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**TOWN OF BELMONT
DESIGN AND SITE PLAN REVIEW APPROVAL
PLANNING BOARD**

CASE NO. 24-15 | 21-08
APPLICANT: Northland Residential Corporation
PROPERTY: 115 Mill Street (McLean Zone 3)
DATE OF PUBLIC HEARINGS: September 17, 2024
MEMBERS SITTING: Taylor Yates (Chair), Carol Ann Berberian, Thayer Donham
Andrew Osborn
MEMBERS VOTING: Taylor Yates (Chair), Carol Ann Berberian, Thayer Donham
Andrew Osborn

Introduction

This matter originally came before the Planning Board ("Board") of the Town of Belmont ("Town") acting in its capacity as the Design and Site Plan Review ("DSPR") approval granting authority under 6B and Section 7.3 of the Zoning By-Law of the Town of Belmont, Massachusetts ("ZBL") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The ("Applicant"), Northland Residential Corporation, represented by John Dawley, President and CEO, requested DSPR approval by the Board for a parcel of land known as Zone 3 of the McLean District, Pursuant to §6B of the ZBL. The Applicant requested the right to construct 38 for-sale units, to restore and renovate the Samuel Eliot Memorial Chapel into 2 for-sale units, and to construct 112 multi-family rental units and associated infrastructure ("Application").

On April 5, 2022 the Applicant submitted a final set of plans and related materials. At that time the Board accepted the amendments to the original Application and approved the Application as revised. The Board's vote and approval of the Application was preceded by proper notification of abutters, posting of hearing notices at Town Hall, and 28 public hearings. The Board's unanimous approval of the Project was documented in an 18-page decision with conditions imposed and appendices, dated April 15, 2022.

Pursuant to §7.3.5(d) of the Town of Belmont Zoning Bylaws, the issued Design and Site Plan Approval lapsed on April 15, 2024 due to the failure of the Applicant to begin "on-site construction". In their application for the renewal and extension of the present DSPR approval, the Applicant provided three (3) reasons for the expiration:

1. Lengthy negotiations to amend the Reciprocal Easements and Agreement (REA), such that it aligned with the issued DSPR approval,

2. The need to amend the TMMA and the associated timing of Town Meeting, and
3. The difficulty in securing debt and equity construction capital, of which the prior TMMA was a significant obstacle.

Request

The Applicant submitted a new Design and Site Plan Application on August 15, 2024 for the re-issuance of the 2022 Design and Site Plan Review Decision. The Applicant proposed no changes to the project's composition, unit count, layout, or any other of the project's previously approved components or conditions except those approved as part of Amendment #1 as approved on September 13, 2022 and Minor Modification #1 as approved on July 30, 2024. As the McLean Zone 3 Project experienced an extensive Public Hearing process involving 28 Public Hearings and thousands of pages of documents, reports, and comments, all of which are accessible on the Town's website, the Applicant requested a waiver of the requirement to provide 13 bound copies of the project's record documents, which was granted by a vote of 4-0-0 by the Planning Board.

Decision

Following proper notification of abutters, posting the Public Hearing notice at Town Hall, and a Public Hearing, the Board voted unanimously 4-0-0 to approve the re-issuance of the April 15, 2022 Design and Site Plan Review Application Review on September 17, 2024 for a period of 2 years. This decision incorporates the previously Board-approved minor modifications to the April 15, 2022 DSPR (referenced above) as follows:

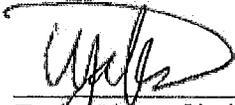
1. The amendment of the first paragraph of Section 3.5.1(b) to read as follows:

"The submitted Final Permit Documents include a Traffic Impact Analysis, prepared by Vanasse and Associates, dated April 16, 2021. While questions about the analysis were raised during the DSPRA, with input from the Town's Traffic Peer Review Consultant, the Board sees no specific flaws in any of the presented analysis, and there has been no contrary professional opinion present to the Board to suggest that there is a flaw in the presented materials and calculations."
2. The deletion of Section 4.11 in its entirety, and
3. The clarification of a conflict between Section 3.1(c) (on page 2) and Section 4.3.3(b) and (c) (on page 13), wherein the required total affordable unit count exceeds the Bylaw requirements by one unit, by deleting the first sentence of Section 4.3.3(c) and substituting the following:

"Building 200 has 53 units with ten affordable units at 80% AMI, and three affordable units at 50% AMI."

