

Town of Belmont
Zoning Board of Appeals
Meeting Minutes
November 16, 2023

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DATE: January 2, 2024
TIME: 2:33 PM

Present: Casey Williams, Chair; Elliot Daniels; Daniel Barry; David Stiff; Teresa MacNutt

Staff: Gabriel Distler, Staff Planner, Office of Community Development.

The Belmont Zoning Board of Appeals held this hybrid public hearing at the Art Gallery on the third floor of the Homer Building, 19 Moore Street, and by remote access through Zoom as permitted by the Massachusetts Act Relative to Extending Certain State of Emergency Accommodations, that become effective July 16, 2022. Update 3/30/23: The State has extended authorization for virtual public meetings through March 31, 2025.

This meeting recording has been posted to the Belmont Media Center webpage.

1. Call to Order 7:00 PM

2. Continued Cases

a. CASE NO 23-24 TWO SPECIAL PERMITS

37-39 Chestnut Street - Venkata Sabbiseti

The applicant requests Two Special Permits under Section 1.5.4A of the By-Law to construct a one-story addition and new third story deck located at 37-39 Chestnut Street located in a General Residence (GR) Zoning District. Special Permits: 1.- §1.5.4A of the By-Law allows alteration and expansion in the GR district by a Special Permit granted by the Board of Appeals. 2.- §4.2.2 of the Bylaw allows for a maximum building height of two and a half (2-1/2) stories. The existing structure is three and a half (3-1/2) stories since the lowest level of the dwelling is a basement (45.1% of the foundation walls are below grade) and is considered a story. The proposed deck would be located at a three (3) story level.

At 7:05 PM, seeing no one present to present on this application, Ms. Williams moved to continue Case No 23-24 at the December 4, 2023 meeting. This motion was seconded by Mr. Barry

Yes Votes -

Casey Williams

Elliot Daniels

David Stiff
Daniel Barry
Teresa MacNutt

3. New Public Hearings

a. CASE NO 23-28 FOUR SPECIAL PERMITS

45 Trapelo Road - Angelo Marchio

The applicant requests Four Special Permits under Section 1.5 of the By-Law to reconstruct a two-story front porch, construct a rear deck, and build a rear addition at 45 Trapelo Road located in a Single Residence C (SR-C) Zoning District. Special Permit: 1.- §4.2 of the By-Law allows for a maximum building height of two and a half (2-1/2) stories. The existing structure is three and a half (3- 1/2) stories since the lowest level of the dwelling is a basement (51.3% of the foundation walls are below grade) and is considered a story. The proposed rear addition is located at a third (3) story level. 2.- allows for a maximum building height of two and a half (2-1/2) stories since the lowest level of the dwelling is a basement (51.3% of the foundation walls are below grade) and is considered a story. The proposed front balcony is located at a third (3) story level. 3.- allows for a maximum lot coverage of 25.0%. The existing lot coverage is 36.5% and the proposed lot coverage is 36.3%. 4.- requires a minimum rear setback of 17.6', the existing rear setback is 10.3' and the proposed rear setback is 4.0'.

Maggie Booz, Smart Architecture, introduced the project. The property is divided laterally into two apartments. The applicants have applied for four special permits to reconstruct a two-story front porch, construct a rear deck, and build a rear addition in order to increase the long-term viability of the two units. Ms. Booz shared that she began contacting the neighbors in June and has received support for the projects.

Mr. Stiff asked why it is not possible to put the spiral staircase inside the home.

Ms. Booz responded that locating the staircase inside the building would sacrifice space for a laundry room or extra bathroom - decreasing the desired long term housing options. It is the intention of the property owners to design units that will not be temporary turnover housing

Ms. Williams opened the meeting for public comment.

Ms. MacNutt shared concerns over how close the structure will now be to the property line. Rida Butzer, 6 Oak Avenue, spoke in support of the project. Ms. Butzer also shared concerns about storm water drainage and losing the trees currently planted along the property line.

Ms. Williams assured Ms. Butzer that storm water drainage is included in the inspection of the building. Ms. Williams suggested placing a condition on the retention of the current tree line.

