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BELMONT, MA

2020 MAR 16 PM 2:00

CASE NO. 20-11

NOTICE OF PUBLIC HEARING BY THE  
ZONING BOARD OF APPEALS

ON APPLICATION FOR 2 SPECIAL PERMITS

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, April 6, 2020, at 7:00 PM in the Art Gallery, 3<sup>rd</sup> Floor Homer Municipal Building, 19 Moore Street, to consider the application of Silverdec Properties, LLC, Julius Perl, partner, for TWO (2) SPECIAL PERMITS under Section 1.5.2, TO EXPAND A NONCONFORMING USE (4-family use not allowed) and Section 5.1.3 b) 2) TO INSTALL FRONT YARD PARKING at 113 WHITE STREET in a General Residence Zoning District.

ZONING BOARD OF APPEALS



Town of Belmont  
Zoning Board of Appeals

RECEIVED  
TOWN CLERK  
BELMONT, MA

2020 MAR 16 PM 2:08

**APPLICATION FOR SPECIAL PERMIT –**  
**FRONT YARD PARKING and/or**  
**GARAGES BELOW THE GROUND FLOOR**

Date: 2-27-2020

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 Town of Belmont Zoning By-Laws, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 113 WHITE ST Street/Road, hereby apply to your Board for a **SPECIAL PERMIT FOR FRONT YARD PARKING and/or GARAGES BELOW THE GROUND FLOOR** on said premises under Section 5.1.3 of the Zoning By-Law of said Town.

Petitioner(s) are to provide written statements that the Front Yard Parking and/or Garages below will comply with the criteria of Section 5.1.3 of the Zoning By-Laws (attached).

Signature of Petitioner J. Perl  
Print Name JULIUS PERL  
Address 15 BRIARWOOD LANE  
BURLINGTON, MA 01803  
Daytime Telephone Number 781-552-9020



Town of Belmont  
Zoning Board of Appeals

**SPECIAL PERMIT CRITERIA –**  
**FRONT YARD PARKING and/or**  
**GARAGES BELOW THE GROUND FLOOR**

(Town of Belmont Zoning By-Laws, Section 5.1.3 b) 2))

Parking spaces and/or two-car garage openings or larger below the ground floor shall not be permitted except on Special Permit from the Board of Appeals, to be granted only on determination by the Board that the following criteria are satisfied.

To aid the Board in its deliberations, the Petitioner(s) will submit documentation regarding each of these considerations, which are germane to the application, including information regarding consultative efforts made with municipal staff, neighborhood groups or other affected parties.

1. Feasible alternatives for providing necessary parking do not exist,
2. Effective use of plantings, grading, and location are employed to minimize visual impacts of the paved front yard and/or garage,
3. The garage does not create the appearance of an additional story, which would then give an overall appearance of the structure exceeding the 2-1/2 story limitation,
4. The slope of the driveway shall be no greater than 15% (1.8" per 12"),
5. The paved area is only as wide as the garage and tapers where possible,
6. For buildings with more than one unit, the garages, and associated paved areas necessary to provide access to each garage, shall be separated from each other by at least 12 feet, the area between the driveways to be landscaped with trees and other plantings as provided for in Section 5.3 of these By-Laws, and
7. On-site drainage is adequately provided for.

To: Belmont Building Department

Date: 2/28/2019

Dear Board Members,

We are a group of four partners having purchased last year a four-family building located on 113 White St from DiGenova family. We are currently renovating the building to bring it to full code compliance while providing increased safety. The property has a single driveway positioned to the left of the house, capable to accommodating four cars comfortably. To accommodate a fifth car on this driveway, which is permissible by current code, would pose potential safety issues as will be explained here. To remediate the situation, the owners are seeking special permit for the board to allow adding an additional driveway to the right of the house to accommodate one car for a total of five on the property. Please see photos.

