

2026 FEB -3 PM 2: 27

CASE NO. 26-03

NOTICE OF PUBLIC HEARING BY THE
ZONING BOARD OF APPEALS
ON APPLICATION FOR A SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, March 2, 2026 at 7:00 PM by a hybrid public hearing at the Art Gallery on the third floor of the Homer Building, 19 Moore Street, and by remote access through the Zoom app. to consider the application of 73-75 Foster Road LLC, Ronald Smith, owner, for One Special under section 1.5 of the By-law to construct a two story open deck at 73-75 Foster Road, located in a General Residence (GR) zoning district. §1.5.4A of the By-Law allows alteration and expansions in the General Residence district by a Special Permit granted by the Board of Appeals. The proposed expansion is allowed by a Special Permit.

ZONING BOARD OF APPEALS



OFFICE OF PLANNING & BUILDING
TOWN OF BELMONT
19 Moore Street
Homer Municipal Building
Belmont, Massachusetts 02478-0900

Building Division
(617) 993-2664
Planning Division
(617) 993-2666

Telephone: (617) 993-2650

January 27, 2026

73-75 Foster Road LLC, Ronald Smith, owner
73-75 Foster Road
Belmont, MA 02478

RE: Denial to Construct Two Story Deck

Dear Mr. Smith,

The Office of Planning and Building is in receipt of your building permit application for proposal to construct a two story deck at 73-75 Foster Road located in General Residence zoning district.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, 1.- §1.5.4A of the By-Law allows any alterations and expansions in the General Residence zoning district are allowed by a Special Permit granted by the Board of Appeals,

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request One (1) Special Permit from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development at (617)-993-2650 to schedule an appointment with Ara Yogurtian, Inspector of Buildings to begin the process.

Sincerely,

Ara Yogurtian C.B.O.
Inspector of Buildings

RECEIVED
TOWN CLERK
BELMONT, MA
2026 FEB -3 PM 2:27



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: 1/23/2026

Zoning Board of Appeals
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Laws of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 73-75 Foster Rd Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for _____

construct a two story deck

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner [Signature]
Print Name Ronald Smith
Address 83 Concord Ave
Belmont MA
Daytime Telephone Number 617 233 6819

December 6, 2005



OFFICE OF PLANNING & BUILDING
TOWN OF BELMONT
19 Moore Street
Homer Municipal Building
Belmont, Massachusetts 02478-0900

Building Division
(617) 993-2664
Planning Division
(617) 993-2666

Telephone: (617) 993-2650

January 22, 2026

Ronald Smith
73-75 Foster Road
Belmont MA 02478

RE: Construct a Two-Story Open Deck

Dear Mr. Smith:

The Office of Planning and Building is in receipt of your building permit application to construct a two story deck at 73-75 Foster Road located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, §1.5.4A of the By-Law allows alteration and expansions in the General Residence district by a Special Permit granted by the Board of Appeals

1. The proposed expansion is allowed by a Special Permit.

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request a Special Permit from the Zoning Board of Appeals. If you choose this option, please contact the Office of Planning and Building at (617)-993-2650 to schedule an appointment with Ara Yogurtian, Inspector of Buildings to begin the process.

