



Town of Belmont
Planning Board

APPLICATION FOR A SPECIAL PERMIT

Date: 8/10/2020

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 40 WALNUT Street/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 _____

The RAZING OF THE EXISTING STRUCTURE AND TO
BUILD A SINGLE BUILDING HOUSING TWO (2) CONDOMINIUMS

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner

Print Name

Address

Daytime Telephone Number

[Signature]
JOHN W. O'DONOGHUE
44 CRESCENT AVE
SCITUATE, MA 02066
978-697-5300



OFFICE OF COMMUNITY DEVELOPMENT
TOWN OF BELMONT
19 Moore Street
Homer Municipal Building
Belmont, Massachusetts 02478-0900

Telephone: (617) 993-2650 Fax: (617) 993-2651

Building Division
(617) 993-2664
Engineering Division
(617) 993-2665
Planning Division
(617) 993-2666

May 19, 2020

Mr. John O'Donoghue, Jr.
44 Crescent Avenue
Scituate, MA 02066

RE: Denial to Construct Two-Family Home at 40 Walnut Street

Dear Mr. O'Donoghue:

The Office of Community Development is in receipt of your building permit application for the construction of two-family home located at 40 Walnut Street in a General Residence (GR) Zoning District.

Your application has been denied since it does not comply with the Zoning By-law. More specifically, your project requires the following relief from the Zoning By-Law:

1. Section 3.3 requires a Special Permit for a two-family in a GR District.
2. Section 4.2.1 2) allows a minimum 50.0' lot frontage by Special Permit.
3. Section 4.2.2 requires the front setback to be the average of the abutting properties on either side of the subject property. In this case, the front setback is required to be 18.3'. However, the proposed setback is 14.0' and therefore requires a Variance.
4. Section 6D requires Design and Site Plan Review for the two-family dwelling.

Additionally, Section 4.2.1 allows maximum of 30% lot coverage. While the submitted plot plan indicates it meets the lot coverage requirement, it does not take into account the 2 rear porches as shown on the submitted building plans. As a result, a new plot plan needs to be submitted with the rear porches indicated on it.

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request two Special Permits and Design and Site Plan Review from the Planning Board and at least one Variance (a second depending on the revised lot coverage) from the Zoning Board of Appeals. If you choose to pursue this project, please call the Office of Community Development at (617)-993-2666 to schedule an appointment with Ara Yogurtian to begin the Variance process and Jeffrey Wheeler to begin the Special Permit process.

Sincerely,

Glenn R. Clancy, P.E.
Inspector of Buildings

Siesta Realty Trust
44 Crescent Ave.
Scituate, MA 02066

June 27, 2020

Belmont, MA 02478

Dear Neighbors,

I own the property located at 40 Walnut St. in Belmont which is an older 2 family house. I am currently working with the Office of Community Development / Planning Board, seeking a Special Permit to raze the property and replace it with two high end condominiums. I am writing to you as your house lies in the 300 foot radius surrounding 40 Walnut St. As such you will be receiving a notice from the Town of a proposed Hearing that will be held at a later date.

I wanted to let you know of my intentions prior to said Hearing so that I could answer any questions that may come to mind or allay any concerns that may arise. To that end I have enclosed a couple of pictures of the current structure in place as well as the Architects' rendering of the proposed replacement.

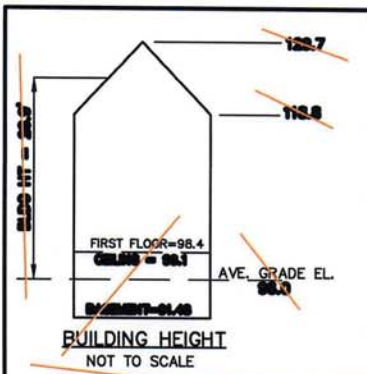
Each unit will contain three bedrooms and three full baths and each unit will consist of two full floors and a bonus room in the attic. It is my intention to have a small one car garage for each unit located in the rear of the property.

Please review the enclosed items and feel free to call me with any questions. I can be reached by cellphone at 413-345-3022 or by email at jod@odinsurance.com.

