

19-27

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**TOWN OF BELMONT
BOARD OF APPEALS**

CASE NO. 19-27
APPLICANT: Ryan Casillo
PROPERTY: 44 Palfrey Road
DATE OF PUBLIC HEARING: July 15th, 2019

72320-508



Bk: 73224 Pg: 510 Doc: DECIS
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MEMBERS SITTING: Nick Iannuzzi, Chairman
Jim Zarkadas
Phil Ruggiero
Craig White
Casey Williams, Associate Member
Blake Currier, Associate Member

MEMBERS VOTING: Nick Iannuzzi, Chairman
Jim Zarkadas
Phil Ruggiero
Craig White
Casey Williams, Associate Member

Introduction

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicant Ryan Casillo ("Applicant") requests One (1) Special Permit under Section 1.5 of the Zoning By-Laws to construct a third story addition. The existing structure is three and a half stories. §4.2.2 of the zoning By-Law, dimensional regulations, allow a maximum of 2-1/2 stories. The lowest level of the dwelling is a basement (54% of the foundation walls are exposed) and is considered a story. The property is located at 44 Palfrey Road in a Single Residence C (SRC) Zoning District.

The Board held a duly noticed hearing on the application on July 15th, 2019. The Applicant Ryan Casillo made a presentation to the Board.

Proposal

The applicant would like to build a second-floor addition to create additional space for his growing family. The home currently has a basement, a first floor and a second floor. The proposal is to build a 2nd floor addition on top of the existing structure of the 1st floor family room. The addition does not extend beyond the existing footprint of the house and will not change the height of the building. None of the existing nonconformities will be impacted by this change. The proposed addition is on the back of

Ryan Casillo
44 Palfrey Rd

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the house and there will be no changes to the front façade of the house. The reason for the application is that the foundation is 54% above grade, classifying the lowest level as a basement and not a cellar which makes the proposed addition a third story. The applicant submitted a petition with 13 signatures from his neighbors. No one spoke in favor or in opposition to the applicant's proposal.

Conclusion

On July 15th, 2019, the Board deliberated on The Applicant's Ryan Casillo ("Applicant") request for One (1) Special Permit under Section 1.5 of the Zoning By-Laws to construct a third story addition, the existing structure is three and a half stories, under section 4.2.2 of the zoning by-law dimensional regulations allows a maximum of 2-1/2 stories, the lowest level of the dwelling is a basement (54% of the foundation walls are exposed) and is considered a story. The property is located at 44 Palfrey Road, in a Single Residence C (SRC) Zoning District.

Based on the foregoing factors, the Board determined that the applicant's proposal did not have any adverse effects to the Town or the neighborhood and that the proposed request will be in harmony with the neighborhood and general purpose and intent of the By-law and determined that it would not be more detrimental to the neighborhood than the existing building.

Accordingly, **upon motion duly made by Jim Zarkadas and seconded by Craig White, the Board voted 5-0 to grant the Applicant's Special Permit as requested.**

For the Board:

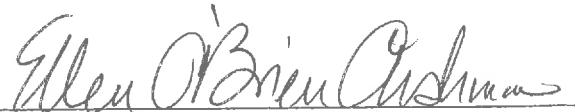
Dated: August 14, 2019



Ara Yogurtian
Assistant Director
Office of Community Development

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on August 14, 2019, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions.

September 4, 2019



Ellen O'Brien Cushman, Town Clerk
Belmont, MA