

## Belmont Planning Board

## Memorandum Regarding

**91 Beatrice Circle:** Chapter 40B Comprehensive Permit Application

The Belmont Zoning Board of Appeals (“ZBA”) asked the Belmont Planning Board (“PB”) to review the Chapter 40B Comprehensive Permit Application (the “Application” or “Project”) for 91 Beatrice Circle (the “Location”). The PB is not an adjudicatory body in this setting, and is only offering thoughts and opinions at the request of the ZBA.

As a preliminary matter, the PB favors adding affordable housing to Belmont and welcomes working to achieve that goal – as can be seen with the recent Bylaw amendment to make such a development work at the McLean Hospital property. The Bylaw amendment was unanimously endorsed by the PB, and was just five votes short of unanimous approval at Town Meeting. Unfortunately, for the reasons explained below, the PB cannot conceive of a way to make the 91 Beatrice Circle Project fit into the Location’s neighborhood, even remotely, short of submission of a new proposal.

The PB reviewed the Application, heard from the applicant’s architect, and discussed the Application at meetings on April 8 (including hearing from the ZBA’s peer review architect), April 20 and May 4. The Project also was briefly discussed at an earlier PB meeting, where the PB decided not to provide feedback to the Select Board during the Application’s initial stages.

As the PB is not a decision-maker here, the PB did not take input from the public at its meetings, instead encouraging the public to provide input to the ZBA. The PB also did not provide the developer a chance to address PB concerns. To the extent the ZBA shares those concerns, addressing them at the ZBA is more appropriate.

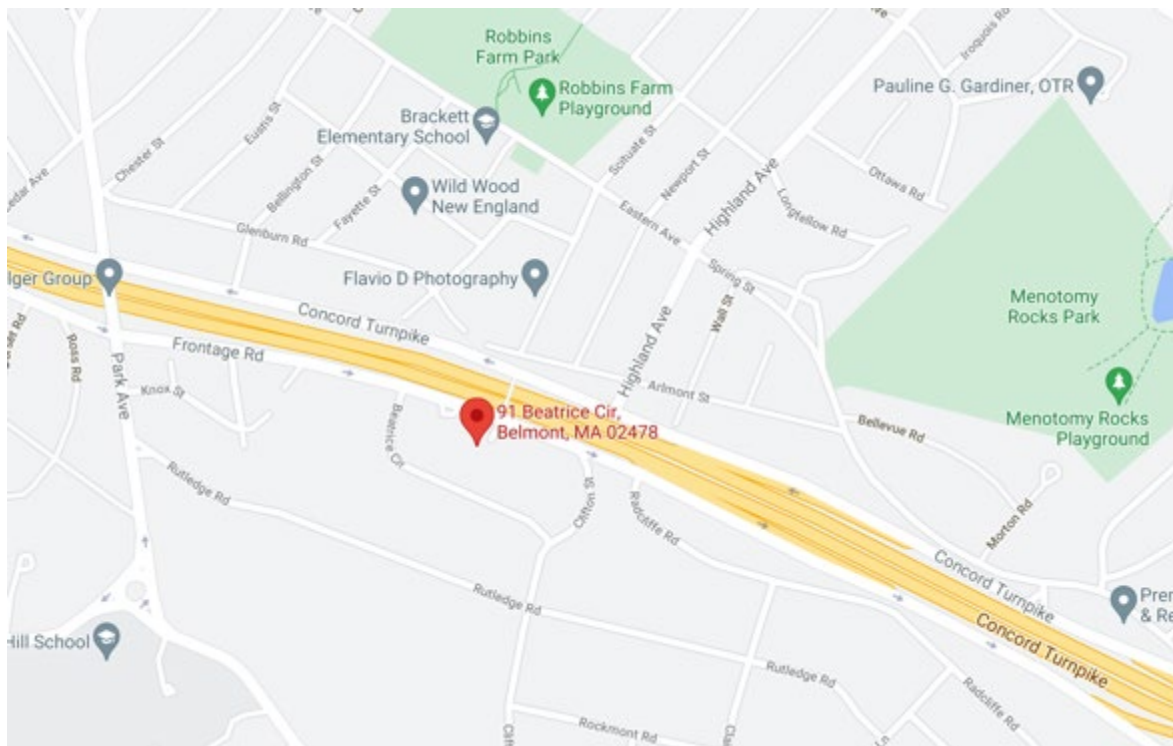
This Memorandum has been adopted by the PB by vote of four PB members (Chair Pinkerton, Ms. Guo,<sup>1</sup> Mr. Haglund and Mr. Lowrie) with one abstention (Ms. Dunham).

