

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. )  
 )  
 PETITION FOR SITE PLAN APPROVAL )  
 OF PETITION'S DEVELOPMENT )  
 PROPOSAL TO CONSTRUCT SEVENTEEN )  
 (17) RESIDENTIAL UNITS WITHIN THE )  
 OAKLEY NEIGHBORHOOD SMART )  
 GROWTH OVERLAY DISTRICT )

**NARRATIVE STATEMENT  
 IN SUPPORT OF PETITION  
 FOR SITE PLAN APPROVAL  
 REVISED: August 18, 2009**

**I. RELIEF SOUGHT: SITE PLAN REVIEW**

In accordance with Section 6C of the Belmont Zoning Bylaw, the Petitioner seeks Site Plan approval of its plans for the development and construction of seventeen (17) residential dwelling units within the Oakley Neighborhood Smart Growth Overlay District (Overlay District) as hereinafter described.

**II. HISTORY & EXISTING CONDITION OF PROPERTY**

The property within the Overlay District consists of four individual parcels of land owned by the Archdiocese of Boston and formerly used as the Our Lady of Mercy parish buildings. These four parcels include the following:

1. **Parcel A - 401 & 407 Belmont Street, Belmont, Mass.**  
 Consists of the former Our Lady of Mercy church and convent buildings. The church was closed in December, 2005. Parcel includes 28,237 sf of land.
2. **Parcel B - 15 Lawndale Street, Belmont, Mass.**  
 Consists of the vacant former parish rectory. Parcel includes 9,182 sf of land
3. **Parcel C - 23 Oakley Road, Belmont, Mass.**  
 Consists of the former parish center that has been leased to the Town of Belmont as a senior center since 1998 - lease is due to expire in May 2009. Parcel includes 13,169 sf of land
4. **Parcel D - 10 Oakley Road, Belmont, Mass.**  
 Consists of an asphalt paved parking lot at the intersection of Belmont Street and Oakley Road used as parking for the church and senior center. 15,212 sf of land

After Our Lady of Mercy parish closed in 2005, the neighborhood organized the Oakley Neighborhood Association. With the help of the Association and consulting by Concord Square Planning & Development, Inc. the Town was able to pass the Oakley Neighborhood Smart Growth Overlay District bylaw under M.G.L. Chapter 40R (Smart Growth Development).

The resulting Overlay District bylaw sets out a very detailed set of requirements for a development under this bylaw. Not only are specific procedures to be followed for the development of these properties but varied dimensional restrictions and detailed Design Standards controlling project layout and building architecture must be followed to permit the development to fit into and be conforming to the character of the general neighborhood. Pursuant to Section 6C.13, the Planning Board has the authority to issue a waiver of any dimensional standards or Design Standards with the exception of the affordable housing requirements.

### **III. GENERAL DESCRIPTION OF PROPOSED DEVELOPMENT**

A general summary of the project's major points, as they currently exist in this submittal, includes the following:

1. Total of seventeen (17) residential dwelling units to be built on all 4 Parcels of land. The units are comprised of:
  - 15 townhouse units
  - 2 Single Family houses
2. 3 Townhouse units will be sold under affordable housing guidelines established by the Overlay Bylaw
3. All 15 townhouse units will have 3 bedrooms, 2-1/2 baths, livingroom, diningroom, kitchen, attic and basement space, either a 1 car or 2 car garage, and will vary in 1<sup>st</sup> & 2<sup>nd</sup> floor living area from 1,438 sf to 2,040 sf.
4. The 2 single family homes on the Senior Center Parcel C will consist of 4 bedrooms, 2-1/2 baths, livingroom, diningroom, kitchen, attic and basement space, a 2 car garage, and will vary in 1<sup>st</sup> & 2<sup>nd</sup> floor living area from 2,567 sf to 2,696 sf.
5. A detailed Zoning Summary is attached to this Narrative applying the Overlay District dimensional zoning requirements to this project - all dimensional zoning requirements are met by this development.
6. All buildings will be sided with a combination of red cedar clapboard and red cedar shingle as shown on the plans in compliance with Design Standards. All will be painted in a neutral color combination with

Benjamin Moore paint colors. Design and color selections have been revised several time based on comments by the Board and neighbors.

