

Town of Belmont Planning Board



December 22, 2017

APPLICATION FOR A SPECIAL PERMIT

	Date:
Planning Board	
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-Law 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 <u>23 Centre Ave.</u> Stree	t/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 <u>the enlargement of</u>	
a previously approved dwelling unit within a Historic Accessory Building as described in	
the attached documentation. The apartment will increase from 897 sq.ft. of living space	
and approximately 250 sq.ft. of unfinished basement / storage space to 1417 sq.ft. of	
living space and 461 sq.ft. of finished basement / storage space.	
on the ground that the same will be in harmony with the general purpose and intent of	
said Zoning By-Law.	
0: (55 49)	
Signature of Petitioner	
Print Name	Michael J. McNamara
Address	23 Centre Ave.
	Belmont, MA 02478
Davtime Telephone Number	781-816-3534



OFFICE OF COMMUNITY DEVELOPMENT TOWN OF BELMONT

19 Moore Street Homer Municipal Building Belmont, Massachusetts 02478-0900

Historic District Commission

November 21, 2017

Charles Clark, Chair Belmont Planning Board Homer Municipal Building 19 Moore Street Belmont, MA 02478

RE: 23 Centre Ave - Expansion of Previously Approved Accessory Dwelling Unit

Dear Chuck,

The Historic District Commission (HDC) held a public meeting on Tuesday, November 14, 2017, to discuss with the owner of 23 Centre Avenue plans to alter an existing accessory dwelling unit in the former blacksmith's shop. The existing rental unit received previous support from the HDC when it was approved by the Planning Board in 2014; the unit currently occupies a portion of the structure.

The HDC understands that the proposed plans do not involve any work on the exterior, and only entails expanding the unit into currently underutilized space within the existing structure. The HDC informed the owner that if the scope changes to include any exterior alterations, further review and approval is required from the HDC.

Based on the proposed scope of work reviewed on November 14, the HDC voted unanimously to support the owners' plans. From a historic preservation perspective, the HDC has no objection to the scope of work being proposed.

Sincerely,

Lauren Meier, Co-Chair

Application of Michael and Michelle McNamara for a Special Permit Pursuant to Section 6.11 of the Town of Belmont Zoning By-Laws



Members of the Board:

We are the current owners of 23 Centre Avenue. As you may recall, we came before this Board in the fall of 2014. You granted a Special Permit under Section 6.11 and 7.4 to allow the reuse of the Historic Accessory Building at 23 Centre Avenue as a dwelling unit. A copy of the Special Permit is attached Exhibit A. We now come before you — pursuant to Special Condition 4 of the Special Permit granted on November 13, 2014 — in order to seek to reconfigure the use of the Historic Access Building in order to provide a master bedroom suite above ground, a dining room and some finished storage space for the dwelling unit.

As you may remember, the Carriage House is located on our property and is one of two buildings, the other being the main house, where we reside with our three young children. The Carriage House is a Historic Accessory Building as defined in the By-Laws. To our knowledge, it is one of approximately 25 Historic Accessory Buildings in Belmont. Both the main house and the Carriage House were originally built by the Hatch Family and the property is now known as the "Simon D. Hatch House". The Carriage House started out as a blacksmith shop in the 18th century. Over time, the Carriage House stopped being used as a blacksmith shop and fell into disrepair. When former owner Tom Blake bought the property in 1980, the Carriage House was in desperate need for a complete renovation. Mr. Blake completely restored the Carriage House 1984, which restoration was vetted and approved by the Historic District Commission (see attached Certificate of Appropriateness). Presently, the Carriage House includes a large room that was used by Mr. Blake for his personal use as a home office or woodworking shop, a two

¹ Section 6.11.2 provides: A "Historic Accessory Building" is an accessory building such as a free-standing barn, greenhouse or carriage house built before 1921, which is located on the same lot as the principal building to which it is accessory, and which is either:

a) listed on the Inventory of the Historic and Archaeological Assets of the Commonwealth as maintained by the Massachusetts Historic Commission; or

b) listed on the National Register or State Register of Historic Places; or

c) specifically designated as a "Historic Accessory Building" by the Belmont Historic District Commission, using the criteria for evaluation established for determining eligibility for the National Register of Historic Places.