## I. BACKGROUND

### A. The Neighborhood

#### 1. Beatrice Circle and the Frontage Road

Beatrice Circle is an almost circular road, one side of which is a frontage road for Route 2/the Concord Turnpike:



The frontage road runs from the Winter street Route 2 highway ramps, past another set of access ramps and on to the Pleasant Street ones, bearing the names Pilgrim Road, Hinckley Way, Beatrice Circle and Frontage Road, at various points along its largely linear length.<sup>2</sup> The

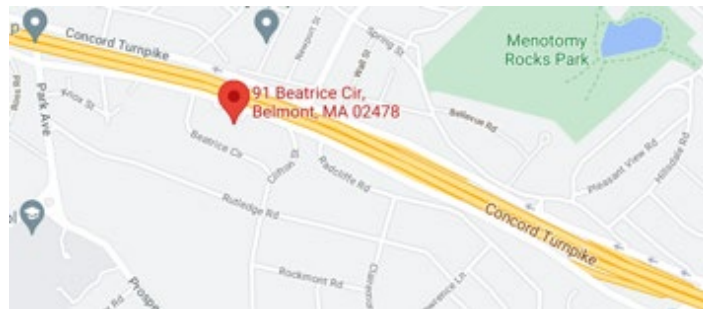
<sup>1</sup> Mr. Starzec recused himself and Ms. Guo participated in her roll as alternate.

<sup>2</sup> The Application labels the road in front of the lot as Hinckley Way, although a Belmontonian article describes passage of a request (by the Mormon Temple) to change “Frontage Road” to

access road from Winter to Pleasant Streets will be referred to as the Highway Access Road.

The Highway Access Road is crossed by Park Avenue, which bridges Route 2 to provide access to Route 2 from Arlington.

The part of the Highway Access Road from Park Avenue to the Pleasant Street ramp will be referred to as Frontage Road, including at 91 Beatrice Circle:



The Frontage Road is one-way, two lanes wide, with a walkway but no buffer:



The current driveway to the Location can be seen on the right. A pedestrian footpath to

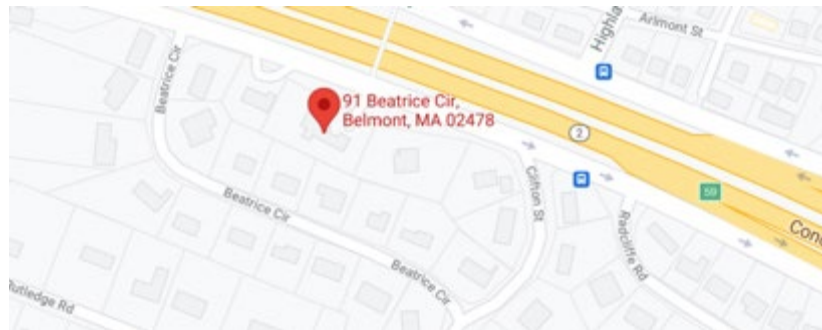
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“Hinckley Way,” up to Park Avenue. Google Maps calls part of Park to Pleasant “Beatrice Circle,” with the rest being “Frontage Road” (with Hinckley Way passing the Temple). The street signs and the Location’s address say “Beatrice Circle.” The labels do not matter here, other than creating a need for clarity which these definitions are intended to provide.

Arlington is on the left. There is a bus stop at the street lamp.

Along the entire Highway Access Road, from Winter Street to Pleasant Street, there is a total of 3 properties that do not have direct access to residential roads, i.e. are landlocked to the Highway Access Road. These three are the Location and its two immediate neighbors.

Below is that portion of the Highway Access Road:



The PB believes that no parking is permitted on Frontage Road.

The speed limit on Frontage road is not immediately apparent. At the beginning of the Highway Access Road, the speed limit is posted at 40mph, as is the frontage road on the other side of Route 2.

Along Frontage Road, it is unposted.

Since the default on a divided highway is 50mph (which is why it is posted on



Hinckley), the speed limit may be 50mph, though it probably should be posted at 40.