Sincerely,

Ara Yogurtian C.B.O.
Inspector of Buildings

Bar

To whom it may concern

1/22/2026

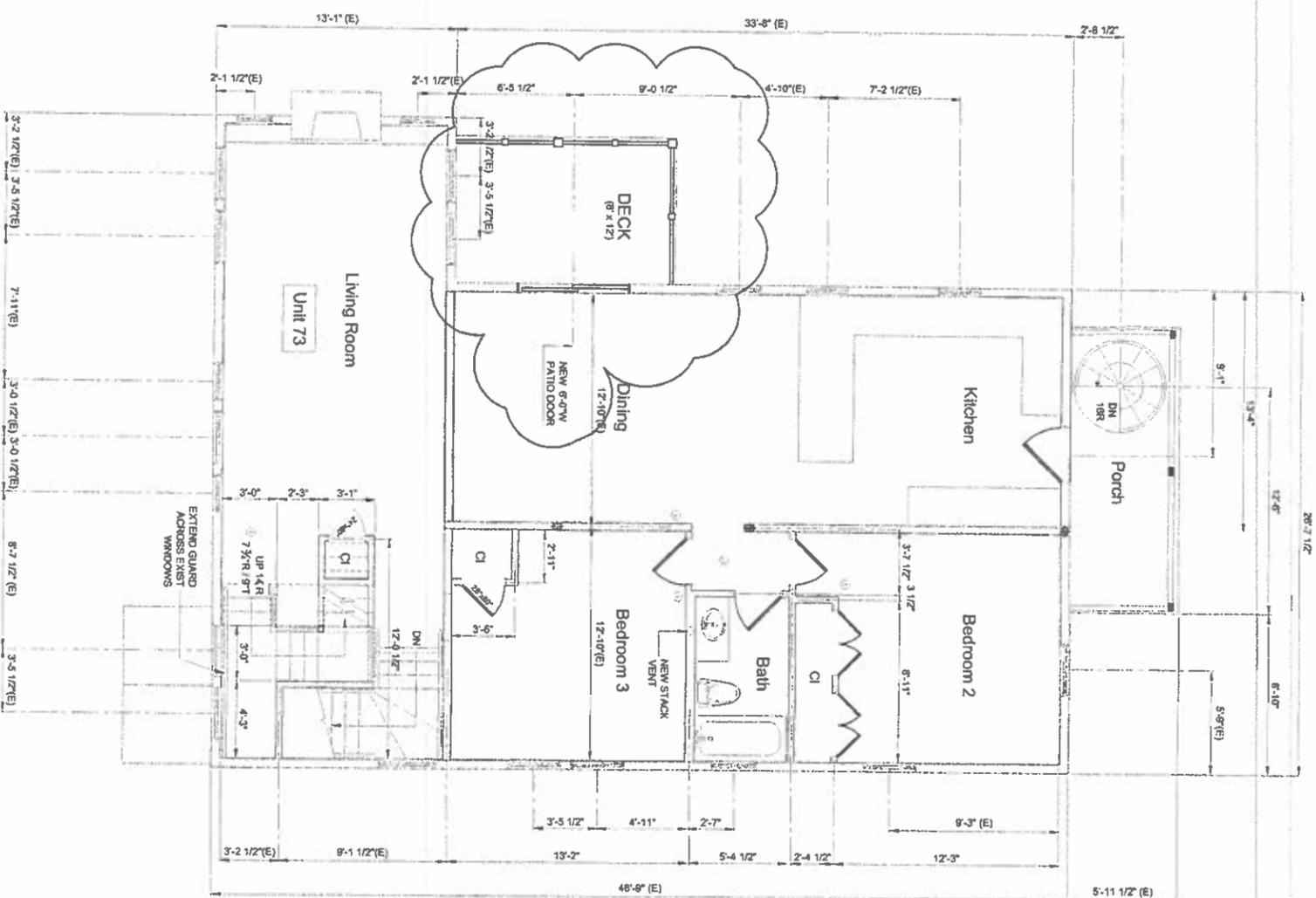
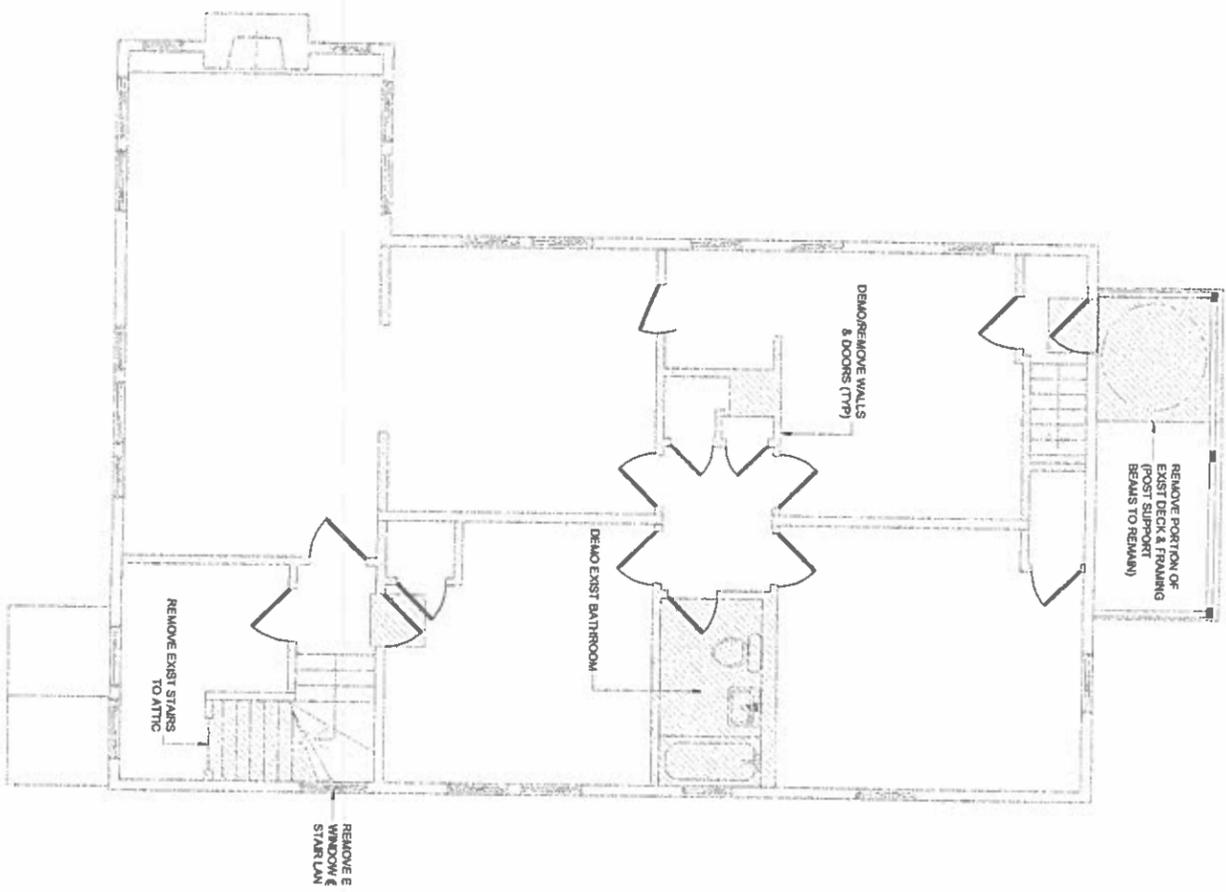
I Ronald Smith owner of 73-75 foster road in Belmont ask to be considered for a special permit to construct two stories open decks on our driveway side of the home. We were denied a building permit on 1/22/2026 based on Town of Belmont zoning by-Law 1.5.4A. We comply with all the zoning requirements except the one we were denied for. We ask for this special permit because we built a new egress stair from the units in place of the existing rear two stories deck so it could be installed under the existing roof for safety. The existing rear egress design did not conform to current egress code and was not safe we felt the new stair in place of the rear decks was our best option. The installation of the egresses under the existing roof in place of the rear decks left the two units without any outside deck space. We believe the addition of a two-story deck on the driveway side of the house was our best option to regain outdoor space accessible for each unit. We believe this design and its location has the least impact on the architectural design of the home and does not change the look of the home from the street.

