

Robert E. McGaw

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January 15, 2026

Ellen O'Brien Cushman, via email: TownClerk@belmont-ma.gov  
Town Clerk, Town of Belmont

Re: Amendment to 2026 Special Town Meeting Warrant Article 2

Dear Ms. Cushman,

By this letter, I submit 5 amendments pursuant to the Moderator's Town Meeting Simplified Procedures Guide and past amendment policy. Specifically, my submission relates to the Special Town Meeting Warrant Article 2, which proposes to add a new §10 (called the "Belmont Center Overlay District" or "BCOD") to the Belmont Zoning By-Law. Please confirm by email that you have received this submission.

My amendments are not about **traffic**. While it is hoped that the residents in the new buildings in Belmont Center will reduce traffic by walking, biking, riding the bus, taking an Uber or Lyft, and other means of commuting to work, the residents in Belmont Center will still own cars.

The Planning Department has circulated a "Frequently Asked Questions" document and in Q12, the documents says:

"For any new residential units, we [undefined] expect that these residents will not be car intensive households and most will own an average of zero to one car, which [*sic; the word "with" was probably intended*] few having more than one.."

This "**expectation**" is humorous, but do Town Meeting Members think that these new residents will not own a car? Also, it is mathematically incorrect to talk about an "average of zero to one car" since if any resident has a car, the "average" could never be zero. There is no data to support this "**expectation**" that residents will have only 0.3 cars. And, there will be no rules regulating how many cars a Belmont Center resident can have or preventing residents from having one or multiple cars... So, where will those cars park at night? That issue is ignored by the Belmont Center Overlay District zoning proposal and has prompted my amendments.

My amendments address the need for overnight Parking Spaces for Dwelling Units that are created in the Belmont Center Overlay District. There are several categories of parking needs in Belmont Center:

- parking for customers and employees of the retail stores/commercial offices

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- parking for customers and employees of laboratories and research and development businesses
- parking for persons visiting residents of Dwelling Units
- overnight parking needed for residents of Dwelling Units.

Article 2 ignores and supplants two long-standing Belmont policies:

Belmont has a long-standing zoning policy set forth in Section 5.1.2(a) of the Zoning By-Law that requires two parking spaces per Dwelling Unit, except only one space is required for Dwelling Units with fewer than two bedrooms.

Belmont has a long-standing General Bylaw § 60-805.B(7) that prohibits Overnight Parking on Streets.

Residents of Dwelling Units in Buildings in the BCOD will likely own automobiles—often each resident will own at least one automobile.

My amendments require Developments in the BCOD to provide adequate Parking Spaces for residential use without using overnight parking on Streets to comply with the zoning requirements of the BCOD.

This submission includes five separate motions identified below. Each proposed change is submitted as a separate motion, and I request that the Moderator instruct Town Meeting to vote on each motion separately. Because the Moderator’s rules prevent Town Meeting Members from making amendments during the Town Meeting, I am presenting Motions 2 and 3, as alternative Motions, designed to give Town Meeting the option to select one.

### **First Motion: No Overnight Parking on Streets**

**Moved** to prohibit use of Overnight Parking on Streets to comply with zoning requirements, by adding two sentences to the proposed Section 10.5.G.4.a of Section 10 as set forth in the Special Town Meeting Warrant Article 2, to read as follows [Note: Capitalized terms shall have the meaning specified withing the following amendment, the proposed § 10, or in Section 1.4 of the Zoning By-Law] :

Notwithstanding this Section 10.5.G.4 or any other provision of this Zoning By-Law, “Overnight Parking” (meaning parking for over one hour between the hours of 1:00 a.m. and 7:00 a.m., as specified in § 60-805.B(7) of the General Bylaws), on Streets shall not be allowed; and neither the Permitting Authority, nor the Select Board, nor any Town department shall grant, permit, or allow any such Overnight Parking to fulfill zoning parking requirements. Notwithstanding any provision of this Zoning By-Law, including this Section 10.5.G.4, Developments that elect to be governed by this Section 10, are prohibited from using Overnight Parking on Streets to fulfill parking requirements.

**Purpose of this Amendment:** The Select Board has given assurances that they would oppose any overnight on-street parking. This amendment incorporates those assurances into the Zoning By-Law and avoids uncertainty about treatment of overnight on-street parking in Developments created under the proposed § 10. The actual use of municipal parking facilities to satisfy a Development's non-residential parking requirements for employee, customer, and visitor parking should be limited to daytime and evening use. Actual parking on Streets and in municipal parking facilities is already governed in part by the Town's "Parking Rules & Regulations," but allowing such actual parking should not be allowed to count for compliance with the Parking Space requirements in the proposed Section 10.

**NOTE: The Second, and Third Motions are alternatives, submitted to allow Town Meeting to discuss the number of Parking Spaces that should be required for Dwelling Units built pursuant to the Belmont Center Overlay District regulations. It is requested that the Second and Third Motions be presented in their numerical order. Hopefully they would be discussed together. If either of the Second or Third Motions is adopted, I intend to withdraw the other of them.**

### **Second Motion: Current Parking Requirement Applies**

**Moved:** That the table in Section 10.4.C entitled "USE TABLES AND ASSOCIATED PARKING REQUIREMENTS" as set forth in the Special Town Meeting Warrant Article 2, be amended by replacing "0.3/Unit" in each of the three RESIDENTIAL USE categories in the column labeled "Parking Requirements (Spaces/Unit)" with the following [Note: Capitalized terms shall have the meaning specified withing the proposed amendment, the proposed § 10, or in Section 1.4 of the Zoning By-Law]:

2 per Dwelling Unit, except one space for a Dwelling Unit with fewer than two bedrooms

**Purpose of the Amendment:** There are several categories of parking needs:

- parking for customers and employees of the retail stores/commercial offices
- parking for customers and employees of laboratories and research and development businesses
- parking for persons visiting residents of Dwelling Units
- overnight parking needed for residents of Dwelling Units.