There are grounds to believe that the three driveways onto the Frontage Road, all on Beatrice Circle, were originally built on a residential road. When the Highway Access Road (and Route 2 expansion) was built (circa 1970), part of Beatrice Circle became highway frontage.

While this PB does not speak for its predecessors, it is doubtful a PB would approve construction of the existing residences but on highway frontage with no residential road access.

## 2. Dwellings in the Neighborhood

As a preliminary matter, the Applicant submitted examples of comparable architecture. The PB does not believe that these are helpful, as none are comparable to anything that could reasonably be regarded as being in the neighborhood of 91 Beatrice Circle.

The PB did not undertake a formal neighborhood determination, as would be done for a PB special permit or design site plan review. Beatrice Circle itself, however, should serve this purpose as any reasonable expansion is unlikely to change the analysis.

The neighborhood includes small 1 or 1½ story houses often with sunken garages:



The neighborhood also includes larger 2-story brick or clapboard colonial style houses which (for larger dwellings) have a hip roof, and gable roof for smaller colonial style houses:



At least from the street, no houses appear to extend more than 2 stories above grade.



There are a couple houses that do not quite meet the description above (including the one immediately to the East of the Location), but they are consistent in size and massing.

In terms of height, the PB recommends a survey of houses in the neighborhood. In general and on inspection from the street, the medium and large homes are two stories with a peak height of about 30 feet and a height (midpoint of gable or hip) of about 26 feet. The smaller single or 1½ story homes appear to be about 20 feet and 16 feet, respectively.

In terms of the view from Route 2 and the Frontage Road, the houses are all well-screened, including 91 Beatrice Circle, with the sight line coming predominantly from just the driveway on Frontage Road. Otherwise, the house's full height is blocked by landscaping.

## **B. The Project**

The PB recognizes that the ZBA is much more familiar with the the Project, so this Memorandum contains only a basic summary for context.

The Project has four identical three-bedroom, two-story stand-alone houses in a row:



The houses have a peak height of 24' 9½" and a height (midpoint of a gabled roof) of approximately 22' 3". The footprint of the two-story houses appears to be about 25-30% smaller than the footprint of *single* story houses in the neighborhood.

These four houses face eight four-bedroom four story townhouses:



The Townhouses have a peak height of 42', and based on that, a height of about 39'6" to 40'.

The Project removes the existing 4 bedroom house and adds 44 new bedrooms.

Presumably, one of the single residences and two of the townhouses will be affordable.

## **II. COMMENTARY ON FIT AND CONCERNS**

The PB identified a number of concerns from mission-critical to important and addressable. They are discussed below.

### **A. Site Access/Accessibility and Safety**

The Application does not adequately address that this Location is landlocked to the Highway Access Road, with a sidewalk having no buffer. This feature raises unique concerns. For the reasons explained below, the PB believes further study and modification (if feasible) to the Frontage Road would be required for the Project to be successfully and safely implemented.

#### **1. Access onto the site**

Without more, the PB draws no comfort from the developer's statement that no accidents have occurred in the last 3 years on the Frontage Road, between Beatrice and Clifton.<sup>3</sup> The Project would dramatically change use of the Frontage Road:

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<sup>3</sup> The ZBA may wish to clarify that this includes accidents at, as well as between, intersections and might look for data for the full Highway Access Road rather than this small piece.

- After the Project, the Highway Access Road will go from serving as driveway frontage for 3 single story, single-family residences with sizable yards to 14, with much larger residences having no meaningful yard. Given the size (4 three-bedroom and 8 four-bedroom units) and nature (luxury) of the proposed units, the volume of traffic *from driveways* onto the Frontage Road will go up dramatically and disproportionately.
- The volume of foot traffic *including grade and middle schoolers on a sidewalk with no buffer from 40+ mph (see below) traffic* and unaccompanied minors on foot or bike crossing the road to get to the footbridge will also go up dramatically (see subsection 2).
- The lack of sufficient on-site parking may increase (legal or illegal) parking on the Frontage Road, changing driving conditions. The three landlocked properties appear to have plenty of garage and driveway parking for their current use, including room for 4+ cars. The Project allocates 1.67 spaces per unit. (See subsection 3.)
- The report does not address who lived in the three current Frontage Road landlocked lots – one couple? small or large families? Teenage drivers? This makes a vast difference when looking at past accidents as a predictor for the Project which converts a driveway serving 4 bedrooms into one serving 44.