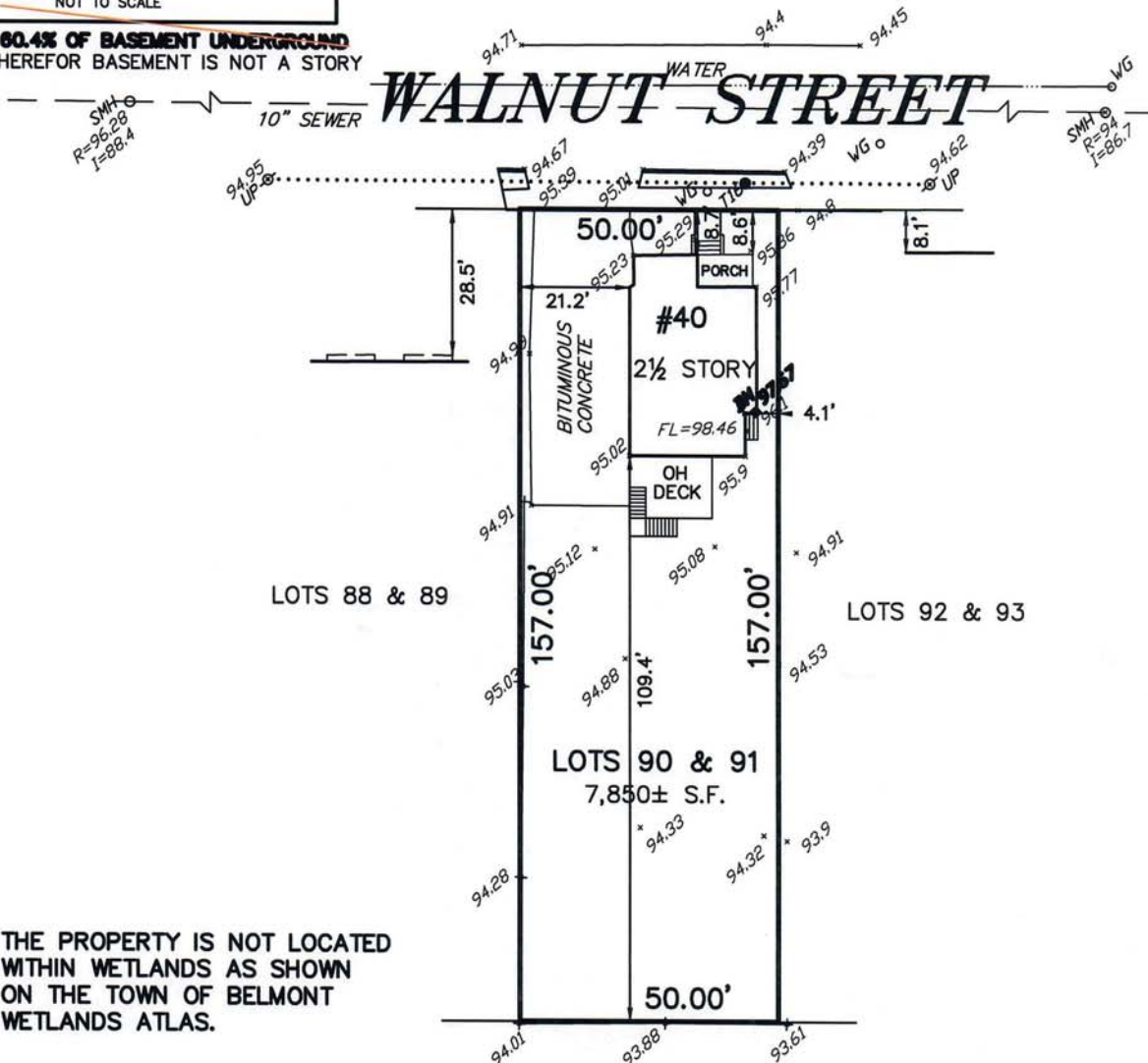
Thank you very much for your time.
Sincerely,

John W. O'Donoghue, Jr.

enclosure



60.4% OF BASEMENT UNDERGROUND
THEREFOR BASEMENT IS NOT A STORY



THE PROPERTY IS NOT LOCATED
WITHIN WETLANDS AS SHOWN
ON THE TOWN OF BELMONT
WETLANDS ATLAS.