This amendment requires the same number of parking spaces as required by the existing Section 5.1.2(a) of this Zoning By-Law. The parking space requirements for Dwelling Units in the BCOD should be the same as for the rest of the Town. Because the residents in Dwelling Units will likely own automobiles, which will need a place to park overnight (regardless of whether the residents use walking, biking, or public transportation to get to work), Development in the BCOD must provide adequate Parking Spaces for overnight parking, else, Section 10 will inevitably mean people will be parking on the Streets overnight in violation of § 60-805.B(7) of the General Bylaws.

### **Third Motion: Require One Parking Space Per Dwelling Unit**

**Moved:** That the table in Section 10.4.C entitled “USE TABLES AND ASSOCIATED PARKING REQUIREMENTS” as set forth in the Special Town Meeting Warrant Article 2, be amended by replacing “0.3/Unit” in each of the three RESIDENTIAL USE categories in the column labeled “Parking Requirements (Spaces/Unit)” with the following [Note: Capitalized terms shall have the meaning specified within the proposed amendment, the proposed § 10, or in Section 1.4 of the Zoning By-Law]:

1 per Dwelling Unit

**Purpose of the Amendment:** There are several categories of parking needs:

- parking for customers and employees of the retail stores/commercial offices
- parking for customers and employees of laboratories and research and development businesses
- parking for persons visiting residents of Dwelling Units
- overnight parking needed for residents of Dwelling Units.

Because the residents in Dwelling Units will likely own automobiles, which will need a place to park overnight (regardless of whether the residents use walking, biking, or public transportation to get to work), Developments in the BCOD must provide adequate Parking Spaces for overnight parking, else, Section 10 will inevitably mean people will be parking on the streets overnight in violation of the § 60-805.B(7) of the General Bylaws. By presenting two amendments dealing with the residential parking requirements, Town Meeting can decide whether the parking requirements for Dwelling Units in the BCOD should be the same as other Dwelling Units or just one.

#### **Fourth Motion:**

**Moved:** that Section 10.5.G.3.d of the proposed §10 to the Belmont Zoning By-Law, as set forth in the Special Town Meeting Warrant Article 2, be amended as follows [Note: Capitalized terms shall have the meaning specified within the proposed amendment, the proposed § 10, or in Section 1.4 of the Zoning By-Law]:

Change the first sentence to read as follows [changes are underlined]:

“When acting on an Application, the Permitting Authority may not reduce the minimum parking requirements for residential use, but may reduce the minimum parking requirements for non-residential uses for the particular Lot based on the special circumstances listed in Section 5.1.1(b).”

**Purpose of this Amendment:** There are several categories of parking needs:

- parking for customers and employees of the retail stores/commercial offices
- parking for customers and employees of laboratories and research and development businesses
- parking for persons visiting residents of Dwelling Units
- overnight parking needed for residents of Dwelling Units.

Residents of Dwelling Units in Buildings in the BCOD will likely own automobiles—often each resident will own at least one automobile. This amendment requires Developments to provide the full number of required residential Parking Spaces. Those Parking Spaces can be provided on-site or via Shared Parking on Private Lots under § 10.5.G.5 but no Overnight Parking (meaning parking for over one hour between the hours of 1:00 a.m. and 7:00 a.m., as specified in § 60-805.B(7) of the General Bylaws) on Streets should be allowed to fulfill zoning parking requirements.

### **Fifth Motion: Shared Parking but No Overnight Parking on Streets**

**Moved:** That Section 10.5.G.3.e of the proposed §10 to the Belmont Zoning By-Law as set forth in the Special Town Meeting Warrant Article 2, be amended as follows [Note: Capitalized terms shall have the meaning specified within the proposed amendment, the proposed § 10, or in Section 1.4 of the Zoning By-Law]:

Delete the existing language in Section 10.5.G.3.e and replace it with the following:

#### **e. Parking Satisfaction Sequence**

The Parking Spaces required in the Table in Section 10.4.C entitled “USE TABLES AND ASSOCIATED PARKING REQUIREMENTS” for a residential use shall be provided on the site of the Development or with an approved Shared Parking Agreement pursuant to Section 10.5.G.5. If an Applicant adequately documents the Applicant’s diligent efforts to meet parking requirements listed in that Table for non-residential uses through a combination of on-site parking, reductions, and waivers pursuant to Section 10.5.G.3.d, and an approved Shared Parking Agreement pursuant to Section 10.5.G.5, then the Applicant may seek the Permitting Authority’s approval to meet such non-residential Parking Space requirements by having Parking Spaces in municipal parking facilities (other than Steets) credited pursuant to Section 10.5.G.4.

**Purpose of this Amendment:** There are several categories of parking needs:

- parking for customers and employees of the retail stores/commercial offices
- parking for customers and employees of laboratories and research and development businesses
- parking for persons visiting residents of Dwelling Units
- overnight parking needed for residents of Dwelling Units.

The need for non-residential parking spaces occurs during the day and early evenings. Non-residential parking rarely requires overnight parking. Applicants for Developments in the BCOD should be required to provide all of the Parking Spaces required for **residential use**. No overnight on-street parking shall be used to satisfy the Parking

Space requirements imposed under this Section 10 for residential use or for non-residential use.

Sincerely,

**Robert E. McGaw**

Robert E. McGaw

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