

TOWN OF BELMONT  
PLANNING BOARD

MEETING MINUTES  
May 8, 2012

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BELMONT, MA.

SEP 14 2 20 PM '12

**7:05 p.m.** Meeting called to order.

Present: Sami Baghdady, Chair; Michael Battista, Charles Clark; Andres Rojas (Board of Selectmen Liaison); Jeffrey Wheeler, staff

Absent: Joseph DeStefano, Karl Haglund

**7:05 p.m. Public Hearing Continued: Cushing Village Application**

Sami Baghdady announced that the Applicant requested a continuation to May 22, 2012. Mr. Baghdady stated that Andres Rojas and he have been meeting with the Peer Review Consultant, Icon Architecture, and the Applicant and that he believes that the plans are becoming more in line with the standards of the Cushing Square Overlay District. He reiterated that once the height and density issues are resolved, the Board can address other issues, such as traffic and parking.

**Moved by Michael Battista to continue the Public Hearing to May 22, 2012, at 7:00 p.m.  
Seconded by Charles Clark  
Motion passed unanimously.**

**7:15 p.m. Committee Updates/ Approval of Minutes**

Mr. Battista reported that the Capitol Budget Committee recently met and voted on a Capitol Budget for the Annual Town Meeting.

**Moved by Michael Battista to approve the minutes of February 14, 2012. Seconded by Charles Clark.  
Motion passed unanimously.**

**Moved by Charles Clark to approve the minutes of February 28, 2012. Seconded by Michael Battista.  
Motion passed unanimously.**

**7:15 p.m. Preparation for Special Town Meeting**

Mr. Baghdady reminded the Board about the Special Town Meeting on May 14<sup>th</sup> at which time the proposed Solar Energy Systems zoning amendment will be presented to Town Meeting. He asked Mr. Wheeler to review a brief PowerPoint presentation prepared to describe the zoning amendment to Town Meeting.

Mr. Wheeler reviewed the PowerPoint presentation. He described the various standards and dimensional regulations proposed to limit Solar Energy Systems. He showed examples of good and bad installations and suggested that the by-law was drafted to encourage good installations. Mr. Battista informed the Board that drafting the by-law was driven by reasonableness and safety and public health considerations as required by State law.

**Audience Comments:**

Al Smith, 11 Poplar Street, asked if the installers of Solar Energy Systems were required to be certified and if these systems had to meet fire codes.

Mr. Battista responded that installers were certified and that solar energy systems would have to meet fire safety codes.

**7:35 p.m. Public Hearing - Citizens Petition Zoning Amendment: Central/Palfrey Square Interim Planning Overlay District – Extend Expiration Date to December 31, 2012**

Mr. Battista read the public hearing notice.

Bill Dillon, 137 White Street, the proponent of the Citizens Petition, reported that he is seeking to extend the term of the Central/Palfrey Square Interim Planning Overlay District for the benefit of the property located at 307 Trapelo Road. He disclosed that he had a financial interest in the zoning of the property as a real estate broker representing the owner, but felt that this proposal was in the best interests of the Town. He reported that they have been negotiating with a bank to lease the entire property, and leasing to the bank was the owner's first preference. The bank use is allowed by the underlying zoning, but the owner wanted to extend the term of the Overlay District in case the negotiations with the bank did not succeed. He went on to state that the intent of the Overlay District is to increase the commercial tax base and to increase commercial revenue. He presented architectural drawings for a three story "high-end" building on Trapelo Road that he expects will attract young professionals, not families, so as not to burden the school system. He argued that this development would be good for the Town. He requested that the expiration of the Overlay District be extended through the end of the year and suggested that doing this would send a message that Belmont is "pro-business."

Mr. Baghdady reminded Mr. Dillon that the Board can only make a recommendation to Town Meeting – Town Meeting is the body that can extend the expiration date.

Mr. Battista stated that he had concerns with the existing By-law. He favored a by-law with a "broader context" that addresses the whole corridor area between Cushing Square and Waverly Square.

**Audience Comments:**

1. Al Smith, 11 Poplar Street, asked Mr. Dillon if this development would compete against Cushing Village since the two projects are so close to one another. Mr. Smith raised concerns that there could be another bank in this space and that he did not want to see empty commercial spaces.

Mr. Dillon responded that both developments would be high-end and would not conflict with each other, as they will attract different shoppers and users.

2. Andrea Masciari, 51 Flett Road, stated that she did not want to see another bank in Belmont. She argued that the Town needs more residential developments.
3. Judith Sarno, 30 Waverly Terrace, asked about the restrictions on the usage of the first floor, and what were the use restrictions in the Overlay District.

Mr. Baghdady responded that there are inconsistencies in the Overlay District By-law since one section states that the ground floor will be reserved for commercial uses, but another section allows residential within the ground floor.

**Moved by Michael Battista to close the public hearing. Seconded by Charles Clark  
Motion passed unanimously.**

The Board discussed whether or not it should recommend to Town Meeting that the Overlay District expiration date be extended. While Mr. Clark felt that this was a policy issue that should be decided at Town Meeting. Mr. Baghdady agreed, but stated that the Planning Board must nevertheless make a recommendation to Town Meeting.

Regardless of whether Mr. Dillon's Article was approved by Town Meeting, Mr. Baghdady suggested that the Board would work with the developer of 307 Trapelo Road to re-draft a permanent by-law if the owner was willing to construct a mixed-use development instead of a bank.

**Moved by Michael Battista that the Planning Board recommend to Town Meeting that it not extend the expiration of the Overlay District as requested by the Citizen Petition.  
Seconded by Mr. Baghdady.  
Motion passed 2-1, with Mr. Clark voting against the motion.**

**Adjournment: 8:25 pm**

List of Documents Presented:

- Solar Energy Systems Zoning By-Law Amendment PowerPoint Presentation – May 14, 2012
- Newspaper Article from the Belmont Citizen Herald on the Potential Commercial Use of the Former Incinerator Site – May 7, 2012
- Plan Identifying Existing Conditions of the Former Incinerator Site