

COMMONWEALTH OF MASSACHUSETTS

COMMUNITY DEVELOPMENT

2009 AUG 18 PM 4: 04

TOWN OF BELMONT

PLANNING BOARD

IN THE MATTER OF NORTH SHORE	)	
CONSTRUCTION & DEVELOPMENT, INC.	)	
	)	<b>SUMMARY STATEMENT</b>
PETITION FOR SITE PLAN APPROVAL	)	<b>OF RECENT COMMENTS</b>
OF PETITION'S DEVELOPMENT	)	
PROPOSAL TO CONSTRUCT SEVENTEEN	)	
(17) RESIDENTIAL UNITS WITHIN THE	)	<b>AUGUST 18, 2009</b>
OAKLEY NEIGHBORHOOD SMART	)	
GROWTH OVERLAY DISTRICT	)	

In an effort to streamline the review process, the following are responses by North Shore Construction to comments and questions most recently raised on this project by Planning Board members, Department Heads and Neighbors:

**1. Comments of Office of Community Development dated June 3, 2009:**

- a. A request was made for additional information concerning grades, height and stories of proposed buildings – Plans and calculations have been added to the plan submittal – they are marked pages 15-21 and they include calculations verifying grade, height & story of each building.
- b. Request was made for Storm water study: Drainage analysis has been completed and filed with this submittal indicating a reduction in both impervious area and stormwater runoff from the site.

**2. Comments from Fire Department concerning automatic sprinkler systems:**

Following a review of the revised Mass. Building Code, 7<sup>th</sup> edition, there are changes requiring automatic sprinkler systems in some of the buildings in this project. Accordingly, the building plans have been marked with notations indicating that the three and four unit buildings will be equipped with automatic fire sprinklers and alarms as required by the building code, and that the single and two-family houses will comply with smoke and CO2 detectors per code. The design of these systems will be provided in detail, in compliance with code requirements and fire department requirements, at the time of application for the building permit.

**3. Comments from D.P.W. from June 3, 2009:**

We are planning to replace the curbing and sidewalks abutting the work sites on Oakley Road and Lawndale Streets with new concrete sidewalks and vertical granite curb as provided for on the plans.

The common sewer proposed to collect the 11 units on Belmont and Lawndale Streets will now be handling only 1 condominium association for all 11 units so there will no longer be an issue of requiring easements between 2 separately owned parcels. The condominium association will be responsible for the maintenance of this system on the site.

**4. Comments from Belmont Housing Trust from June 4, 2009:**

We are proposing to convey the required 3 units under affordable housing guidelines as proposed by HUD. We are in compliance with the provisions of the bylaw and will comply with all procedures for the conveyance of affordable units under HUD requirements. The deeds of conveyance will contain Rider restrictions so little, if any, oversight will be required of the Town of Belmont.

**5. Planning Board question – Handicap accessibility:**

This project consists entirely of single family and residential townhouse construction. As such, it is exempt from the handicap access requirements of the Massachusetts Architectural Access Board regulations by Section 9.6 and is equally exempt from the federal Fair Housing Act as described in 54 Federal Regulations 3243-4 and 56 Federal Regulations 9472, 9481 for the same reasons. However, as we have done several times in the past, we are open to modifying units for handicap accessibility to any potential buyers requesting such customization of their unit.

**6. Neighborhood question concerning architectural suitability:**

We have made a serious effort to take into account the neighborhood's and Planning Board's concerns about architecture and landscaping in revising our plans to incorporate many of the comments presented concerning these issues as well as issues concerning garage doors, driveways, etc. In support of our position, I would point to the supportive summary narrative provided by the Planning Board's consultant, Concord Square Planning & Development, as an objective reference with regard to our compliance with the letter, intent and spirit of the provisions of the 40R Overlay Bylaw.

**7. Planning Board question – 6-12 Oakley Road – Move 1 driveway to Belmont Street?**

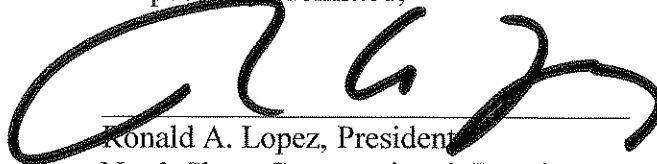
We took a serious look at the possibility of bringing one driveway from Belmont Street but there was no design combination that justified this change. The results was generally a drastic loss of private space/yard to the new buyers, and increase in impervious area to the site, an architectural change that created an apartment building façade, and all designs resulted in unnecessarily moving residential access to these units from a relatively quiet street to the major thoroughfare of Belmont Street. In an effort to reduce the effect of the 2 driveways and 4 garage doors on Oakley Road (which are permitted under the bylaw) we did make the following changes: Designed arched carriage house garage doors; revised the front door and porch designs; added second floor railings; extended the 3' spaced picket fence with boxwoods around the entire front of the lot; and increased trees and landscaping in the front yard.

**8. Neighborhood question concerning frontage of 23 Oakley Road.**

Neighbors were concerned that this lot has frontage on Lawndale Street when the front door faces Oakley Road and it has a Oakley Road address. Our position is that since this is a corner lot, as owner, we have the right to identify the frontage street. Accordingly, we have identified Lawndale street as frontage street thus defining the rear and side yards as shown on our plans. The front door or the Oakley Road address should have no bearing on this issue.

Dated: August 18, 2009

Respectfully submitted,



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