car garage, storage space, and an apartment. The dwelling unit has been occupied by renters for approximately six (6) years.²

Over the past few years, we have been living on the property and find that we don't use the space in the Carriage House separate from the dwelling unit. We would like to dedicate the remainder of the top floor of the carriage house to the dwelling unit and finish some space on the lower floor. When we initially rented the unit, we received feedback that the lack of a dining room and the bedroom being in the basement were major problems with the unit. We eventually did rent the unit to a couple, who have occupied the unit for the past few years. We would like to re-configure the Carriage House to accomplish the following goals: provide a master bedroom with bathroom above ground (currently the only bedroom is located below ground and is rather dark), provide a dining room for the dwelling unit, and add some much needed finished storage space to the unit. Our proposed plans are attached as Exhibit B. Plans showing the existing floor plan are attached as Exhibit C and pictures showing the current conditions of the Carriage House are attached as Exhibit D. We have informed our neighbors of our plans by email. A copy of the content of that email is attached as Exhibit E. We have also attached some of the replies to our email supporting our renovation plans as Exhibit F.

Repurposing some of the interior space of the Carriage House as a dwelling unit would allow us to modernize the building slightly and put a larger portion of the structure to use (since currently the rooms we would like to repurpose are not being used at all). We respectfully submit that allowing us provide a master bedroom suite above ground on the top floor of the Carriage House and a dining room to the same floor would further the By-Law's stated purpose to "promote the preservation of unique Historic Accessory Buildings by permitting their adaptive reuse for uses that may not be otherwise be permitted under this Zoning By-Law, thereby making their functional preservation and restoration feasible." Section 6.11.1 ("Purpose"). Much of the

Prior owner Tom Blake testified before the Board on June 17th that he had erroneously believed that the passage of Section 6.11 alone allowed him to use the Carriage House as a dwelling unit. When we realized that he had not yet obtained the permit under Section 6.11, we encouraged him to apply to the Board for such a permit in order to avoid any ambiguity as to whether the use was allowed by the Board. Given that Mr. Blake was in the process of selling the property to us when the matter was heard on June 17th, the Board suggested that we apply for the permit once the sale has closed, and allowed Mr. Blake to withdraw his petition.

space in the Carriage House is going unused. Dedicating that space to the dwelling unit would allow use and improve that space.

As the Board is aware, it may allow such a Special Permit in two circumstances: "for use as a home occupation," or, as we seek here, for use as "one accessory dwelling unit." *See* Section 6.11. In determining whether to grant the special permit, the Planning Board must find that the proposed reuse meets each of the factors enumerated in Section 6.11, namely:

(1) is "generally in harmony with the neighborhood,"

. . . .

- (2) "will neither generate excessive traffic, parking, noise or density impacts on the abutters, nor create other detrimental effects on the neighborhood,"
- (3) "will preserve and/or restore the original architectural features of the Building to the maximum extent practicable,"
- (4) "will not adversely affect the historic landscape or the architectural and historic integrity of the principal building or the Historic Accessory Building itself," and
- (5) "will not result in any enlargement or relocation of the Historic Accessory Building."

As this Board found on November 13, 2014, Sections 6.11 and 7.4 were met. The accessory dwelling unit is "incidental to the ownership and use of the principal structure on the same lot" and at least one of the dwelling units will be owner occupied. Further, the Board found that factors (1) - (5) would be met by the dwelling unit in the Carriage House as it is currently configured. We do not believe that making the changes we have proposed will alter these findings. Nonetheless, we will go through the factors in case the Board would like to review the findings.

