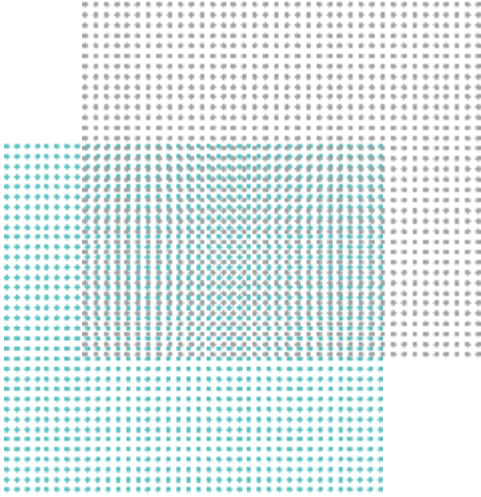




*June 1, 2023*

# Economic Development Committee – Restaurant Zoning





- The Economic Development Committee (EDC) was formed in 2020 by the Select Board following the completion of the Belmont Business Strategy. The role of the Belmont EDC is to develop, implement, and update the recommendations in the Belmont Business Strategy, in conjunction with Town staff and departments

## Survey Results

- What did business owners tell us about opening a restaurant in Belmont?
- Goal 1: To understand the challenges and opportunities faced by restaurant owners in Belmont
- Goal 2: To understand any significant trends or common themes that arise from the responses
- Outcome: Identify the most common concerns, challenges, and suggestions of business owners

## Current Key Bylaws

- What do the current bylaws in Belmont say about restaurant regulations?
- Goal 1: To give an overview of the current regulatory landscape for restaurants in Belmont
- Goal 2: To highlight any areas within the current bylaws that may be causing difficulty for restaurant owners
- Outcome: A clear understand of the existing regulations that govern restaurant operations in Belmont

## Key Considerations

- How should the current bylaws be adjusted based on the survey feedback?
- What are the potential implications of these changes on the broader community
- Goal 1: To consider changes or additions to the bylaws based on the survey results and the current regulatory context
- Outcome: A list of recommended changes to the bylaws for further discussion by VIC and the Select Board



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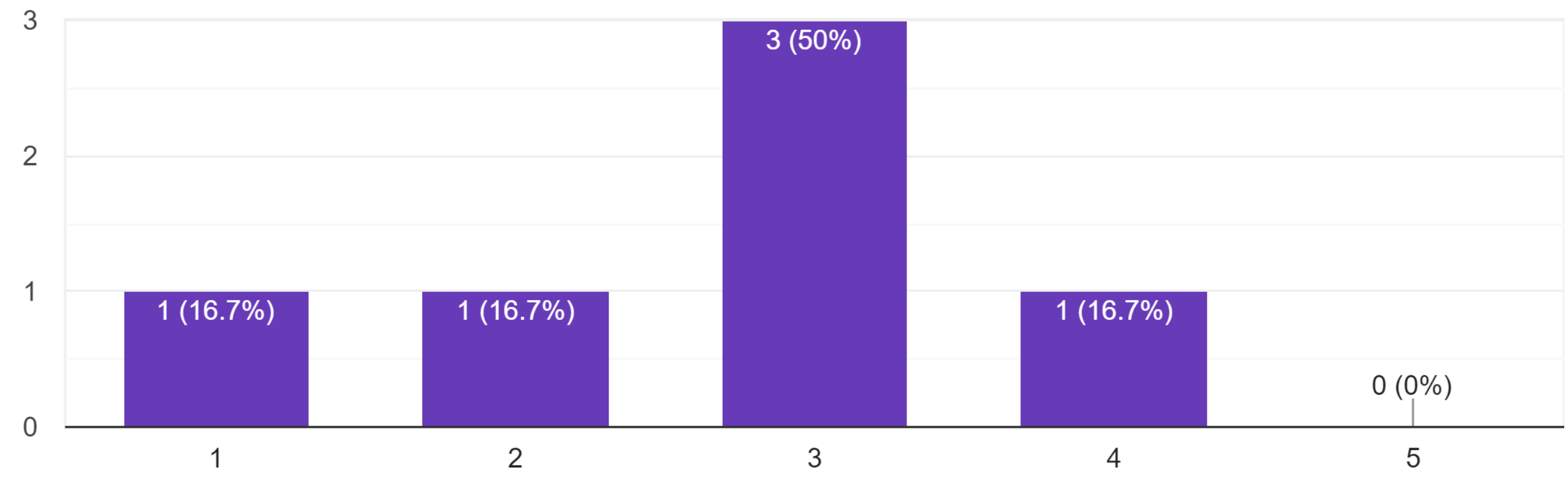


# Restaurant Survey Results

# Belmont Restaurant Survey Results – Question 1

On a scale of 1-5, how would you rate your experience with the process of opening a restaurant in Belmont?

6 responses



“The process is long and arduous. The town has a checklist to go through which helps business owners navigate through the different departments. Sometimes some processes seem outdated and unnecessary.”

“The process was unnecessarily long and complex involving far more meetings, documents and approvals than in any other town in Massachusetts.”

“Conflicting information made the victualer's and window signage permits made things more difficult than necessary”

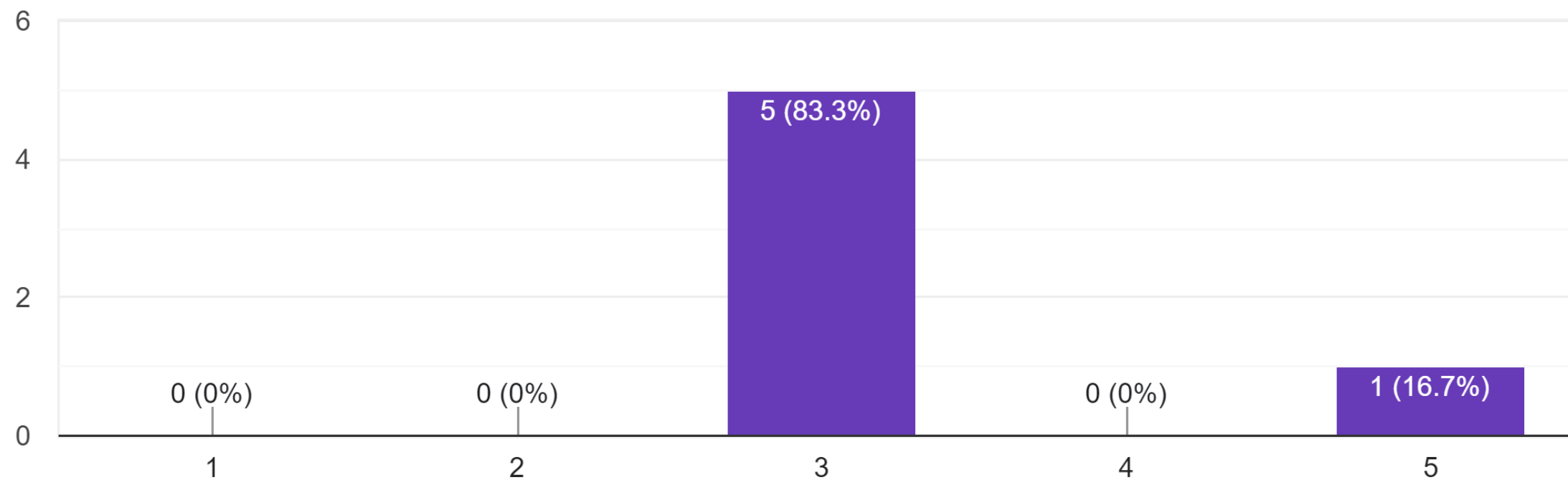
“Lacks clarity. Could have had more guidance to quicken the permitting process. I was told I missed a step in the permitting process and should have applied for the CV first prior to the liquor license..”