By limiting the existing driveway to four cars will improve visibility to incoming traffic to drivers backing up on this driveway, as well as improving visibility to pedestrians, frequently parents walking their children to and from school most every day.

Additionally, limiting the number of cars parked in the existing driveway would facilitate easier snow removal during the winter. While the driveway can be comfortably ploughed if there are just four cars parked, an additional car would necessitate moving that car to park on the street during ploughing, possibly interfering with street snow removal.

The proposed driveway will hold one car while the existing driveway will hold four cars for a total of five while meeting the current zoning bylaws dimensional and intensity regulations - please see attached Zoning Compliance checklist.

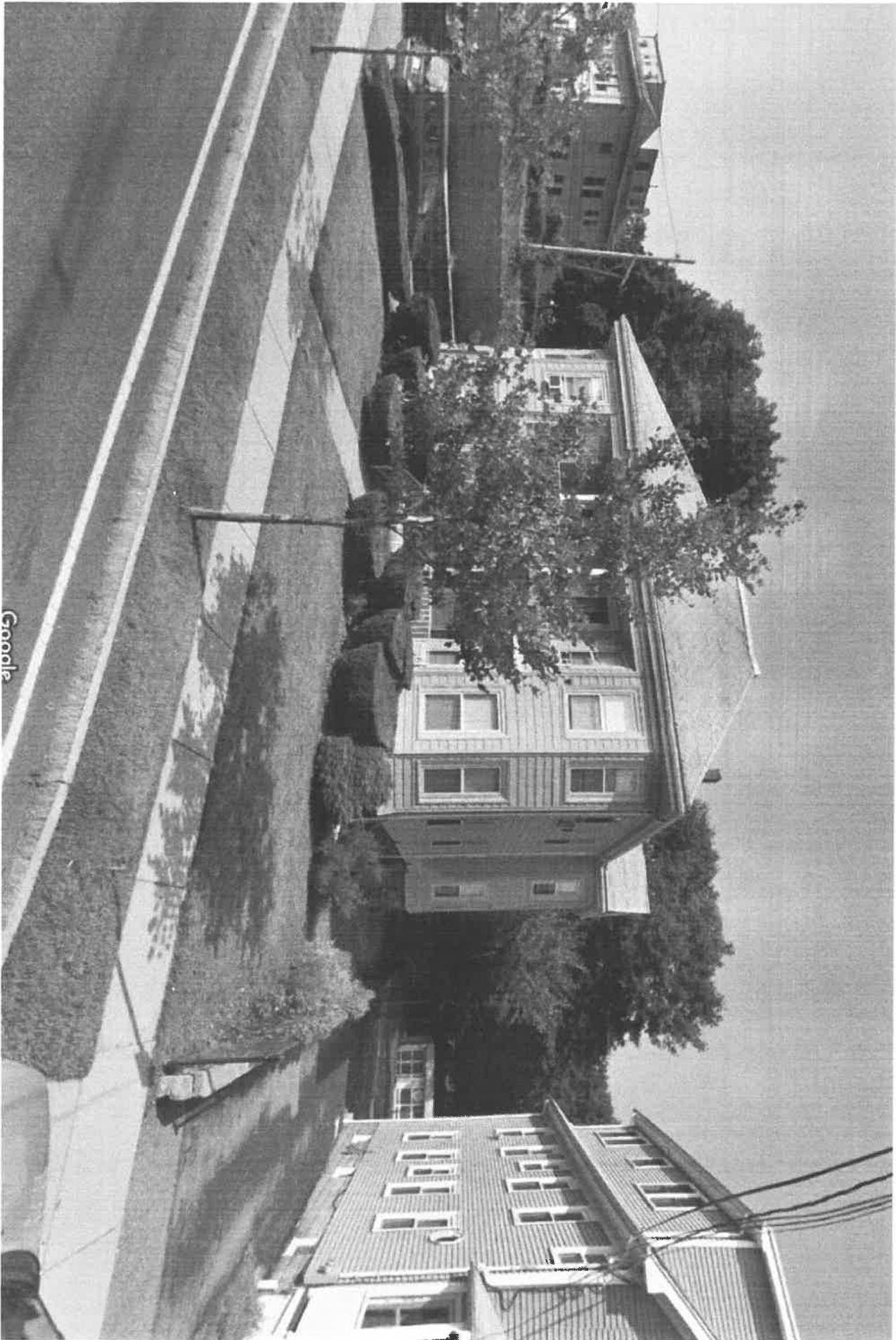
Thank you for your time and consideration.