First, we believe the reconfiguration of the dwelling unit is consistent and in harmony with the neighborhood, which is a residential neighborhood (as opposed to a business district). Of the immediate neighbors, three properties are owner occupied and three properties are occupied by renters. None of the neighbors have voiced any objection to the proposed reuse. We have talked with many of the neighbors about our plans. None of those we talked with voiced any objections. In fact, some of the neighbors were unaware anyone was living in the Carriage House, which shows that the use of the Carriage House as an apartment is in harmony with the neighborhood.

Second, reconfiguring the Carriage House dwelling unit will not generate excessive traffic. There is ample parking in front of the Carriage House, which is one of two driveways on the property. Two of those parking spots are set aside for use by the occupants of the Carriage

House. As such, at most one or two cars would be parked on the property on any regular basis. Our current renters park their car in the garage, so it is not visible to the neighbors. Further, the driveway of the Carriage House is located quite close to Concord Ave and should not create any significant or noticeable traffic for the neighbors. Making the proposed changes to the dwelling unit will not alter the traffic in and out of the dwelling unit in any significant degree.

, le f

Third, our ability to re-configure the dwelling unit of the Carriage House will allow us to more easily rent the unit and better preserve the architectural features of the Building. We have recently contracted with a painting company to re-paint the exterior of the Carriage House (we have already secured the appropriate permits from the board this Spring), and have updated some of the systems and appliances in the Carriage House with the rental income we derive from the dwelling unit. Allowing us to re-configure the interior of the Carriage House will allow us to continue to keep the Carriage House in good repair and retain the building in its current form and finish. It will also provide ongoing incentive to maintain the structure and its aesthetics. We believe that our ability to maintain the building would be improved with the re-configuration of the interior of the Carriage House. The building is large. Significant upkeep of the building is necessary. This change would improve the usefulness of the building.

Finally, factors 4 and 5 are met, as no alteration of the exterior of the building is contemplated or requested.³

Our current Special Permit includes several conditions. Those same conditions would apply to the reconfigured dwelling unit. Namely, that the Carriage House is limited to one accessory dwelling unit, the permit may not be transferred to a subsequent owner without Board

³ In addition, the Special Permit must comply with the procedures and requirements set forth in Section 7.4 of the By-Laws and the Planning Board's Special Permit Regulations. We note that the physical appearance and plans of the building will be unchanged, the site has sufficient water, electrical and sewer services, and any impact on the traffic patterns and municipal infrastructure will be minor or non-existent. As to activity type and mix, granting the Special Permit will serve the housing needs of local residents by providing a one bedroom apartment and will increase the diversity of the neighborhood. Finally, as to access, driveway parking spaces are provided and the Accessory Building is one of the first buildings off of a main thoroughfare (Concord Ave). The abutters will be minimally impacted, if at all. Further, approving this use of the Carriage House will impact abutters less than any other use contemplated by Section 6.11 of the Zoning By-Laws. Any other use, such as a home occupation, would require coming and going of customers or clients, which would impact abutters significantly more. As such, we believe that granting the Special Permit will be in accordance with Section 7.4 of the By-Laws and the Planning Board's Special Permit Regulations, which will be addressed in the body of this letter regarding the additional requirements of Section 6.11.

approval, the applicant must maintain primary residence in one of the two buildings, and the number of parking spaces for the accessory dwelling unit be limited in number.

We sincerely thank you for your time and your consideration of our application. We are happy to be part of the Belmont community and are exceedingly proud to own a house that has been a piece of Belmont history for so many years. We've endeavored to keep the property in good repair and hope to continue to make improvements.

Kind regards,

Michael and Michelle McNamara 781-816-3534

Dear Neighbor:

1 4 U E

Many of you know us, we are the owners of 23 Centre Ave. As you may be aware, our property includes a large Carriage House that is currently configured as a one bedroom apartment. You may not be aware that the apartment in the Carriage House has been rented for the past six years. We don't use the remainder of the Carriage House and have applied to the Town for a special permit to increase the size of the apartment within the existing Carriage House. The appearance of the Carriage House won't change, though it will be re-painted in the near future. As to the special permit, we have proposed to add a master bedroom and bath, a dining room and some finished basement space to the apartment.

