

NOTICE OF PUBLIC HEARING BY THE
TOWN OF BELMONT PLANNING BOARD

ON APPLICATION FOR THREE SPECIAL PERMITS

Notice is hereby given that the Planning Board will hold a public hearing on Tuesday, March 2, 2021 at 7:00 PM by remote access through the Zoom app. to consider the application of Mr. Kiyoshi Momose and Lucianna Ascanio Momose to construct a two (2) story rear addition at 90 Agassiz Avenue located in General Residence (GR) Zoning District. Special Permits: 1.- §4.2.2 of the By-Law requires a minimum side setback of 10.0', the existing side setback on the east side is 7.0' and the proposed is 6.6' and 2.- The existing and proposed side setback on the west side is 9.6'. 3.- §1.5.4A(2) allows expansion of more than 300 square feet in the General Residence district by a Special Permit granted by the Planning Board.

Note: Application submittals, meeting agenda & instructions on remote access can be found on the Town's website: <https://www.belmont-ma.gov/planning-board>

TOWN OF BELMONT PLANNING BOARD



Town of Belmont
Planning Board

APPLICATION FOR A SPECIAL PERMIT

Date: January 1, 2021

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 90 Agassiz Avenue ~~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 _____
Two-story addition at rear of existing house

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

Signature of Petitioner

百瀬 芳子 & Luciana

Print Name

Kiyoshi Momose & Lucianna Ascanio-Momose

Address

90 Agassiz Avenue

Belmont, MA 02478

Daytime Telephone Number

412-425-1096



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

July 15, 2020

Kiyoshi Momose and Lucianna Ascanio-Momose
90 Agassiz Ave.
Belmont, MA 02478

RE: Denial to Construct a Rear Addition.

Dear Mr. and Mrs. Momose:


The Office of Community Development is in receipt of your building permit application for the construction of a rear addition at 90 Agassiz Avenue located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the Town of Belmont Zoning By-Law. More specifically, your addition does not comply with Sections 4.2.2, side setbacks and 1.5.4 A (2) that requires a Special Permit for additions greater than 300 square feet.

1. The existing side setback on the east side is 7.0' and the proposed is 6.6' (required 10.0'), requires a Special Permit.
2. The existing and proposed side setback on the west side is 9.6' (required 10.0'), requires a Special Permit.
3. A Special Permit is required from the Planning Board for the size of the addition.

You may alter your plans to conform to the current Zoning By-Law and resubmit a building permit application, or you may request three (3) Special Permits from the Planning Board. If you choose this option, please contact the Office of Community Development to schedule an appointment with Jeffrey Wheeler, Senior Planner at (617) 993-2666 in order to begin the process.

Sincerely,



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

January 1, 2021

ATTN: Planning Board
Office of Community Development
Homer Municipal Building, 2nd Floor
19 Moore Street
Belmont, MA 02478

RE: Narrative Statement
Proposed Rear Yard Addition
90 Agassiz Avenue, Belmont MA

Dear Members of the Belmont Planning Board:

Our names are Lucianna and Kiyoshi Momose, and we are the owners and current residents of 90 Agassiz Avenue in Belmont. We relocated from Pittsburgh to Belmont in 2018 so Kiyoshi could be close to his new job with the Boston Red Sox. While renting an apartment across Agassiz Avenue, we fell in love with and purchased our current home at 90 Agassiz in late 2019. This location is ideal for our family of four and particularly our younger son, now nine years old. The property overlooks Beaver Brook and the conservation land and is also walkable to the Butler Elementary School.

We propose to construct a rear yard addition to our existing home. The addition would include a 494 square foot first floor addition over an unfinished basement of the same area. Our existing home is a one-and-one-half-story Cape style that has not been remodeled or expanded since it was constructed in 1947. We are proposing to expand compact existing rooms—including the kitchen, dining room, master bathroom, and master bedroom—to create more living space for our family of four. We are not adding any new bedrooms or bathrooms.

We are requesting three Special Permits from the Planning Board:

**Special Permit #1: Side setback on the east side
(10.0' required, 7.0' existing, 6.6' proposed)**

Our property has several unique challenges. Due to the proximity of Beaver Brook, conservation buffer zones cover most or all the site area, which suggests that all development be located as close to Agassiz Avenue as possible.

Our lot shape resembles a parallelogram, and the side lot lines are not perpendicular to the front lot line. While the front of the existing house is parallel to the street, the existing side walls are not parallel to the side property lines.

The existing home is already non-conforming with respect to the front and both side property lines.

Our proposed rear addition extends the lines of the existing side walls of our home. Although we are slightly increasing the non-conformity on the east side, several factors mitigate this increase. One, we are minimizing the depth of the rear addition on the east side (10 feet on the east vs. 12 feet on the west side). Two, our neighbor to the east (84 Agassiz) is farther from the proposed addition (23 feet) at the closest point than our neighbor to the west (96 Agassiz, 16 feet). Three, the side wall of the home of our neighbor to the east (84 Agassiz) is also not parallel to the side lot line and the separation between the two homes increases toward the rear of the lots.

**Special Permit #2: Side setback on the west side
(10.0' required, 9.6' existing and proposed)**

Our proposed rear addition extends the line of the existing side wall of our home on the west side. As previously mentioned, the existing side wall of our home is not parallel to the side property line. We are decreasing the non-conformity on the west side toward the rear of the property, and the rear corner of the proposed addition is slightly more than 10.0' from the west side property line.

Special Permit #3: Additions greater than 300 square feet in the General Residence Zone require approval from the Planning Board

We have carefully reviewed the "Design Guidelines for the General Residence Zoning Districts" prepared by the Planning Board and have attempted to comply with their provisions as much as practicable. The "Design Guidelines" suggest a 2,200 – 2,600 square foot target for a single-family dwelling. The existing house has 1,232 square feet of living space, and we propose to add 494 square feet of living space to the first floor for a total of 1,726 square feet. Note that those areas include finished living space on the first and second floors but exclude the attached one-car garage and the unfinished basement.

The new unfinished basement area is a walkout basement, but it is separated from finished areas of the house by an existing stair which does not meet current building code requirements and an existing mechanical room which also does not meet minimum building code headroom requirements due to structural beams, plumbing, and HVAC.

We engaged a local architect and Belmont resident to preserve the charm of our existing home as much as possible. The proposed addition, with a hip roof to

minimize its volume, maintains the original roofline. At the highest point, the addition roof is more than seven feet below the original ridgeline. The neighbors to the west, Laura Vanderhart and Jarrod Goentzel of 96 Agassiz, owned a similar Cape home and added a rear addition of similar volume to what we now propose.

Proposed materials on the rear addition—including siding, corner boards, window sills, soffits, fascia, downspouts, and roofing—will all match existing materials as closely as possible. The new dining room window on the east side will match the existing 6/6 double hung windows, but the new windows at the rear are designed to take full advantage of views of abutting conservation land.

The proposed project was subject to Conservation Commission review due to the proximity of Beaver Brook and nearby wetlands. The Commission reviewed and approved the project in September and October of 2020, and issued an Order of Conditions (attached) on November 10, 2020.

We are sensitive to the needs of our neighbors, particularly the immediate abutters at 84 and 96 Agassiz. We have reviewed the project with both neighbors at multiple points this year and they are supportive of the project. We have specifically discussed the landscape design with both neighbors and all agreed that planted elements are preferable to fencing along the side property lines.

The attached statement describes in greater detail our method of outreach to all abutters within 300 feet of our property.

We believe our proposed addition is a long overdue update to our existing home and property. We are making a significant long-term investment in the property and intend to reside here for many years to come.

Sincerely,



Lucianna and Kiyoshi Momose
Belmont residents and homeowners

Attachments:

Building Permit Denial Letter (1 p.)
Process of Communicating with Neighbors (1 p.)
Neighbor letters and petition (7 pp.)
Conservation Commission Order of Conditions (15 pp.)
Architectural Drawings and photographs (25 pp.)
Plot Plan and calculations (5 pp.)

January 1, 2021

ATTN: Planning Board
Office of Community Development
Homer Municipal Building, 2nd Floor
19 Moore Street
Belmont, MA 02478

RE: Process of Communicating with Neighbors
Proposed Rear Yard Addition
90 Agassiz Avenue, Belmont MA

Dear Members of the Belmont Planning Board:

When Kiyoshi and I began to pursue the renovations of our new home and after acquiring our architect, Frank Dill, and then hiring our contractor, Fresh Start – that is when we began to discuss our plans with our direct and surrounding neighbors.

Having lived on this street for the last two years, it has given us an opportunity to create relationships with many of the neighbors and residents on Agassiz Avenue. We have become close friends with several of the families on this street and have had open conversations about our plans since the beginning & then more in depth throughout this past summer of 2020 as plans further developed.

With our street being as close-knit as it is, we were able to get email addresses for most of the neighbors to begin to open the discussion and create awareness of our project beyond our direct abutting neighbors. We had sent emails to them starting in July of 2020 to share our plans of renovating and offering to share our drawings with anyone that would be interested in reviewing them.

Once we received approval from the Conservation Commission for our addition in October, we then took the next steps and reached out to our neighbors again letting them know we were moving onto the next step in the process and planned to submit for approval through the Planning Board. Being that this addition would directly impact our abutting neighbors, I had asked them separately if they would be open to writing letters of support for our addition. They didn't hesitate in doing so, and have sent the attached letters for your review. I also then sent emails to all of the surrounding neighbors asking them if they would be open to signing a petition in support of our addition. To be sure everyone within 300' of our home was included, we used the list that was given to us from a town representative, Mr. Jeffrey Wheeler. In this list there were 21 residences/business owners to reach. Each neighbor we reached via email

Priscilla Hunt
84 Agassiz Avenue
Belmont, MA 02478

December 15, 2020

Planning Board
Office of Community Development
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

Re: Support for the 90 Agassiz Avenue Proposal

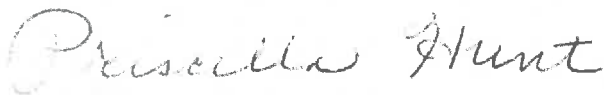
Dear Mr. Jeffrey Wheeler:

Please forward my letter to the members of the planning board. I support the proposed plans for 90 Agassiz Avenue as presented by Lucianna Ascanio-Momose and Kiyoshi Momose.

Not only will their planned structure be a neighborhood structural improvement, but they also will modify their property's ecology by use of native plants in support of biodiversity. This is admirable especially in light of the fact that their site directly abuts the stream of Beaverbrook Reservation.

Proof of their intent has been made evident by their sharing of architectural drawings and willing participation in site visits by Mary Trudeau of the Conservation Commission and Barbara Passero of Meadowsclaping for Biodiversity.

Sincerely,

A handwritten signature in cursive script that reads "Priscilla Hunt". The ink is dark and the signature is fluid, with the first name being more prominent than the last.