On behalf of the four partners

Julius Perl



Google



Google

## Zoning Compliance Check List (Registered Land Surveyor)

Property Address: 113 WHITE ST.

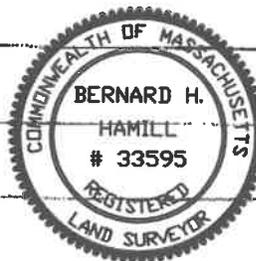
Zone: GR

Surveyor Signature and Stamp: SEE BELOW

Date: 23 NOV. 2019

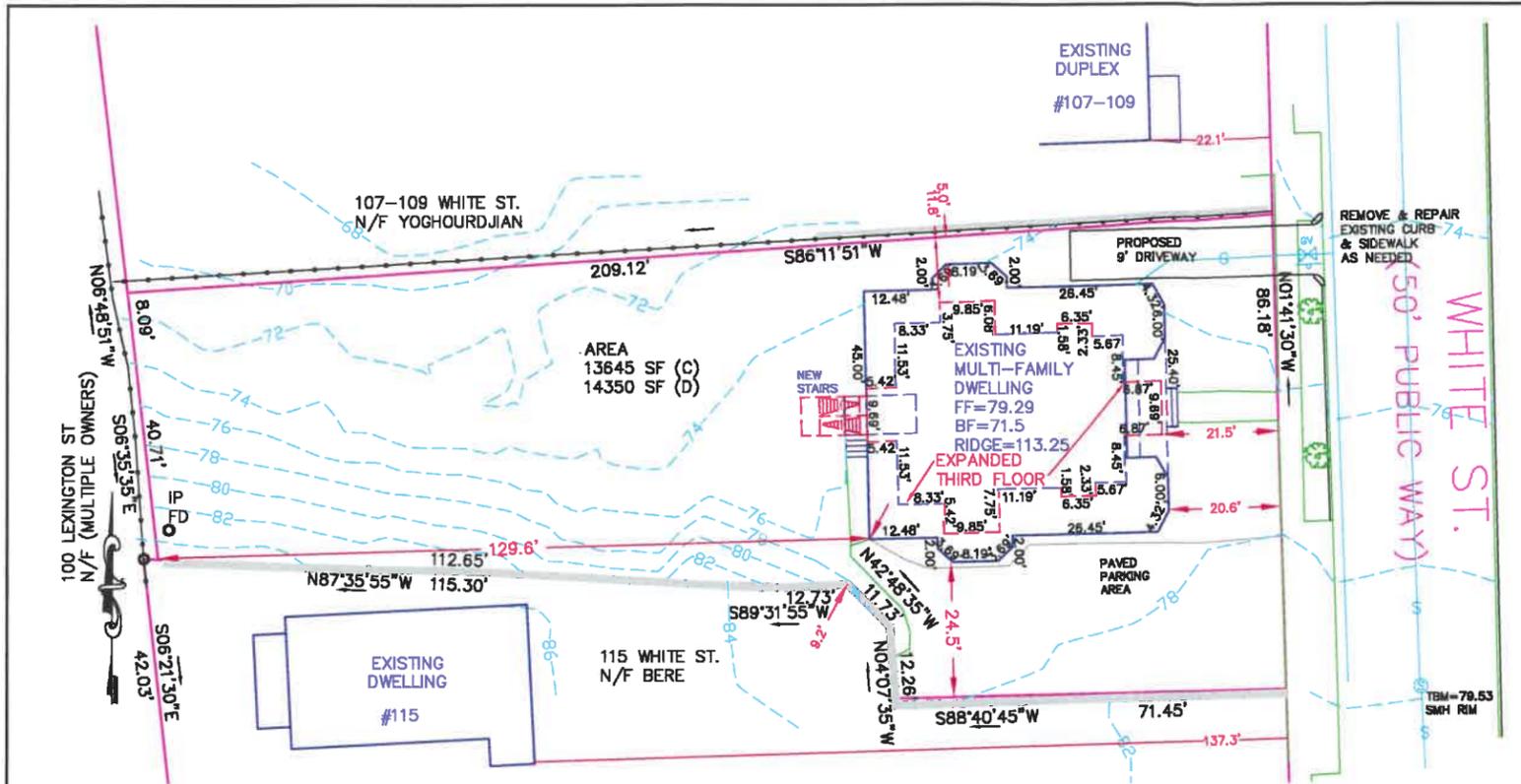
	REQUIRED	EXISTING	PROPOSED
Lot Area	7000	13645	13645
Lot Frontage	70	86	86
Floor Area Ratio	---	---	---
Lot Coverage	30%	20%	21%
Open Space	40%	65%	63%
Front Setback	20	20	20
Side Setback R	10	5.0	5.0
Side Setback L	10	24.5	24.5
Rear Setback	20	129	129
Building Height	33	30.2	30.2
Stories	2.5	2.5	2.5
½ Story Calculation	FOUNDATION BELOW GRADE 40% MIN.		
	PERCENTAGE BELOW GRADE = 4.12 FT / 6.8 FT = 61%		
	SEE ATTACHED		