# Belmont Restaurant Survey Results – Question 2



On a scale of 1-5, how supportive was the town government during this process?

6 responses



“We got more support than probably most restaurant owners. But it was still a difficult process.”

“Dependent on the department in question”

“The town wants to help businesses for sure. But the amount of bureaucracy is too much.”

“I feel the desire to support is there. Just need better guidance through the process.”

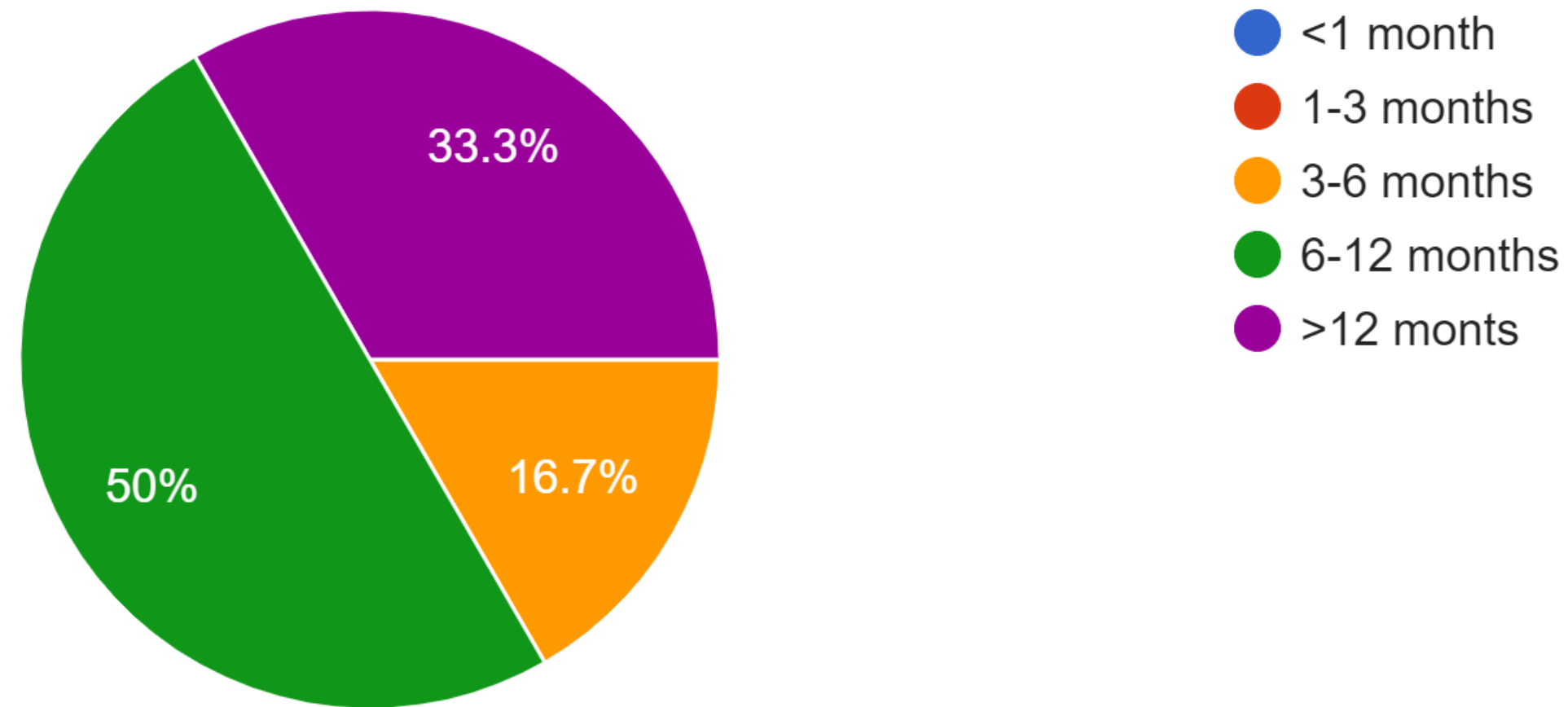
“Ambiguity on parking spaces needed per occupancy quantities lead a decision to be postponed which set the project back three months and cost 20K extra to execute. This would easily deter or sink many projects. And should be a simple fix.”

# Belmont Restaurant Survey Results – Question 3



How long did the entire process, from planning to opening your restaurant, take?

6 responses



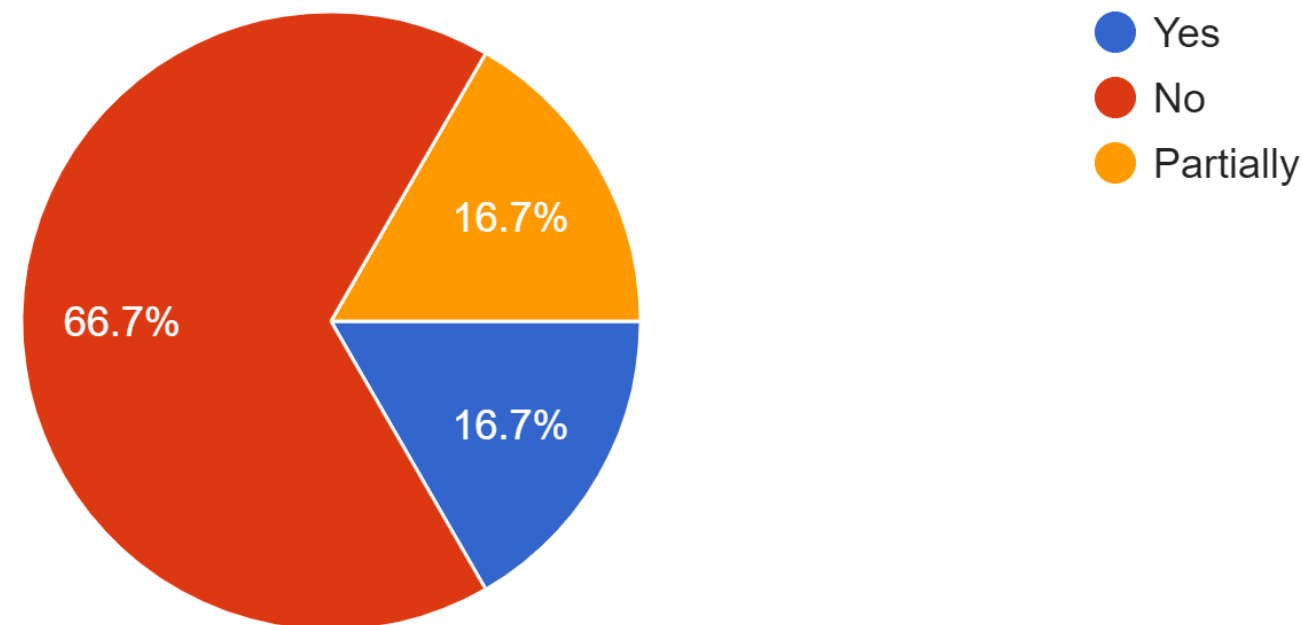


# Belmont Restaurant Survey Results – Question 4



Was Belmont's business reputation a factor in your decision to open a restaurant here?

6 responses



The location was ideal for us, but it had nothing to do with Belmont's reputation. It was only because of parking, foot traffic, demographics, etc. But if we'd known how difficult the process would be, we might have considered other towns.

