

DATE: June 7, 2023
TIME: 10:28 AM

**TOWN OF BELMONT
ZONING BOARD OF APPEALS
MEETING MINUTES
March 6, 2023**

Present: Nicholas Iannuzzi, Chair; Jim Zarkadas, Vice Chair; Andrew Kelley;
Casey Williams; David Stiff; Teresa MacNutt; Elliot Daniels

Staff: Gabriel Distler, Staff Planner, Offices 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 became effective July 16, 2022.

1. CALL TO ORDER AT 7:00 PM

2. OPEN ZONING BOARD OF APPEALS DISCUSSION

Mr. Iannuzzi announced that June 2023 will be his last meeting as a member, and he will be stepping down as Chair and as a member. The Select Board will choose another member in his place. He will submit his resignation to the Select Board soon.

Mr. Zarkadas announced that June 2023 will be his last meeting as a member, and he will be stepping down as Vice Chair and as a member. The Select Board will choose another member in his place. He will submit his resignation to the Select Board soon.

Mr. Iannuzzi noted that Ms. Williams has seniority on the Board and he suggested that Ms. Williams act as Chair and Mr. Kelley act as Vice Chair.

3. PUBLIC HEARINGS

**a) CASE NO 23-05 ONE SPECIAL PERMIT 160-162 Beech Street
– Paul L. Fountas**

Mr. Iannuzzi read the public notice.

The applicant requests One Special Permit under section 4.2 of the By-Law to construct a driveway at 160-162 Beech Street located in a General Residence (GR) Zoning District. Special Permit: 1.-§4.2 of the By-Law requires a minimum open space of 40%, the existing open space is 18.6% and the proposed open space is 18.6%.

Mr. Fountas came before the Board and noted that he had provided a statement dated December 21, 2022. He said there was a change in the curb cut and there were no other changes. He looked at other houses on the same side of the street, and they have the same configuration. The neighbor to the right has erected a fence down the middle of the driveway and his tenants cannot get into the garage. He removed a fence, but they cannot drive in and out with the curb there.

Mr. Iannuzzi read a memo from Mr. Clancy dated February 24, 2023. Mr. Clancy stated that there must be a certified plot plan and the package was inadequate. The plot plan must include the proposed open space, identify the preconstruction lot conditions, and the post-construction intentions. Mr. Rober did the calculations and found the existing open space at 18.6 percent and proposed 21.2 percent.

Mr. Iannuzzi would like proof that the fire hydrant location will be okay. He asked the Applicant to cooperate with the Planning Staff and get his paperwork in the right way.

Mr. Distler would like to schedule a meeting between Mr. Rober, Mr. Clancy, and the Applicant to tackle this.

MOTION to continue was made by Mr. Iannuzzi and seconded by Mr. Zarkadas. Motion passed.

**Mr. Kelley
Ms. Williams
Mr. Zarkadas
Mr. Iannuzzi
Ms. MacNutt**

b) CASE NO 23-06 SIX SPECIAL PERMITS 50 Bartlett Avenue – Sue and Alon Manela

Mr. Iannuzzi read the public notice.

The applicant requests Six Special Permits under section 1.5 of the By-Law to alter the building's ridge line at 50 Bartlett Avenue located in a General Residence (GR) Zoning District. Special Permit: 1.-§1.5.4A of the By-Law allows extensions and alterations of non-confirming structures in the GR zoning district by a Special Permit from the Zoning Board of Appeals. 2.- §4.2 of the By-Law requires a minimum building height of two and a half (2-1/2) stories, the existing structure and proposed alteration to the buildings ridge line are at a three and a half (3- 1/2) story level. 3.- allows for a maximum lot coverage of 30.0%, the existing and proposed lot coverage is 34.0%. 4.- requires a minimum open space of 40.0%, the existing and proposed open space is 36.9%. 5.- requires a minimum side setback of 10.0', the existing and proposed left side setback is 7.9'. 6.- requires a minimum side back of 10.0', the existing and proposed right setback is 6.9'.

Ms. Miller, Miller Design, presented the plans to increase the pitch of the roof, add two gabled dormers (one on each side) to incorporate two bedrooms and a bathroom in the attic. The height will increase in the overall height from 30.1 feet to 31.7 feet and remains consistent with the streetscape. The proposed alterations are consistent with the size, scale, and character of the neighborhood. Many of the homes have this condition with the slightly higher roof and dormers including the immediate abutter and the house across the street. They have support from the neighbors and the immediate abutter.

There were no public comments.

**MOTION to approve was made by Ms. MacNutt and seconded by Ms. Williams.
Motion passed.**

YES votes-
Mr. Kelley
Ms. Williams
Ms. MacNutt
Mr. Daniels
Mr. Zarkadas

c) CASE NO 23-07 ONE SPECIAL PERMIT 104 Winter Street – Thomas and Liane Keister

Mr. Iannuzzi read the public notice.

The applicant requests One Special Permit under section 1.5 of the By-Law to construct a second story addition at 104 Winter Street located in a Single Residence A (SR-A) Zoning District. Special Permit: 1.-§4.2.2 of the By-Law requires a minimum rear setback of 40.0', the existing rear setback is 25.1' and the proposed is 28.8'.

Mr. and Ms. Keister joined the meeting. Their representative presented the project to construct a second-story addition. There were letters of support from neighbors.

There were no public comments.

**MOTION to approve was made by Mr. Iannuzzi and seconded by Mr. Kelley.
Motion passed.**

YES votes-
Mr. Stiff
Mr. Kelley
Ms. Williams
Mr. Zarkadas
Mr. Iannuzzi

d) CASE NO 23-08 ONE SPECIAL PERMIT 70 Fairview Unit #2 – Erica Eckman

The applicant requests One Special Permit under section 3.4.2H of the By-Law to allow a home occupation at 70 Fairview Avenue located in a General Residence (GR) Zoning District. Special Permit: 1.-§3.4.2H of the By-Law allows home occupations that result in patrons or clients visiting the premises by Special Permit.

Mr. Distler noted that this is a two-family unit and that Dr. Eckman's unit is #2.

Ms. Eckman noted that the clients would park in the driveway and not on the street and she would schedule clients one at a time. She normally sees six people per day.

There were letters of support from neighbors.

Doug Crane, 74 Fairview Avenue, noted that he was in support of the application if it was only in the upstairs unit.

MOTION to approve with conditions was made by Mr. Iannuzzi and seconded by Mr. Zarkadas. Motion passed.

Conditions: Ms. Eckert would be allowed to see six clients per day. Hours of operation 9AM – 7 PM (Monday through Thursday). A sketch is to be submitted to Offices of Community Development showing the floor plan where she will meet with the patients.

YES votes-
Mr. Kelley
Ms. Williams
Mr. Zarkadas
Mr. Iannuzzi
Ms. MacNutt

4. MINUTES: Review and approve the February 6, 2023 public hearing meeting minutes.

To be reviewed at the next hearing.

5. Adjourn 8:28 PM

The Zoning Board of Appeal's next regularly scheduled meeting will be held on Monday, April 3, 2023.