This Approval is binding on all successors and assigns and runs with the land.

Town of Belmont, Planning Board



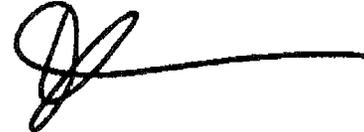
Taylor Yates, Chair



Carol Ann Berberian, Vice-Chair



Thayer Donham



Andrew Osborn

Anyone aggrieved by the issuance of this DSPR Approval has the right to appeal pursuant to M.G.L. Ch. 40A, §17 and shall file such appeal within 20 days after the date of filing this Decision with the Town Clerk.

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**TOWN OF BELMONT
DESIGN AND SITE PLAN REVIEW APPROVAL
MINOR MODIFICATION
PLANNING BOARD**

CASE NO. 24-15 | 21-08

APPLICANT: Northland Residential Corporation

PROPERTY: 115 Mill Street (McLean Zone 3)

DATE OF PUBLIC MEETING: February 25, 2025

MEMBERS SITTING: Taylor Yates (Chair), Carol Ann Berberian, Renee Guo, Andrew Osborn, Alisa Gardner-Todreas

MEMBERS VOTING: Taylor Yates (Chair), Carol Ann Berberian, Renee Guo, Andrew Osborn, Alisa Gardner-Todreas

Introduction

This matter originally came before the Planning Board (“Board”) of the Town of Belmont (“Town”) acting in its capacity as the Design and Site Plan Review (“DSPR”) approval granting authority under 6B and Section 7.3 of the Zoning By-Law of the Town of Belmont, Massachusetts (“ZBL”) and Chapter 40A of the Massachusetts General Law (“Zoning Act”). The (“Applicant”), Northland Residential Corporation, represented by John Dawley, President and CEO, requested DSPR approval by the Board for a parcel of land known as Zone 3 of the McLean District, Pursuant to §6B of the ZBL. The Applicant requested the right to construct 38 for-sale units, to restore and renovate the Samuel Eliot Memorial Chapel into 2 for-sale units, and to construct 112 multi-family rental units and associated infrastructure (“Application”).

On September 17, 2024, the Applicant sought and received re-approval of the project based on an expiration of the original DSPR approval. Both this original approval and the re-approval lacked specificity regarding phasing of the project to ensure a timely completion of the Samuel Elliot Memorial Chapel. Therefore, pursuant to §7.3 of the Town of Belmont Zoning Bylaws, the Applicant requested consideration of a Minor Modification to the September 17, 2024 re-approval to address this omission.

Request

The Applicant submitted a letter requesting said minor modification which provided a sequencing of permitting, construction, and Certificate of Occupancy granting which was found satisfactory to the Director of Planning and Building and the Inspector of Buildings. This proposal was as follows:

Pursuant to the Terms and Conditions of the Residences at Bel Mont, Design and Site Plan Approval – Case #21-08/24-15, as amended:

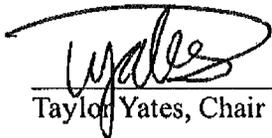
- a. That a Certificate of Occupancy permit for the 112-unit Subdistrict B multifamily project can be issued independent of the work to be conducted on the Chapel Building.
- b. That Certificates of Occupancies permits for Subdistrict A buildings number 3 through 9 and 11 through 14 can be issued independent of the work to be conducted on the Chapel Building.
- c. That a Certificate of Occupancy permit for Subdistrict A building number 10, can be issued once it has been determined that substantial completion of the exterior renovation work of the Chapel has been reached and 5 of 6 of the affordable units have been completed and occupied by income eligible households, and
- d. That Certificate of Occupancy permits for Subdistrict A buildings number 1 & 2 can be issued once the Chapel Building has been issued a Certificate of Completion

Decision

The Planning Board made a unanimous finding that the requested change constituted a “Minor Modification” and voted unanimously 5-0-0 to approve this Minor Modification of the September 17, 2024 Design and Site Plan Review decision.

This Approval is binding on all successors and assigns and runs with the land.

Town of Belmont, Planning Board


Taylor Yates, Chair


Carol Ann Berberian, Vice-Chair


Alisa Todreas-Gardner


Renee Guo


Andrew Osborn