A lack of accidents from 2017 to 2019 on one small piece of the Frontage Road does not seem predictive of, or even relevant to, safety issues for this Project.

The PB also has concerns about the traffic study's report on speed (33mph mean and 38mph for the 85<sup>th</sup> percentile). The PB members' experiences lead us to question whether the speed numbers are representative. Anecdotally, we have seen few cars going the reported mean speed of 33 mph or less, unless a bus was on the access road at the time. Hinckley Way has a posted speed limit of 40mph, the speed limit here may even be 50. Common experience suggests that average peak speeds are unlikely to be below the speed limit. The presence of the bus route may also lead to a two peak distribution of speeds – with and without a bus on the road. Given the width of the road, peak (as distinct from average peak) speeds very likely reach 60 mph or even higher, which would be virtually impossible on a residential road in Belmont. The PB would encourage the ZBA to look carefully at the methodology used to



determine these speed (and volume) and whether sampling was on a representative date with representative road conditions, and/or have an independent third-party perform sampling.

The ZBA may also wish to request current estimates of pedestrian and bicycle usage before *and after* the Project, including within age groups for children as well as for adults and accounting for the demographics of the occupants over the studied period of time.

In short, the PB is not comfortable with this safety analysis, for a 44 bedroom development, or with the Project, in the absence of changes to Frontage Road (see below).

## **2. Where do the kids play and learn?**

Unlike the other dwellings in the neighborhood, there is no meaningful area for recreation. The result is likely to be both increased foot and bike traffic on and across Frontage Road by children and adults, and also use of the common driveway for play. This is both out of character for the neighborhood in general and also a potential safety issue.

The current use of the pedestrian footbridge to/from Arlington is believed to be for access to the MBTA line, mostly by adults in Arlington or (to a much lesser extent) children accompanied by one. This could change after the Project, since there are two relatively close parks in Arlington including a playground and a baseball field. The result may be a substantial increase in the number of people, and especially unaccompanied minors, crossing Frontage Road to reach the footbridge and (for example) the playground beyond.

Where and how children would get to school is another problem the ZBA may wish to consider, e.g., the ZBA may wish to check if a school bus stop could be added. Given that this is a highway access road, that may not be possible/safe.

### **3. Where do guests (and occupants) park?**

The Project allocates 1.67 parking spaces per unit. Since the units are sized to be luxury accommodations with an average of 3.75 bedrooms per unit, the number of spaces is below that for other residences in the neighborhood, and likely insufficient for occupants, let alone guests arriving by car, and even more so on holidays.

This begs the question of where overflow and transitory (e.g., delivery) parking goes. On the highway access road? The Application drawings show cars parked on Frontage Road, but that may be neither legal nor safe. Moreover, how will that impact traffic and commutes? Will parking overflow onto the residential streets instead and, if so, become a nuisance there?

In the absence of a redesign of Frontage Road to include parking, the ZBA might request current neighborhood parking usage information and estimates post-Project. If meaningfully different, the ZBA might request a study to determine the impact on traffic. The ZBA might also condition approval on lease restrictions, reducing the number of cars that may be owned, leased or regularly used by dwelling unit. Again, this is a unique concern for a frontage road.

### **4. Where is the front door?**

For the townhouses, the Project appears to have front-door entry at the garage level for some units and not others. Access to the front door of western units seems to require passing by the entrance to the other townhouses and several flights of stairs up, creating privacy issues and, in any event, is totally out of character for the neighborhood.

The front door for the single family houses are all off of a driveway, with no front yard at all. The “front-door” of the townhouses is accessible only by way of the shared driveway.

Moreover, it is not readily apparent where mail and packages would be delivered and

whether guests, delivery people, and occupants may automatically gravitate toward entry from the rear shared drive, creating town homes essentially facing the single units, and vice versa, like a tightly packed compound.

Finally, the ZBA might look at the driveway and whether there is sufficient room for delivery and moving trucks to turn around when the parking spaces are full. The driveway width is around 20 feet and it would be concerning if trucks had to back out onto the Frontage Road or (legally or illegally) park on it. The PB trusts that the Belmont fire department will provide input on emergency access.

