

**TOWN OF BELMONT
ZONING BOARD OF APPEALS AND
PLANNING BOARD**

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**JOINT MEETING MINUTES
January 8, 2018**

Present: Planning Board: Charles Clark, Chair; Steve Pinkerton, Vice Chair; Thayer Donham;
Karl Haglund

Zoning Board of Appeals: Nick Iannuzzi, Chair; Tino Lichauco; Andrew Plunkett;
Phil Ruggiero; Jim Zarkadas

Staff: Ara Yogurtian, Assistant Director of Community Development; Jeffrey Wheeler,
Senior Planner

1. Meeting Called to Order at 7:00 PM

2. Zoning Board of Appeals Hearing:

**CASE NO. ZBA 17-30 – One Special Permit Pursuant to a Remand by the Superior
Court of the Zoning Board of Appeals Case # 15-34 to Operate a Fast Food Restaurant**
344 Pleasant Street – Patriot Donuts, Nicolas Leo, Owner

**Zoning Board of Appeals MOTION to continue the hearing to February 5, 2018 was
made by Jim Zarkadas and seconded by Mr. Lichauco. Motion passed**

3. Joint Public Hearings:

- a. **CASE NO. ZBA 17-31, PB 17-21 – One Special Permit: Size and Design and Site
Plan Review.**
288-292 Trapelo Road – Copley Investments, Gary Simon Agent

The Zoning Board of Appeals review:

Mr. Simon, Applicant, described the proposed building and gave a brief overview of the 7,004 square foot retail building with four bays. Barry Buchinski, Blackstone Block Architects, reviewed the elevations of the proposed building.

Mr. Simon explained that there was a reciprocal easement agreement with the abutting CVS building, also owned by the Applicant that will be recorded in order to protect the shared parking spaces should either property be sold in the future. According to Mr. Simon, the easement will run in perpetuity and will be recorded with the Registry of the Deeds.

Mr. Iannuzzi asked the audience if anyone would like to speak in support or in opposition. No one spoke.

The Planning Board review.

Ms. Donham asked the Applicant to explain the slopes and how the grades provide accessibility to the building at the rear of it. Jim White, Civil Engineer, explained that the door would be shifted to accommodate the slope and that a warning of some sort would be included for the one step that provides access into the building.

Mr. Pinkerton asked the Applicant to provide a handicap parking spot on the street and Mr. Wheeler noted that this was a Board of Selectman issue. Mr. Pinkerton asked for clarification on how a truck would access the dumpster. The Applicant confirmed that a truck could easily access the dumpster.

Mr. Haglund asked the Applicant to add three trees be in between each entry in addition to the two already on the plan. He noted that 6-7' caliper maple trees would be acceptable.

Mr. Clark asked questions about the reciprocal easement, the access to the parking spaces, the space between the two buildings and placement of the dumpsters. He also asked for clarification on the parking and sidewalk access between the two properties and the entrance at the back of the building. Mr. Buchinski described the proposed layout for the location of the CVS dumpster and for the dumpster for the proposed building. He also reviewed the route for the internal sidewalks located within the parking area.

Comments from the audience:

1. James Tricomi, 25 Bartlett Avenue, noted that six trees that were planted between the CVS property and his have all died. He requested the trees to be replaced. Mr. Clark asked the Applicant to address the new trees as part of the new construction along with an irrigation system.

Planning Board MOTION to close the public hearing was made by Mr. Pinkerton and seconded by Ms. Donham. Motion passed.

Planning Board MOTION to approve the Design and Site Plan Review with conditions (see below) was made by Mr. Pinkerton and seconded by Mr. Haglund. Motion passed.

Conditions: plant three additional street trees, install a warning for the single step access point as it could be a trip hazard, request the Board of Selectman for an on-street handicap parking space, and record the reciprocal easement agreement.

Zoning Board of Appeals MOTION to close the public hearing was made by Mr. Iannuzzi and seconded by Ms. Zarkadas. Motion passed.

Zoning Board of Appeals MOTION to grant the Special Permit subject to the conditions contained within the Design and Site Plan Review with a footnote to fix the dying trees at the rear of the CVS property was made by Mr. Lichauco and seconded by Jim Zarkadas. Motion passed.

b. CASE NO. ZBA 17-32, PB 17-20 – (ZBA) Modify A Use Variance and (PB) Design and Site Plan Review

34 Agassiz Avenue – Belmont Manor Nursing Home, Stewart Karger, Administrator

Marvin Cine, attorney for the Applicant, described the project and introduced his colleagues. Stewart Karger, owner of Belmont Manor, reviewed the proposed addition. Paul Finger, Landscape Architect presented a proposed landscape plan.

Mr. Karger noted that he had contacted abutting neighbors to discuss materials of building and the landscaping treatment. He sent out 69 invitations to neighbors for a pre-application open house meeting and two people attended. He provided a petition of 35 signatures from people in support of the project. The owners of 48 Agassiz Avenue also provided an email in support of the project.

Comments from the Audience:

1. George Kokoros, 40-42 Agassiz Avenue, noted that he was comfortable with the project and that Mr. Karger has addressed all of his concerns.

Planning Board MOTION to close the public hearing was made by Mr. Pinkerton and seconded by Ms. Donham. Motion passed.

Planning Board MOTION to approve the Design and Site Plan Review was made by Mr. Pinkerton and seconded by Mr. Haglund. Motion passed.

Zoning Board of Appeals MOTION to close the public hearing was made by Mr. Lichauco and seconded by Mr. Iannuzzi. Motion passed.

Zoning Board of Appeals MOTION to grant the Modification of the Use Variance was made by Mr. Lichauco and seconded by Mr. Iannuzzi. Motion passed.

4. Adjourn 8:15 PM