We wanted to let you know that you may be receiving a mailing from the Town's Planning Board in the upcoming months informing you of these proceedings, so you wouldn't be surprised. If you have any questions or concerns, please let us know. We'd be happy to talk it through with anyone.

Best regards,

Mike and Michelle McNamara Email: mmcnamara73@gmail.com

Cell: 781-816-3534

C40 4 65 4

Exhibit A

311

TOWN OF BELMONT PLANNING BOARD

2014 NOV 14 AM 10:55

TOWN CLERK BELMONT, MA

GRANT OF A SPECIAL PERMIT

HISTORIC ACCESSORY BUILDING AS A DWELLING UNIT

23 Centre Avenue

November 13, 2014

Bk: 68256 Pg: 333 Doc: DECIS Page: 1 of 3 10/24/2016 08:36 AM

This matter came before the Planning Board of the Town of Belmont acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts and Chapter 40A of the Massachusetts General Law. The Applicants, Michael and Michelle McNamara (Applicants), seek a Special Permit, under Section 6.11 of the Town of Belmont Zoning By-Law to allow the re-use of a Historic Accessory Building (carriage house/blacksmith shop) as a dwelling unit. The Building is located on the Applicants' property at 23 Centre Avenue.

The Board held a duly advertised public hearing on October 21, 2014, and closed the public hearing on the same date. The Board deliberated on the application on November 6, 2014. Sitting for the Board were Michael Battista, Chair, Elizabeth Allison, Vice Chair, Charles Clark, Joseph DeStefano, and Karl Haglund.

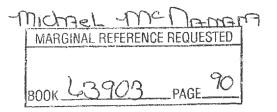
Overview of the Project:

The Applicants recently purchased the property which contains both the principal house where the Applicants live and an accessory structure that was a carriage house and blacksmith shop. The prior owners renovated the accessory structure and incorporated a one bedroom unit within it. The structure also includes a 2 car garage, storage and office space that will be used by the Applicants. Since the accessory is an historic structure the Planning Board can grant a Special Permit under Section 6.11 for the use of it as a dwelling unit.

Submissions to the Board:

- 1. Special Permit application, dated September 23, 2014;
- 2. Statement from Michael and Michelle McNamara dated August 21, 2014;
- 3. Letter sent to abutters;
- 4. Statement from Tom Blake from his petition from the summer 2014;
- 5. Letter from Joseph Cornish, Co-Chair, supporting the application;
- 6. Floor plans for the carriage house;
- 7. Designation of the Pleasant Street Historic District on the National Register of Historic Places, June 12, 1979;
- 8. Application for a Certificate of Appropriateness for the renovation of the carriage house, March 23, 1984;
- 9. Plot plan, dated October 31, 2001;
- 10. Photographs of the exterior of the carriage house; and,
- 11. Email from the Applicants, dated October 31, 2014.

Michael McNamara 23 Centre Ak Belmont, MA 02478



Planning Board Discussion:

Based upon the submitted application and the public hearing, the Planning Board finds that the requirements for approval of a Special Permit for the Reuse of an Historic Accessory Building as listed in Sections 6.11 and 7.4 have been met, as follows:

- 1. The proposed reuse applies to a building listed on the State Register of Historic Places.
- 2. The proposed reuse is generally in harmony with the neighborhood;
- 3. The proposed reuse will neither generate excessive traffic, parking, noise or density impacts on the abutters, nor create other detrimental effects on the neighborhood;
- 4. The proposed reuse will preserve and/or restore the original architectural features of the accessory Buildings to the maximum extent practicable;
- 5. The proposed reuse will not adversely affect the historic landscape or the architectural and historic integrity of the principal building or the Historic Accessory Building itself;
- 6. The proposed reuse will not result in any enlargement or relocation of the Historic Accessory Buildings; and,
- 7. The additional living space within carriage house will be incidental to the ownership and use of the principal structure on the same lot.