7. The specific development plans for these four individual parcels are summarized below. ( All uses are those permitted under Section 6C.5 of the Overlay Bylaw):

**1. Parcel A - 401 & 407 Belmont Street, Belmont, Mass. to be combined with Parcel B - 15 Lawndale Street, Belmont, Mass. to form one 11 unit condominium association.**

- The proposal is for the demolition and removal of the existing church building (rectory has been demolished)
- One condominium association consisting of 11 townhouse units located in 4 separate buildings on the combined lot consisting of 37,419 sf of land
- Units 2 and 5 will be sold under affordable housing guidelines
- Two driveways from Belmont Street and 1 from Lawndale will service all 11 of these units
- Parking: Units 1-6 will have a 1 car garage with additional parking to the rear. Units 7&8 will share a driveway and each have a 1-car garage. Units 9 & 10 will share a driveway which will lead vehicles to basement (2 tandem parking spaces each) garages. Unit 11 will have 2 exterior spaces in the rear yard area.

**2. Parcel C - 23 Oakley Road, Belmont, Mass.**

- The senior center building will be demolished and removed and this 13,169 sf lot will be subdivided to form two separate single family lots.
- **23 Oakley Road, Belmont, Mass.**
  - 7,044 sf lot of land
  - Single family house with 2,696 sf living area
- **4 Lawndale Street, Belmont, Mass.**
  - 6,125 sf lot of land
  - Single family house with 2,567 sf living area

**3. Parcel D - 10 Oakley Road, Belmont, Mass.**

- The asphalt from this parking area will be removed and the house that was demolished in 1965 and is located beneath the pavement will be removed and cleaned.
- The parcel will be subdivided into two separate 2-family lots
- The two 2-family houses will have a common party wall (as provided for by the Overlay Bylaw) to form a four unit building.

- **6-8 Oakley Road, Belmont, Mass.**
  - One condominium association consisting of 2 townhouse units on this 7,939 sf lot land
  - Unit 1 (6 Oakley Road) will be sold as an affordable housing unit
  
- **10-12 Oakley Road, Belmont, Mass.**
  - One condominium association consisting of 2 townhouse units on this 7,276 sf lot of land

#### **IV. ELEMENTS FAVORING GRANTING OF SPECIAL PERMIT**

The Petitioner's proposed development complies with all criteria set out in the Zoning Bylaw and the Overlay District Bylaw, including all dimensional and design standard criteria including the affordable housing requirements. This proposal does qualify for approval by-right, subject only to site plan review. The Petitioner has met with the neighborhood on two separate occasions, with the Planning Board on two separate prior hearings and with town departments. Project plans being submitted at this time have been revised several times following initial submittal in April 2009 in response to comments and suggestions by the departments, Planning Board and staff and neighbors. The project plans and specifications have reached a level that not only meets the requirements of the bylaw but also meets the intent, purpose and spirit of the Bylaws and a 40R development. We would request that this proposal be approved at this time.

#### **A. DIMENSIONAL & PROCEDURAL STANDARDS**

The proposed development complies with all dimensional and procedural standards included within the Overlay Bylaw. A statement of the more significant provisions are summarized below.

##### **Section 6C.5 - Permitted Uses**

The proposed plan complies with all permitted uses under section.

##### **Section 6C.8 - Dimensional and Other Requirements**

A detailed Zoning Summary is attached to this Narrative itemizing the applicable dimensional requirements imposed by the Overlay Bylaw. All dimensional requirements and restrictions have been met by the proposed plan including requirements for the following: Frontage, Area, Setbacks (front, side & rear), Maximum Lot Coverage, Minimum Open Space, and minimum 20' setback from neighboring properties.

**Section 6C.9 - Off Street Parking**

A total of 27 off street parking spaces are provided for the 17 units for a ratio of 1.59 spaces per unit, well within the 1 to 2 spaces per unit designated by this section.