"Belmont is a great town to have a business. The community deserve diverse of industries and services to meet the demand for the residents."

"Not applicable to my situation"

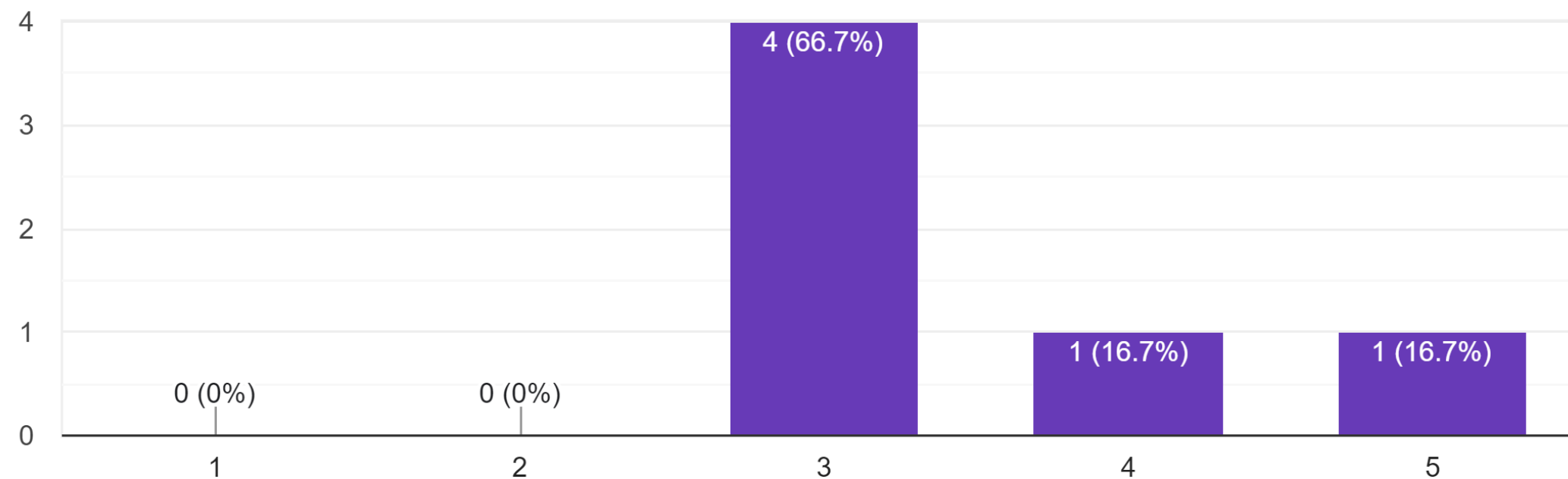
"There are some pro-business people in town who know how to move things along, that's a huge positive. At the same time there's some archaic and ambiguous laws that are huge obstacles."

# Belmont Restaurant Survey Results – Question 5



On a scale of 1-5, how would you rate your current experience as a restaurant owner or operator in Belmont?

6 responses



“Lacks cohesiveness, lack of town pride, could use more help from town to talk up local businesses. I think these few things could be motivation for locals to shop learn and think local.

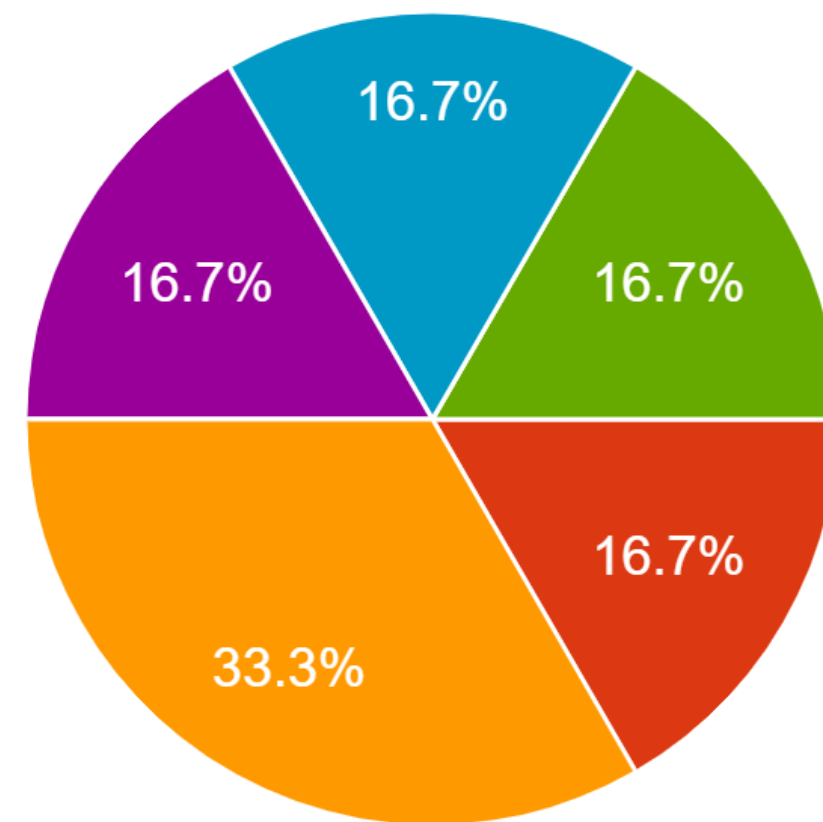
“Our cafe has mostly recovered from the pandemic. However, the number of empty store fronts in Belmont Center is affecting overall foot-traffic, and the lack of variety in stores makes Belmont Center less desirable than it could be (i.e. too many banks, bakeries and pizza parlors).



# Belmont Restaurant Survey Results – Question 6

Which of the following best describes the primary challenges you face in operating your restaurant in Belmont?

6 responses

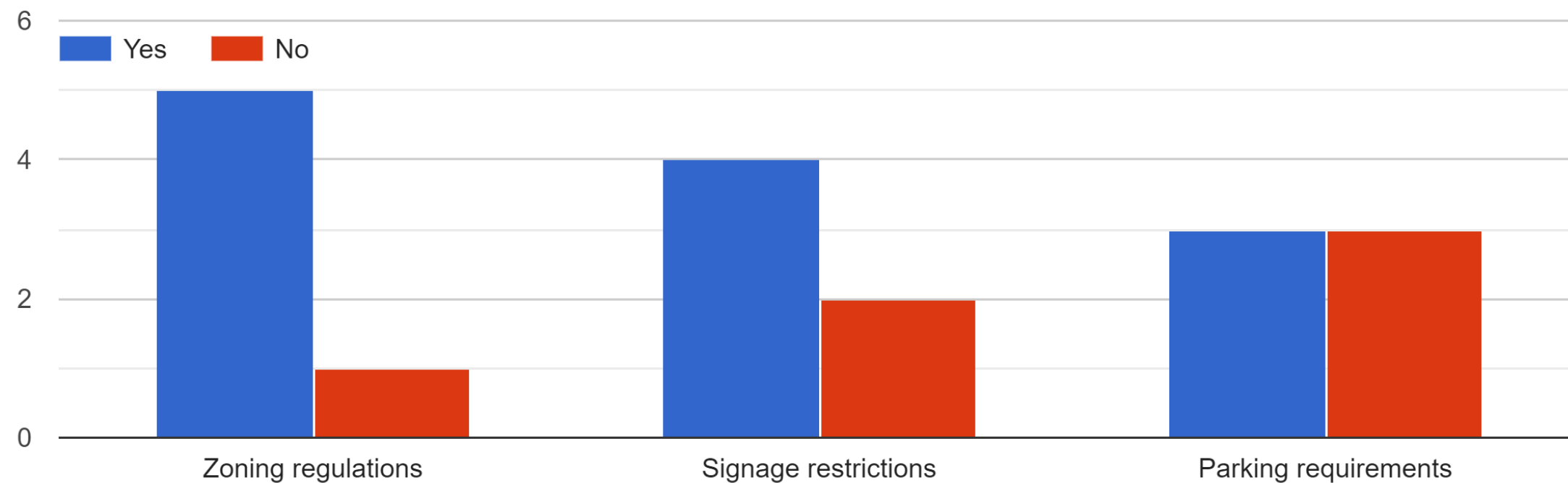


- Competition from other businesses
- Flat or declining sales
- Rising rents
- Parking
- Staffing shortages
- Zoning regulations
- Signage restrictions
- Local business areas need a face lift. Store front to signage and town pride and branding.