Priscilla Hunt

November 7, 2020

RE: Planning Board Application for 90 Agassiz Ave.

To whom it may concern:

We write this letter to state our full support for this project.

We are the owners of 96 Agassiz Ave., the house next door to 90 Agassiz Ave., as well as the owners of the condo across the street at 95 Agassiz Ave. We have lived at 96 for ten years, and we had wonderful years of friendship with the former owner of 90, Charleen Livingstone. We also know the Momose's well, as they were our tenants for two years at 95. We could not be happier that Charleen was able to sell to them and that they are going to be our permanent neighbors at the end of Agassiz Ave.

The project they plan is very much in line with other expansions and construction in our neighborhood. In fact, we completed a very similar addition in 2010, expanding the back side of a small cape cod house with minimal change to the street view. The addition will take advantage of the slope to add living space without extending far back. The back of their addition is almost perfectly in line with back of our expansion, and does not extend as far back as 84 just to the east. They will add living space to a relatively small house in a way that is respectful to the neighborhood and to the nature behind the house.

Lucianna and Kiyoshi, the new owners of 90, have been very transparent and have kept us in the loop throughout their planning of this project, which we appreciate. They have been open to our suggestions and have made some changes to their plans to harmonize their project with our backyard's look.

We look forward to seeing the completion of this project, and to many years as neighbors.

Sincerely,

Handwritten signatures of Laura VanderHart and Jarrod Goentzel in black ink.

Laura VanderHart and Jarrod Goentzel

96 Agassiz Avenue
Belmont, Massachusetts

12/22/2020

RE: Planning Board Application for 90 Agassiz Ave.

To whom it may concern:

We write this letter to state our full support for the home improvements planned at 90 Agassiz Avenue.

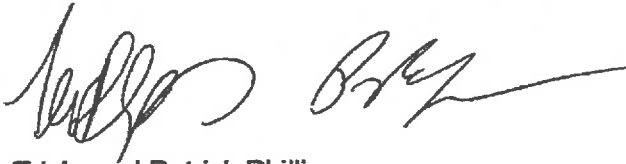
We are the owners of 64 Agassiz Ave., and although we live down the street from 90 Agassiz Ave, we have been residents of this neighborhood for 40+ years, actually living in the house where my wife grew up.

Lucianna and Kiyoshi Momose have been nothing short of amazing neighbors since moving into the neighborhood. We have developed a strong friendship with them over the past couple of years. We were elated to hear that they purchased the property at 90 Agassiz Avenue!

The updates they have planned for their property at 90 Agassiz Avenue will do nothing but enhance our neighborhood. We are confident they will be respectful of the neighbors and will do their best to minimize disruption while the construction is taking place.

We are very much looking forward to seeing the updates to their new home! More importantly, looking forward to being neighbors with the Momose family for years to come!

Sincerely,

The block contains two handwritten signatures in black ink. The first signature on the left is a cursive script, likely belonging to Tricia Phillips. The second signature on the right is also in cursive, likely belonging to Patrick Phillips. Both signatures are fluid and stylized.

Tricia and Patrick Phillips

64 Agassiz Avenue

Donna Santagati
56 Agassiz Avenue
Belmont, MA 02478

December 22, 2020
Planning Board
Office of Community Development
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

I am writing this letter to state my full support of the proposed plans submitted by Lucianna Ascanio-Momose and Kiyoshi Momose for the property located at 90 Agassiz Avenue Belmont, MA.

As a resident of 56 Agassiz Avenue, I have had the pleasure of developing a strong friendship with the Momose family. They have proven to be a wonderful addition to the neighborhood as a whole and I look forward to their continued residence on our street.

The plans that they have for the structural improvement of their property will not only enhance the overall value for the neighborhood but will also be respectful of the ecological landscape that abuts the Beaverbrook Reservation.

I am confident that they will be respectful during their proposed renovations and will do their best to cause minimal disruption and/or interference to our neighborhood.

I give my full support toward this project and look forward to its success.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donna Santagati', written in a cursive style.

Donna Santagati

DATE: December 2020

TO: Town of Belmont Planning Board

RE: Letter of Support

We-the residents of the Agassiz neighborhood--have reviewed the proposed design for the rear addition at 90 Agassiz Avenue and support the proposal.

Name(s)	Street Address	Signature(s)
Wei Yin	87 Agassiz Ave	Wei Yin
Sean Harrison	87 Agassiz Ave	Sean Harrison
Jordan Hampton	52 Agassiz	Jordan Hampton
Paul Sullivan	52 Agassiz	Paul Sullivan
David E. Benson	39 Agassiz Ave	David E. Benson
Herri Benson	39 Agassiz Ave	Herri Benson
Michael + Lucia Gates	11 Agassiz St	Michael Gates

DATE: December 2020

TO: Town of Belmont Planning Board

RE: Letter of Support

We—the residents of the Agassiz neighborhood—have reviewed the proposed design for the rear addition at 90 Agassiz Avenue and support the proposal.

Name(s)	Street Address	Signature(s)
John Freilhaber	82 Agassiz Ave	John Freilhaber
Jeri Weiss	74 Agassiz Ave	Jeri Weiss
MARY BUTLER	67 Agassiz	Mary E. Butler
LAURA VANDERHART	96 Agassiz Ave	M. J. A. T.
LAURA VANDERHART	95 Agassiz Ave	M. J. A. T.
JAREED BOEWITTE	95 AGASSIZ AVE	Jareed Boewitte
JAREED BOEWITTE	96 Agassiz Ave.	Jareed Boewitte



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

106–

MassDEP File #

eDEP Transaction #

Belmont

City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms on
the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Belmont Conservation Commission
Conservation Commission

2. This issuance is for (check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:

Lucianna & Kiyoshi

a. First Name

Ascanio-Momose & Momose

b. Last Name

c. Organization

90 Agassiz Avenue

d. Mailing Address

Belmont

e. City/Town

MA

f. State

02478

g. Zip Code

4. Property Owner (if different from applicant):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

5. Project Location:

90 Agassiz Avenue

a. Street Address

Belmont

b. City/Town

33

c. Assessors Map/Plat Number

80

d. Parcel/Lot Number

Latitude and Longitude, if known:

d

m

s

d. Latitude

d

m

s

e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Middlesex
a. County
73796
c. Book
b. Certificate Number (if registered land)
165
d. Page
7. Dates: September 5, 2020
a. Date Notice of Intent Filed
b. Date Public Hearing Closed
c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Plan to Accompany Notice of Intent: 90 Agassiz Avenue, Belmont, MA
a. Plan Title
Michael Soraghan, PE
b. Prepared By
9-1-20
d. Final Revision Date
Proposed Landscape Plan
f. Additional Plan or Document Title
Michael Soraghan, PE
c. Signed and Stamped by
e. Scale
9-1-20
g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution
d. ☐ Private Water Supply e. ☒ Fisheries f. ☒ Protection of Wildlife Habitat
g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☐ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☐ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	a. square feet	b. square feet	c. square feet	d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet e. c/y dredged	b. square feet f. c/y dredged	c. square feet	d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	1632 a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	900 c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	732 g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. $\frac{\text{cu yd}}{\text{nourishment}}$	d. $\frac{\text{cu yd}}{\text{nourishment}}$
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. $\frac{\text{cu yd}}{\text{nourishment}}$	d. $\frac{\text{cu yd}}{\text{nourishment}}$
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
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B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. ☐ Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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City/Town

C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]

"File Number 106- "

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
 - (1) ☐ is subject to the Massachusetts Stormwater Standards
 - (2) ☒ is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
 - i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

- 20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☒ No
2. The Conservation Commission hereby finds (check one that applies):
 - a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw	2. Citation
---------------------------------	-------------

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.
 - b. ☐ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw	2. Citation
---------------------------------	-------------
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
 The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):

Special Conditions for 90 Agassiz Avenue, Belmont

DEP File Number 106-0144

A. General Conditions

1. The term "Applicant" as used in this Order of Conditions shall refer to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission shall be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the Certificate of Compliance.
2. With respect to all conditions, the Conservation Commission designates the Conservation Administrator, or liaison, as consultant to the Commission, as its agent with full powers to act on its behalf in administering and enforcing this Order.
3. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this Order, and that are created or modified after the issuance date of this Order, along with a statement that this Order shall supersede any conflicting contractual arrangements, plans or specifications.
4. The applicant shall provide a copy of this Order to the person or persons supervising the activity that is the subject of this Order, and will be responsible for ensuring that all persons performing the permitted activity are fully aware of the terms and conditions of this Order.
5. If any change is made in the above-described plan(s) which may or will alter an area subject to protection under the Wetlands Protection Act, 310 CMR 10.00, the applicant shall inquire from this Commission or its agent, prior to implementing the change in the field, whether the change is significant enough to require the filing of a new Notice of Intent. Any errors in the plans or information submitted by the applicant shall be considered changes and the above procedures shall be followed.
6. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash, or excavate may only be stockpiled or collected on the bituminous concrete driveway, or shall be taken off site. Stored earth materials on the driveway should be surrounded by a row of STRAW bales (or other specified erosion control device) and covered with a tarp to prevent contact with rain water.
7. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this Order, except as are expressly permitted by this Order or the plans approved herein.
8. There shall be no pumping of water from wetland resource areas.
9. No fuel, oil, or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this Order.
10. There shall be no underground storage of fuel or other hazardous substance in areas within the jurisdiction of the Conservation Commission.
11. This Order authorizes only the activity described on the approved plan(s) and approved documents referenced in this Order. Any other or additional activity in areas within the jurisdiction of the Commission will require separate review and approval by the Commission or its agent.

B. Prior to Construction

1. Prior to the commencement of any activity on this site other than the placement of erosion controls, the applicant shall arrange with the Commission or its agent to conduct a Pre-Activity Meeting between the applicant or the applicant's representative, the persons or supervisor responsible for the work, and a member of the Conservation Commission or its agent. Prior to the Pre-Activity Meeting, all erosion controls shall be installed, by survey, along the line approved by the Commission. The location and installation of erosion controls shall be inspected by the Commission or its agent during the Pre-Activity Meeting.
2. Prior to the Pre-Activity Meeting and any work commencing on the site, the applicant shall display the DEP file number for this Order on a sign with minimum dimensions of two feet by two feet at a location clearly visible from the street. The sign shall remain in place and visible until a Certificate of Compliance is issued for the activity.

3. Prior to the Pre-Activity Meeting and commencement of any activity on this site, the approved erosion control shall be installed as indicated on the approved plan. The controls shall be installed at the location shown on the approved site plan. Erosion controls shall be installed with minimal disturbance to vegetation. Where possible, erosion controls should go *around* trees, shrubs, and other vegetation, on the uphill side. Erosion controls shall consist of 12 inch filter tubes, filled with wood chips/wood mulch.
4. No clearing of vegetation, including trees, or disturbance of soil shall occur prior to the Pre-Activity Meeting. Minimal disturbance of shrubs and herbaceous plants may be allowed prior to the Pre-Activity Meeting if absolutely necessary in order to place erosion controls where required.
5. If a commencement date is not agreed upon at the Pre-Activity Meeting, the applicant shall notify the Conservation Commission at least 48 hours prior to the commencement of any activity on the site. In any case, the applicant shall supply the name(s) and telephone number(s) of all person(s) responsible for compliance with this Order with a written notification of the start work date.
6. Prior to commencing any activity on the site, the applicant shall submit the following to the Conservation Commission:

A set of **photographs** depicting the project site in pre-activity condition.