**Section 6C.10 - Design Standards**

Design Standards have been complied with as described below without any waiver requests.

**Section 6C.11 - Affordable Housing**

In accordance with the provisions of this section, the project provides for the construction and sale of three (3) affordable housing units. This number was calculated by taking 20% of the 17 proposed units, or 3.4 units, and rounding down to 3 units pursuant to subsection 2 of this section. The three affordable units to be conveyed under these affordable housing guidelines are: (1) 405 Belmont Street, Unit 2; (2) 405 Belmont Street, Unit 5; and 6 Oakley Road Unit 1.

The design, location, construction and timing of completion of the units shall be accomplished in the same manner as the market rate units. The units shall be sold pursuant to a lottery system of sale to proposed buyers who meet the eligible qualifications as described in Section 6C.11. A deed Rider similar to the Rider format submitted by the Petitioner with this application shall be recorded at the Middlesex Registry of Deeds with the deed to these units.

**Section 6C.12 - Administration**

The Overlay Bylaw, Section 6C.12.1 suggests an initial pre-application review with the Oakley Neighborhood Association. The Petitioner and its staff met with the Neighborhood Association as a whole on February 3, 2009 and March 18, 2009 and presented its complete development plans and proposal. The project design has been modified several times following these neighborhood meetings as well as following the two last Planning Board meetings to take into account several suggestions from the Association and Board member.

**B. DESIGN STANDARDS**

The Petitioner has complied with the Design Standards adopted in connection with the Overlay District Bylaw. Only one Design Standard waiver is requested - this is under Section 4.4.3. The following is a summary of how the project has been designed to meet the spirit and intent of the Design Standards.

**1. Section 4.1 - Scale, Proportion & Exterior Appearance of Buildings**

The house designs in this development have been re-designed with the help of Architect Martin Ryan and Designer Chris Poravas to pick up several features of neighboring houses to permit the development to blend more naturally into the character

of the neighborhood. Some of the standard revisions include the use of front porch turned columns, extension of the front porches and use of second floor railing systems.

Unless specifically stated otherwise, a description of some of the general characteristics of these houses include the following: All houses will be custom built by North Shore Construction & Development, Inc. in compliance with plans and specifications being submitted with this application. Each unit will have a poured concrete foundation with an unfinished basement, a wood framed structure constructed on-site, finished living areas on the first and second floors and a walk-up attic. The proposed units will be sided with a combination of red-cedar clapboard and red-cedar shingle siding painted with a 3-4 colored combination of neutral earth tone and accent colors. The houses will have 6:6 mullioned double-hung windows (aluminum or vinyl clad wood windows) and traditional paneled doors with sidelites. Roof and pitches will vary from 7 to 12 and will be roofed with staggered "architectural" fiberglass roof shingles of a "weathered wood" color. Garage door styles will vary somewhat depending on size, location and house design to minimize their visual impact to the extent possible. Rear decks are avoided and at grade patios are used to increase privacy between neighboring houses.

Notable individual characteristics of the specific houses, many of which have been revised during this approval process, include the following:

**i. Parcel A - 405 Belmont Street:**

Buildings A & B and the garage doors of these six units will be facing each other and so not in view of the street. The sides of both of these buildings facing Belmont Street will be adorned with a ¾ front porch and second "front entrance" to appear to be the front of these houses from Belmont Street. Building A and B will differ in the application of cedar shingle and clapboard and exterior color schemes will vary as well. Second floor railings, turned columns and alternate front entrances are utilized to bring the designs more in line with neighboring houses.

Building C will face Belmont Street with revisions to accent moldings, garage and front door designs and the utilization of dormers over the garage to reduce massing. Color combinations will vary from Buildings A & B.