At 7:41 PM, Ms. Williams moved to accept the four special permits for 45 Trapelo Road, Special Permit: 1.- §4.2 of the By-Law allows for a maximum building height of two and a half (2-1/2) stories. The existing structure is three and a half (3- 1/2) stories since the lowest level of the dwelling is a basement (51.3% of the foundation walls are below grade) and is considered a story. The proposed rear addition is located at a third (3) story level. 2.- allows for a maximum building height of two and a half (2-1/2) stories since the lowest level of the dwelling is a basement (51.3% of the foundation walls are below grade) and is considered a story. The proposed front balcony is located at a third (3) story level. 3.- allows for a maximum lot coverage of 25.0%. The existing lot coverage is 36.5% and the proposed lot coverage is 36.3%. 4.- requires a minimum rear setback of 17.6', the existing rear setback is 10.3' and the proposed rear setback is 4.0'. - with the conditions that the existing trees along the rear property line are maintained and that the window on the stair addition moves to a side elevation. This motion was seconded by Mr. Barry.

Yes Votes -

Casey Williams

Elliot Daniels

David Stiff

Daniel Barry

Teresa MacNutt

b. CASE NO 23-29 ONE SPECIAL PERMIT

34 Winthrop Road – John A. Aftandilian and Krista K. Aslanian

The applicant requests Three Special Permits under Section 1.5 of the By-Law to extend an existing second story dormer at 34 Winthrop Road located in a Single Residence C (SR-C) Zoning District. Special Permits: 1.- §4.2.2 of the By-Law requires a minimum front setback of 25.0', the existing front setback is 20.8' and the proposed front setback is 23.1'.

Rafal Zelek, Zelek Design, introduced the project. The renovation started with an addition to a primary bedroom suite. This renovation requires the widening of the existing dormer. The project maintains the initial footprint of the building.

Ms. Williams opened up the meeting for public comment.

Richard Sailor, 234 Slade Street, spoke in support of the project.

Peter Emerson and Julie Barton, 16 Charles Street, spoke in support of the project.

At 7:55 PM, Mr. Stiff made the motion to approve the applicant's requests for Three Special Permits under Section 1.5 of the By-Law to extend an existing second story dormer at 34 Winthrop Road located in a Single Residence C (SR-C) Zoning District. Special Permits: 1.- §4.2.2 of the By-Law requires a minimum front setback of 25.0', the existing front setback is 20.8' and the proposed front setback is 23.1'. The motion was seconded by Ms. Williams.

Yes Votes -

Casey Williams

Elliot Daniels

David Stiff

Daniel Barry

Teresa MacNutt

c. CASE NO 23-30 TWO SPECIAL PERMITS

14 Herbert Road – Carol and Edward Berberian

The applicant requests Two Special Permits under Section 1.5 of the By-Law to construct a two-story side addition at 14 Herbert Road located in a Single Residence A (SR-C) Zoning District. Special Permits: 1.- §4.2 of the By-Law allows for a maximum lot coverage of 25.0%, the existing lot coverage is 27.3% and the proposed lot coverage is 28.7%. 2.- requires a minimum side setback of 10.0', the existing and proposed side setback is 7.9'.

Carol Berberian, 14 Herbert Road, spoke on the project. Ms. Berberian shared that she had spoken to the neighbors and collected letters of support.

At 8:01, Ms. Williams moved to approve the Two Special Permits under Section 1.5 of the By-Law to construct a two-story side addition at 14 Herbert Road located in a Single Residence A (SR-C) Zoning District. Special Permits: 1.- §4.2 of the By-Law allows for a maximum lot coverage of 25.0%, the existing lot coverage is 27.3% and the proposed lot coverage is 28.7%. 2.- requires a minimum side setback of 10.0', the existing and proposed side setback is 7.9'. Ms. MacNutt seconded this motion.

Yes Votes -

Casey Williams

David Stiff

Daniel Barry

Teresa MacNutt

4. Minutes

At 8:03 PM, Ms. Williams moved to accept the October 2, 2023 meeting minutes. The motion was seconded by Mr. Barry.

Yes Votes -

Casey Williams

Elliot Daniels

David Stiff

Daniel Barry

Teresa MacNutt

5. Discuss Monday, December 4, 2023 Executive Session

Mr. Distler explained that the Executive Session will be to discuss Beatrice Circle and to approve the minutes from an executive session held in September. The regular meeting will begin at 7:00 PM.

At 8:06 PM, Ms. Williams moved to adjourn the meeting. The motion was seconded by Mr. Daniels, and was approved unanimously.

The next meeting of the Zoning Board of appeals will take place on Monday, December 4, 2023 at 6:00 PM.

*Respectfully submitted by,
James Goudie*