A **statement** signed by the applicant, owner of the property and the person responsible for the construction of the project that such individuals understand the terms and conditions as specified in the Order and that such persons agree to comply with the provisions of the Wetlands Protection Act, local Bylaw and this Order.

C. During Construction

1. A copy of this Order of Conditions, construction plans, and copies of the documents and reports cited in this Order, shall be on the site upon commencement and during any site work for contractors to view and adhere to.
2. Equipment for fuel storage and refueling operations shall be located outside all areas within the jurisdiction of the Commission unless indicated otherwise on the approved plan.
3. **Dewatering activities shall be conducted at the direction of the Conservation Agent** and shall be monitored daily to ensure that sediment-laden water is appropriately settled prior to discharge toward the wetland resource areas. No discharge of water is allowed directly into an area subject to jurisdiction of the Wetlands Protection Act. **Contact the Conservation Commission prior to any dewatering activities on this site.**
4. An adequate stockpile of erosion control materials shall be on site at all times for emergency or routine replacement and shall include materials to repair or replace silt fences, hay or straw bales, silt socks or straw wattles, erosion control blankets, stone riprap, filter berms or any other devices planned for use during construction.
5. Within thirty days of completion of construction on any given portion of the project, all disturbed areas in the completed portion of the site shall be permanently stabilized with vegetative cover, using sufficient top soil to assure long-term vegetative growth. If the stabilization can not be achieved with vegetative growth (due to unfavorable conditions outside of the growing season) the disturbed area shall be mulched or stabilized by other means. Continued maintenance of this area, in a manner which assures permanent stabilization and precludes any soil erosion, shall be the responsibility of the applicant.
6. All existing and proposed catch basins and oil traps on the site or on the streets adjacent to the project shall be protected by Silt Sacks to prevent sediment from entering the drainage system. Silt Sacks shall be maintained and regularly cleaned of sediments until all areas associated with the work permitted by this Order have been permanently stabilized and the Commission and/or Staff has formally approved their removal.
7. Cement trucks shall not be washed out in any wetland resource or buffer zone area, or into any drainage system. Any deposit of cement or concrete products into a buffer zone or wetland resource area shall be immediately removed. Construction equipment shall be washed to reduce siltation on site, and all washing shall occur outside of the one hundred foot buffer zone to wetlands.
8. Erosion control devices, including silt socks, silt fences and hay bales, shall remain in place and properly functioning until all exposed soils have been stabilized with final vegetative cover and the Conservation Commission and/or its Administrator has authorized their removal.
9. Site grading and construction shall be scheduled to avoid periods of high surface water. Once begun, grading

and construction shall continue in an expeditious manner to minimize the opportunity for erosion. There is to be no stockpiling of earth materials behind the house.

10. Grading shall be accomplished so that runoff shall not be directed to the property of others, except as indicated on the approved plan.
11. Restoration of the 0-25 foot buffer zone is mandated, and should be approved by the Conservation Agent prior to implementation. Restoration will include the planting of native, woody vegetation, as well as a stabilizing substrate. The Commission notes that this restoration is also a Riverfront Area restoration.
12. At the completion of the landscaping, the applicant shall install FENO markers (or the like) at intervals along the 25 foot buffer zone. The Commission estimates that (4) markers should be installed, with one on either side lot line, and two within the space between the lot lines.
13. Installation of the storm water management system shall be witnessed by the project engineer, or a Registered Professional Engineer. Photographs shall be submitted to the Commission to document soil conditions and system components. The details of the system shall be shown on the As Built plan.

D. After Construction / In Perpetuity

1. Upon completion of construction and final soil stabilization, the applicant shall submit the following to the Conservation Commission to request a Certificate of Compliance (COC):
 - (1) A Completed Request for a Certificate of Compliance form (WPA Form 8A or other form if required by the Conservation Commission at the time of request).
 - (2) A letter from a Massachusetts Registered Professional Engineer certifying compliance of the property with this Order of Conditions, and detailing any deviations that exist, and their potential effect on the project. A statement that the work is in "substantial compliance" with no detailing of the deviations shall not be accepted.
 - (3) An "As-Built" plan signed and stamped by a Massachusetts Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the Massachusetts Wetlands Protection Act. This plan shall include at a minimum:
 - (a) All wetland resource area boundaries with associated buffer zones and regulatory setback areas taken from the plan(s) approved in this Order of Conditions;
 - (b) Locations and elevations of all stormwater management conveyances, structures and best management designs, including foundation drains, constructed under this Order within any wetland resource area or buffer zone;
 - (c) Distances from any structures constructed under this Order to wetland resource areas - "structures" include, but are not limited to, all buildings, septic system components, wells, utility lines, fences, retaining walls, and roads/driveways;
 - (d) Detailing of the restoration undertaken in the 0-25 foot buffer zone;
 - (e) Documentation showing that the roof runoff from the new home has been diverted into the subterranean stormwater management system through a drain line connected to the gutter system of the home. This evidence should include photographs of the drainage system.
 - (f) Location of FENO markers installed on the property.
 - (4) Post-construction photographs demonstrating compliance with this Order, including established vegetation where required.
 - (5) The applicant is responsible for the maintenance of the Stormceptor Unit in perpetuity as specified in the Stormwater Management System Operation and Maintenance Plan.



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

106–

MassDEP File #

eDEP Transaction #

Belmont

City/Town

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



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E. Signatures

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

11.10.2020
1. Date of Issuance

3
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

[Signature]
[Signature]
[Signature]

☒ by hand delivery on

11.10.2020
Date

☐ by certified mail, return receipt requested, on

Date

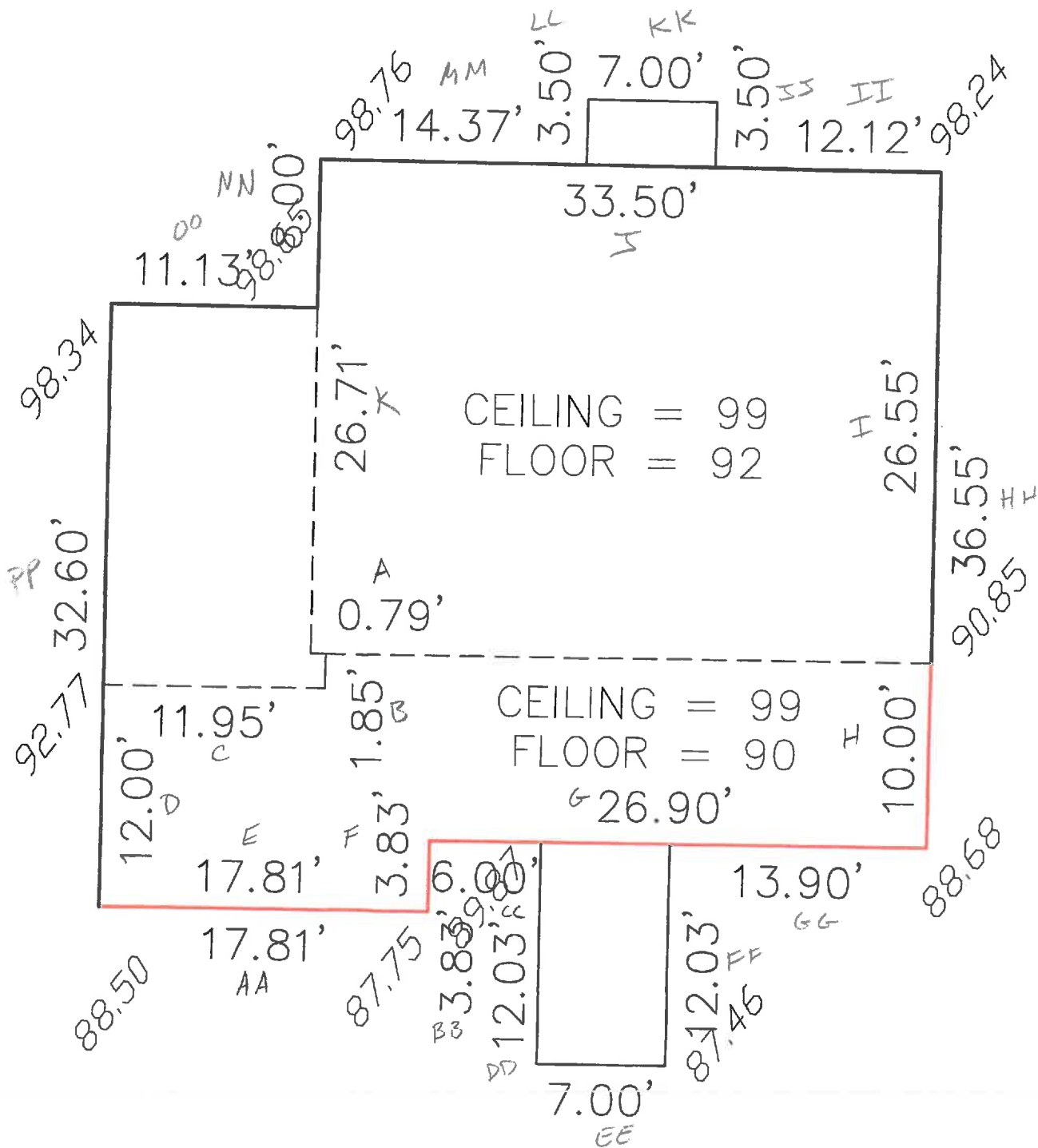
F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

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The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

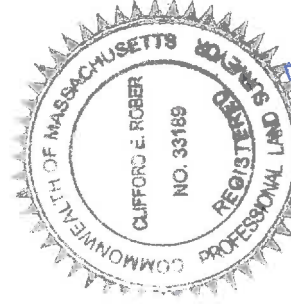
76062 PP2
90 Agassiz Ave
5/21/20



Segment	Ceiling Elevation	Elevation From	Elevation To	Length	Ceiling Height	Square Footage	Exposed Square Footage	% Covered
A	99	99	99	0.79	7	5.53	0.00	100.00%
B	99	99	99	11.95	9	107.55	0.00	100.00%
C	99	99	99	11.95	9	107.55	0.00	100.00%
D	99	92.77	88.5	12.00	9	108.00	100.38	7.06%
E	99	88.5	87.75	17.81	9	160.29	193.68	-20.83%
F	99	87.75	89.87	3.83	9	34.47	39.03	0.00%
G	99	89.87	88.68	26.9	9	242.1	261.6025	0.00%
H	99	88.68	90.85	10	9	90	92.35	0.00%
U	99	90.85	98.24	26.55	7	185.85	118.2803	36.36%
J	99	98.24	98.76	33.5	7	234.5	16.75	92.86%
K	99	98.76	98.65	8	7	56	2.36	95.79%
				163.28	8.27273	1331.84	824.43	38.10%

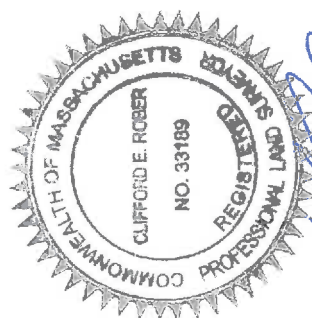
Ceiling Height:	7	<- enter
Basement Floor Elevation	92	<- enter
Ceiling Elevation	99	
Perimeter Total Length	163.28	
Total Perimeter Square Foot	1331.84	
Exposed Square Footage	824.43	
% Covered	38.10%	<- result

North	South	East	West
#REF!	#REF!	#REF!	#REF!
#REF!	#REF!	#REF!	#REF!
0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00
#REF!	#REF!	#REF!	#REF!
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#REF!	#REF!	#REF!	#REF!



