

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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CASE NO. 23-11

APPLICANT Melaneie Haratunian

PROPERTY 56 Shaw Road

DATE OF PUBLIC HEARING April 3, 2023

MEMBERS SITTING Nicholas Iannuzzi Jr., Chair
Casey Williams
Andrew Kelley
Teresa MacNutt
David Stiff, Associate Member

MEMBERS VOTING Nicholas Iannuzzi Jr., Chair
Casey Williams
Andrew Kelley
Teresa MacNutt
David Stiff, 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 Zoning By-Law of the Town of Belmont, Massachusetts (the “By-Law”) and Chapter 40A of the Massachusetts General Law (the “Zoning Act”). The applicant, Melaneie Haratunian, (“Applicant”) seeks Two (2) Special Permits under Section §1.5 of the Zoning Bylaw to construct a rear addition at 56 Shaw Road located in the Single Residence (SR-C) Zoning District. Special Permit:

1. §4.2 of the By-Law allows a maximum lot coverage of 25.0%, the existing lot coverage is 28.1% and the proposed lot coverage is 29.3%.
2. §4.2 of the By-Law requires a minimum side setback of 10.0’, the existing and proposed side setback is 7.7’.

Proposal

The Board held a duly noticed hearing on the application on April 3, 2023. The Applicants submitted for the Board’s review architectural drawings, dated March 3, 2023, prepared by the firm Joe the Architect; a plot plan, dated September 27, 2022, prepared by surveyor Scott C. Lynch; a zoning compliance checklist, dated September 27, 2022, prepared by surveyor Scott C. Lynch; and basement/cellar calculations, dated September 27, 2022, prepared by surveyor Scott C. Lynch. The Applicant also submitted on letter of support signed by two neighbors as well as one petition of support signed by three neighbors.

The Applicants contractor, Chris Delaney, presented the application and spoke Applicant’s behalf. Mr. Delaney, explains that the existing rear three-season sunroom is in poor

condition and lacks a proper foundation, the proposed addition would be a structurally sound fully enclosed TV/reading room off of the home's kitchen.

At the hearing no one spoke in favor or 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 that the proposed alterations are in keeping with the character of the neighborhood in which the property is located.

Accordingly, upon motion duly made by Teresa MacNutt and Casey Williams, the Board voted 5-0 to grant the Two (2) Special Permits as requested.

For the Board,

Dated: June 29, 2023



Gabriel S. Distler,
Staff Planner
Planning Division
Office of Community Development