct a to construct a single-family dwelling at 59 Burnham Street Located in a General Residence (GR) zoning district.

There was a MOTION to approve CASE No. 23-02 and Case No. 23-03 (see above).

**c) Case No. 23-06 One Special Permit and Waiver
768 Pleasant Street – Mint retail Facilities, LLC, Jim Mensing, agent**

The applicant requests One Special Permit and One Waiver under section 5.2.2 to replace the existing standing sign.

Jim Valeriani, Mensing Group, explained that they would like to replace the Lenny's Service Center panels with Mint Cannabis' new panels. The sign structure will remain in place and only the panels will be replaced. The gasoline pricing sign will be removed. They are applying for a

waiver for the height of the sign to allow for the use of the 15' existing sign. He explained that the interior lighting was fluorescent, and the operation hours would be sundown to 8 PM.

Blake Davis, sign designer, noted that the light source will be staying fluorescent. The opacity would remain the same. Mr. Yogurtian offered to measure the foot-candle of the existing sign and he can check it again after the new panels are installed to be sure that the new sign has a similar level of brightness.

Mr. Birenbaum noted that he thinks it is best to remove the out-of-place sign and replace it with better signage.

Mr. Davis said that a replacement sign would not work as it would be in the middle of the sight triangle. It will take away from the character of the neighborhood that is existing.

Ms. Berberian agreed with Mr. Birenbaum and she would like to see a new sign.

Mr. Valeriani noted that permission was previously granted by Planning Board for this very same sign type at the Subaru dealership.

Mr. Davis shared the images of the proposed Mint Cannabis sign. He noted that a 5-foot-high ground sign would not work and the existing sign would help to maintain the competitive edge. A five-foot sign would be blocked by the parked cars on the street.

Mr. Benson, School Street, called into the meeting and noted that he is in support of using the existing Lenny's sign. There is no shoulder on the road in front of the competitor and their sign would not be blocked as it would be at the Mint Cannabis location.

Ms. Donham suggested having the existing sign relighted with LED lighting and the lumens should remain the same. She noted that they had already approved a similar existing sign at the Subaru dealership.

Ms. Guo said she would be fine with refurbishing the existing sign.

Mr. Birenbaum noted that 15' seems to be out of context and that maybe 7 or 8 feet would be better. He would like to see some level of continuity or uniformity for the future built environment. The current sign was out of place at its current size and he did not believe that a sign that was shorter would put the business at a disadvantage.

Ms. Donham noted that they are not allowed to ask them to change the wording on the sign as it could be a First Amendment problem.

Mr. Davis noted that he could reduce the word "cannabis" by 10 percent.

MOTION made by Chair Matt Lowrie to approve the waiver with conditions to reduce the word cannabis by 10 percent in the size of the letters and subject to the condition the Office of Community Development conduct tests proving that the sign was no brighter after than the sign was before and that the interior illumination be converted from fluorescent to LED, motion seconded by Thayer Donham.

YES votes-

**Ms. Guo
Ms. Donham
Mr. Lowrie**

NO votes-

**Mr. Haglund
Mr. Birenbaum**

Motion to grant a waiver passed with 3 in favor and 2 opposed votes.

4. Update on Cases, Planning Board Projects, and Committee Reports.

Mr. Birenbaum noted that the stones on the wall at the Belmont Women's Club were not varying and there was not a granite top. Mr. Haglund noted that there was to be a sample of the wall plus a site plan showing how they would get eleven spaces into the hill without making it impossible to have handicap access for the people who are getting out of those cars. Mr. Lowrie noted that the Women's Club and perhaps the Historic District should be invited in for a discussion on March 21, 2023. Mr. Birenbaum asked to have his email circulated to the Board.

5. Review and approve Planning Board meeting minutes: December 20, 2022, January 10, 2023, January 17, 2023, February 7, 2023

MOTION to approve the January 10, 2023 meeting minutes with amendments was made by Mr. Lowrie and seconded by Mr. Haglund. Motion passed.

YES votes-

**Mr. Haglund
Ms. Guo
Mr. Birenbaum
Ms. Donham
Mr. Lowrie**

MOTION to approve the December 20, 2022 meeting minutes with amendments was made by Mr. Lowrie and seconded by Ms. Berberian. Motion passed.

YES votes-

**Mr. Haglund
Ms. Guo
Ms. Berberian
Ms. Donham
Mr. Lowrie**

The meeting minutes for the February 7, 2023 meeting were tabled.

The meeting minutes for the January 17, 2023 meeting will be approved at a future date.

6. Adjourn. 9:04 PM

The Planning Board's next scheduled meeting will be held on Tuesday, March 14, 2023