

**ZONING BOARD OF APPEALS
MEETING MINUTES
June 18, 2018**

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Present: Nick Iannuzzi, Chair; Andrew Plunkett; Phil Ruggiero; Tino Lichauco;
Craig White; Casey Williams; Blake Currier

Absent: Jim Zarkadas, Vice Chair

Staff: Ara Yogurtian, Liaison to the Office of Community Development

1. MEETING CALLED TO ORDER 7:05 PM

Mr. Iannuzzi introduced the Board members and noted the order of the meeting. He asked the audience members to please sign in if they were planning to make a statement.

2. PUBLIC HEARINGS:

A. CASE NO. 18-15 – ONE (1) SPECIAL PERMIT
12 Benjamin Road (GR) – Catherine M. Umina

Ms. Umina came before the Board and noted that she had 6 children enrolled in her child care business and would like to increase her special permit to allow for 6-10 children. The backyard was fenced in. The child care drop-off and pick-up hours will remain the same. She will be issued her updated license after the special permit was approved and received.

Elaine Alligood, 265 Beech Street, Belmont Library Trustee, came to speak in support of the family day care and she signed the petition in support of the special permit.

There were six other audience members who raised their hands in support of the special permit. Ms. Umina noted that her abutting neighbor was in support but not in attendance at the meeting.

MOTION to approve with a condition was made by Mr. Iannuzzi and seconded by Mr. Plunkett. Motion Passed, vote 5-0.

Condition: A fire inspection must be completed prior to issuance of special permit.

B. CASE NO. 18-16 – TWO (2) SPECIAL PERMITS
10 Bay State Road (SRC) – John and Tommasina Olson

Mr. Iannuzzi read the public notice.

Ms. Olson, Applicant, came before to Board to present the plans for the proposed addition. She noted that the addition over the side porch would add a second full bathroom plus storage space. The Board discussed the proposed plans and the dimensions of the addition.

No one spoke in support or opposition.

MOTION to approve was made by Mr. Lichauco and seconded by Mr. Iannuzi. Motion Passed, vote 5-0.

C. CASE NO. 18-17 – ONE (1) SPECIAL PERMIT
257 Rutledge Road (SRA) – Amanda Lubarsky

Mr. Lubarsky, Applicant, came before the Board to present his proposed plans for an addition to his home. He presented an affidavit with signatures of support from 12 neighbors in support of the application. He noted that he would like to add a second-floor addition on top of an existing family room in the back of the house to meet the needs of a growing family.

Mr. Yogurtian noted that the side expansion could be built “by right” and the second-floor addition to the rear of the home requires a special permit for the setback requirement. The footprint on the side will expand “by right” and the addition on the rear will be built only if a special permit is granted.

Don Hafner, 232 Rutledge Road, came before the Board to speak in support of the project as he noted that he was happy to have the vitality added to the neighborhood. He believes that the rear addition will not block any of the neighbor’s views and he asked the Board to approve the project.

Diane Mambardi, 25 Knox Street, abutter to backyard, noted that the addition will be detrimental to the neighborhood and she was unhappy about a fence that was put up. She was concerned that the trash from the construction may be put on her property. She was also concerned about a ditch that was full of nails and she called the Town and they asked her to resolve the issues with the Lubarskys.

The Board determined that the addition will not likely affect the sunlight in her backyard and noted that these issues were not within their jurisdiction and she would need to call the police to solve the neighbor disputes.

Mr. Lubarsky noted that the work that was done for the fence and retaining wall are indeed on his property and he had a professional lot survey completed to prove it. He did not think that the blocking of the neighbor’s sunlight was an issue as there were very tall

trees surrounding the yard. There was a police report for the damage that was done to the fence.

Mr. White noted that the fence issue would not affect the decision of the special permit.

No one else spoke.

MOTION to approve the application was made by Mr. Iannuzzi and seconded by Mr. Currier. Motion passed, vote 5-0.

D. CASE NO. 18-18 – TWO (2) SPECIAL PERMITS
33 Springfield Street (GR) – Shant Banosian

Mr. Iannuzzi read the public notice.

Mr. Banosian, Applicant, came before the Board to present his proposed home addition. He noted that it is a modest addition and that it will enhance the streetscape and improve the front entrance of the home. Mr. Banosian noted that he would like to keep both units separate from each other.

No one spoke in support or opposition of the project.

MOTION to approve was made by Mr. White and seconded by Mr. Lichauco. Motion passed, vote 5-0.

E. CASE NO. 18-19 – TWO (2) SPECIAL PERMITS
36 Springfield Street (GR) – Shant Banosian

Mr. Iannuzzi read the public notice.

Mr. Banosian, Applicant, came before the Board to present his application and explain that he would like to establish the front portico and keep the units separate from each other.

Harold [?], Architect, came before the Board to explain that there were no additional dormers on the rear and the markings on the plot plan were left over from the original survey.

Raz Banosian, Contractor, came before the Board and noted that two entrances were needed to accommodate his family.

MOTION to approve the special permit was made by Mr. Lichauco and Mr. Iannuzzi. Motion passed. Vote, 5-0.