# Belmont Restaurant Survey Results – Question 7



Do you feel the current zoning regulations, signage restrictions, and parking requirements affect your business negatively?



“Our business is on Leonard St. According to the zoning bylaws, a fast food or quick service restaurant requires additional approval through the zoning board. Also parking is an issue for this type of business. This is an extra step in the process which seems unnecessary. Also do we need to put an ad in a town newspaper? and wait 20 days for comments? - in this day and age, a post on the town website would seem sufficient.

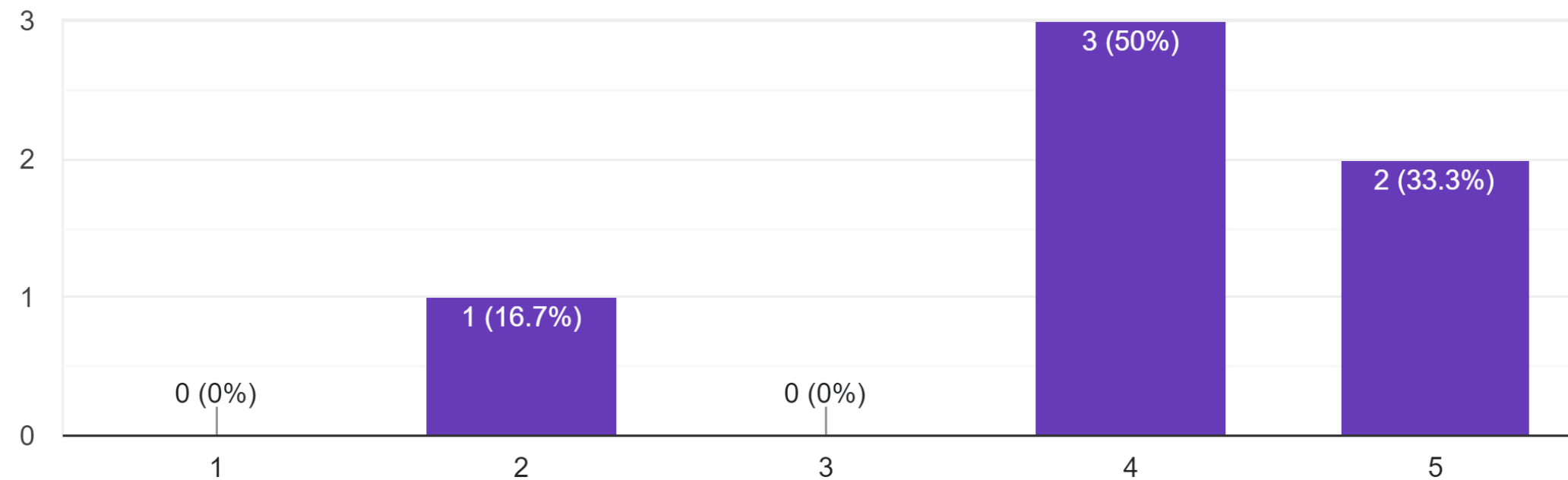
“We applied to install a “blade sign” (a sign that sticks out perpendicularly from the side of the building) and were denied. The board asked us to do a survey first of other signs in the area (size, height, etc.) and get back to them. We did not follow up because: a) that kind of research is the planning and zoning boards' responsibility, not the retailers; b) it had already taken way too long to get an appointment for the hearing; it was not worth going through the whole thing again; c) we had spent a lot of time submitting documents in the appropriate form for the board, and at the hearing it was very clear they had looked at none of them, asking questions that were clearly answered in the documents.

# Belmont Restaurant Survey Results – Question 8



On a scale of 1-5, how would you rate the adequacy of parking for your restaurant?

6 responses



“Lot behind Leonard St. is ample for parking..

“Belmont does not have a parking issue. There's ample spaces. The only issue is that many years ago when the town had very little businesses drawing not many customers into town we were all spoiled with easy parking on Leonard Street. Now we may have to walk around the block but there is in fact plenty parking. And walking is healthy. Handicap spots appear to be sufficient if one cannot walk.

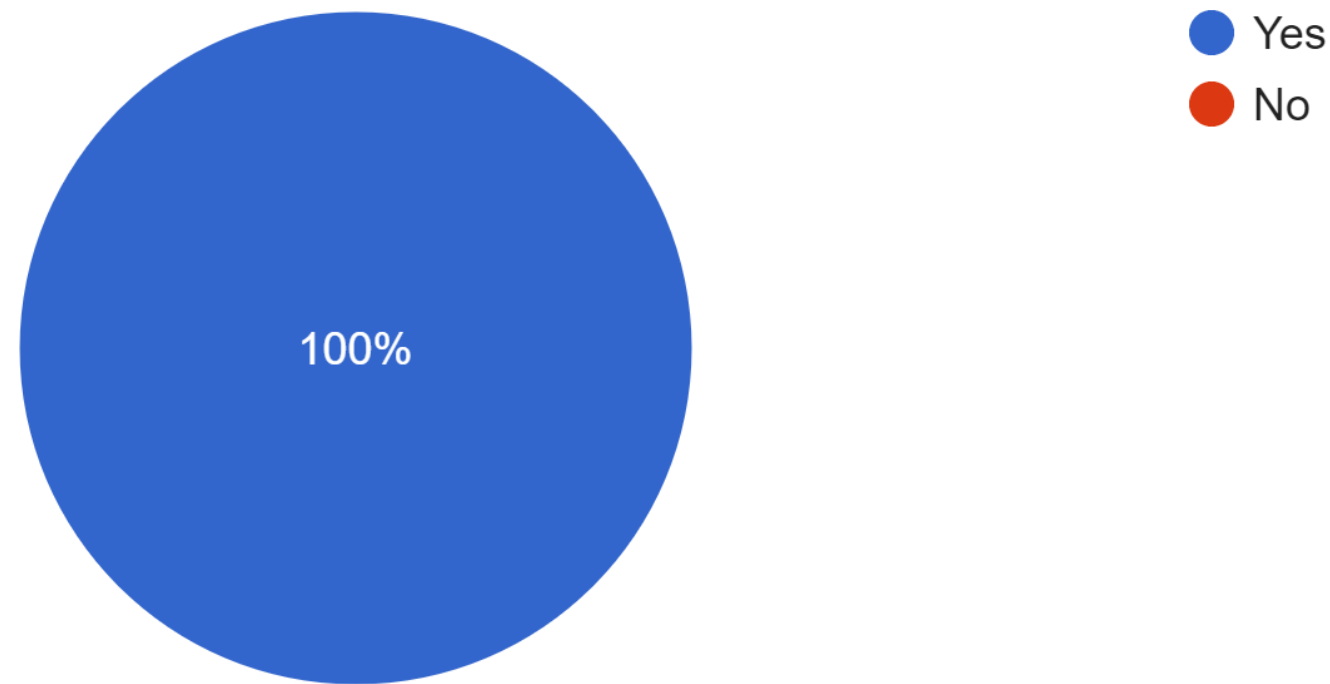
“The space and cost (for customers) are fine. The signage, however, is awful. The signs on Leonard Street directing people to the back lot are barely noticeable, and the large signs instructing which zones are safe to park are way too involved for someone to read while they're driving. Additionally, the parking ticket dispensers break down often, and having them unavailable until 8:30 am is a huge inconvenience to our employees who arrive early in the morning. They often get parking tickets simply because they were too busy to go out after 8:30 to pay for their parking.