ZONING DISTRICT:	GR (GENERAL RESIDENCE)
	REQ. EXISTING PROP.
FRONT SETBACK:	14.0' 8.6' -
SIDE SETBACK:	10' 4.1' -
REAR SETBACK:	31.4' 109.4' -
MAXIMUM LOT COVERAGE:	30% 14.5% -
MINIMUM OPEN SPACE:	40% 71.9% -
LOT FRONTAGE:	50.00' -

TOTAL LOT AREA: 7,850± S.F.

OWNER: TRUSTEE OF THE SIESTA REALTY TRUST
70250/165
ASSESSORS MAP 14 - PARCEL 189

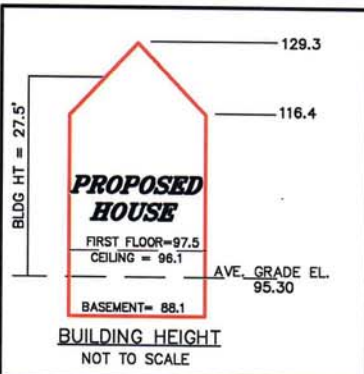
PROPOSED PLOT PLAN
#40 WALNUT STREET
IN
BELMONT, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 30' DATE: 7/29/2019

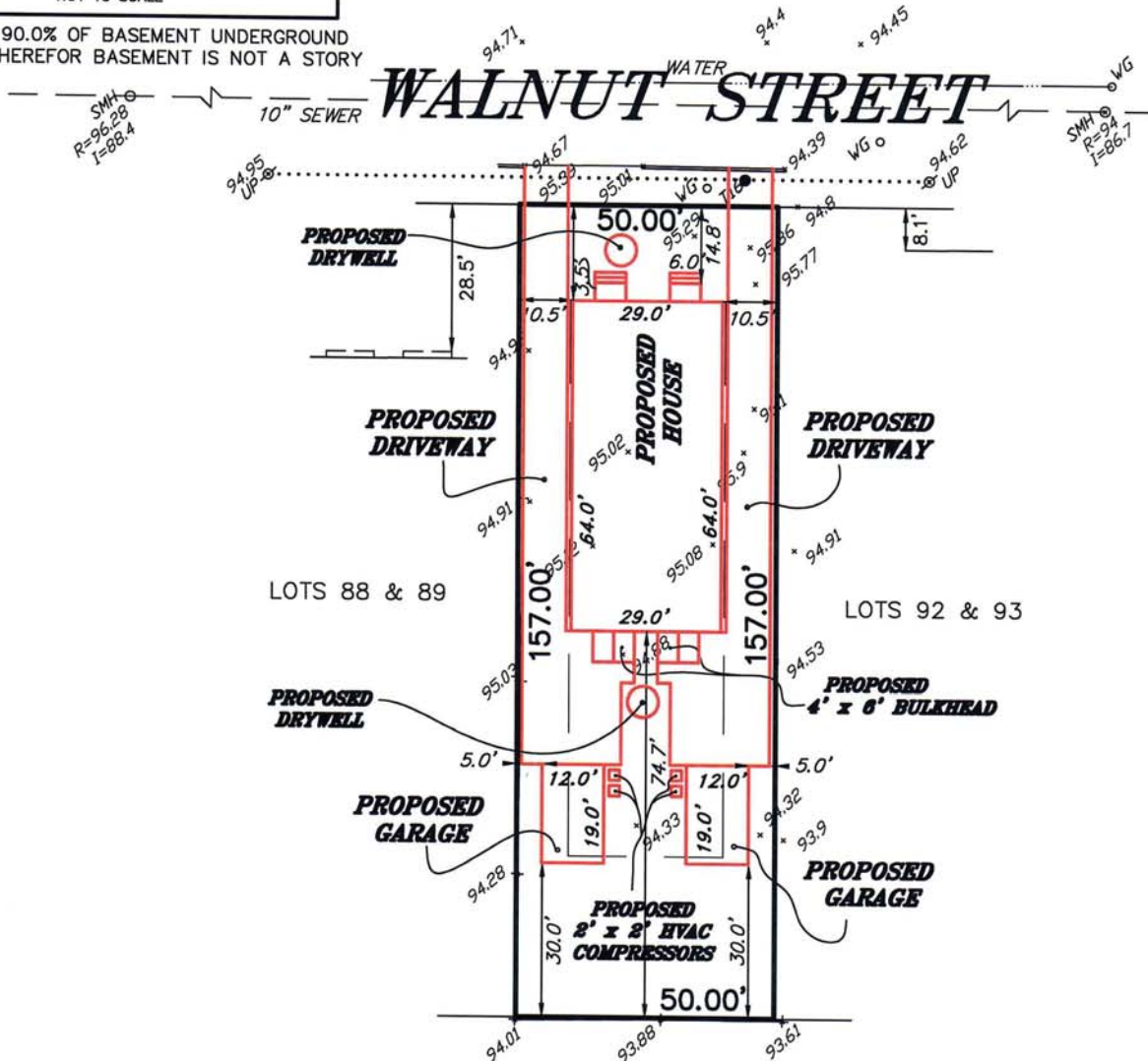


ROBER SURVEY
1072 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
DWG. NO. 5912PP1.DWG

CLIFFORD E. ROBER, PLS DATE



90.0% OF BASEMENT UNDERGROUND
 THEREFOR BASEMENT IS NOT A STORY



ZONING DISTRICT: GR (GENERAL RESIDENCE)

	REQ.	EXISTING	PROP.
FRONT SETBACK:	18.3'	8.6'	18.3'
SIDE SETBACK:	10'	4.1'	10.5'
REAR SETBACK:	31.4'	109.4'	74.7'
MAXIMUM LOT COVERAGE:	30%	14.5%	30.0%
MINIMUM OPEN SPACE:	40%	71.9%	40.3%
LOT FRONTAGE:		50.00'	

TOTAL LOT AREA: 7,850± S.F.

LOTS 90 & 91

7,850± S.F.

OWNER: TRUSTEE OF THE SIESTA REALTY TRUST
 70250/165

ASSESSORS MAP 14 - PARCEL 189



Clifford E. Rober
 CLIFFORD E. ROBER, PLS
