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February 23, 2024

Town of Belmont Zoning Board of Appeals
Attn: Casey Williams, Chair
c/o Ara Yogurtian, Inspector of Buildings
Homer Municipal Building, 2nd Floor
19 Moore Street
Belmont 02478

Re: Belmont Zoning Board of Appeals Case No.: 21-01
Comprehensive Permit Application: 91 Beatrice Circle
Applicant: 91 Beatrice Circle, LLC

Dear Chair Williams and Members of the Board:

I am legal counsel to the Applicant with respect to the above-referenced matter, and I write to provide formal submission of amended plans as referenced below for the proposed Chapter 40B development ("Project") at 91 Beatrice Circle ("Property"). Enclosed for submission are the following:

- Chart comparing the prior Project dimensions and particulars to the revised Project details, prepared by this office.
- Amended architecture drawings dated February 9, 2024, prepared by Embarc Architects.
- Site setback diagram dated February 9, 2024, prepared by Embarc Architects.
- Amended civil engineering plan set dated November 4, 2020 (revised through February 9, 2024), prepared by DeCelle Burke Sala & Associates.
- Memorandum dated February 6, 2024 from DeCelle Burke Sala & Associates addressing civil engineering changes and modified stormwater

management systems shown on the amended civil plan set (full stormwater report submitted electronically only).

- Amended landscaping drawings dated February 9, 2024, prepared by Verdant Landscape Architecture.

By way of background for this submission, the Applicant filed an application for a Comprehensive Permit for the Project pursuant to M.G.L. c. 40B, §§ 20-23 and its implementing regulations, 760 CMR 56, on November 20, 2020. By Decision dated October 13, 2021, the Board issued a Comprehensive Permit conditionally approving the Project. After discussions between my office and the Board's legal counsel, the Applicant has commissioned the enclosed revised Project plans for review by the Board in an effort to allow for the Project to proceed on mutually agreeable terms.

The enclosed documents contain a number of plan revisions aimed at addressing concerns expressed by Board members and neighbors, mitigating project impacts on residential abutters to this project, and bringing the Project into substantial compliance with the dimensional requirements of the Board's Decision. Most significantly, the Applicant has proposed to reduce the footprint of the proposed Project buildings, increase the amount of open space on the Project site, reduce the Project's bedroom count by 10%, and move the Project buildings closer to the Property's front lot line, as contemplated by Condition 35 of the Board's Decision.¹ Moving the buildings forward increases the Project's rear yard setback – bringing it into substantial compliance with the Board's Decision. The Applicant has also designated an additional parking space to be “land banked”, allowing this area to be preserved as open space unless/until parking demand requires this space to be constructed. The Project will also include EV-charging stations and bicycle parking. The enclosed materials include fully revised engineering plans and architecture plans, which include elevations of the revised buildings from all four sides and conceptual renderings.

Additional modifications have also been proposed with respect to landscaping and screening. As before, extensive landscaping and screening is proposed throughout the site and along the Property lines. Existing trees will be preserved to the maximum extent possible, and a tree protection program designed by the Project's landscape architect will be implemented during construction of the Project. As requested by neighbors to the Project site in a July 28, 2021 letter from their attorney to the Board, the landscape buffer at the rear of the site will include fast-growing Green Giant Arborvitae, which, once established, can grow several feet per year. The initial planting height of these trees will be 10'-12'. As also requested by the neighbors, the landscaping plan shows a 6' solid cedar fence along the entire rear property line, and a 42" solid fence installed on the retaining wall in front of the proposed surface parking area to block light impacts from vehicle headlights.

¹ As the Board may recall, the Property fronts on a disused section of the Town's Beatrice Circle public right of way, which has gone unused since the 1960s when Frontage Road a/k/a Hinkley Way was laid out. This area of unused land provides a natural setback/buffer to Frontage Road.

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With respect to site exterior lighting, the lighting program has been designed with an eye to providing sufficient light for site safety on the Project walkways, driveway, and parking area – and no more. To that end, most exterior lighting will consist of building-mounted sconce lights and wall-mounted recessed lights, with low-mounted pole lighting for safety limited to the site driveway and parking area. All site lighting will be Dark Sky compliant and designed with cutoffs to direct light downwards and into the site in order to minimize light overspill beyond the Property lines. A complete photometric study is included with the landscaping materials.

As before, the Project includes pedestrian sidewalks connecting to public sidewalks on Frontage Road. The Applicant has also proposed to replace the existing Frontage Road pedestrian crossing (which provides access to the pedestrian walkway over Route 2) and install a rapid flashing beacon to alert motorists of pedestrian crossings to improve safety for pedestrians. This work will also include replacement of existing sidewalks as may be required to make them ADA-compliant.

Finally, the enclosed submissions also include a revised stormwater management report. The system has been designed to comply with Massachusetts Stormwater Management Standards and the recommendations of the Board's peer review consultant. Minor modifications to the system have been made based on the new layout of the site, but the fundamental components of the system and how it functions have not changed.

We believe these changes represent substantial improvements to the Project and will mitigate the Project impacts about which neighbors have expressed concerns to date. We look forward to presenting these changes to the Board and the public at your March 4, 2024 meeting.

Thank you.

Respectfully,

REGNANTE STERIO LLP

By: /s/ Jesse D. Schomer, Esq.
JESSE D. SCHOMER

Encls.

cc: Anderson & Krieger, LLP (Town Counsel)