**ii. Parcel B - 15 Lawndale Street:**

At the suggestions of the neighbors at our previous neighborhood meetings, the façade of the 3 unit building on this lot was re-designed to take on some of the Arts & Crafts (or Craftsman) style characteristics of the rectory building which was recently demolished. The characteristic changes include 60° first floor corner windows with rectory supports, vary roof styles and pitches including shed and side hip dormers, complete cedar shingle front elevation, replication of the rectory porch design and a color scheme similar to the existing rectory. Recently, by melding this building into the Belmont Street Condominium we were able to bring parking for Unit 11 off of Belmont Street and eliminate one driveway from Lawndale Street and

the need for any design waivers without increasing impervious surface or pavement on the site.

**iii. Parcel C - 4 Lawndale Street and 23 Oakley Road:**

Two single families of modern colonial design utilizing front dormers and porches as well as carriage-house garage doors (at a neighbors suggestion) and garage door awnings to vary the effect of the houses on the street. Recent changes include accent moldings, garage and front door designs and complete cedar shingle facades to bring the features closer to that of neighboring houses.

**iv. Parcel D - 6-12 Oakley Road:**

Though considered two two-family houses combined by a common wall, the visual effect of this building is a four unit row house. In order to avoid repetitiveness and create sufficient shadow lines to avoid an appearance that is out of character for the neighborhood, the style makes use of dramatic front-to-back foundation variations of up to 6-1/2' between units, front porches, cantilevered bays, carriage house garage doors with door awnings, varied roof levels and heights and full cedar shingle exterior siding. The 86' long front façade which sits on this lot frontage of 155', or 55' in width for every 100' of frontage, is not at all out of proportion for the Oakley neighborhood and is actually proportionately narrower than many houses bordering it on Oakley Road.

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.

**2. Section 4.2 - Placement, Alignment, Width and Grade of Streets & Sidewalks**

The design of the buildings and site do maintain the pedestrian environment of the neighborhood. The Petitioner is proposing to replace the sidewalks located on Oakley Road and Lawndale Street which abut the proposed new houses.

### **3. Section 4.3 - Type and Location of Infrastructure**

**4.3.1** - The buildings will be built in conformance with the Mass Building Code recent REScheck energy conservation building envelope requirements which require all new residential construction be built to maintain a high degree of energy efficiency. Additional steps will be taken to increase energy efficiency such as use of Energy Star appliances, high efficiency 92% direct vent furnaces and 13 SEER air conditioning units.

The project will not be LEED certified due to the excessive costs and delays involved in constructing a LEED certified residential project (less than 1% of all new residential units have any private energy certification). Should any private energy certification be required, a waiver is requested from this Design Standard.

**4.3.2** - Underground electric, cable and telephone utilities will be provided to the 8 units at 405 Belmont Street. For the remaining units, only one overhead set of lines will be brought to each of the remaining 4 structures and divided within the buildings. No rubbish removal utilities are provided for as we anticipate weekly pickup similar to other Belmont residents. The only mechanical equipment to be located out-doors will be air-conditioning condensers which will be placed in the rear of the properties to reduce the visual or auditory affect on the neighbors.

**4.3.3** - Impervious surfaces are being reduced from existing conditions by a combined total of 31.62% thereby resulting in a reduction of stormwater runoff from these sites and a reduction of peak run-off rates. Parcel A will have a drywell to infiltrate additional stormwater at the rear of the parking area. With regard to Parcel C, the grade of this lot compared to adjacent lots is noticeably higher. In order to prevent a water problem with neighboring properties, an existing underground connection to the Town storm drain system will be utilized to direct all roof stormwater runoff from both single family houses to the underground storm drain system.

**4.3.5** - Hay bales and silt fence will be utilized during construction to prevent any soil erosion into abutting properties until such time as landscaping is completed and soil is stabilized.

### **4. Section 4.4 - Location of Buildings and Garage Entrances**

**4.4.1** - Lighting will be limited to wall hung residential lighting adjoining front and rear doors to these units. The only un-attached light fixtures would be a 6' high residential lantern that may be placed beside the rear exterior parking spaces of Parcel A.