 7/29/2019
 DATE

PROPOSED PLOT PLAN
#40 WALNUT STREET
 IN
BELMONT, MA
 (MIDDLESEX COUNTY)

SCALE: 1" = 30' DATE: 7/29/2019



ROBER SURVEY
 1072 MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533
 DWG. NO. 5912PP5.DWG

Zoning Compliance Check List

Properties Located within the GR Zoning Districts

(To be Completed by a Registered Land Surveyor)



Property Address: 40 WALNUT ST

Surveyor Signature and Stamp: [Signature]

Date: 7/27/2014

Per §4.2 of the Zoning By-Laws

		REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)		5000	7850	—
Lot Frontage (feet)		50	50.00	—
Lot Area/Unit (sq. ft./d.u.)		3500	3925	3925
Lot Coverage (% of lot)		30%	14.5%	30.0%
Open Space (% of lot)		40%	71.9%	40.3%
Setbacks: (feet)	➤ Front	18.3	8.6'	18.3'
	➤ Front Door (25%)			✓
	➤ Side/Side	10' 10'	4.1	10.5 10.5
	➤ Rear	20'	109.4	79.0
Building Height:	➤ Feet	33'		27.5
	➤ Stories	2 1/2	2 1/2	2 1/2
1/2 Story (feet) (Per §1.4)	➤ Perimeter (50%)			
	➤ Area (60%)			
	➤ Length (75%)			

Per §6D of the Zoning By-Laws

HVAC:	Prohibited in Front Yard and Side and Rear Setbacks	
Front Doors:	Both Must Face Street	
	STANDARD	PROPOSED
Curb Cut (One per 70' Frontage)		

SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated

60 Hull St



24-26 W. ALBERT ST

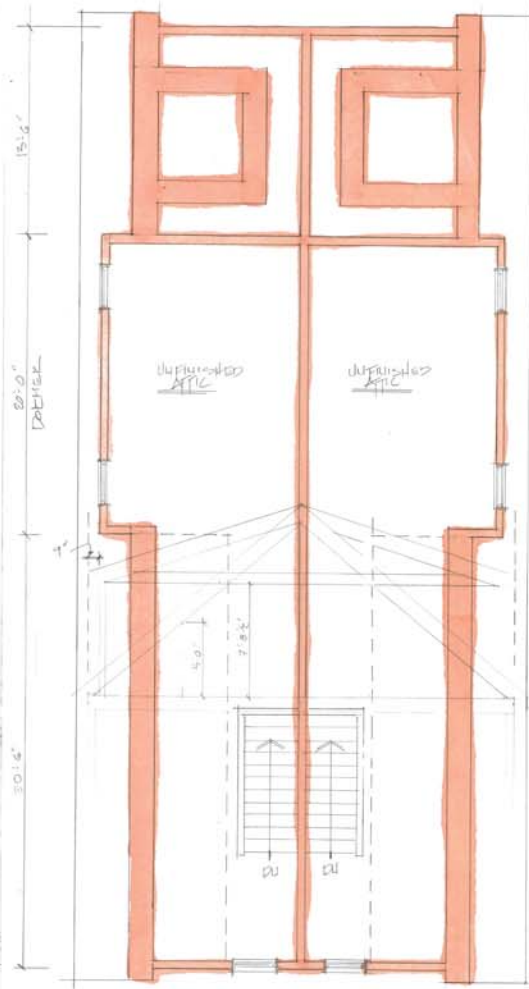




DISTANCE BETWEEN
HOWALNUT ST & 38 WALNUT ST



42-44 WALNUT ST



① THIRD FLOOR PLAN
Scale: 1/8" = 1'-0"



② FRONT ELEVATION
Scale: 1/8" = 1'-0"



③ REAR ELEVATION
Scale: 1/8" = 1'-0"

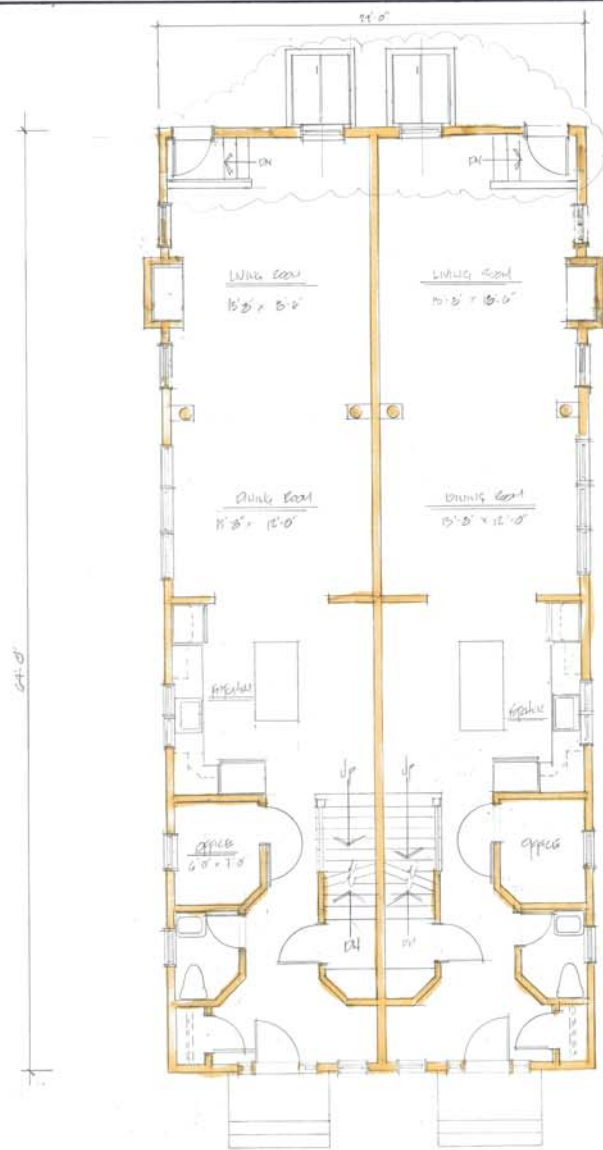


④ SIDE ELEVATION
Scale: 1/8" = 1'-0"