Planning Board Decision:

Therefore, after considering the Objectives of Special Permit Approval as set forth in Section 6.11 of the Zoning By-Law, the **PLANNING BOARD VOTED** (5 TO 0) TO GRANT THE SPECIAL **PERMIT**, to allow the conversion of the Historic Accessory Structure, the barn and associated accessory buildings, into additional living space **SUBJECT TO THE FOLLOWING CONDITIONS**:

- 1) The Special Permit is granted to the Applicants only and shall not be transferred to a subsequent owner without the approval of the Planning Board.
- 2) Except as otherwise provided in these conditions, the Project shall be operated, and maintained in accordance with the plans as approved by the Historic District Commission and submitted to the Planning Board and as listed above.
- 3) The Historic Accessory Building and associated landscape shall be maintained in good condition. Repairs shall be subject to review and approval of the Historic District Commission.
- 4) The reuse of the Historic Accessory Building is limited to one accessory dwelling unit. Further expansion of the dwelling unit within the existing Historic Accessory Building shall not be allowed without obtaining a Special Permit from the Planning Board under Section 6.11 of the Zoning By-Law. Similarly, the space permitted as a dwelling unit under this Special Permit nor any other space within the Historic Accessory Building shall be used as a Home Occupation without obtaining a Special Permit from the Planning Board under Section 6.11 of the Zoning By-Law.

- 5) Further subdivision or reduction of the lot size will not be permitted;
- 6) The applicants shall maintain their permanent residence in either the main building or the Historic Accessory Building. Failure to do so shall render the Special Permit null and void.
- 7) The size and location of the parking area for the Historic Accessory Building shall be limited to the size and location as shown on the submitted plot plan dated October 31, 2001.
- 8) Prior to the issuance of a Certificate of Occupancy, the Applicants shall grant to the Town or other appropriate body or preservation organization a perpetual preservation restriction on the barn and its landscape context. The form of such preservation restriction shall be reviewed and approved by Town Counsel.

Submitted on Behalf of the Planning Board,

heeler, AICP r Planner

November 13, 2014

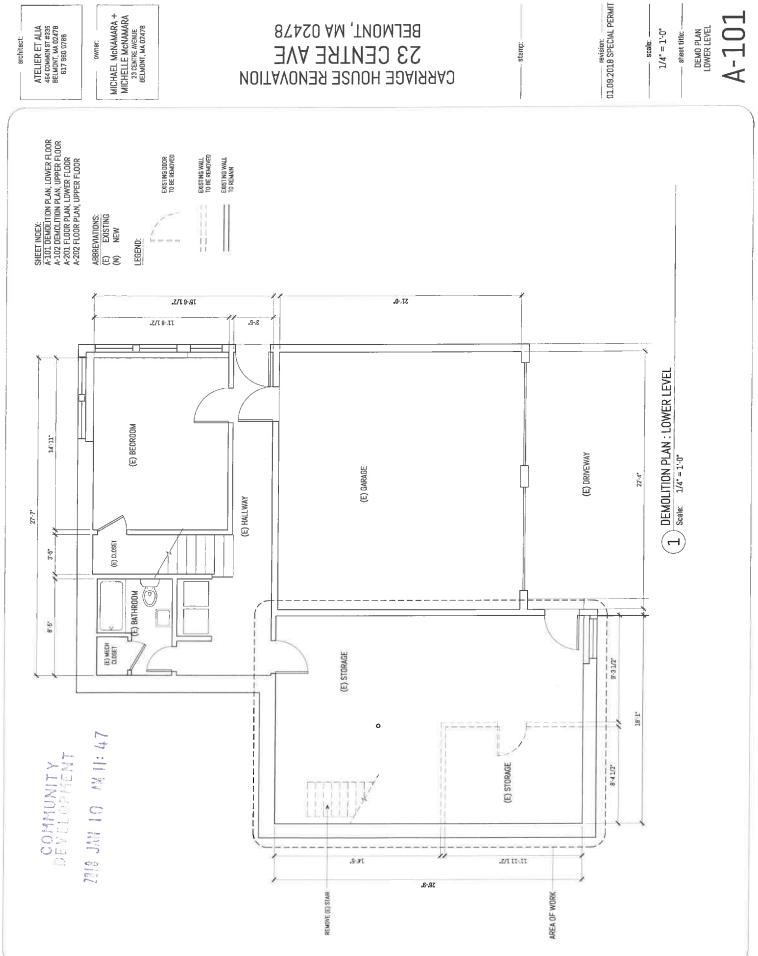
I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerl on November 14, 2014, and further I certify that no appeal has been filed with regard to the granting of said Special Permit with Eight (8) conditions.