#### **5. Addressing some of the accessibility/access issues.**

Some measures may address some issues, such as: (a) 25mph speed limit signs, (b) a bike lane, (c) a roadway buffer, (d) a dedicated parking lane, and/or (e) speed bumps.

Some of these steps may (or may not) be desirable anyway. Further analysis is needed.

Feasibility may also be in question, given the narrowness of the Highway Access Road (and whether Belmont has control of it) and how much land Belmont owns (or does not own) adjacent to the Frontage Road. Also, impact on traffic would need to be assessed given Frontage Road's role in getting to Route 2 East, generally.

One possibility would be to require the applicant to perform any necessary analysis and ensuing work (including securing state approval, if necessary) as a condition of approval.

#### **B. Fit With (Itself and) The Neighborhood Generally**

The neighborhood is predominated by smaller single story houses, moderate two story colonials and larger two-story houses with hip roofs. Typically, the PB takes a design and makes

recommendations on how to make it better fit into a neighborhood. The PB was largely unable to do so here, given the enormity of the proposed Project.

The cookie-cutter single family residences are unlike anything in the neighborhood and, when clustered together, are reminiscent of family housing on a military base. The footprint for each is, in general, about 30% less than the smaller *single-story* houses in the neighborhood, yet they are much taller. The overall mass of the cluster as a unit will be significantly greater than any existing structure in the neighborhood. Such housing might be acceptable or desirable in another neighborhood but is out of character in this one, which has diverse housing types, including single story residences in the mix.

The design of the townhouse building with large walls of glass windows is unlike anything in the neighborhood, has twice as many floors as the largest houses there, and looks more like an office complex than residences. The townhouses also tower over the Frontage Road, creating a structure that would dominate that part of the entry to Belmont from Route 2.

When viewed in the aggregate, things only get worse. The row of four single family residences, *facing a mammoth four-story wall of eight townhouses*, just a driveway-width away, is completely out of character for the neighborhood. The 8 townhouses, with a backyard filled with housing, looks even more like an office complex. And very little relates the houses to the townhouses in style, beyond siding material. The two do not seem to fit together on the same lot, let alone fit in with the rest of the neighborhood.

The siding and finishes, with changing colors and changes to/from vertical and horizontal, do not make architectural sense (at least to the PB), present a dominating, stark styling, and are out of character for the neighborhood.

The number of stories for the units is, in general, twice as high as in the surrounding neighborhood – one or 1½ stories for a smaller house and 2 stories with a hip roof for a larger one. Because the units are narrower, the effect is more pronounced. Combining the doubling of stories with running the buildings almost on top of each other and into and over setbacks doesn't just add to the effect; it amplifies the problem.

In short, there is virtually nothing in common between the Project and the neighborhood into which it would be placed. The Project not only fails to fit in, once completed, it would literally and figuratively dominate over it. Adding hip roofs or other architectural details cannot adequately address this.

### **C. Impact on Immediate Abutters**

Part of assessing neighborhood fit is the impact on abutters, and whether that is disproportionate. The impact here is extremely disproportionate.

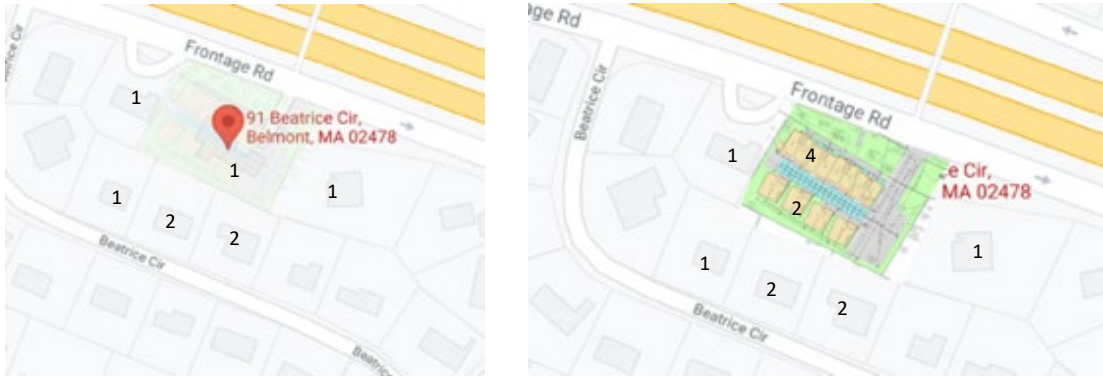
#### **1. East and West abutters.**

The Location has a significant grade going down from West to East.