Clifford E. Roher
7/10/20

Segment	Segment From Existing Grade	Segment From New Grade	Segment To Existing Grade	Segment To New Grade	Segment Length	Avg Existing	Avg New	Difference	
AA	88.5	88.5	87.75	87.75	17.81	1569.506	1569.506	0.00	Ceiling Height: 7
BB	87.75	87.75	89.87	89.87	3.83	340.1423	340.1423	0.00	Basement Floor Elevation 92
CC	89.87	89.87	89.87	89.87	6	539.22	539.22	0.00	Ceiling Elevation 99
DD	89.87	89.87	87.46	87.46	12.03	1066.64	1066.64	0.00	Perimeter Total Length 201.37
EE	87.46	87.46	87.46	87.46	7	612.22	612.22	0.00	Total Perimeter Square Foot 1409.59
FF	87.46	87.46	88.68	88.68	12.03	1059.482	1059.482	0.00	Average Existing Grade 93.13
GG	88.68	88.68	88.68	88.68	13.9	1232.652	1232.652	0.00	New Average Grade 93.13
HH	88.68	88.68	98.24	98.24	36.55	3415.963	3415.963	0	Difference in Grade in feet 0.00
II	98.24	98.24	98.24	98.24	12.12	1190.669	1190.669	0	
JJ	98.24	98.24	98.24	98.24	3.5	343.84	343.84	0	
KK	98.24	98.24	98.24	98.24	7	687.68	687.68	0	
LL	98.24	98.24	98.76	98.76	3.5	344.75	344.75	0	
MM	98.76	98.76	98.76	98.76	14.37	1419.181	1419.181	0	
NN	98.76	98.76	98.65	98.65	8	789.64	789.64	0	
OO	98.65	98.65	98.34	98.34	11.13	1096.249	1096.249	0	
PP	98.34	98.34	88.5	88.5	32.6	3045.492	3045.492	0	
					201.37	18753.33	18753.33	0	% Covered using Avg Grade 16.12%



Clifford E. Rober
7/10/20

Zoning Compliance Check List

Properties Located within the GR Zoning Districts
(To be Completed by a Registered Land Surveyor)



Address: 90 AGASSIZ AVE.

Signature and Stamp: [Signature]

Date: 7/10/20

Per §4.2 of the Zoning By-Laws

		REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)		5,000	6030	—
Lot Frontage (feet)		50'	61.36	—
Lot Area/Unit (sq. ft./d.u.)		3500		
Lot Coverage (% of lot)		30%	18.6%	28.2%
Open Space (% of lot)		40%	78.6%	69.0%
Setbacks: (feet)	➤ Front	12.05'	8.5'	—
	➤ Side/Side	10' 10'	7.0' 8.9'	6.6' 9.6'
	➤ Rear	19.72'	61.1'	41.1'
Building Height:	➤ Feet	33'	20.4'	< 20.4'
	➤ Stories	2 1/2	1 1/2	2 1/2
1/2 Story (feet) (Per §1.4)	➤ Perimeter			
	➤ Area			
	➤ Length			

Per §6D of the Zoning By-Laws

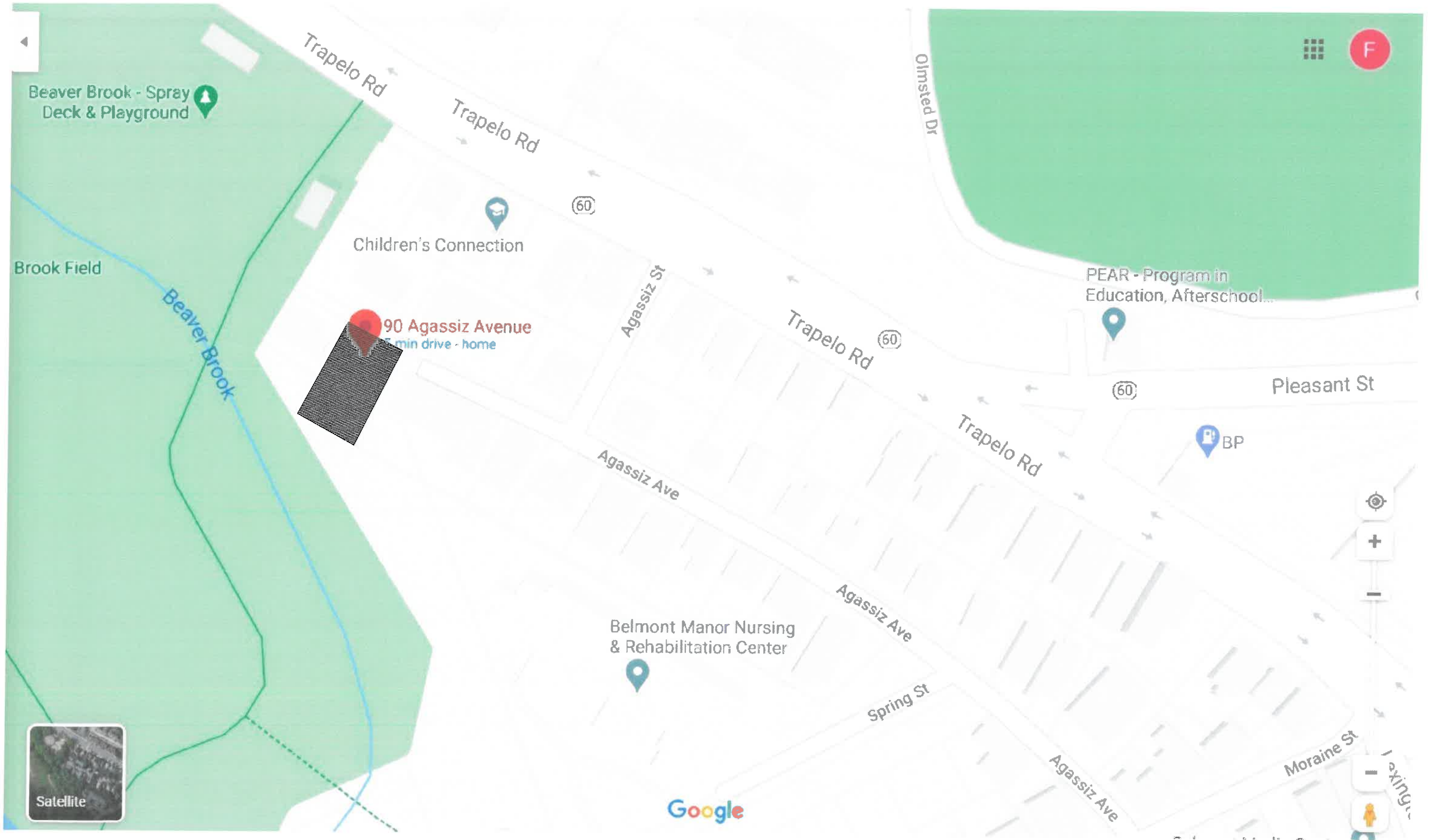
		REQUIRED	EXISTING	PROPOSED
Front Doors:	➤ Face Street			
	➤ Setback			
Curb Cut				
HVAC:	➤ Front Yard			
	➤ Side/Rear Setbacks			

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

DRAWING INDEX

ARCHITECTURAL	ISSUE DATE	CURRENT REVISION	EXISTING CONDITIONS	ISSUE DATE	CURRENT REVISION
A0.1 DRAWING INDEX	7.10.2020	1.1.2021	X2.0 BASEMENT FLOOR PLAN EXISTING CONDITIONS	6.8.2020	11.1.2020
A0.2 VICINITY MAP	6.8.2020	1.1.2021	X2.1 FIRST FLOOR PLAN EXISTING CONDITIONS	6.8.2020	11.1.2020
A0.3 EXISTING HOUSE PHOTOS	6.8.2020	1.1.2021	X2.2 SECOND FLOOR PLAN EXISTING CONDITIONS	6.8.2020	11.1.2020
A0.4 EXISTING HOUSE PHOTOS	6.8.2020	1.1.2021	X3.1 NORTH EXTERIOR ELEVATION EXISTING CONDITIONS	6.8.2020	11.1.2020
A1.1 SITE AND LANDSCAPE PLAN PROPOSED	6.8.2020	1.1.2021	X3.2 WEST EXTERIOR ELEVATION EXISTING CONDITIONS	6.8.2020	11.1.2020
A1.2 GROSS FLOOR AREA DIAGRAMS	6.8.2020	1.1.2021	X3.3 SOUTH EXTERIOR ELEVATION EXISTING CONDITIONS	6.8.2020	11.1.2020
A2.0 BASEMENT FLOOR PLAN PROPOSED	6.8.2020	11.1.2020	X3.4 EAST EXTERIOR ELEVATION EXISTING CONDITIONS	6.8.2020	11.1.2020
A2.1 FIRST FLOOR PLAN PROPOSED	6.8.2020	11.1.2020	X4.1 BUILDING SECTION @ HOUSE EXISTING CONDITIONS	6.8.2020	11.1.2020
A2.2 SECOND FLOOR PLAN PROPOSED	6.8.2020	11.1.2020	X4.2 BUILDING SECTION @ GARAGE EXISTING CONDITIONS	6.8.2020	11.1.2020
A2.3 ROOF PLAN: PROPOSED	7.1.2020	11.1.2020	PLOT PLAN (ROBER SURVEY)	7.10.2020	-
A3.1 NORTH EXTERIOR ELEVATION PROPOSED	6.8.2020	11.1.2020			
A3.2 WEST EXTERIOR ELEVATION PROPOSED	6.8.2020	11.1.2020			
A3.3 SOUTH EXTERIOR ELEVATION PROPOSED	6.8.2020	11.1.2020			
A3.4 EAST EXTERIOR ELEVATION PROPOSED	6.8.2020	11.1.2020			
A4.1 BUILDING SECTION @ HOUSE PROPOSED	6.8.2020	11.1.2020			
A4.2 BUILDING SECTION @ GARAGE PROPOSED	6.8.2020	11.1.2020			