October 21, 2016

Ellen O'Brien Cushman, Town Clerk

Belmont, MA

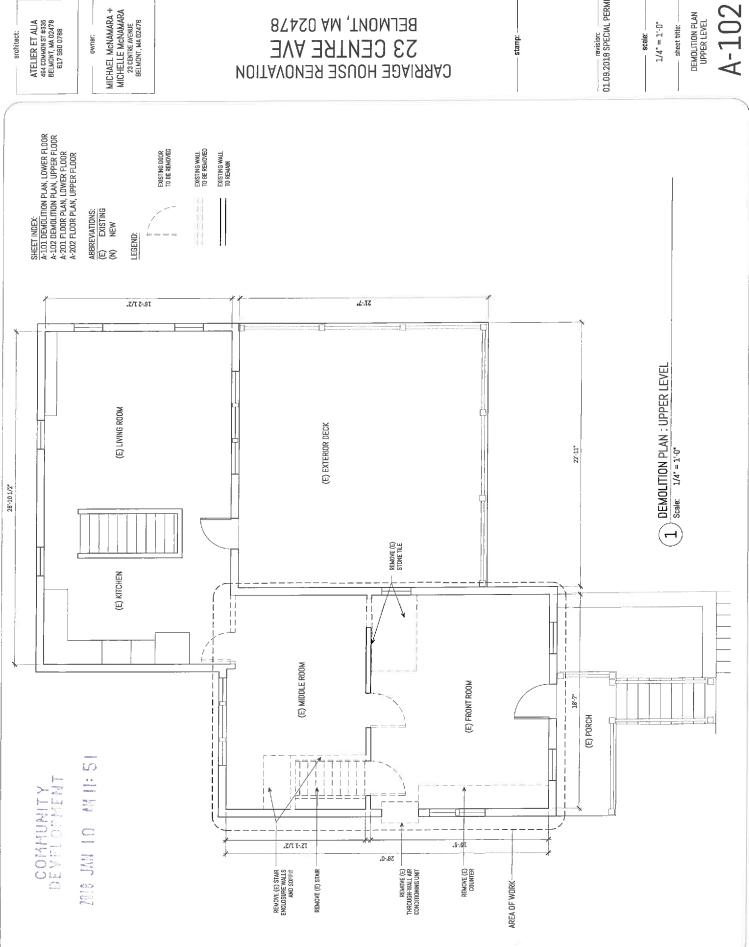
Exhibit B



BELMONT, MA 02478

OW/NBIT:

DEMO PLAN LOWER LEVEL - sheet title; -1/4" = 1'-0" - scale:



BELMONT, MA 02478 S3 CENTKE AVE CARRIGUM S100 RENOVATION

architect:

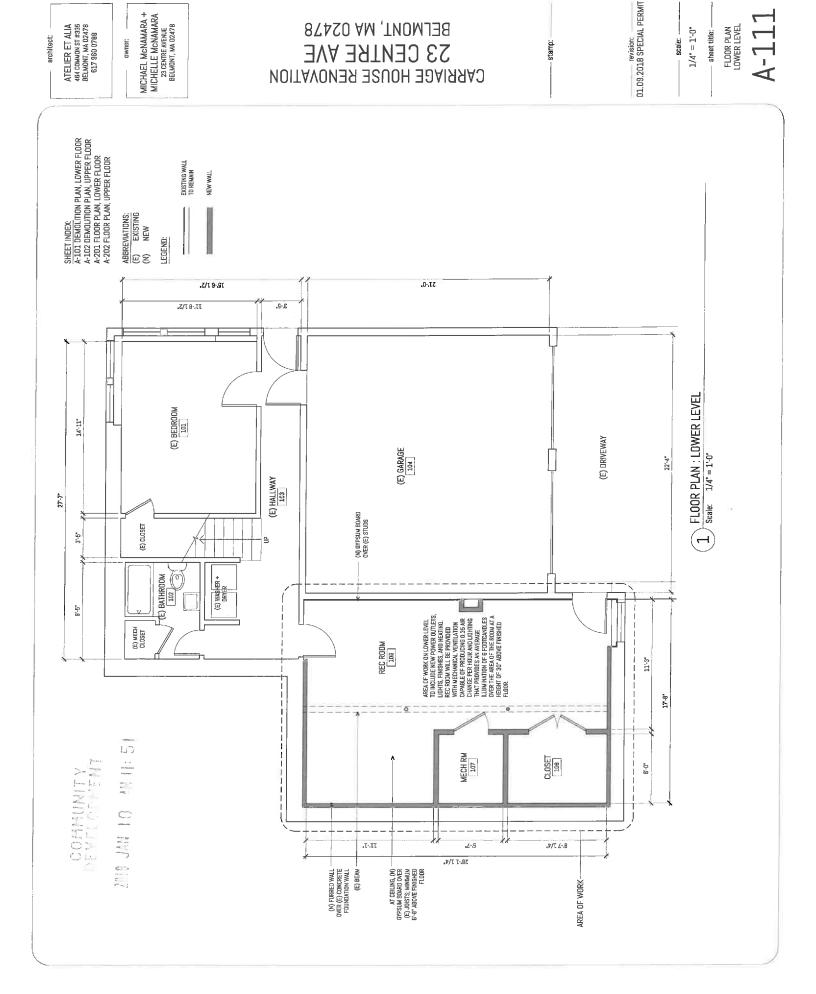
OWNBT:

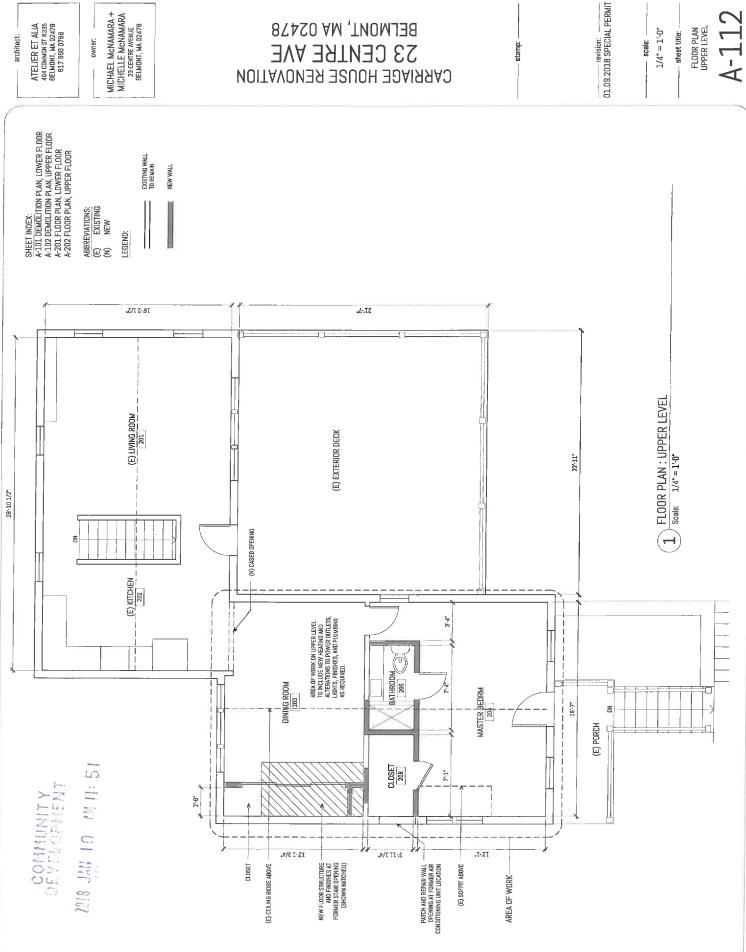
01.09.2018 SPECIAL PERMIT

1/4" = 1'-0" - scale:

DEMOLITION PLAN UPPER LEVEL sheet title;

Exhibit C





BELMONT, MA 02478

OWNEr:

architect:

A-112 FLOOR PLAN UPPER LEVEL 1/4" = 1'-0"sheet title: - scale: -

Exhibit D



View of outside of Carriage House. The stairway leads up to a door that leads into a room that is currently the office and is proposed to be a mater bedroom suite.



A broader view from same side of the Carriage House.



The side of the house that faces east. The two windows on the right are in the current master bedroom.



Another view of the corner of the current master bedroom corner of the Carriage House.



Current Living Room



Another view of current Living Room



View of Kitchen from in front of TV







Current workshop. This space is proposed to become the dining room.



Another view of current workshop. The door to the kitchen of the current apartment is on the right.





Current "office" area. This space is proposed to become the master bedroom suite.



Another view of the current office area.



Current bedroom.



Another view of current bedroom.

Exhibit E

Dear Neighbor:

Frankly "

Many of you know us, we are the owners of 23 Centre Ave. As you may be aware, our property includes a large Carriage House that is currently configured as a one bedroom apartment. You may not be aware that the apartment in the Carriage House has been rented for the past six years. We don't use the remainder of the Carriage House and have applied to the Town for a special permit to increase the size of the apartment within the existing Carriage House. The appearance of the Carriage House won't change, though it will be re-painted in the near future. As to the special permit, we have proposed to add a master bedroom and bath, a dining room and some finished basement space to the apartment.

We wanted to let you know that you may be receiving a mailing from the Town's Planning Board in the upcoming months informing you of these proceedings, so you wouldn't be surprised. If you have any questions or concerns, please let us know. We'd be happy to talk it through with anyone.

Best regards,

Mike and Michelle McNamara Email: mmcnamara73@gmail.com

Cell: 781-816-3534

Exhibit F



renovation

Gmail

Move to Inbox

COMPOSE

Mail Delivery Subsystem

Inbox (12)

The original message was received at Tue, 10 Oct 2017 09:58:42 -0400 from m00...

Address not found Your message wasn't delivered to jwolf21456@aol.com because...

Starred

Julie Mortimer <julie.mortimer.2@bc.edu>

Important

to me

Sent Mail

Hi Mike,

Drafts (13)

Thanks for the heads up, and good luck! Sounds like a nice set of improvements.

Categories

Best,

[Imap]/Outbox

Julie

More labels

Michael

Sue Bass <henrysuebass@gmail.com>

to me



Michelle McNamara ok bye

I'll walk past in the next week or so and take a look. Thanks for

Regards, Sue Bass

Andrew A Bennett <abennett@mit.edu>

to me

Good luck!

If you need a cheering section at a Historical Commission meeting, just let us know.

Sincerely,

-Drew and Jo Bennett

From: Michael McNamara [mailto:mmcnamara73@gmail.com]

renovation

Gmail

Move to Inbox

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COMPOSE

Sounds good. Let us know if you have any questions or concerns.

Inbox (12)

Mike.

Starred

Important

Clair Colburn <claircolburn@gmail.com>

Sent Mail

to me, ICE

Drafts (13)

Hey Mike,

Categories

Let us know if you want us to attend any meetings to speak positively about these cha

[Imap]/Outbox

Clair

to me

More labels

Sent from my iPhone



Michael



Beth Innis <bethinnis@gmail.com>



Michelle McNamara ok bye

Sounds fine to me:)

Thanks for letting us know!

On Oct 10, 2017, at 9:58 AM, Michael McNamara < mmcnamara73@gmail.com

Enjoy this day!



Click here to Reply or Forward