

**ZONING BOARD OF APPEALS  
MEETING MINUTES  
February 1, 2016**

RECEIVED  
TOWN CLERK  
BELMONT, MA

2016 APR -5 PM 1:00

Present: Eric Smith, Chair; Nicholas Iannuzzi; Faustino Lichauco; Jim Zarkadas; Craig White; John McManus, (Associate Member) Phil Ruggerio; (Associate Member); Gang Zhao, (Associate Member).

Staff: Ara Yogurtian, Liaison to the Office of Community Development.

**7:01 p.m. Meeting called to order**

Chair Eric Smith welcomed everyone to the **February 1, 2016** meeting of the Zoning Board of Appeals, introduced all the members of the Board, and then proceeded to give a brief outline of the process. He encouraged audience participation before the committee's deliberations at the end of the meeting, as well as encouraging the submission of relevant documents and other materials necessary to support each case. Associate Members are encouraged to sit in on the cases, as they may be called in to substitute for regular members in a vote. He stated that whenever possible, the Board tries to deliberate and present a decision the same evening that the case is heard, and invited audience members to stay until the end of the Open Hearing. He also stated that the Board has reviewed all submitted materials and reminded the audience that there was no need to repeat information already given.

He also asked if anyone who had a case scheduled to be heard this evening would like a continuance to the next meeting. No body responded.

**Case 15-43, Janet Calvey- 7 Woods Road, a Special Permit**

Angela Mullen, sister of the applicant was there to represent her sister Janet. She read a statement from her sister which stated that she was a child care provider of ten years and is seeking a Special Permit to operate a child care for 10 children. The hours of operation will be 7:30 am to 5:30 pm, and there will be an assistant present.

Tim Polannou, 15 Audrey Street, had concerns about traffic and noise. He felt that a business should not operate in a residential district.

No one else spoke. The Board took the matter under advisement.

Angela Mullen, responded that most of the children lived in the neighborhood and walked there. There would not be an impact on traffic.

**Case 15-40, 20 Winter Street, Brandon and Sarah Jackson, a Special Permit**

Brendan Jackson, applicant, explained that they were seeking to expand their living space. They have letters of support from abutters and neighbors, and concerns about shadows have been alleviated by a shadow study they had done.

Ann Marie Lambert, Precinct 8 expressed concerns about the increase in the impervious area, and if the plans provided for storm drainage.

No one else spoke. The Board took the matter under advisement.

**Case 15-41, 75 Statler Road, Doohsuk Suh, One Special Permit**

Chair Smith explained that a permit could be issued if there were 3 things present: 1. No alternate parking location was available, 2. Effective use of plantings to minimize the impact, and 3. If there was adequate drainage on site.

Doohsuk Suh explained that the garage was currently being used for storage. He added that the parking area in front of the home was already partially built because he was not aware that he had to go through the process.

Richard Longmeier, 58 Statler Road, speaks in opposition to overriding the By-Laws. He wondered how they were allowed to pull a permit for this project without a Special Permit.

Ann Quinn, 53 Statler Road, and AnnMarie Lambert, Precinct 8 felt that front yard parking detracted from the beauty of the home and sets a bad precedent.

Jean Ralson, 87 Statler Road, urged the Board to approve an alternative plan.

No one else spoke. The Board took the matter under advisement.

#### **Case 15-42, 43 Oak Avenue, Glen and Judith Logan**

Phil Phayur, Precinct 6, spoke in support of the plans to construct a rear deck.

No one else spoke. The Board took the matter under advisement.

#### **Case 15-44, 334 Pleasant Street, Michael Colomba, Four Special Permits**

Nicholas Iannuzzi, Board Member, objected to hearing this case tonight as the members did not receive a complete packet of information and the Board did not have adequate time to review the information regarding the matters presented tonight.

Chair Smith agreed that deliberations will not take place tonight, but felt that they should allow the applicant to make an opening presentation, and then continue the case to the next meeting where the public could speak.

Andy Rojas, Rojas Design, stated that the applicant proposed a total makeover of his 4,700 square foot building and was building a Boutique Hotel. He reported that the traffic generated by this use would be less than what is currently generated by the convenient store located there. The dumpster would be inside.

Michael Colomba reported that he is currently building a similar hotel in Waltham. He reported that he also just sold the Crescent Street Hotel on Crescent Street in Waltham.

Nicholas Iannuzzi asked that someone who could report on the traffic generation attend the next meeting.

**Deliberations and Vote:**

**Case 15-43, Janet Calvey- 7 Woods Road, a Special Permit**

Chair Smith reported that the usual conditions apply. They are:

Conditions:

- The Special Permit is not transferrable and valid only for as long as the applicant has a current license from EEC, and is specific to the applicant only.
- Staggered drop-offs are encouraged.
- That the applicant has fire detectors in the day care.
- The hours of operation will be from 7:30 am to 5:30 pm.

**MOTION** to approve is made by Nicholas Iannuzzi and seconded by Jim Zarkadas. Motion passed, 5-0.

**Case 15-40, 20 Winter Street, Brandon and Sarah Jackson, a Special Permit**

**MOTION** to approve is made by Jim Zarkadas and seconded by Nicholas Iannuzzi. Motion passed, 5-0.

**Case 15-41, 75 Slater Road, Doohsuk Suh**

**MOTION** to deny relief is made by Craig White and seconded by Faustino Lichauco. The Board voted unanimously to deny 5-0. The application is denied.

**Case 15-42, 43 Oak Avenue, Glen and Judith Logan**

**MOTION** to approve is made by Jim Zarkadas and seconded by Nicholas Iannuzzi. Motion passed, 4-1, with the condition that an updated plot plan be submitted.

(Mr. Craig White stated for the record that he does not wish to grant relief, but concedes it is hard to deny the applicant because the Board has approved similar requests many times already.)

**Case 15-44, 334 Pleasant Street, Michael Colomba, Four Special Permits**

**MOTION** to continue to the March 7, 2016 meeting was made by Jim Zarkadas and seconded by Nick Iannuzzi. Motion passed 5-0.

**Discussion to re-open Case 15-34, 344 Pleasant Street**

(Nick Iannuzzi recused himself)

Chair Smith reported that the Town Council ruled that the Zoning Board of Appeals cannot re-open the

matter because the decision has been filed.

**Discussion regarding the request to withdraw 15-35 41R Holt Avenue**

Nick Iannuzzi felt that if the Board allowed reconsideration it would set a bad precedent.

Chair Smith felt that final decisions should stand.

**MOTION** to deny the application to withdraw is made by Nick Iannuzzi and seconded by Faustino Lichauco. Motion passed, 5-0 **the Board denied the request to withdraw the application without prejudice.**

**Discussion regarding the Board meeting process**

The Board agreed that it is an objective to have everyone heard who wishes to speak at meetings, while encouraging the speakers to be brief and not to make irrelevant, rambling comments. Producing clear motions is another objective of the Board.

One member suggested using a podium, gavel, and a sign in sheet for speakers.

The Board also felt that commercial plans should be stamped by a design professional, and that emails received at the last minute should be placed in a packet that Ara makes.

Ara Yogurtian suggested changing the submittal dates to ensure that they are received in a timely manner to allow for adequate review.

Craig White asked if case packets and plans could be submitted to the Board electronically.

**MOTION** to adjourn is made by Jim Zarkadas and seconded by Nicholas Iannuzzi. Special permit approved 5-0.

**ADJOURN: 9:00 pm**

**The next meeting of the Zoning Board of Appeals will be March 7, 2016, at 7:00 pm in the Art Gallery.**