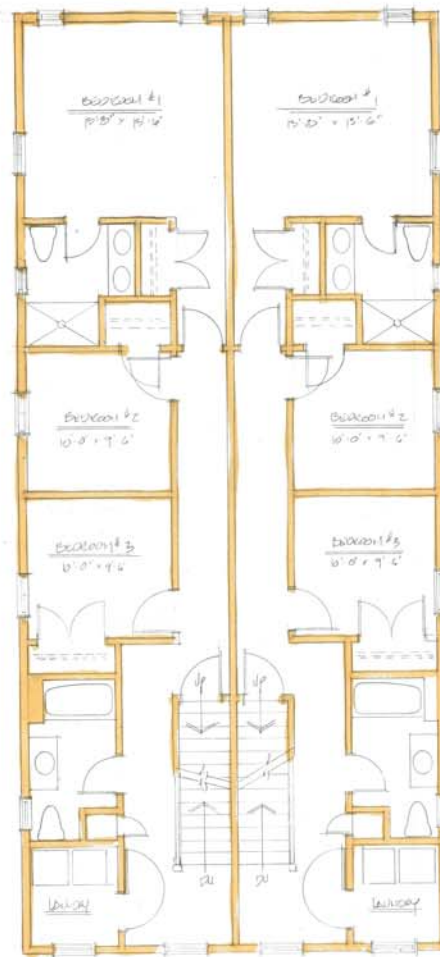
DIFFERENCE TO BE
3 AGES TO BEHOLD
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PROPOSED BASE & RECONSTRUCTION
40 WALL STREET
BOSTON, MA

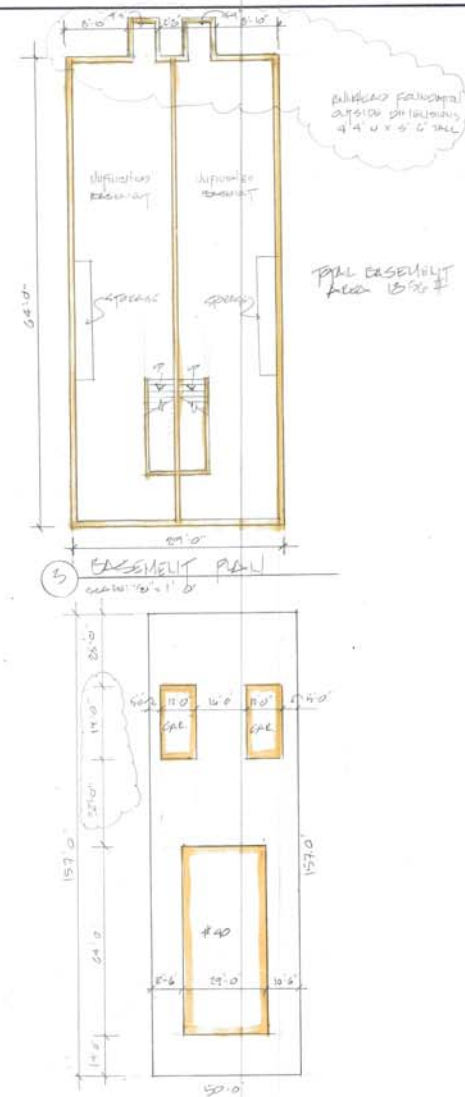
Kuendig
Design



① FIRST FLOOR PLAN
Scale: 1/8" = 1'-0"



② SECOND FLOOR PLAN
Scale: 1/8" = 1'-0"



③ SITE PLAN
Scale: 1" = 20'

PROPOSED AREA - RECONSTRUCTION
40 WAWANIT ST
BURLINGTON, VT

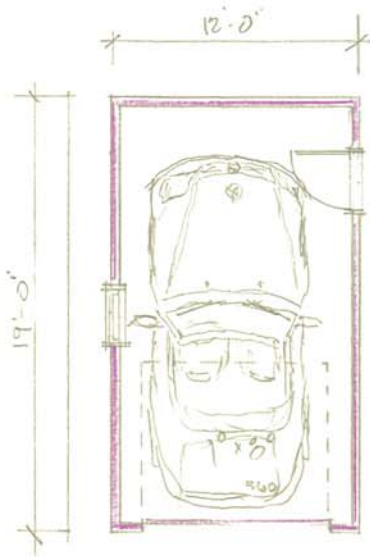
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Design

