

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

MEETING MINUTES

July, 15 2019

**RECEIVED
TOWN CLERK
BELMONT, MA**

DATE: October 14, 2021

TIME: 2:29 PM

Present: Nick Iannuzzi, Chair; Jim Zarkadas, Vice Chair; Casey Williams; Craig White; Phil Ruggiero; Blake Currier

Staff: Ara Yogurtian, Liaison to the Office of Community Development
Kevin Pickering, Building Inspector

1. CALL TO ORDER 7:00 PM

Mr. Iannuzzi called the meeting to order and introduced the Zoning Board members. He noted the order of the meeting and asked the audience members to please sign-in if they were planning to make a statement.

2. PUBLIC HEARINGS:

- a. CASE NO. 19-24 – TWO (2) Special Permits
32 Bright Road (SR-C) – Nadia Shalaby

Mr. Iannuzzi read the public notice.

Nadia Shalaby, Homeowner/Applicant, came before the Board to present her application to construct a deck at 32 Bright Road. She noted that there was an L shape patio around the house and it collected debris and runoff. She was proposing to build a deck over the existing cement patio. She had support from all four of her abutters plus ten more families and they were all in support of the project.

Mr. Yogurtian noted that this was a proposed deck with a pergola, semi-covered open roof and the addition of a roof was included in the lot coverage. If you put a roof over it, it becomes a “porch”. Mr. Yogurtian noted that Clarification from the Board on what was being approved to be needed to be included in the decision.

No one spoke in support or opposition.

MOTION to approve the request to construct a deck with no roof structure and to approve the two special permits sought by the Applicant was made by Mr. Iannuzzi and seconded by Mr. White. Motion approved, vote 5-0.

Condition: No roof structure will be allowed.

b. CASE NO.19-25 – ONE (1) SPECIAL PERMIT

56 Oxford Avenue (GR) – 56 Oxford Avenue Condominium Trust

Mr. Iannuzzi read the public notice.

Mr. Currier recused himself from the meeting at 7:34 PM as he was an abutter to the subject property.

Mr. Sammy Baghdady, Attorney, came before the Board representing Jeff Adam, Trustee of the condominium. Mr. Baghdady distributed a petition of support. He described the historical use of the property. He noted that having to park in tandem was a big inconvenience and getting in and out of the car was difficult for Mr. Adams as he was in a wheelchair. Mr. Baghdady noted that parking was currently on the gravel and they received a violation letter. The Homeowner mistakenly thought that the removal of pavement at the rear of the home and adding pavement to the side driveway would be acceptable to offset each other and not affect the open space calculations.

Mr. White noted that they would essentially be approving the widening of the driveway and the continued use of the rear parking.

Mr. Currier, Neighbor, 61 Marlboro Street, spoke in support of the driveway expansion.

No one spoke in opposition.

The Board deliberated. Mr. White noted that he was concerned about approving an already nonconforming lot to a significantly more nonconforming lot.

MOTION to approve was made by Mr. Zarkadas and seconded by Mr. Ruggerio. Motion approved, vote 4-1.

Mr. Currier returned to the meeting.

c. CASE NO.19-26 – ONE (1) SPECIAL PERMIT

90 Trapelo Road (LBI) – 90 Trapelo Road, LLC

Mr. Sammy Baghdady, Attorney, representing the gas service station Owner, came before the Board to describe the history of the property. He noted that the Applicant wanted to build a canopy over the existing fuel pumps. He explained that there was a

deeding of land to the Town many years ago and the pumps became very close to the Town owned land and the canopy will hang over the Town Property. The Board will need to approve the canopy and the BOS will need to approve the overhang, the portion that is over the Town's land. He was asking for the Board's approval of the canopy with the condition that the BOS approves the overhang.

Mr. Baghdady noted that the employees did not want to go into the wind and rain to pump gas during the winter and it puts the fuel service station in a competitive disadvantage. The Applicant intends to go to the BOS for approval to hang over the Town Property.

Ruth Smullin, 7 Linden Avenue, Abutter to the rear, noted that she was concerned about the amount of light from the station.

Owner, noted that he had made many improvements to the property.

Mr. Baghdaddy said that they plan to have a sign that says that cars cannot block the driveway. Mr. Yogurtian noted that the Traffic Advisory Committee will have to approve this.

MOTION to approve the portion of the canopy within the property with a condition that the remaining portion was approved by the BOS was made by Mr. Zarkadas and seconded by Mr. Iannuzzi. Motion approved, vote 5-0.

Condition: Only down lighting would be allowed under canopy lighting

- d. CASE NO.19-27– ONE (1) SPECIAL PERMIT
44 Palfrey Road (SRC) – Ryan Casillo

Mr. Iannuzzi read the public notice.

Mr. Casillo, Owner/Applicant, came before the Board to present his application for a third-story addition. He noted that he needed more space for his growing family and extended family who come to visit often. He had signatures of support from his neighbors and he noted that his addition would not be detrimental to the neighborhood.

No one spoke in support or opposition of the project.

MOTION to approve was made by Mr. Zarkadas and seconded by Mr. White. Motion approved, vote 5-0.

e. CASE NO.19-28 – ONE (1) SPECIAL PERMIT

113 White Street – Silverdec Properties, LLC, Julius Perl, Partner

Mr. Iannuzzi read the public notice.

Mr. Yogurtian recused himself from the meeting at 8:23 PM as he was an abutter to the subject property. Mr. Kevin Pickering, Belmont Building Department Staff took his place for this case.

Paul Apkarian, Architect, came before the Board to present the application to add four dormers and a rear set of exterior stairs. He noted that he was proposing to remove internal stairs and add the stairs to the back of the exterior of the house.

Suzanne Moray, White Street, noted that she was opposed to the outside stairs. They could be very dangerous in a snowstorm as there was a concern of falling snow from the roof. She noted that the staircase was not good looking and it looked like a house in East Boston.

Mr. Yogurtian, White Street, noted that the open outdoor staircase was a concern and they should put something to enclose the back stairs so that they will be safer and nicer looking. There would be no issue as to lot coverage as the lot was very large. He asked to Board to consider approving the dormer portion of the application so that the Applicant could get started on the dormer construction before the weather turns bad.

Mr. Zarkadas noted that he was in support of the enclosed exterior rear staircase.

MOTION to continue the rear stair portion of the case until September 2019 was made by Mr. Iannuzzi and seconded by Mr. White. Motion approved, vote 5-0.

MOTION to approve the dormers was made by Mr. Iannuzzi and seconded by Ms. Williams. Motion approved, vote 5-0.

Mr. Yogurtian returned to the meeting.

3. Review and Approve ZBA Meeting Minutes for:

June 17, 2019

MOTION to approve the meeting minutes was made by Mr. Iannuzzi and seconded by Mr. White.

4. Adjourn 8:54 PM.