# Belmont Restaurant Survey Results – Question 10

Would you support a change in parking regulations to benefit your restaurant?

6 responses



Different businesses pull crowds. One space is grandfathered for a certain amount of parking. Any changes needed, there is an added process that is pointless. This is suburbia and not Cambridge. There is plenty of parking everywhere!

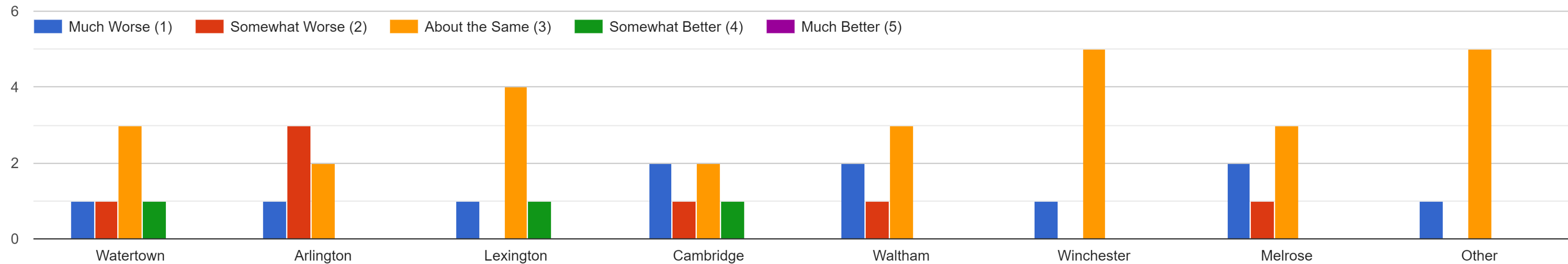
“Clarity and lower the spots needed per occupancy.

Allow free employee parking. Most of the employees are making only minimum wage, and \$5.00 a day is an unreasonable cost for them.

# Belmont Restaurant Survey Results – Question 11



Considering all aspects such as zoning, parking, signage, and town support, how would you rate Belmont compared with other towns and cities where you have operated or considered operating a restaurant?

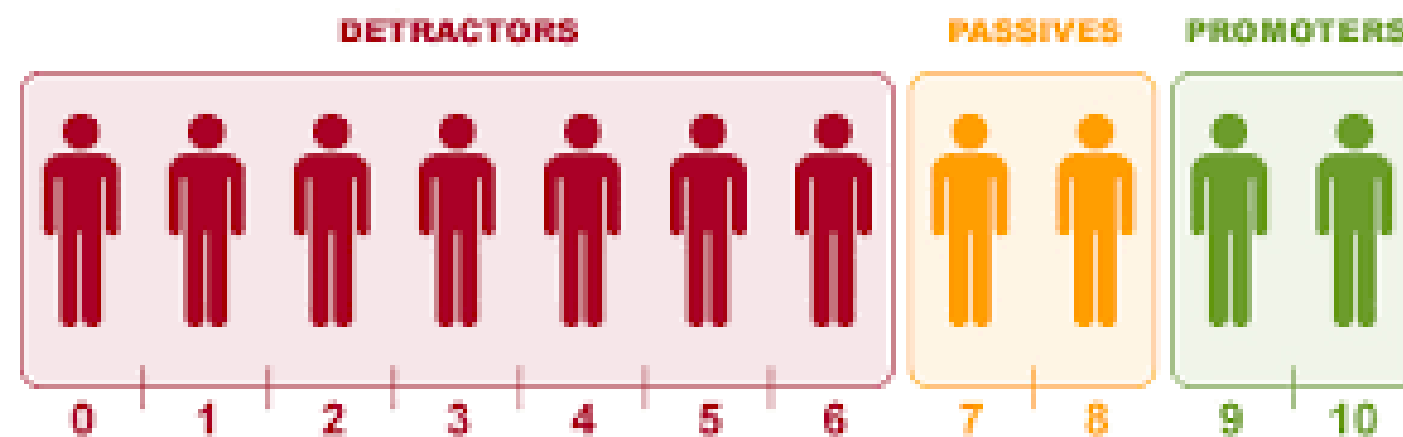
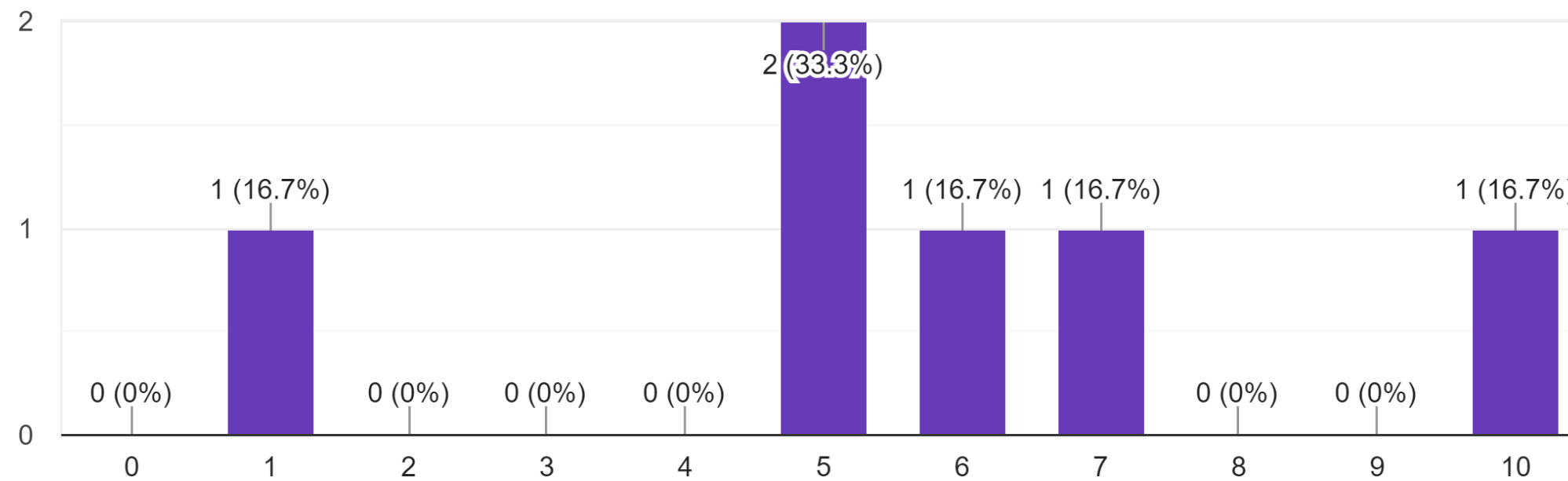


# Belmont Restaurant Survey Results – Question 12



On a scale of 0-10, how likely are you to recommend Belmont to a friend or colleague as a place to open a restaurant?

