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## MEETING MINUTES

October 3, 2007

Nov 15 1 58 PM '07

**7:04 p.m.** Meeting called to order.

Attendance: Karl Haglund, Chair; Jenny Fallon; Sami Baghdady; Carla Moynihan;  
Jay Szklut, Staff; Jeffrey Wheeler, Staff

Absent: Andres Rojas

### Committee Updates

Capital Projects Overview Committee - No update.

Belmont Center Planning Group - Sami reported that the committee continues to work on completing its report to the Selectmen.

### **7:15 p.m. PUBLIC HEARING: SITE PLAN REVIEW - 359-363 PLEASANT ST.**

Ms. Fallon read the Notice of Public Hearing.

Ms. Fallon noted that the proposed use of the site which triggered the Site Plan Review process is affected by the proposed zoning amendment dealing with drive through teller windows. However, this hearing is on this project and not on the merits of the proposed zoning amendment.

Charles Hamann attorney for the applicant then presented material relating to the Board's September 26<sup>th</sup> hearing on the zoning amendment. Mr. Hamann noted that his client had not received any notification of the hearing and had only recently been informed that the proposed project was adversely affected by the proposed zoning amendment. He requested that the Board reconsider their vote on the amendment and to delay approval of the minutes. He then proceeded to provide a history and description of the proposed project: to convert the first floor use to a bank with a drive-through teller window.

Staff clarified that they had incorrectly assumed that the project was not affected by the proposed zoning. As soon as the error was discovered, the applicant was notified. In any case, whether the applicant had been notified when the application was originally submitted or not, the project would still have been affected by the proposed zoning amendment.

Mr. Haglund also noted that the discussion on limiting bank use to that allowed by special permit only had been ongoing for some two years and had been prioritized by the announcement of a large banks intention to locate some 30 branches in the region.

Ms. Moynihan commented that the question before the Board involves the location and amount of parking and is a different question from that of the drive through teller use.

Mr. Baghdady noted that the zoning public hearing had been closed and there was insufficient time to reopen the hearing prior to Town Meeting.

In Favor of the application

Dick Cashen , attorney representing the tenant Leader Bank - Property is an excellent location for a bank. Mr. Tulli will be a model neighbor. And property values will not be devalued as a result of bank use.

Angelo Firenze, Chairman of the Board of Selectmen - Strongly supports this reuse of the property and feels that the proposed zoning amendment was incorrectly put forward as a housekeeping amendment.

Opposed to application

Avis Brennan, 19 Simmons Ave - Asphalt in area where there are now trees and grass.

Allan Lipkind, Attorney representing the Robotham's (abutters) - No drainage calculations submitted. Maple trees removed from property one year ago in violation of 1990 Planning Board decision.

John Robotham, 19 Scott Road - submitted photos of trees , parked cars in violation of existing site decision.

Suzanne Robotham, 19 Scott Road - Also concerned with storm water.

Joseph Brautigan, 3 Scott Road - Concerned with lighting.

Tara Misuchi, 5 Scott Road - Pollution and site lines

Manny Brenner, 19 Simmons Ave - Traffic and pollution

Sara Richardson, Tenant - concerned with the change in use and the parking situation.

Charles Hamann, response - Parking as shown is an allowed use. Drainage will not change

Mr. Haglund - No mention of the previous (1990) decision in the application

Ms. Moynihan - What will be the lighting hours?

Mr. Baghdady - Will the square footage of the building change?

Mr. Brautigan - parking up to rear lot line is a concern

Mary Ann Scali, Town Meeting Member - concerned with her constituents.

Mr. Cashen - There will be no dumpster. Safety issues will be addressed with police and fire departments. The setbacks are grandfathered. Mr. Tulli will be a good neighbor.

Mr. Tellier - Lighting will be addressed. Trees removed, one year ago, were diseased and will be replaced by spruce trees.

**Moved by Moynihan to continue hearing to November 14, 2007 at 7:15**  
**Seconded by Haglund**  
**Motion passed unanimously.**

**9:25 p.m. PUBLIC HEARING: CHURCH PARKING LOTS**  
**ACCESSORY BUILDINGS**

The Board moved to waive reading of the notice.

There was no discussion on either proposed amendment.

**Moved by Baghdady to recommend favorable action on expanding allowed use of church parking lots.**  
**Seconded by Moynihan**  
**Unanimous Approval**

**Moved by Baghdady to recommend favorable action on replacing garage with accessory building in Section 4.3.5**  
**Seconded by Moynihan**  
**Unanimous Approval**

**9:45 p.m. Discussion - Our Lady Of Mercy Smart Growth Overlay Zone: Design Guidelines**

**Moved by Haglund to adopt the design standards as presented.**  
**Seconded by Moynihan**  
**Unanimous Approval**

**10:05 p.m. Meeting Adjourned**

Next Meeting: Wednesday, October 17, 2007  
7:00 p.m.  
Town Hall, Room 2

*11/14/07 Approved*