PRELIMINARY:
NOT FOR
CONSTRUCTION





1. 90 AGASSIZ AVENUE (SUBJECT PROPERTY) LOOKING SOUTHWEST



2. 90 AGASSIZ AVENUE (SUBJECT PROPERTY) LOOKING SOUTHEAST



3. 90 AGASSIZ AVENUE (SUBJECT PROPERTY) LOOKING NORTHEAST



4. 90 AGASSIZ AVENUE (SUBJECT PROPERTY) LOOKING NORTHWEST



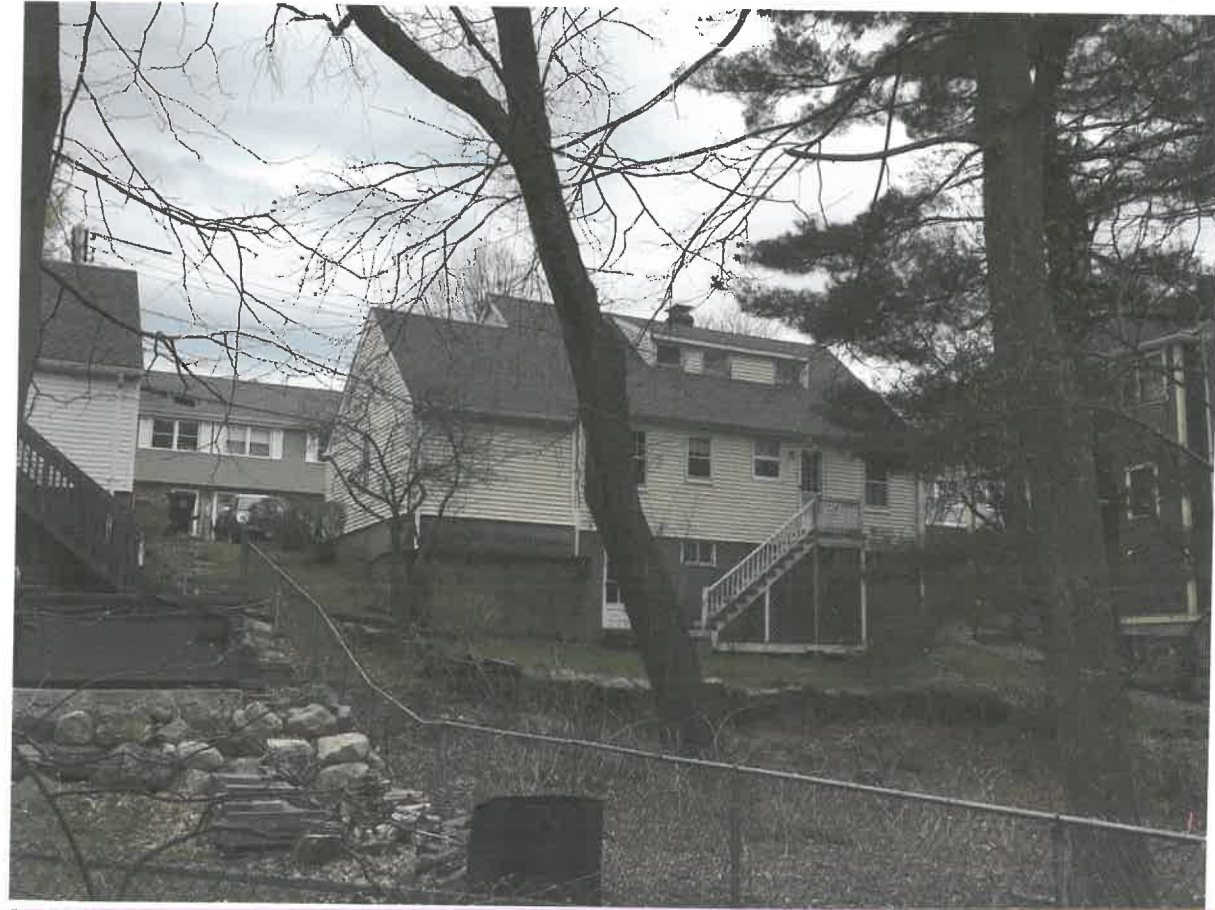
5. LOOKING EAST FROM BEAVER BROOK. BOTH 96 AGASSIZ (WHITE ON LEFT) AND 82/84 AGASSIZ (GREEN ON RIGHT) EXTEND FARTHER BACK THAN 90 AGASSIZ (YELLOW IN CENTER).



7. VIEW FROM BEAVER BROOK RESERVATION, LOOKING NORTHEAST. 90 AGASSIZ AVENUE (SUBJECT PROPERTY) HAS THE YELLOW SIDING.



6. LOOKING SOUTHEAST FROM BEAVER BROOK. BOTH 96 AGASSIZ (WHITE ON LEFT) AND 82/84 AGASSIZ (GREEN ON RIGHT) EXTEND FARTHER BACK THAN 90 AGASSIZ (YELLOW IN CENTER).



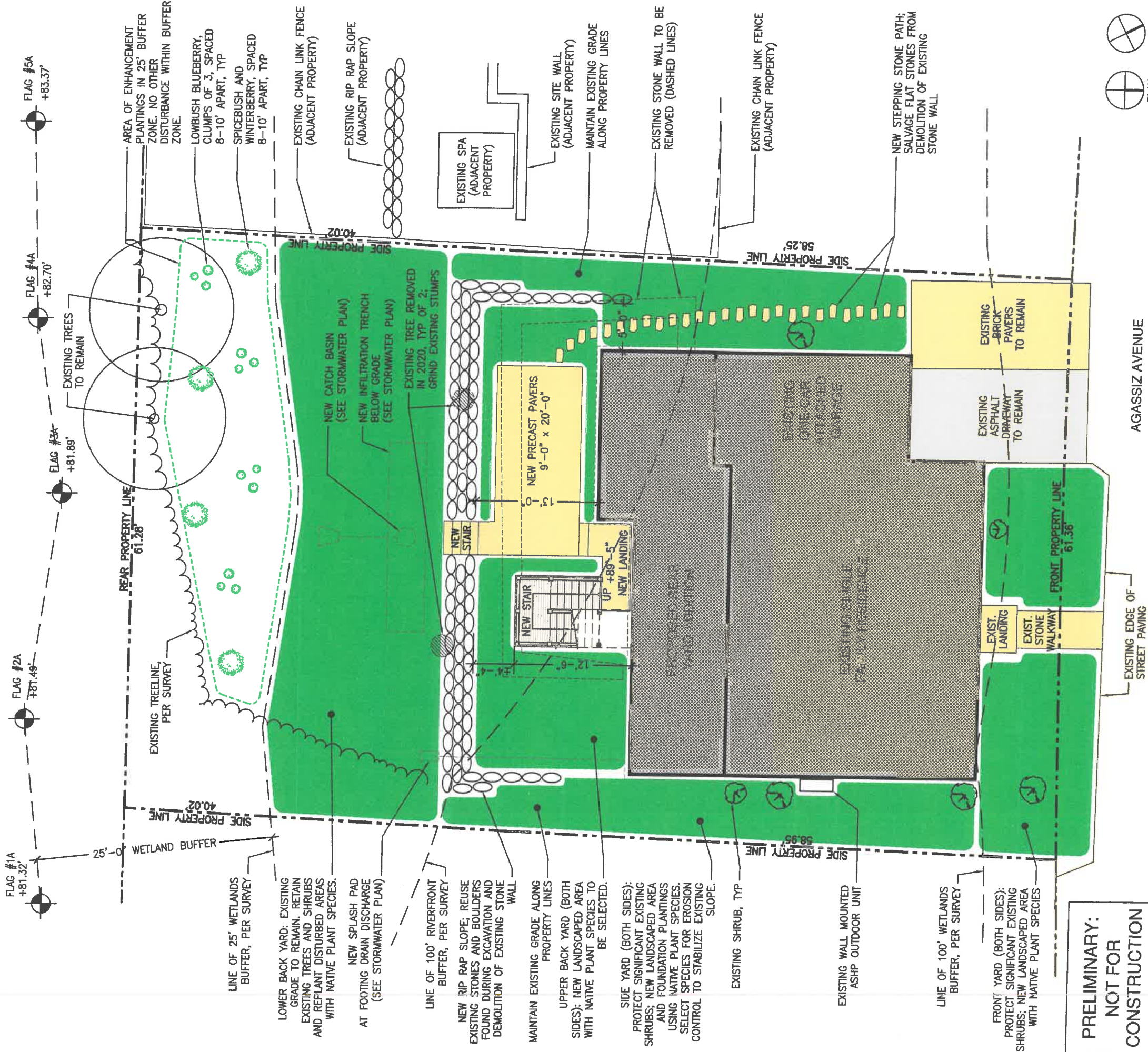
8. VIEW FROM BEAVER BROOK RESERVATION, LOOKING NORTH. 90 AGASSIZ AVENUE (SUBJECT PROPERTY) HAS THE YELLOW SIDING.