Sincerely

Ronald Smith

- LEGEND**
- CEILING LIGHT/FAN UNIT
 - SMOKE DETECTOR
 - CARBON MONOXIDE DETECTOR
 - HEAT DETECTOR

- NOTES:**
1. FINAL ELECTRICAL LIGHTING LAYOUT PER OWNERS ELECTRICAL GC AND CODE REQUIREMENTS.
 2. ALL SMOKE DETECTORS / COX UNITS SHALL BE MULTIPLE STATION WHELED TO THE SUPPLY SIDE OF A CIRCULAR AIRWAY SYSTEM.
 3. ALL UNITS SHALL BE CEILING MOUNTED PHOTOELECTRIC AND VOICE ACTIVATED.
 - SEE PLANS FOR LOCATIONS.



NOTE: EXISTING WINDOWS TO BE REMOVED & REPLACED IN KIND. SEE DRAWING G.1 FOR FENESTRATION ENERGY REQUIREMENTS.

SECOND FLOOR MODIFICATION
PLAN
1/4" = 1'-0"

SECOND FLOOR DEMO
PLAN
1/4" = 1'-0"

1/4" = 1'-0"
0 1 2

| | |
|------------------|----------|
| REVISION | |
| REVISED FOR DECK | 5/8/2025 |

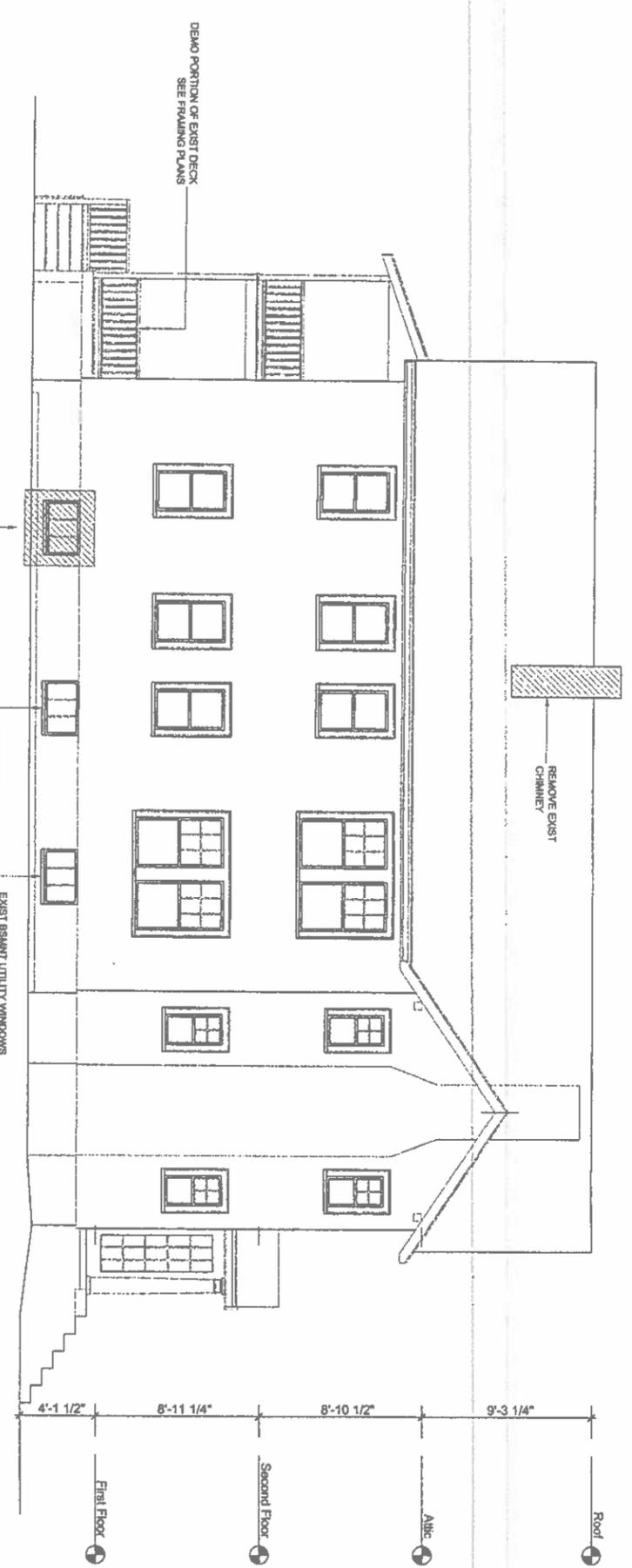
PROJECT NUMBER
HOUSE MODIFICATIONS
73 - 75 FOSTER AVENUE
BELMONT, MA.