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GARAGE PLAN:
40 WALNUT ST.
BELMONT, MA

14 JULY 2020



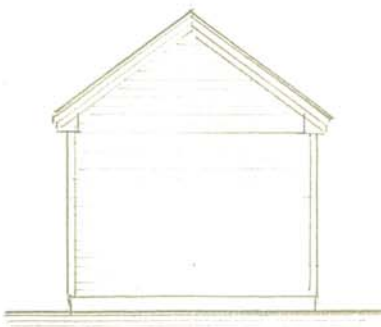
FLOOR PLAN



FRONT ELEVATION



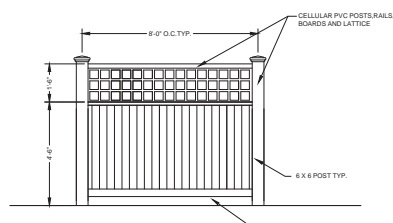
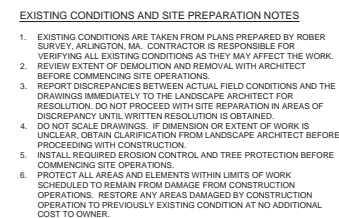
PROPERTY SIDE ELEVATION



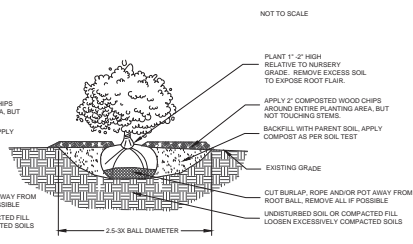
REAR ELEVATION



SIDE ELEVATION



SCREEN FENCE WITH LATTICE TOPPER



SHRUB PLANTING

NOT TO SCALE

1. ALL PLANT PLANT MATERIALS SHALL BE FINEST QUALITY STOCK GROWN IN THE NORTHEAST. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO SELECT ANY AND ALL PLANTING MATERIALS AT THE NURSERY OR SOURCE OF SUPPLY.
2. ALL PLANT MATERIAL AND METHODS OF INSTALLATION SHALL CONFORM WITH THE STANDARD AND ASSOCIATED SPECIFICATIONS FOR PLANTING MATERIALS FOR NURSERY STOCK, LATEST EDITION.
3. ALL PLANTING MATERIAL SHALL BE FREE OF DISEASE AND PLANT MATERIALS.
4. ALL PLANTS NOT OTHERWISE DESIGNATED ARE TO BE STANDARD B&B (BALLED AND BURLAPPED), NO BARE ROOT OR FIELD CUMUL MATERIAL IS TO BE USED.
5. STAKE TREES AND YUPTER SHRUB MATERIAL IN APPROXIMATE LOCATIONS SHOWN ON PLANTING SCHEDULE. PLANTING SCHEDULE TO BE PROVIDED BY LANDSCAPE ARCHITECT WILL LAYOUT PERENNIALS.
6. REPORT ANY UNSATISFACTORY CONDITIONS FOR PLANTING IMMEDIATELY TO THE ARCHITECT FOR RESOLUTION. THE ARCHITECT WILL PROVIDE NO ADDITIONAL COMPENSATION FOR UNSATISFACTORY CONDITIONS.
7. ALL PLANTS TO BE PLANTED IMMEDIATELY AFTER CONSTRUCTION.
8. ALL AREAS DISTURBED BY CONSTRUCTION AND PLANTING OPERATIONS TO BE REPAIRED OR RESTORED TO PREVIOUSLY EXISTING CONDITIONS AT NO ADDITIONAL COST TO THE OWNER.
9. TOPSOIL: NATURAL, FRIABLE, FERTILE, SOIL CHARACTERISTIC OF THE AREA. TOPSOIL SHALL BE 12" MINIMUM DEPTH. TOPSOIL SHALL BE GREATER THAN 1/2" IN SIZE, CLAY CLUMPS, ROOTS, AND OTHER FOREIGN MATERIAL. TOPSOIL SHALL BE LOAMY SAND OR SANDY LOAM AS CLASSIFIED BY THE USE OF THE U.S. DEPARTMENT OF AGRICULTURE'S UNIFORM SOIL COMPOSITION.
10. TOPSOIL: 50% MIXTURE, 3 PARTS TOPSOIL TO 1 PART ORGANIC COMPOST.
11. ALL PLANTING TO BE DONE WITHIN 12" OF PLANTING MIX.
12. ALL PLANTING TO BE DONE TO A MINIMUM OF 6" DEPTH TO 8" PRIOR TO SPREADING TOPSOIL.
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100. ALL PLANTING TO BE DONE TO A MINIMUM OF 6" DEPTH TO 8" PRIOR TO SPREADING TOPSOIL.