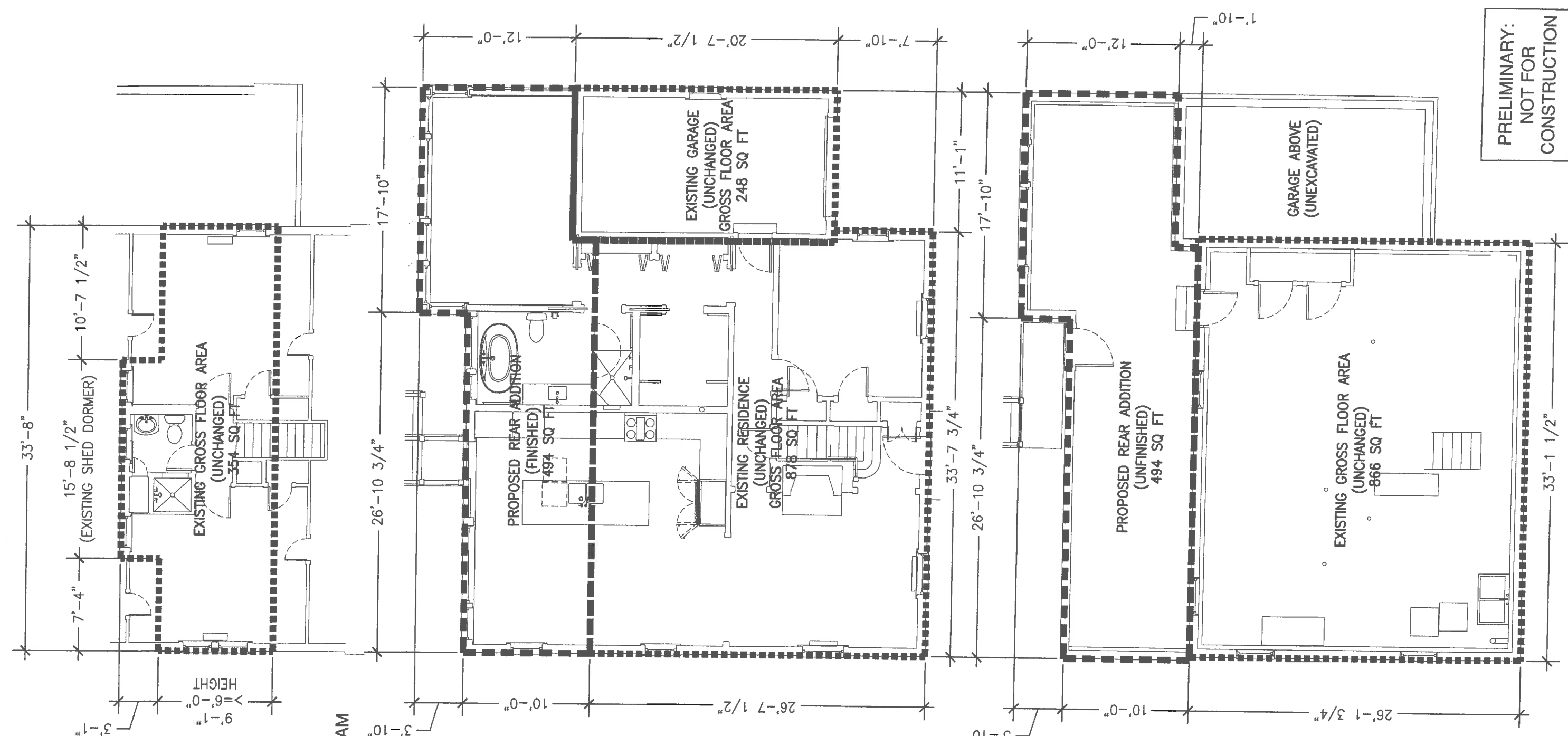
LANDSCAPE PLAN NOTES

- REFER TO "RECOMMENDED NATIVE PLANT MATERIAL LIST" PREPARED BY THE ARLINGTON CONSERVATION COMMISSION (DECEMBER 2014) FOR ALL PLANT SPECIES. TO THE BEST OF OUR KNOWLEDGE, NO COMPARABLE LIST EXISTS FOR THE TOWN OF BELMONT.
- ALL PLANTING MATERIALS SHOULD BE HIGH-QUALITY AND DROUGHT-RESISTANT. NO PERMANENT IRRIGATION SYSTEM IS PLANNED.
- ALL VIRGINIA CREEPER (AN INVASIVE SPECIES) TO BE DUG UP FROM THE ROOT AND REMOVED FROM THE PROPERTY.
- SHRUBBERY:
 - FOUNDATION PLANTINGS SURROUNDING THE HOME SHALL BE AT A MINIMUM THIRTY SIX (36) INCHES IN HEIGHT.
 - BELMONT ZONING BY-LAWS REQUIRE SCREENING OF OUTDOOR MECHANICAL EQUIPMENT. IF SHRUBS ARE USED FOR SCREENING, THEY SHALL BE EVERGREENS, SUCH AS BOXWOOD OR HATFIELD OR HICKS YEW'S, AT A MINIMUM OF THIRTY SIX (36) INCHES IN HEIGHT.
- TREES:
 - EXISTING MATURE TREES THAT ARE IN GOOD HEALTH SHALL BE PRESERVED.
 - TWO EXISTING LARGE TREES SHOWN WERE REMOVED FOR INSURANCE PURPOSES DUE TO PROXIMITY TO EXISTING HOUSE.
 - NEW TREES SHALL BE AT A MINIMUM THREE AND ONE HALF (3-1/2) TO FOUR (4) INCH CALIPER AT THE TIME OF INSTALLATION.
 - ASH AND SYCAMORE TREES TO BE AVOIDED PER THE BELMONT CONSERVATION DEPARTMENT.

LANDSCAPE PLAN LEGEND

- LAWN / PLANTING BED
- HARDSCAPE
(CONCRETE SLAB / STONE / PRECAST PAVERS)
- BITUMINOUS CONCRETE (ASPHALT)
- DECK / PORCH / STAIRS
- STRUCTURES





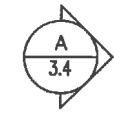
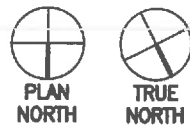
PRELIMINARY:
NOT FOR
CONSTRUCTION

1 SECOND FLOOR GFA DIAGRAM
SCALE: 1/8" = 1'-0"

GROSS FLOOR AREA SUMMARY (SQUARE FEET)			
FLOOR	EXISTING	PROPOSED	
FINISHED SPACE:			
2ND FLOOR	354	354	
1ST FLOOR	878	1372	
SUBTOTAL FINISHED:	1232	1726	
UNFINISHED SPACE:			
GARAGE BASEMENT	248	248	
	866	1360	
SUBTOTAL UNFINISHED:	1114	1608	
TOTAL	2346	3334	
NET INCREASE	0	+988	

2 FIRST FLOOR GFA DIAGRAM
SCALE: 1/8" = 1'-0"

3 BASEMENT GFA DIAGRAM
SCALE: 1/8" = 1'-0"



AREA OF PROPOSED
CONSTRUCTION:
REAR YARD ADDITION

(E) WALL MOUNTED
ASHP OUTDOOR UNIT

SEWER
EXIT

DRYER

WASHER

LAUNDRY
SINK

UNFINISHED
OUTDOOR
STORAGE
26'-10" x 9'-7"

MECHANICAL/
UNFINISHED
31'-9" x 24'-9"

3.5"Ø LALLY
COLUMN, TYP

BRICK
CHIMNEY

EXTERIOR
STAIR
ABOVE

UP

LANDING

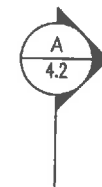
NEW BASEMENT
CEILING HEIGHT:
+9'-0"

EXISTING BASEMENT
CEILING HEIGHT:
+7'-1"

4.5"Ø CAST IRON
DRAIN PIPE ABOVE

3.5"Ø LALLY
COLUMN, TYP

FLOOR SLOPES
TO DRAIN



NOTE: PROVIDE NEW DOOR
IN EXISTING DOOR LOCATION

2'0"10"
DN
NEW DOOR

SHELVES

GARAGE
ABOVE

UNFINISHED
GAME ROOM
16'-6" x 11'-7"

PRELIMINARY:
NOT FOR
CONSTRUCTION

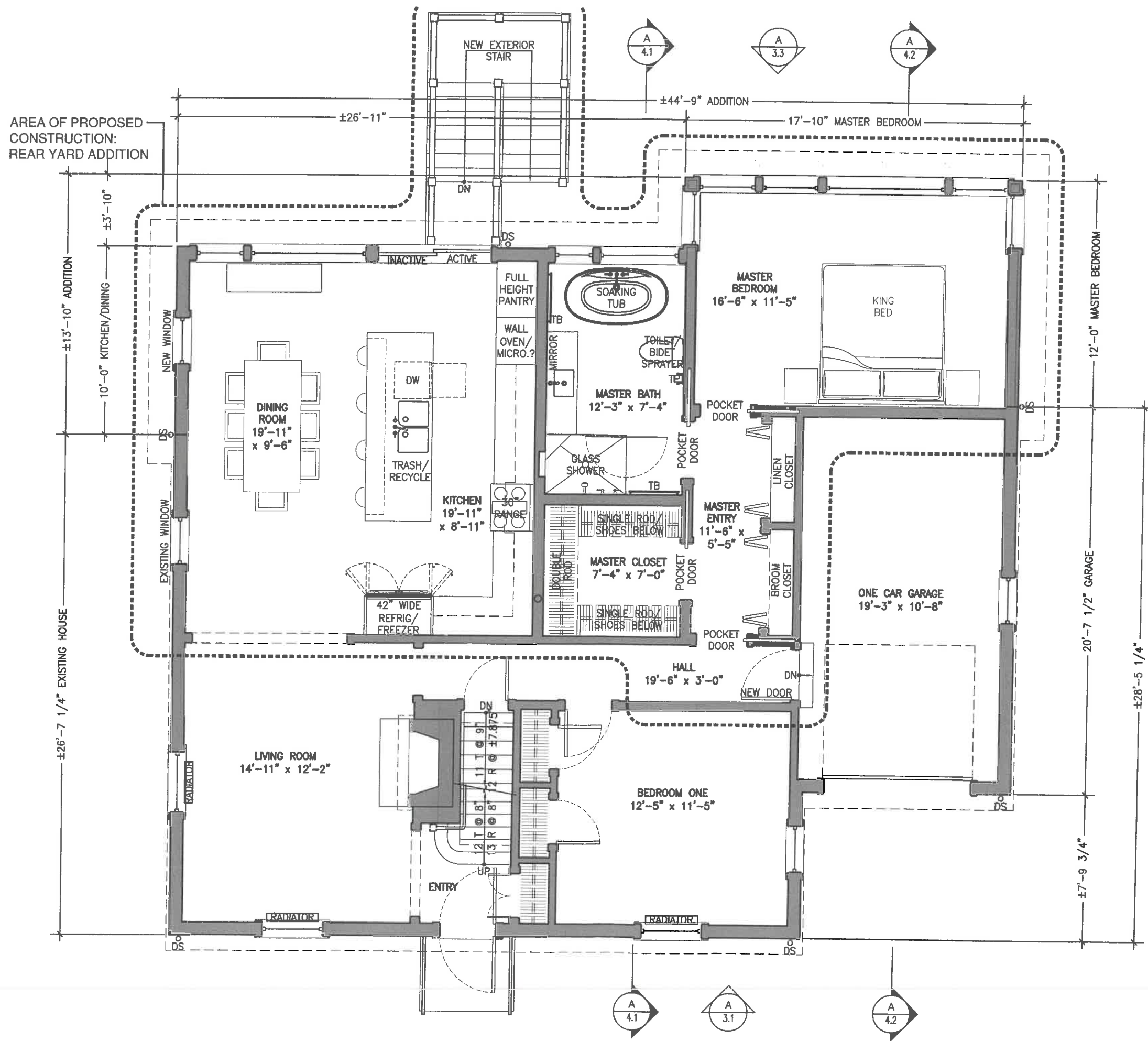
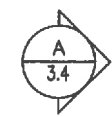
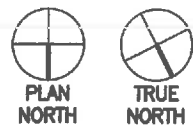
FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@dillarchitects.com

Project ASCANIO-MOMOSE
Scale 3/16" = 1'-0"
Reference
Issued 6.8.2020
Drawn By FYD