DRAWING TITLE
SECOND FLOOR PLANS

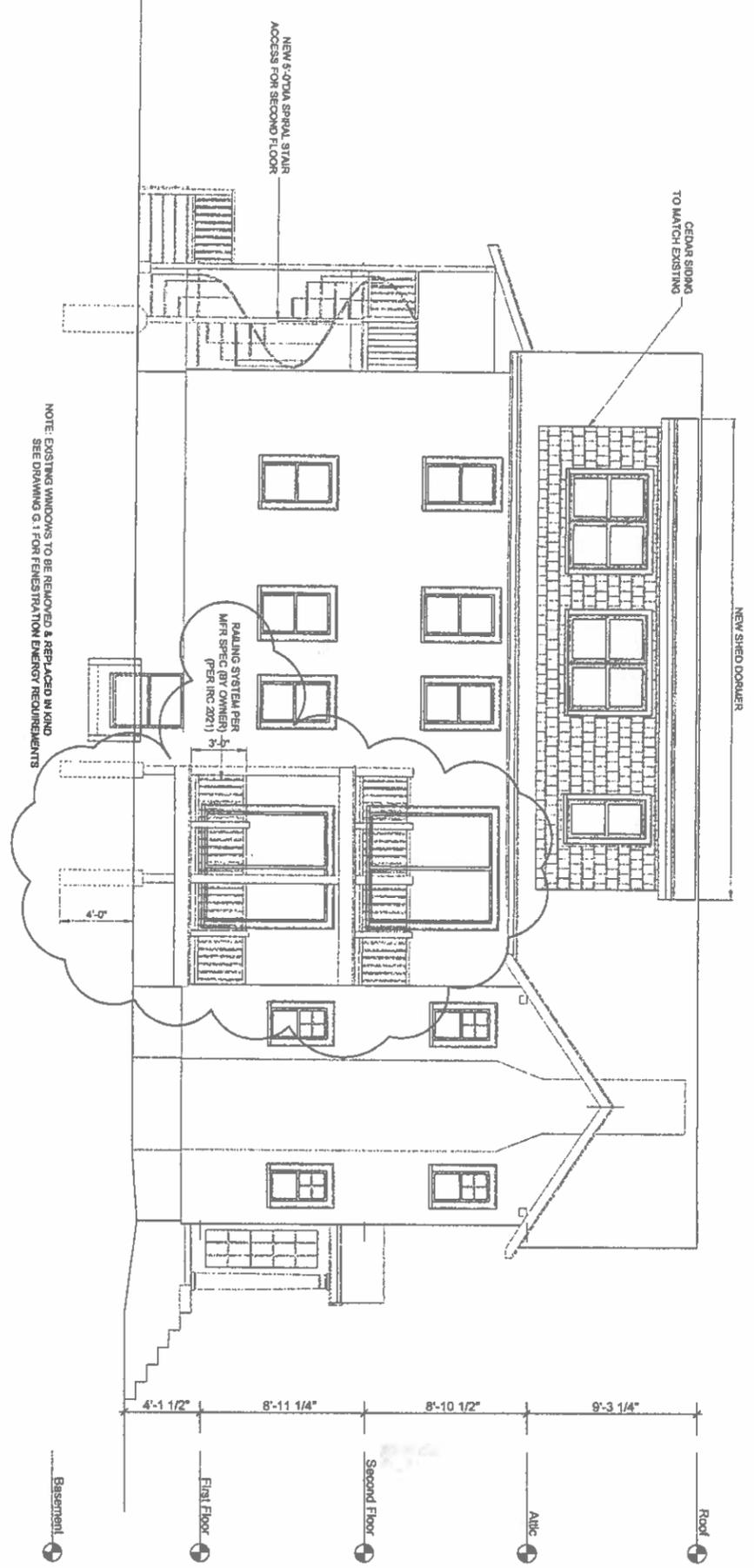
| | |
|----------|----------------|
| SCALE | AS NOTED |
| DRAWN BY | RM |
| CHECKED | RT |
| DATE | DECEMBER, 2024 |

DRAWING NUMBER

A.3



EXISTING LEFT SIDE ELEVATION
 $\frac{1}{8}'' = 1'-0''$



LEFT SIDE ELEVATION MODIFICATIONS
 $\frac{1}{8}'' = 1'-0''$

$\frac{1}{8}'' = 1'-0''$
 2 1 0 2

| | |
|------------------|----------|
| REVISIONS | |
| REVISED FOR DECK | SAB/2025 |

| | |
|----------------|--|
| PROJECT NUMBER | HOUSE MODIFICATIONS 73 - 75 FOSTER AVENUE BELMONT, MA. |
|----------------|--|

| | |
|---------------|----------------------|
| DRAWING TITLE | LEFT SIDE ELEVATIONS |
|---------------|----------------------|

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|----------|----------------|
| SCALE | AS NOTED |
| DRAWN BY | RM |
| CHECKED | RT |
| DATE | DECEMBER, 2024 |

| | |
|----------------|-----|
| DRAWING NUMBER | A.6 |
|----------------|-----|

