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**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

Case No. 19-39

Applicants: Yue Chen and Kelly Liu

Property: 79 Hoitt Road

Date of Public Hearing: December 2, 2019

Members Sitting: Nicholas Ianuzzi (Chair)  
Jim Zarkadas (Vice Chair)  
Craig White  
Phil Ruggiero  
Andrew Plunkett  
Casey Williams (Associate Member)  
Andrew Kelley (Associate Member)  
Teresa MacNutt (Associate Member)

Members Voting: Nicholas Ianuzzi (Chair)  
Craig White  
Phil Ruggiero  
Andrew Plunkett  
Teresa MacNutt (Associate Member)



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**Introduction**

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicants, Yue Chen and Kelly Liu ("Applicant") seek One Special Permit under §1.5 of the Zoning Bylaw to Construct a Sunroom at 79 Hoitt Road located in a Single Residence C (SRC) zoning district. Special Permit 1. Minimum required side setback is 10.0', the existing side setback is 7.8' and the proposed is 8.4'.

**Proposal**

The petitioners propose to construct a sunroom at the rear of the structure. They have submitted for the Board's review architectural drawings dated May 23, 2019 prepared by Brady Built Sunrooms, a plot plan dated September 16, 2019, a Zoning Checklist dated October 16, 2019, and one picture of the rear of the house where the proposed sunroom would be constructed.

The project's designer, Earl Connor presented to the Board the proposed project, he explained that the new sunroom will be supported on helical piers and will not have

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full depth concrete footings. This method will avoid excavation, will minimize the disturbance of the ground and is designed to support the lightweight structure.

No one spoke in support of or in opposition to the proposed project.

**Decision**

The Board deliberated on December 2, 2019. Under the “Gale vs. Gloucester” ruling, the relief sought is by a Special Permit. The non-conforming side setback matter was considered by the Board. The Board found that the proposed expansion does not substantially increase the non-conforming nature of the structure or create a new nonconformity and concluded that the proposed expansion is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and that, the proposed is in keeping with the character of the neighborhood in which the property is located.

Accordingly, **upon motion duly made by Chair Nicholas Iannuzzi and seconded by Craig White, the Board voted 5-0 to grant the Special Permit as requested.**

For the Board,

Dated: February 25, 2020

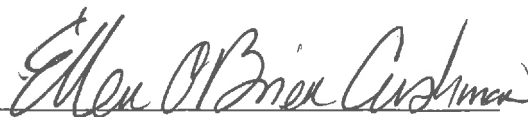


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Ara Yogurtian,  
Assistant Director  
Office of Community Development

CERTIFICATION BY TOWN CLERK

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 February 25, 2020 , and further I certify that no appeal has been filed with regard to the granting of said One Special Permit with zero (0) conditions.

April 16, 2020



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Ellen O'Brien Cushman, Town Clerk  
Belmont, MA