Revised 11.1.2020

90 AGASSIZ AVENUE BELMONT, MA
BASEMENT FLOOR PLAN
PROPOSED

A
2.0



PRELIMINARY:
NOT FOR
CONSTRUCTION

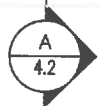
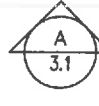
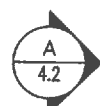
FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

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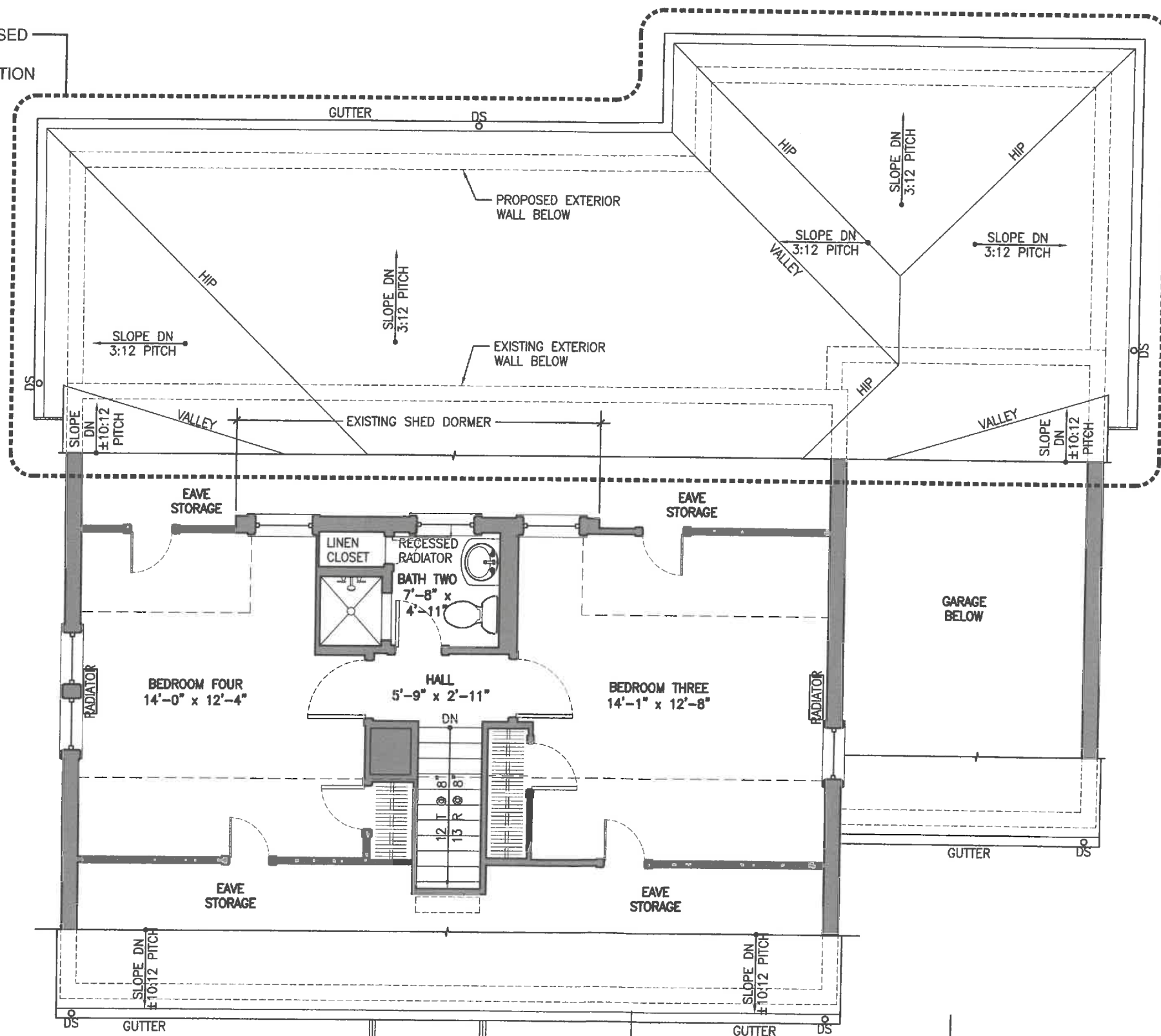
Revised 11.1.2020

90 AGASSIZ AVENUE BELMONT, MA
FIRST FLOOR PLAN
PROPOSED

A
2.1



AREA OF PROPOSED
CONSTRUCTION:
REAR YARD ADDITION



PRELIMINARY:
NOT FOR
CONSTRUCTION

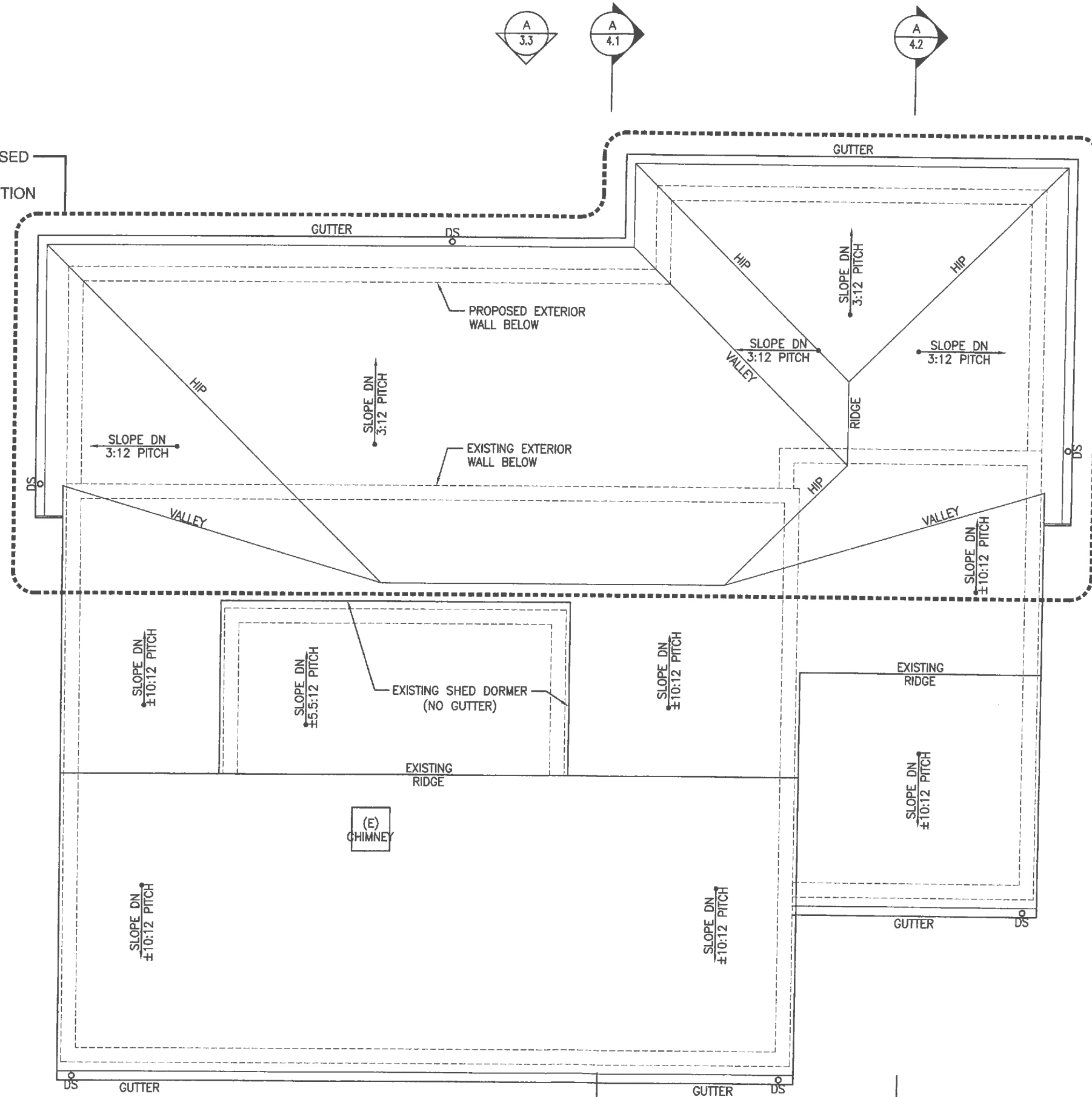
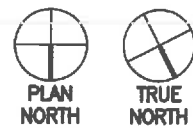
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ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

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90 AGASSIZ AVENUE BELMONT, MA
SECOND FLOOR PLAN
PROPOSED

A
2.2



PRELIMINARY:
NOT FOR
CONSTRUCTION

**FRANK DILL
ARCHITECTS**

27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

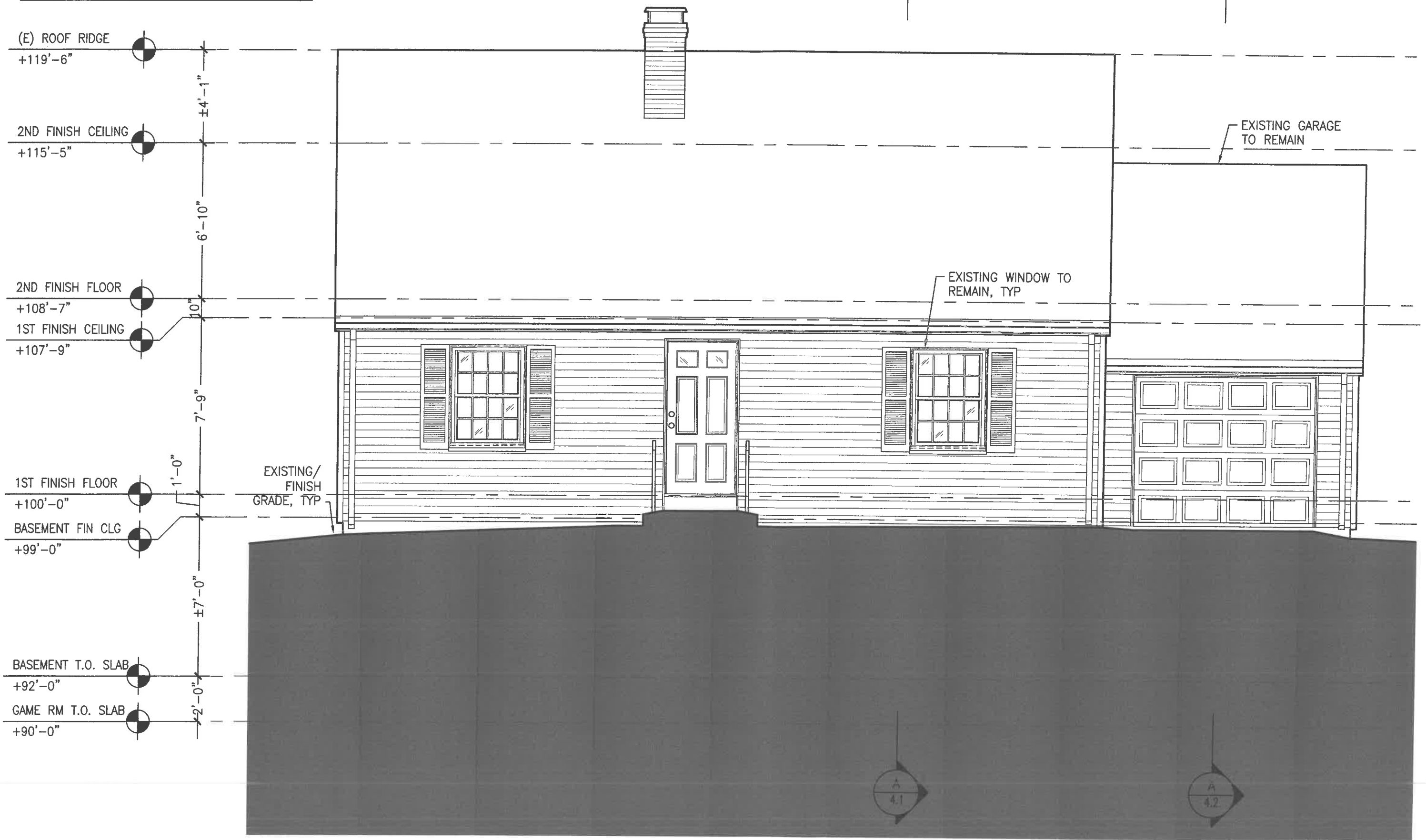
90 AGASSIZ AVENUE BELMONT, MA
ROOF PLAN
PROPOSED