6 responses



Net Promoter Score = % Promoters - % Detractors

Promoters: 1  
Passives: 1  
Detractors: 4  
**NPS: 16.7% - 66.7% = -50%**





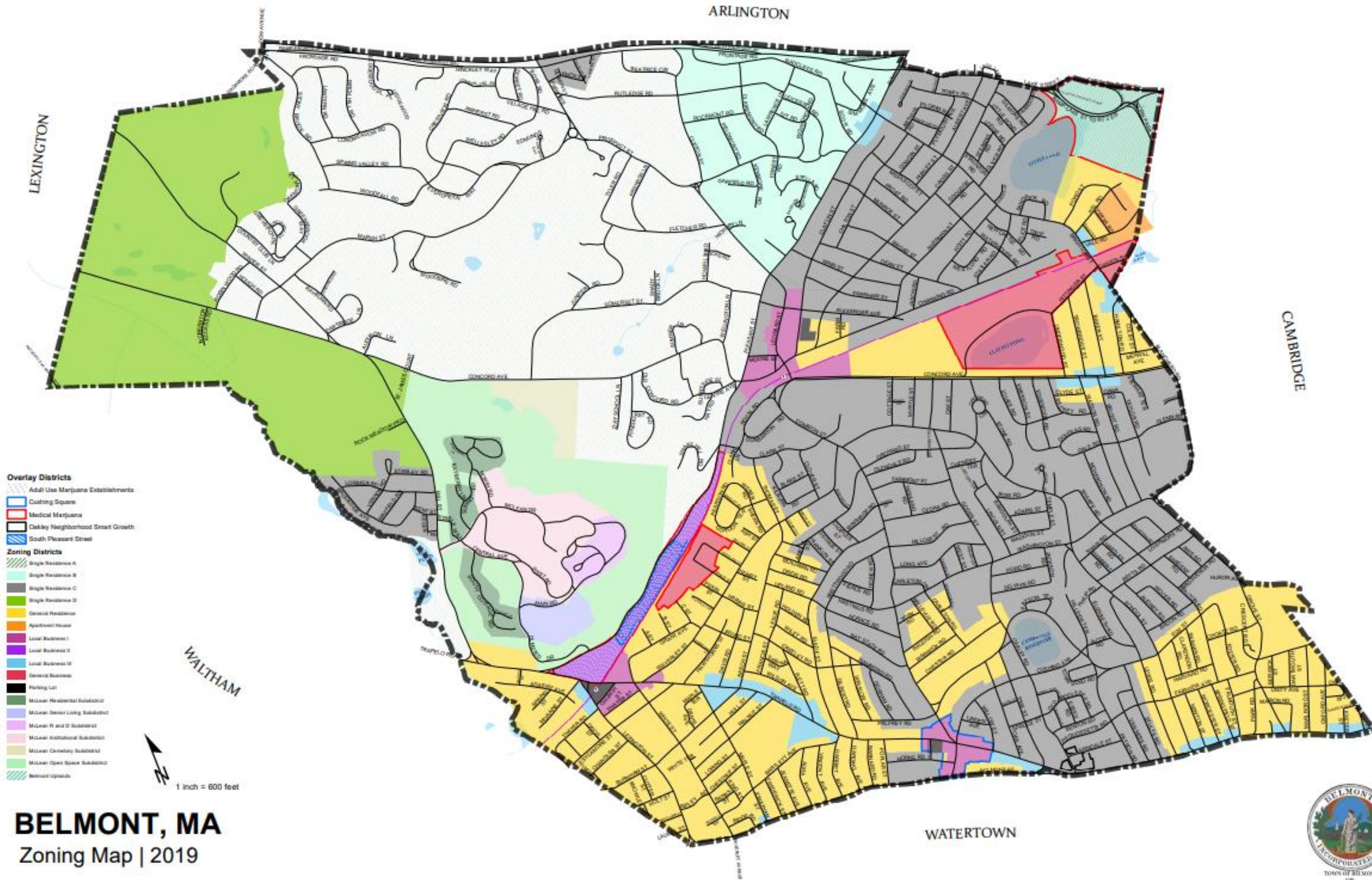
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## Current Key Bylaws



# Current Zoning Map



### Overlay Districts

- Adult Use Marijuana Establishments
- Cushing Square
- Medical Marijuana
- Oakley Neighborhood Smart Growth
- South Pleasant Street

### Zoning Districts

- Single Residence A
- Single Residence B
- Single Residence C
- Single Residence D
- General Residence
- Apartment House

- Local Business I
- Local Business II
- Local Business III
- General Business
- Parking Lot

- Overlay Districts**
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- Local Business I
- Local Business II
- Local Business III
- General Business
- Parking Lot
- McLean Residential Subdistrict
- McLean Senior Living Subdistrict
- McLean R and D Subdistrict
- McLean Institutional Subdistrict
- McLean Cemetary Subdistrict
- McLean Open Space Subdistrict
- Belmont Uplands



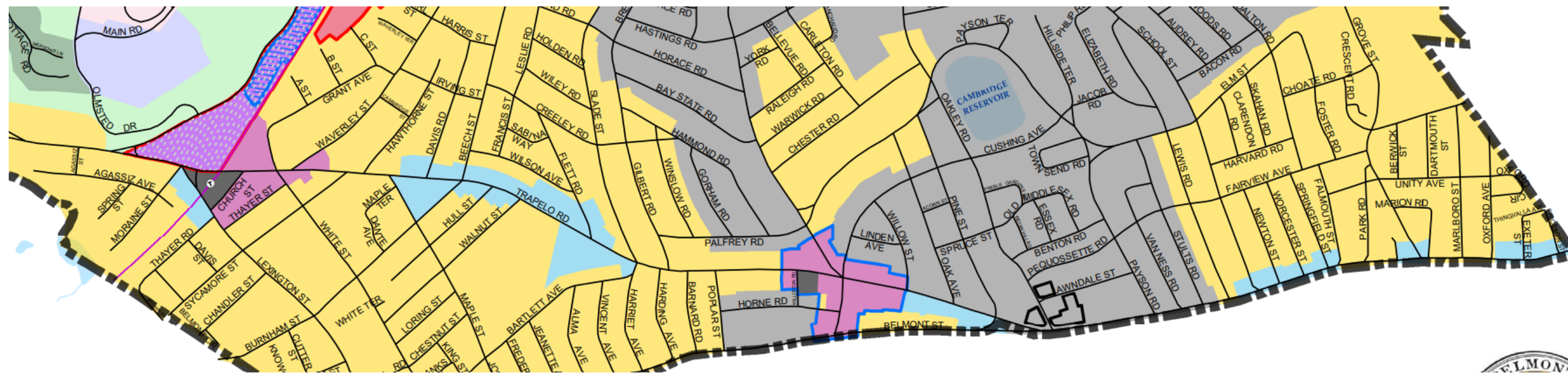
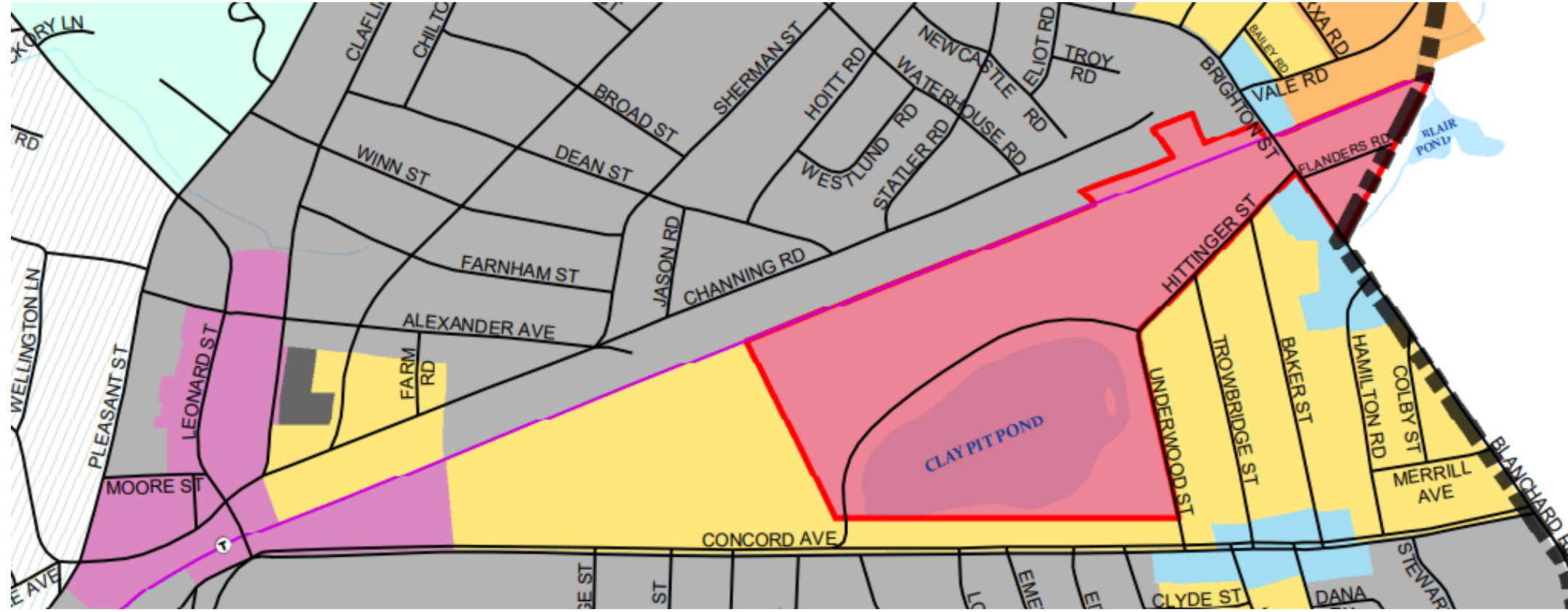
**BELMONT, MA**  
Zoning Map | 2019



