

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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**CASE NO.** 23-07

**APPLICANTS** Thomas and Liane Keister

**PROPERTY** 104 Winter Street

**DATE OF PUBLIC HEARING** March 6, 2023

**MEMBERS SITTING** Nicholas Iannuzzi, Jr., Chair  
Demetrios (Jim) Zarkadas, Vice Chair  
Teresa MacNutt  
Casey Williams  
Andrew Kelley  
Elliot Daniels, Associate Member  
David Stiff, Associate Member

**MEMBERS VOTING** Nicholas Iannuzzi, Jr., Chair  
Demetrios (Jim) Zarkadas, Vice Chair  
Andrew Kelley,  
Casey Williams,  
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 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, Thomas and Liane Keister (Applicants), request One (1) 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’.

**Proposal**

The Board held a duly noticed hearing on the application on March 6, 2023. The Applicants submitted for the Board’s review architectural drawings, dated January 30, 2023, prepared by C. Sweeney Design; a plot plan, dated December 1, 2022, prepared by surveyor Douglas L. Johnston; a zoning compliance checklist, dated December 1, 2022, prepared by surveyor Douglas L. Johnston; and basement/cellar calculations, dated December 1, 2022, prepared by surveyor Douglas L. Johnston. The Applicants also submitted a petition of support signed by four neighbors.

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The Applicants' contractor explained the proposal to construct a full second story addition over the existing building footprint in order to provide more space for the Applicants young family. Applicants' contractor stated that the addition will not be detrimental to the neighborhood.

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 a motion duly made by Nicholas Iannuzzi Jr. and seconded by Andrew Kelley, the Board voted 5-0 to grant the one (1) Special Permit as requested.**

For the Board,

Dated: June 5, 2023



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