F. CASE NO. 18-20 – ONE (1) SPECIAL PERMIT

358 Pleasant Street (LBIII) Nabih EL-Lakkis, d/b/a El Lakkis Corporation

Mr. Baghdady, Attorney, came before the Board to present special permit case no. 18-20, to change the ownership of the existing auto mechanic shop. He noted that there was a restriction to continue the original special permit. The special permit would allow Lakkis Corporation to operate an automobile repair business to operate as overflow. He noted that the Lakkis Corporation was a known business with a long-term track record and they would clean up the site and do a good job with it. The Applicants wanted to add a person to the special permit to allow for the son to own and operate the business. The conditions for the new special permit would be the same as the original special permit.

No one spoke in support or opposition.

MOTION to approve the special permit was made by Mr. Iannuzzi and seconded by Mr. White. Motion passed, vote 5-0.

G. CASE NO. 18-21 – ONE (1) SPECIAL PERMIT

493 Trapelo Road (LBI) Joseph DeStefano d/b/a Underwood Estates

Mr. Iannuzzi read the public notices for cases 18-21 and 18-22. He noted that the cases would be heard simultaneously.

Mr. DeStefano, Applicant, came before the Board to present his proposal for the Trapelo Road properties. He noted that his proposal would enhance Waverly Square and revitalize the neighborhood. Mr. DeStefano walked the Board through the existing and proposed plans.

Mr. Rober, Rober Survey, came before the Board to address the Board's parking questions. He reviewed the zoning requirements, gross floor area and parking requirements. He noted that the parking plans met the Town's requirements and extra parking spaces were provided. The rear of Lot A would provide for bike parking, there was a snow storage area and a trash area. The trash area was for both residential and commercial tenants. Mr. White asked the Applicant to clarify the parking spot usage intentions on the parking plan.

Mr. DeStefano noted that he was trying to take advantage of the transit oriented development opportunities in that area. The users will likely be bike users, young professionals, and mass transit users.

Mr. Rober described the specific lots, the proposed uses and the parking spaces provided (more than required). Sticker parking would likely allow for someone to park overnight.

Mr. Rober presented the rear elevations of the buildings and noted that the design would be similar to the former Foodies store in Belmont Town center.

Mr. DeStefano noted that he had a letter of support from the people in the neighborhood.

Mr. Mike Brodigan, Attorney, came before the Board and stated that the DeStefano Brothers projects are all over Town and are very well done. He noted that the Applicant was looking for a very small relief on height on one building and for special permit for the Use – Mixed Used Use in a LBI Zoning District. The proposed development will offer an opportunity for affordable apartments and spaces that will attract quality businesses. This will have a positive effect on the surrounding businesses. Mr. Brodigan passed out letters of support to the Board.

Mr. Iannuzzi opened the public portion of the meeting. No one spoke in opposition.

People in support of the project:

Jan Kruse, 13 Grant Avenue, noted that she was generally in support of the project. She wanted to know if any of the retail space ended up being a pub that was open at night, where would people park. Mr. DeStefano noted that there was a municipal lot across the street. She asked if there was any landscaping to be installed. Mr. DeStefano noted that there would be large specimen trees planted in front of the buildings. Ms. Kruse asked about pedestrian safety and Mr. DeStefano noted that there will be traffic calming in order to make it safe for pedestrians to cross the street.

Rachel Heller, 44 White Street, lives across the street from the Wonder School. She noted that there was a tremendous need for smaller housing options and she is in support of the project. She noted that there could be grants available from the State for schools, infrastructure, etc.

Ariane Belkadi, 12 Woodland Street, Town Meeting Member Precinct 3, did not sign the letter of support because she did not know about the project but is now very enthusiastic about the project. She was concerned about the rodents during construction. She asked for an explanation of the safeguard to keep the rentals as one bedroom. Mr. Yogurtian explained that they would need to go through the special permit process to make interior changes.

Mr. DeStafano briefly reviewed the building schedule for the Board.

Mr. Yogurtian asked Mr. DeStefano to describe how he would mitigate any future traffic issues on White Street. Mr. DeStefano noted that he would be prepared to deal with future traffic issues if they arise.

Mr. DeStefano reviewed his lighting plan and landscaping ideas for the project.

MOTION to approve special permit with conditions was made by Mr. Iannuzzi and seconded by Mr. White. Motion passed, vote 5-0.

Conditions: Engineer stamp must be acquired before the permits are approved. The future owners are to maintain the trees, this must be included as a requirement. Submittal of a Conceptual Landscape Plan must be provided, subject to change upon final design. Submittal of a trash management plan. A clarification of parking for the overall parking scheme for the project. Site lighting plan to be submitted.

H. CASE NO. 18-22 – ONE (1) SPECIAL PERMIT

495-505 Trapelo Road (LBI) Joseph DeStefano d/b/a 495-505 Trapelo Road LLC

Case no. 18-22 was reviewed simultaneously with Case no. 18-21.

MOTION to approve special permit was made by Mr. Iannuzzi and seconded by Mr. White. Motion passed. Vote 5-0.

Conditions: Engineer stamp must be acquired before the permits are approved. The future owners are to maintain the trees, this must be included as a requirement. Submittal of a Conceptual Landscape plan must be provided, subject to change upon final design. Submittal of a trash management plan. A clarification of parking for the overall parking scheme for the project. Site lighting plan to be submitted. Recognition of traffic calming plans for site C and affordable housing provisions.

3. Adjourn: 9:50 PM