# Current Zoning Map



**Belmont**  
 MASSACHUSETTS  
*The Town of Homes*



## Overlay Districts

- Adult Use Marijuana Establishments
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- South Pleasant Street

## Zoning Districts

- Single Residence A
  - Single Residence B
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  - Single Residence D
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  - Local Business III
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  - McLean Senior Living Subdistrict
  - McLean R and D Subdistrict
  - McLean Institutional Subdistrict
  - McLean Cemetary Subdistrict
  - McLean Open Space Subdistrict
  - Belmont Uplands



# What is a “Restaurant” in Belmont?



## Restaurant Definition

- An establishment at which the principal activity is the preparation, service, and sale of food for consumption on the premises

## Restaurant, Fast Food Definition

- An establish whose primary business is the sale of food for consumption on the premises which is: (a) primarily intended for immediate consumption rather than for use an an ingredient or component of meals; b) available upon a short waiting period; c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold; d) which, because of the nature of the operation sells large volume of food; but not including drive-up windows.

## Restaurant, Take Out Definition

- An establishment whose primary business is the sale of food for consumption off the premises which is a) intended for immediate consumption rather than for use as an ingredient or component of meals; b) available upon a short waiting period; c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold; d) which, because of the nature of the operation sells large volumes of food; d) commonly generates a large volume of vehicular traffic, but not including drive-up windows

## Catering Service Definition

- An establishment that prepares, serves, and supplies food in large quantities to be delivered and consumed off premises. Deliveries of food products occur on a regular basis

# Restaurant Scheduled Use Regulations



Uses	Districts							
	<i>Single Residence A, B, C, D</i>	<i>General Residence</i>	<i>Apartment House</i>	<i>Local Business I</i>	<i>Local Business II</i>	<i>Local Business III</i>	<i>General Business</i>	<i>Parking Lot</i>
<b>Catering Service – Up to 5k sqft</b>	No	No	No	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No	No
<b>Catering Service – More than 5k sqft</b>	No	No	No	SP	SP	SP	No	No
<b>Restaurant – Up to 10k sqft</b>	No	No	No	<b>Yes</b>	<b>Yes</b>	SP	SP	No
<b>Restaurant – More than 10k sqft</b>	No	No	No	SP	SP	SP	SP	No
<b>Restaurant, Fast Food</b>	No	No	No	SP	SP	SP	SP	No
<b>Restaurant, Take Out</b>	No	No	No	No	SP	SP	SP	No

# Opening a Restaurant Business in Belmont

## STEP 1 – Determine Applicable Permitting Process



### STEP 1A

Contact Building Division of Office of Community Development (OCD) to determine if your business is allowed 'by-right' or requires ZBA or Planning Board Action

IF – Business involves sale of Food, Proceed to STEP 2

IF – Business requires ZBA and/or Planning Board action and does not involve (sale of food) proceed to STEP 3

IF – Business is allowed 'by right' but does not involve the sale of food proceed to STEP 4

### STEP 1B

If your proposal requires ZBA and/or Planning Board action, make an OCD appointment to discuss the intended use of the space you would like to build, purchase, or rent

Approvals from ZBA/Planning Board requires the submission of an application and public hearing. The Assistant Director will provide you with an information package explaining the process. All information should be read carefully—you should determine at this point if you will need legal/architectural and/or engineering assistance to proceed with the project

Appointment: Planning Coordinator  
ZBA Public Hearing Availability  
Planning Board Public Hearing Availability



# Opening a Restaurant Business in Belmont

## STEP 2 – Restaurant Review Committee (RRC) Meeting



### Overview

If your business involves the sale of food, you must meet with the Restaurant Review Committee. The Restaurant Review committee is an ad hoc committee comprised of representatives from various Town Departments that are involved with permitting restaurants.

A separate document lists the information required for this meeting, including a description of your business (hour of operation, number of employees, deliveries, dumpster pick up, etc), an interior layout of the establishment (all fixed equipment and movable furniture) and a menu.

Subsequent follow-ups may be necessary depending on the complexity of the issues that come up during this meeting.

### Outcome of RRC and Next Steps

The ZBA will not take action on any application until the RRC is satisfied with your plan

Businesses that Require ZBA/Planning Board Approval – Proceed to STEP 3

Business that do NOT require ZBA or Planning Board – Proceed to STEP 4



## STEP 3 – ZBA/Planning Board Approval

If ZBA and/or Planning Board action is required, the application should be completed and returned to Community Development.

Note: Agendas can fill quickly so an application may not be considered for a few months. Check with Community Development to confirm the deadline for an application submittals and possible meeting dates

## STEP 4 – Other Applicable Permits

4A. Community Development: Building, Sign, Plumbing, Gas Permit

4B. Health Department: Additional permits/licenses for specific types of businesses may be required

4C. Light Department: Electrical Permit

4D. Fire Department: Fire Detection/Protection Permit

4E. Inspections: 1 or more required as part of the building permit process

# Opening a Restaurant Business in Belmont



## Step 6 – Select Board Licenses

## Step 7 – Certificate of Occupancy

## Step 8 – Permit and License Renewals

### Others – Fats, Oils, and Grease (FOG) rules

#### 1. Objective and Authority:

The Board of Health in Belmont adopted these regulations to mitigate the discharge of fats, oils, and grease (FOG) into the town's sanitary sewer system. These regulations are based on Massachusetts General Laws Chapter 111, Section 31, and 40 Code of Federal Regulations (CFR) 403.

