

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

2023 OCT 23 PM 6: 21

**CASE NO.** 23-22

**APPLICANTS** Reja Amatya and Sudeep Prajapati

**PROPERTY** 31-33 Hull Street

**DATE OF PUBLIC HEARING** September 11, 2023

**MEMBERS SITTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
Teresa McNutt  
Elliot Daniels  
Alexandra Danahy, Associate Member  
Daniel Barry, Associate Member

**MEMBERS VOTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
Teresa McNutt  
Elliot Daniels  
Alexandra Danahy, Associate Member

**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, Reja Amatya and Sudeep Prajapati (the “Applicants”) sought one (1) Special Permit under Section 1.5.4A of the Zoning Bylaw to construct a one-story addition in a property located the General Residence (GR) Zoning District. The Property currently has an existing non-conforming front setback. The requested Special Permit is:

1. §11.5.4A of the By-Law allow alterations and expansions in the GR Zoning District by a Special Permit(s) granted by the Board of Appeals.

**Proposal**

The Board held a duly noticed hearing on the application on September 11, 2023. The Applicants submitted for the Board’s review: (1) a statement from the Applicants in support of the application dated July 21, 2023; (2) architectural drawings, dated March 17, 2023; (3) a plot plan, dated June 6, 2023, prepared by surveyor Richard J. Mede Jr. of Medford Engineering & Survey; (4) a Zoning Checklist, dated June 6, 2023, prepared by surveyor Richard J. Mede Jr.; and (5) calculations dated June 6, 2023 prepared by surveyor Richard J. Mede Jr. regarding, *inter alia*, % of Exposed Foundation, Top of Basement Elevation, and Average Grade Elevations. No letters of support or opposition were submitted as part of this application.

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At the Hearing, the Applicant, Ms. Amatya, outlines the proposal to add a second story addition above the existing sunroom on the rear side of the first floor of the Property, as part of a project to create a new half-bath in the existing sunroom at with an addition above it, all on the same footprint as the existing sunroom. The applicants do not propose to further extend or alter the existing, non-conforming front setback.

At the hearing no members of the public spoke in support or in opposition to the application.

**Decision**

MGL 40A §6 provides in pertinent part: “Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.”

The Board found that the proposed addition is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and further that the proposed alteration is in keeping with the character of the neighborhood in which the property is located.

**Accordingly, upon motion duly made by Andrew Kelley, and seconded by Casey Williams, the Board voted 5-0 to grant the One (1) Special Permit as requested.**

For the Board,

Dated: October 23, 2023



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Gabriel S. Distler,  
Staff Planner  
Office of Community Development