From the West, although it is above the Location, the added building height would nevertheless obstruct the view and, given the proximity to the property boundary, loom over the property in a way not otherwise reproduced in the neighborhood.



The following gives a sense of the impact on the abutter to the West (the number of stories visible from the road are indicated).



In addition, headlights on the driveway would routinely shine onto the property. The applicant appears to acknowledge this, providing a retaining wall purported to block headlights.



However, when a car turns onto the driveway (from the right, above), there will be a substantial period of time when the lights will go full bore onto the neighboring property and into their windows. The headlight issue also pertains to the proposed single family units which will all get a similar flash of headlights whenever a car turns in at night.

Lighting for the driveway, garages and entrances (not shown in the Application) may also create the impression of a commercial parking lot, in the Project and for abutters.



To the East, the negative impact would also be severe. The roof is located at approximately grade level for the Project's uncovered parking. Every car parking in the 8 spaces there will cast lights down on the neighbor's house.



In addition, given the grading, the 4-story townhouses would be equivalent to a five or six story building abutting the property. That does not fit next to a one-story single family residence.

The PB believes that the present Proposal would substantially impair the property values of abutting properties to the East and West, to a degree well beyond what would be consistent with a proposal that fits the neighborhood. The PB does not see identifiable modifications that adequately address these concerns.

## **2. Properties to the South**

The proximity of the two-story houses to the lot lines, and how that is outside the norm for this neighborhood, is obvious.

One additional issue is occupants cutting through to get to residential roads. The shortest, safest path (especially for children) to schools, the library or Belmont center, will be to

cut across properties to the south to reach the residential part of Beatrice circle.

The developer could be required to put up a wall within 91 Beatrice Circle to prevent such access. That would likely be circumvented, as has happened elsewhere for shortcuts.

The abutters could seek to prevent (mostly children?) trespassers. That imposes on them the unfair dilemma of retaining their privacy and property rights or forcing kids on foot and bicycle onto a highway access road and/or sidewalk 0' from it. *The unique access issues posed by the Location again calls into question its suitability for this Project.*

#### **D. Other Design Concerns**

The PB identified other Project design concerns. These include:

- The number, size and style of townhouse windows are incompatible with anything in the neighborhood.
- The proposed siding materials are inconsistent with the brick and clapboard houses in the neighborhood.
- The ends of the units are stark, particularly on the West side where they loom over the neighboring single-story house.

#### **E. Landscaping**

The PB found the landscaping design information to be insufficient to know what will be done or the impact it may have. Nothing seems to mitigate the enormity of the Project.

The Application appears to treat the Town property in front of the lot as untouchable.

To assess landscaping, the PB would need more information. For a design to be effective, it would have to address Town owned land as well as the Location's lot.

#### **F. Concerns About Submission Materials**

The PB identified the following potential insufficiencies:

- The lot is steeply sloped and the PB is not confident that adequate information has

been presented on how the lot will be stabilized for the proposed (large) structures.

- Given the size and complexity, the PB would generally ask for a 3D model of the Project down to and including the access road and the surrounding lots with houses.
- The PB would also ordinarily request samples of siding materials to better assess the look. In this regard, the same material appears different on different drawings, e.g., the top (darker) and bottom (lighter) images on Exhibit 13, A201.

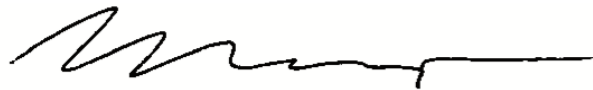
### **III. Conclusion**

The PB has grave concerns over site accessibility. The site is landlocked to a highway access road and the Project will fundamentally change its use toward residential (e.g., kids on bikes). The PB believes that the Project requires a redesign of the Frontage Road, but (without more time and study) cannot say whether that would be desirable or even feasible.

The PB also has significant concerns over size and style. The Project does not fit in and would be a dominating presence. The PB could not find a way to adequately address that.

The PB did not take input from the public or work with consultants. To be timely, the PB also worked at an accelerated pace. The PB nevertheless hopes the above may assist the ZBA's deeper analysis.

Belmont Planning Board



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By: Matthew B. Lowrie, Member

Date: 5/5/2021