#### 2. Definitions:

Several key terms are defined, such as 'Grease Interceptor' (a device for trapping grease from wastewater), 'Wastewater' (liquid waste from food establishments), 'Sewage' (waste discharged from plumbing fixtures), and 'Septage or Waste Hauler' (licensed waste transporters).

#### 3. Grease Interceptor Requirements:

All food service establishments expected to discharge FOG need to install a grease interceptor.

New or renovated facilities must install an exterior grease interceptor.

The installation, design, and sizing of these interceptors should be approved by relevant authorities.

An external grease interceptor needs to be designed by a professional engineer, and as-built drawings should be submitted to the Health Department and the Director of Community Development.

All warewashing sinks must have a properly sized and installed internal grease interceptor.

#### 4. Maintenance:

The owner(s) are responsible for regular maintenance and inspection of the grease interceptor.

Wastewater discharge to the sewer line leaving the property must not exceed 100 milligrams per liter of FOG.

Records of cleaning, disposal methods, and inspections should be maintained and made accessible for review by the Health Department and the Department of Public Works.

Waste grease should be stored in appropriate containers and removed by permitted septage haulers.

#### 5. Best Management Practices:

In addition to maintaining grease interceptors, food service establishments are expected to implement procedures such as dry cleanup, avoiding grease spills, and using less oil instead of solid grease or lard.

#### 6. Enforcement:

The Health Department can conduct unannounced inspections, issue notices of violation, and levy fines for non-compliance. They can also deny, suspend, or refuse to renew a permit to operate a food establishment for repeated non-compliance.

#### 7. Variances:

Under certain circumstances, the Board may grant a variance from the requirements of the regulation, provided an equivalent level of public health protection can be achieved without strict application of the Regulation.

#### 8. Severability and Effective Date:

The provisions of the regulation are severable, and the regulation became effective on August 1, 2012.



Limited Effectiveness of Current Outdoor Grease Traps	Why Hydromechanical Interceptors	Potential Impact to Belmont
<p>Belmont's current regulations rely heavily on outdoor grease interceptors. While these devices can be effective, they have certain limitations. For one, outdoor interceptors are often sized based on the building's plumbing system rather than the volume of grease a restaurant produces, which can lead to under or over-sizing. Under-sized traps may not adequately prevent grease from entering the sewer system, while over-sized traps are unnecessarily costly and space-consuming.</p> <p>Moreover, outdoor grease traps require regular maintenance and cleaning to remain effective, but their out-of-sight location can lead to neglect. Finally, in colder climates, outdoor grease traps can freeze, impairing their effectiveness and potentially leading to costly repairs.</p>	<p>Hydromechanical grease interceptors (HGI) offer a modern solution to these issues. They are installed indoors, making them easier to monitor, maintain, and protect from weather conditions. But the primary advantage of HGIs is that they can be sized based on the actual volume of grease a restaurant produces, resulting in more effective grease management.</p> <p>This is achieved by using a combination of flow rate and grease production sizing. The flow rate is determined by the type and volume of fixtures connected to the interceptor, while the grease production sizing is calculated based on the restaurant's menu and number of meals served per day. This data-driven approach ensures that the grease interceptor is neither under nor over-sized, optimizing both effectiveness and cost.</p>	<p>Belmont's current regulations could be enhanced by incorporating these modern approaches to grease management. Adopting the use of HGIs and calculating their size based on flow rate and grease production would result in more effective, efficient, and restaurant-specific grease management.</p> <p>This approach would reduce the risk of grease-related sewer blockages, which are costly to remedy and pose significant environmental risks. At the same time, it would ensure that restaurants are not burdened with unnecessarily large and costly grease management systems.</p>

# Key Questions and Reform Areas

Zoning Consolidation	Restaurant Definitions and Permitting	Grease Interceptors	Others
<p>Consolidating the LB I, II, and III plus General Business zones into one unified zone could simplify the zoning process for restaurants. The primary advantage would be clarity and predictability, as restaurants would know exactly what rules apply to them, irrespective of their location. The impact on restaurants could vary - some may enjoy relaxed rules, while others may face stricter ones, depending on the details of the new unified zoning.</p> <p>A risk of this approach is that it may not account for the unique characteristics of each current zone. For instance, there may be sound reasons for having different rules in different zones, like preserving the character of a neighborhood or managing traffic</p>	<p>Simplifying the definitions of restaurants could make the rules clearer and easier to navigate. For instance, a restaurant could be defined simply as any establishment that prepares and sells food, without regard to the specific type of food, how it's served, or whether there's seating.</p> <p>This would broaden the range of businesses that could open "by right" (i.e., without a Special Permit). Potential examples might include allowing take-out restaurants or coffee shops in zones where they are currently not permitted, or removing requirements for Special Permits for restaurants that want to offer outdoor seating or sell alcohol</p>	<p>Adopting rules for hydromechanical grease interceptors based on size, flow rate, and grease production sizing would likely make grease management more effective and efficient for restaurants.</p> <p>This approach is data-driven and specific to each restaurant, which would help ensure that the rules are both fair and effective.</p>	<p><b>Parking and Sign Requirements:</b> These often pose a major challenge for restaurants, especially in urban areas. Consider whether current parking and sign requirements are necessary and appropriate for all types of restaurants in all zones.</p> <p><b>Alcohol Sales:</b> These can be a major source of revenue for restaurants. Consider whether current restrictions on alcohol sales are necessary and appropriate.</p> <p><b>Outdoor Seating:</b> Especially in the wake of the COVID-19 pandemic, outdoor seating has become increasingly important for restaurants. Consider whether rules around outdoor seating should be relaxed.</p>

Name	Description
<b>Online Submission and Tracking</b>	Allow for online submission of applications and necessary documents. This would save applicants from having to physically submit these, saving time. Furthermore, an online system can also allow applicants to track the status of their application, giving them greater visibility into the process.
<b>Pre-Application Consultations</b>	Offering consultations prior to application submission can help businesses understand the requirements and potential obstacles before they invest significant time and resources. This could potentially reduce the number of rejections or revisions necessary, speeding up the overall process
<b>Consolidation of Permits</b>	If feasible, consider combining multiple permits into one application process to reduce the administrative burden for businesses. This would mean that businesses would only need to go through one process instead of applying for multiple permits separately
<b>Clear Guidelines and Checklists</b>	Provide clear, concise, and easily understandable guidelines along with checklists for application. This can reduce errors in application submissions and increase the chances of first-time approval, thereby reducing processing time
<b>Dedicated Support Staff</b>	A dedicated staff member or team responsible for guiding applicants through the process can drastically improve efficiency. This role could entail answering questions, assisting with applications, and providing updates on application statuses.
<b>Time-bound Process</b>	Instituting maximum time limits for each stage of the review process can hasten approvals. Make sure these limits are reasonable and take into account the necessary review and inspection periods
<b>Interdepartmental Coordination</b>	Often, different permits require approval from different departments. By improving interdepartmental coordination, businesses can receive feedback from all relevant parties simultaneously, reducing the time it takes to review and approve applications. Remember, the key to successfully streamlining any process is to maintain a balance between efficiency and thoroughness. While speed is important, ensuring all health, safety, and zoning considerations are adequately addressed is paramount.
<b>Others?</b>	



LEONARD ST., BELMONT, MASSACHUSETTS

**BELMONT BUSINESS CENTER  
1930'S**

Source: Belmont Historical Society

