

TOWN OF BELMONT
PLANNING BOARD

MEETING MINUTES

January 9, 2012

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8:35 a.m. Meeting called to order.

Attendance: Sami Baghdady, Chair; Charles Clark; Joseph DeStefano; Andres Rojas; Jeffrey Wheeler, Staff

Absent: Michael Battista, Karl Haglund

Joseph DeStefano reported that the Community Preservation Committee will meet next Wednesday to discuss the use of funds.

Charles Clark reported that the Housing Trust is searching for its next development project.

Sami Baghdady reported that the Historic District Commission decided to withdraw the proposed Demolition Delay By-law from consideration at the Special Town Meeting. The Commission made the decision because the developer who bought the Clark House threatened to demolish it if the Demolition Delay By-law was not withdrawn. Right now, the Clark House is not subject to any demolition delay; however, it would be subject to a delay if the By-law was adopted at Town Meeting. The Historic District Commission will likely propose the By-law at the Annual Town meeting.

Mr. Baghdady reported that the Developer of the Cushing Village project filed a preliminary application on December 28, 2011. Jeffrey Wheeler noted that the clock starts on the public hearing process once all the documents are submitted and the application is deemed to be complete – however, the application is lacking required information and is not complete yet. Sami Baghdady commented that the Board should start preparing for the upcoming public hearing process. He noted that the public hearings will be organized on a topic by topic basis in order to stay focused and to approach each topic efficiently and to ensure maximum productivity.

8:00 a.m. Preparation for Town Meeting - Solar Energy Systems Zoning Amendments

Sami Baghdady reported that he has received comments about whether the Solar Energy Systems By-law applied in the McLean, Uplands, and Overlay Districts. He recommended an amendment to the Solar Energy Systems By-law to clarify that Solar Energy Systems as accessory uses are allowed in the McLean, Uplands, and Overlay Districts subject to the same restrictions as proposed in the other zoning districts. A discussion ensued regarding this proposed amendment.

Andres Rojas agreed with Mr. Baghdady and added that the proposed wording of the amendment should be simple, clear, and concise. He pointed out that the more complicated the amendment was, the more confusion there would be on the floor of Town Meeting.

Jeffrey Wheeler mentioned that a public hearing on this amendment was not necessary; however, the Board should discuss and deliberate on the amendment soon in order to be able to make a recommendation on it to Town Meeting.

Mr. Baghdady urged the entire Board to be prepared to answer questions regarding the proposed Solar Energy Systems standards, and to participate in the presentation at Town Meeting. He asked Jeffrey Wheeler to prepare information regarding the Green Communities Act.

9:20 a.m. 395 Trapelo Road/Discussion on Screening of Condenser

Jeffrey Wheeler reported that the developer of 395 Trapelo Road is seeking a final Certificate of Occupancy, and that he has refused to sign it. He said that the contractor changed the HVAC system for the building and as a result there is one large condenser along the Davis Road side of the property. This change is inconsistent with the approved site plan. He asked the Board how it would like to proceed on this issue.

Andres Rojas pointed out that the developer made a change to the project without first seeking an amendment from the Board to the Design and Site Plan Approval. He argued that such conduct should not be taken lightly and must be discouraged. He added that it sets a bad precedent and isn't fair to the community. He recommended that the developer must follow the proper procedures and submit a request to modify the site plan approval decision before a permanent occupancy certificate is issued. The Board agreed with Mr. Rojas.

9:30 a.m. South Pleasant Street Draft Zoning Proposal

A discussion on the South Pleasant Street Zoning District sub-districts ensued. Andres Rojas felt that it would be less contentious to draft an overlay district for the area instead of a complete overhaul of the underlying Local Business II zoning district. He urged the Board to reconsider its decision to overhaul the Local Business II zoning district the next time that the Board discusses South Pleasant Street.

Adjournment: 9:40 am