**NOTES:**

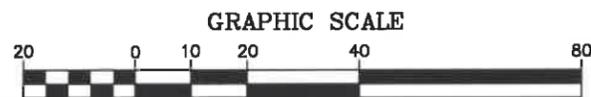


*Bernard H. Hamill*

# PLOT PLAN 113 WHITE ST. BELMONT, MA



EXISTING SITE  
1" = 20'



**REFERENCE:**

SUBJECT TO EASEMENTS AND/OR RESTRICTIONS AS SHOWN AND/OR RECORDED.  
SEE DEED BOOK 71893 PAGE 249 MSRD.  
SEE PLAN 629 OF 1978 MSRD.  
SEE ASSESSORS MAP 26 PARCEL 183  
SEE DEED BOOK 58084 PAGE 99 MSRD.  
SEE PLAN 347 OF 1938 MSRD.  
SEE PLAN BOOK 6 PLAN 28 MSRD.  
SEE PLAN 118 OF 2016 MSRD.  
SEE PLAN BOOK 333 PLAN 15 MSRD.  
CONFLICT BETWEEN DEED DESCRIPTION OF WALL LOCATION AND FIELD MEASUREMENTS FOR PROPERTY LINE NOTED.  
RECORD PLAN SHOWING CORRECTION OF BLOCK FRONTAGE SHORTAGE AND CORRECTION IS ON FILE AT MNRD.

ZONING DISTRICT: GR  
ZONING DIMENSIONS

LOT REQUIREMENTS	REQUIRED	PROPOSED
1. AREA (SF) (2 FAMILY)	7000	13645 (GRANDFATHERED)
AREA/DU (SF)	3500	3411 (GRANDFATHERED)
2. WIDTH (FT) (REAR BLDG LINE)	70	67 (GRANDFATHERED)
3. DEPTH (FT)	---	---
4. FRONTAGE (FT) (2 FAMILY)	70	86
5. FRONT (FEET)	20	20
6. SIDE (FEET) (CHIMNEY)	10	5.0 (GRANDFATHERED) 11.8 (EXPANSION)
7. REAR (FEET)	20	129
LOT DEPTH (100'+; 20%)	41'	129'
8. COVERAGE	30%	20%
OPEN SPACE	40%	66%
9. HEIGHT (FEET) MAX.	33	30.2
10. STORIES	2.5	2.5
11. GROSS FLOOR AREA (MAX)	---	---
12. DRIVEWAY SLOPE	---	---

SITE IS "GRANDFATHERED"  
SPECIAL PERMIT IS REQUIRED.