[illegible]

FOR SITE PLAN APPROVAL

L.1



COPYRIGHT © 2020
 LEONARD DESIGN ASSOCIATE
 DRAWING ALTERATION
 IT IS A VIOLATION OF LAW FOR ANY
 PERSON, WITHOUT ACTING UNDER THE
 DIRECTION OF LICENSED ARCHITECT,
 PROFESSIONAL ENGINEER, LANDSCAPE
 ARCHITECT, OR LAND SURVEYOR TO
 ALTER ANY ITEM ON THIS DOCUMENT
 IN ANY WAY.
 ANY LICENSEE WHO ALTERS THIS
 DOCUMENT IS REQUIRED BY LAW TO
 NOTIFY HIS OR HER FIRM AND THE
 BOARD OF PROFESSIONAL REGULATION
 AND DISCIPLINE OF THE STATE OF
 FLORIDA OF ANY VIOLATION. VIOLATION OF THIS
 NOTATION ALTERED WILL BE PUNISHED
 BY THE BOARD OF PROFESSIONAL
 REGULATION AND DISCIPLINE OF THE
 STATE OF FLORIDA.



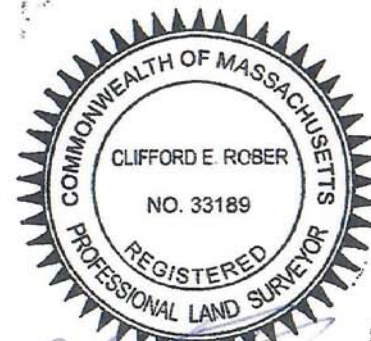
40 WALNUT ST



40 WALNUT ST
REAR

Segment	Ceiling Elevation	Elevation From	Elevation To	Length	Ceiling Height	Square Footage	Exposed Square Footage	% Covered
A	96.1	95.23	95.77	64.00	8	512.00	38.40	92.50%
B	96.1	95.12	95.23	29.00	8	232.00	26.82	88.44%
C	96.1	95.08	95.12	64.00	8	512.00	64.00	87.50%
D	96.1	95.77	95.08	29.00	8	232.00	19.57	91.56%
	96.1			186.00	8	1488.00	148.80	90.00%

Ceiling Height:	8	<- enter
Basement Floor Elevation	88.1	<- enter
Ceiling Elevation	96.1	
Perimeter Total Length	186.00	
Total Perimeter Square Foot	1488.00	
Exposed Square Footage	148.80	
% Covered	90.00%	<- result



Clifford E. Rober
8/11/20

95.23

95.77

29.0'

D

64.0' A

C 64.0'

B 29.0'

95.12

95.08

Segment	Segment From Existing Grade	Segment From New Grade	Segment To Existing Grade	Segment To New Grade	Segment Length	Avg Existing	Avg New	Difference
A	95.23	95.23	95.12	95.12	64	6091.2	6091.2	0.00
B	95.12	95.12	95.08	95.08	29	2757.9	2757.9	0.00
C	95.08	95.08	95.77	95.77	64	6107.2	6107.2	0.00
D	95.77	95.77	95.23	95.23	29	2769.5	2769.5	0.00
					186	17725.8	17725.8	0

Ceiling Height:	8
Basement Floor Elevation	88.1
Ceiling Elevation	96.1
Perimeter Total Length	186.00
Total Perimeter Square Foot	1488.00
Average Existing Grade	95.30
New Average Grade	95.30
Difference in Grade in feet	0.00

% Covered using Avg Grade 90.00%

