

**TOWN OF BELMONT
PLANNING BOARD**

MEETING MINUTES

March 21, 2017

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TOWN CLERK
BELMONT, MA

2017 APR -7 PM 2:05

Present: Elisabeth Allison, Chair; Barbara Fiacco, Vice Chair; Raffi Manjikian; Joseph DeStefano; Karl Haglund

Staff: Jeffrey Wheeler, Senior Planner; Spencer Gober, Staff Planner

1. Meeting Called to Order at 7:00 PM

2. Zoning Amendment Public Hearing on Recreational Marijuana Establishment Temporary Moratorium

Ms. Fiacco read the public hearing notice.

Dr. Alper, Chair of the Board of Health (BOH), summarized the BOH's view on the issues and gave insight on the State's process. He stated that the BOH is following the lead of the State, which requested the moratorium in order to give towns more time to decide what to do. Dr. Alper added that the Town is allowed to add 2% sales tax to the sales of marijuana, but this must be voted on by the Town. He noted that the State will be granting the licenses, but the Town must decide where these establishments can be located. He concluded his comments by stating that the State regulations are expected by June 2018.

Mr. Manjikian requested that Town Counsel review the expiration date. Dr. Alper noted that Town Counsel will be present at Town Meeting to answer any legal questions that arise. Mr. Wheeler handed out a revised By-Law from Town Counsel which clarified that this moratorium applied only to recreational marijuana establishments, not medical marijuana establishments.

MOTION to close the public hearing was made by Mr. Manjikian and seconded by Mr. Haglund. The motion passed unanimously.

MOTION to recommend that Town Meeting adopt the Marijuana Establishment Moratorium subject to the clarification on the date of expiration was made by Ms. Fiacco and seconded by Mr. Clark. The motion passed unanimously.

3. Review and Vote on Amending the Sign Zoning By-Law

Mr. Wheeler handed out a copy of the revised draft By-Law and Ms. Fiacco reviewed the changes. She noted that Town Counsel recharacterized the "special permit" option as a "waiver" since it would not require a new set of additional procedures.

The PB made minor edits and discussed the appropriate use of "and/or". The PB also discussed the size of an awning according to the door and window size and concurred that the

language as drafted was appropriate. It was noted that a waiver could be granted in certain instances where the storefront has small windows. The PB requested that Mr. Gober provide Town Meeting with a picture of allowable height and placement for awning signs.

MOTION to close the public hearing was made by Mr. Clark and seconded by Ms. Fiacco. The motion passed unanimously.

MOTION to recommend that Town Meeting adopt the amendments to the Sign By-Law subject to grammatical corrections was made by Mr. Clark and seconded by Mr. Manjikian. The motion passed unanimously.

4. Review and Vote on Amending the Demolition Delay General Bylaw

Mr. Gober reviewed the Bylaw Review Committee (BRC)'s edits of the amendments to the Demolition Delay Bylaw. He stated that the BRC standardized the formatting and made some minor grammatical edits. He reviewed the revisions to the definition for "demolition" and stated that the exemptions were moved to the procedures section of the Bylaw. He also noted that the BRC expressed concerns with the 'Non-transferability Clause' and deleted the 'Severability Clause' since one was adopted that applies to the entire General Bylaws.

Mr. Wheeler and Mr. Gober then reported on a discussion with Ms. Meier, Co-Chair of the Historic District Committee Chairperson. They noted on her behalf that she would propose to the HDC deleting the 'Non-Transferability Clause' and wanted feedback from the PB on how moving a building within Town vs. outside of Town relates to the Bylaw. Mr. Wheeler added that Ms. Meier was very concerned that the edited definition was a policy issue and that the exemptions go beyond the intent of the HDC. He noted that the BRC's language has become broader and suggested further outreach to the BRC. Mr. Clark, who has served as PB liaison to the HDC echoed this concern. Ms. Allison noted that the PB was not ready to vote on the revised Bylaw language and the PB agreed to make a recommendation after the amendments are finalized.

5. Discussion on how to proceed with Waverly Square and South Pleasant Street

Ms. Allison explained that in light of the full agenda for April 6, further discussion of Waverley Square and South Pleasant Street will be taken up at the April 13 meeting.

Mr. DeStefano stated that he will be recusing himself from the discussion about Waverley Square but he will participate in the Pleasant Street discussion.

6. Updates on Potential Cases and Planning Board Projects and Committee Reports

- Mr. DeStefano noted that High School Building Committee will be hosting a community meeting on April 6.

- Mr. Manjikian stated that there was nothing to update from the Capital Budget Committee.
- Mr. Haglund stated that Community Preservation Committee declined the proposal for a bandstand in Payson Park.
- Ms. Allison stated that the Housing Trust will be holding a series of meetings on the draft Housing Production Plan.

Mr. Wheeler asked the PB if a neighborhood analysis was necessary for a dormer where bedrooms already exist on the third floor. The PB agreed to proceed with a neighborhood analysis since a dormer is an increase in density. Ms. Allison suggested that the PB look at this issue again after a few applications have been reviewed by the PB to determine whether the level of review could be reduced.

Mr. Wheeler noted that the environmental review phase for Cushing Village was complete and that the RAM plan was being implemented.

7. Continued Public Hearing:

34-36 Worcester Street - Two Dormers (GR)

MOTION to close public hearing was made by Ms. Fiacco and seconded by Mr. Clark. The motion passed unanimously.

MOTION to accept the withdrawal of the application was made by Mr. Manjikian and seconded by Mr. Clark. The motion passed unanimously.

8. Preview Agenda for the Next Meeting 04/06/17

Ms. Allison stated that the next agenda will be quite full with the Belmont Day School and NAASR applications as well as preparing for Town Meeting. Ms. Allison noted that the Moderator currently plans to take the zoning articles on the first night of Town Meeting. Mr. Wheeler noted that the Warrant briefing is scheduled for April 24, 2017.

9. Review and Approval of Minutes

MOTION to approve the March 7, 2017 meeting minutes was made by Ms. Fiacco and seconded by Mr. Manjikian. The motion passed unanimously.

MOTION to approve the notes from the public discussion on January 17, 2017 was made by Mr. Manjikian and seconded by Mr. Clark. The motion passed unanimously.

10. Adjournment 8:42 PM