**4.4.2** - Buildings, driveways and garages were designed to limit the impact of parking and driveways on the streets and adjacent properties. With reference to specific buildings:

**Parcel A** - Units 1-6 have garages facing within the lot as well as a second space to the rear of the lot, none of which are easily visible from Belmont Street. The six units utilize one entrance from Belmont street limiting interference with the busy thoroughfare. Units 7 and 8 share one driveway to Belmont Street with parking limited to their one-car garages.

**Parcel B** - Single driveway from Lawndale Street leading to 2 single width garage doors in Units 9 and 10 while leaving parking for Unit 11 to the rear of 405 Belmont Street. This increases the residential feel to the site; eliminates the asphalt paving and parking that would otherwise be required in the side and rear yards which abut neighbors properties; reduces paving to a minimum on the site; and minimizes the visual site of the garage doors to be from the street and their affect on the house façade.

**Parcel C** - One driveway for each single family house leads to a typical two-car attached garage. The visual affect of the garage doors are reduced by the use of carriage style doors painted the color of the house body with door awnings above.

**Parcel D** - Two driveways servicing two units are utilized for this four unit building. The single car width one-car garages take up 32' feet of the 86' front façade to keep the garage doors in proportion to the house as a whole. Again, the visual affect of the garage doors are reduced by the use of carriage style doors painted the color of the house body with door awnings above.

**4.4.3** - The project complies with the total number of Sub-District curb cuts permissible under this section.

## **5. Section 4.5 - Off-Street Parking**

All parking is provided for at a minimum of 10' from streets or abutting properties. All parking spaces are a minimum of 9' by 18' or greater. All curb cuts, driveways and parking spaces are reduced to minimize their affect on these and abutting properties. The project provides a total of 27 parking spaces on the respective properties for the 17 units, or 1.58 spaces per unit, well within the 1 - 2 spaces per unit range suggested by the Bylaw.

## **6. Section 4.6 - Protection of Significant Natural Site Features**

All public trees located in front of these properties, as well as all private trees on these properties, will be maintained and protected as necessary with temporary fencing during construction.

**7. Section 4.7 - Location and Design of On-Site Open Spaces**

Each of the four parcels have more open space than required by the Overlay districts requirements. On average, the open space is equal to 64% of the lot areas when the open space requirement is an average of 45%. Parking and landscaping is laid out to minimize visual affect of the facilities while maintaining safety.

**8. Section 4.8 - Landscaping**

The Landscaping Plan has been designed using native species and to beautify the surrounding area. The plan has increased the number of proposed new street trees from 16 to 19; increased additional private trees from 37 to 41; and increased shrubs from 190 to 360 accent, screening and border shrubs that are now included on the landscape plan. Any other remaining disturbed areas on all properties will be irrigated, loamed and seeded.

**9. Section 4.9 - Lighting**

Most exterior lighting will be typical exterior wall hung residential lighting at entranceways. The only location of free standard lighting may be at the rear parking area of Parcel A where a 6' high residential light complying with the Belmont Lighting Bylaw (Section 5.4.30) maybe located.

**10. Section 4.10 - Buffering in Relation to Adjacent Properties**

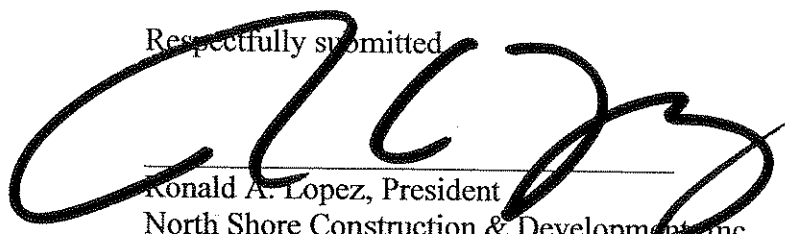
Trees, shrubs and fencing is proposed on the Landscaping Plan between these and adjacent properties to help buffer the project from its neighbors. There should be no generation of noise elements in excess of standards included in the Belmont noise bylaw.

**V. CONCLUSION**

In conclusion, I would respectfully suggest that all criteria has been met for the approval of this project under the Overlay District Bylaw and would request that the approval be granted at this time.

Dated: August 18, 2009

Respectfully submitted



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