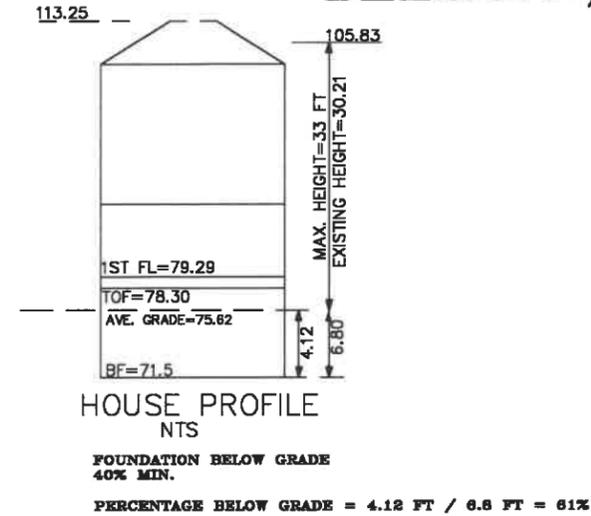
Bernard H. Hamill  
BERNARD H. HAMILL  
MASSACHUSETTS PLS #33595  
MASSACHUSETTS PE #32401



LOCUS PLAN  
1"=100'

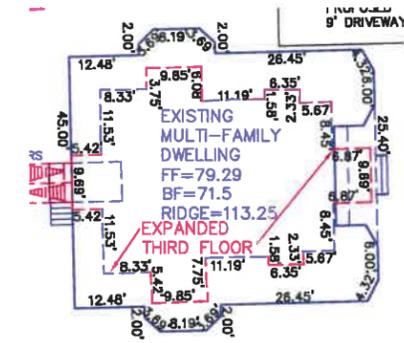
**NOTE:**  
BUILDING LOCATION AND OFFSETS SHOWN ARE SPECIFICALLY FOR ZONING DETERMINATION ONLY AND NOT TO BE USED TO ESTABLISH PROPERTY LINES.

**CERTIFICATION:**  
PLAN WAS COMPILED FROM EXISTING PLANS IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR FOUNDATION INSPECTIONS AS ADOPTED BY THE MASSACHUSETTS ASSOCIATION OF LAND SURVEYORS AND CIVIL ENGINEERS.  
A. THE PROPOSED BUILDING CONFORMS TO THE DIMENSIONAL REQUIREMENTS OF THE ZONING BYLAWS OF THE TOWN OF BELMONT, MA. LOT IS "GRANDFATHERED".  
B. THE BUILDING IS NOT IN THE 100 YEAR FLOOD PLAIN. SEE FEMA MAP #25017C0414E DATED 4 JUNE 2010.  
C. THE SITE IS NOT SUBJECT TO THE WETLANDS PROTECTION ACT.



HOUSE PROFILE  
NTS

FOUNDATION BELOW GRADE  
40% MIN.  
PERCENTAGE BELOW GRADE = 4.12 FT / 6.8 FT = 61%



CONSTRUCTION DIMENSIONS  
1" = 20'

DATE: 15 NOV. 2018  
REVISED: 31 MAY 2019

PREPARED FOR:  
SILVERDEC PROPERTIES, LLC  
15 BRIARWOOD LANE  
BURLINGTON, MA

PREPARED BY:  
H-STAR ENGINEERING  
200 GREENVILLE ROAD  
NEW IPSWICH, NH 03071  
(978) 973-3078  
(EMAIL: HSTAR@ATT.NET)