A 2.3

GENERAL NOTE: DESIGN INTENT IS FOR MATERIALS ON THE ADDITION TO MATCH THE EXISTING HOUSE, INCLUDING COMPOSITION SHINGLE ROOFING, SIDING, CORNERBOARDS, WINDOW CASINGS AND SILLS, SOFFITS, FASCIAS, RAKES, GUTTERS, AND DOWNSPOUTS.

PRELIMINARY:
NOT FOR
CONSTRUCTION

A
3.1



90 AGASSIZ AVENUE - BELMONT MA
NORTH EXTERIOR ELEVATION
PROPOSED

Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

Reference

Issued 6.8.2020

Drawn By FYD

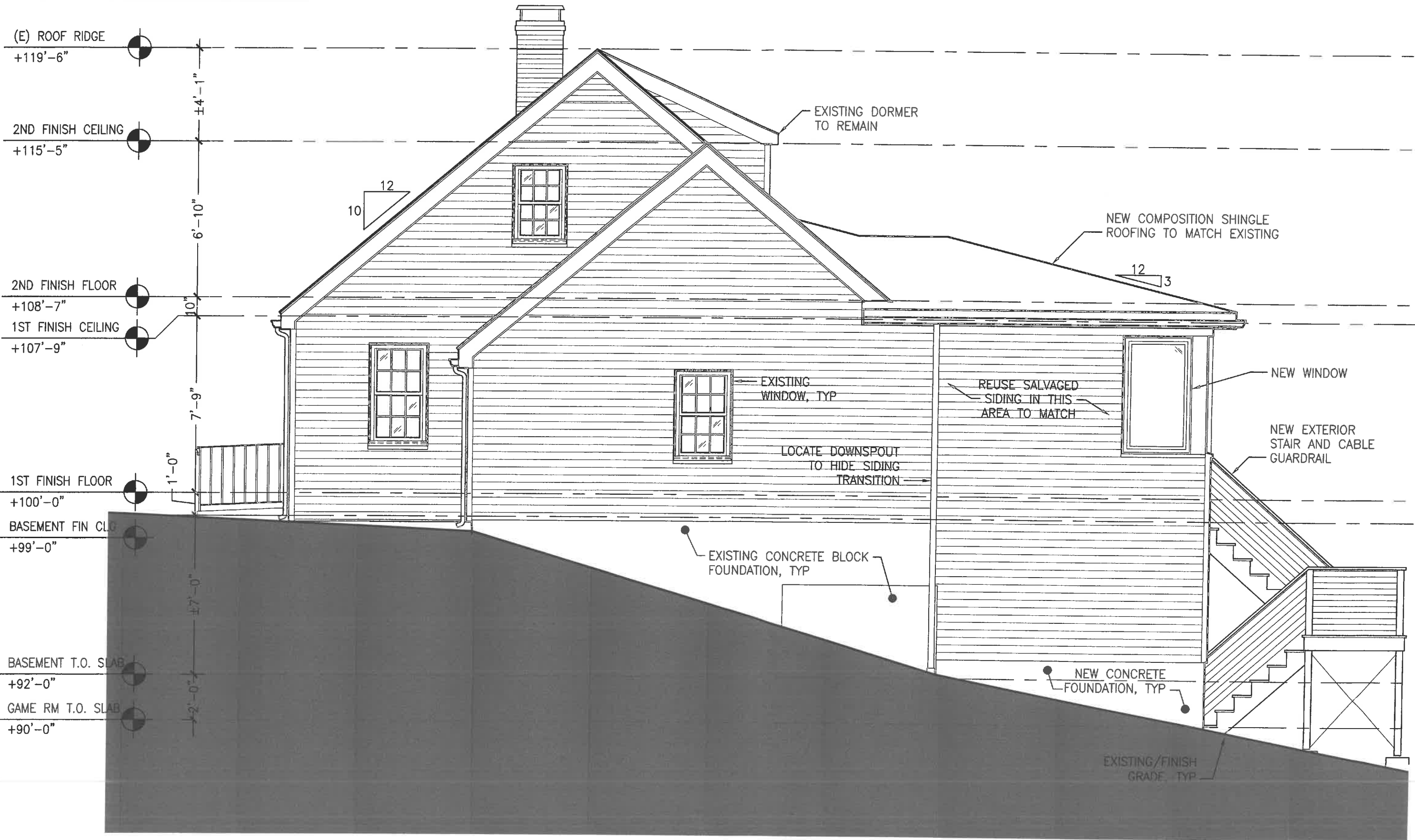
FRANK DILL
ARCHITECTS

27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

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PRELIMINARY:
NOT FOR
CONSTRUCTION

A
3.2



90 AGASSIZ AVENUE - BELMONT MA
WEST EXTERIOR ELEVATION
PROPOSED

Revised 11.1.2020

Project ASCANIO-MOMOSE
Scale 1/4" = 1'-0"

Reference
Issued 6.8.2020
Drawn By FYD

FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

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PRELIMINARY:
NOT FOR
CONSTRUCTION

A
3.3



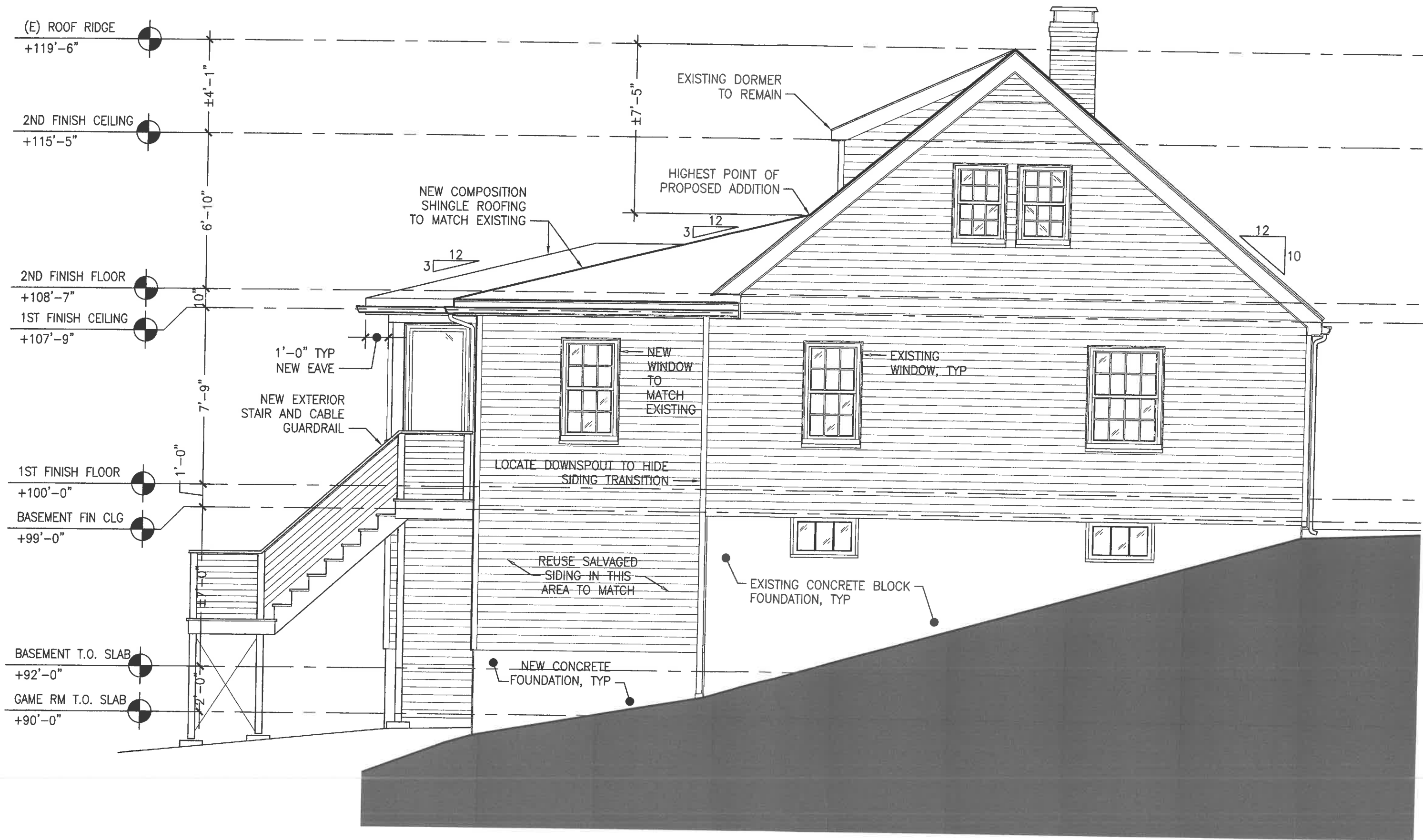
90 AGASSIZ AVENUE - BELMONT MA
SOUTH EXTERIOR ELEVATION
PROPOSED

Revised 11.1.2020
Project ASCANIO-MOMOSE
Scale 1/4" = 1'-0"
Reference
Issued 6.8.2020
Drawn By FYD
FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

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PRELIMINARY:
NOT FOR
CONSTRUCTION

A
3.4



90 AGASSIZ AVENUE - BELMONT MA
EAST EXTERIOR ELEVATION
PROPOSED

Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

Reference

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ARCHITECTS

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Belmont, MA 02478

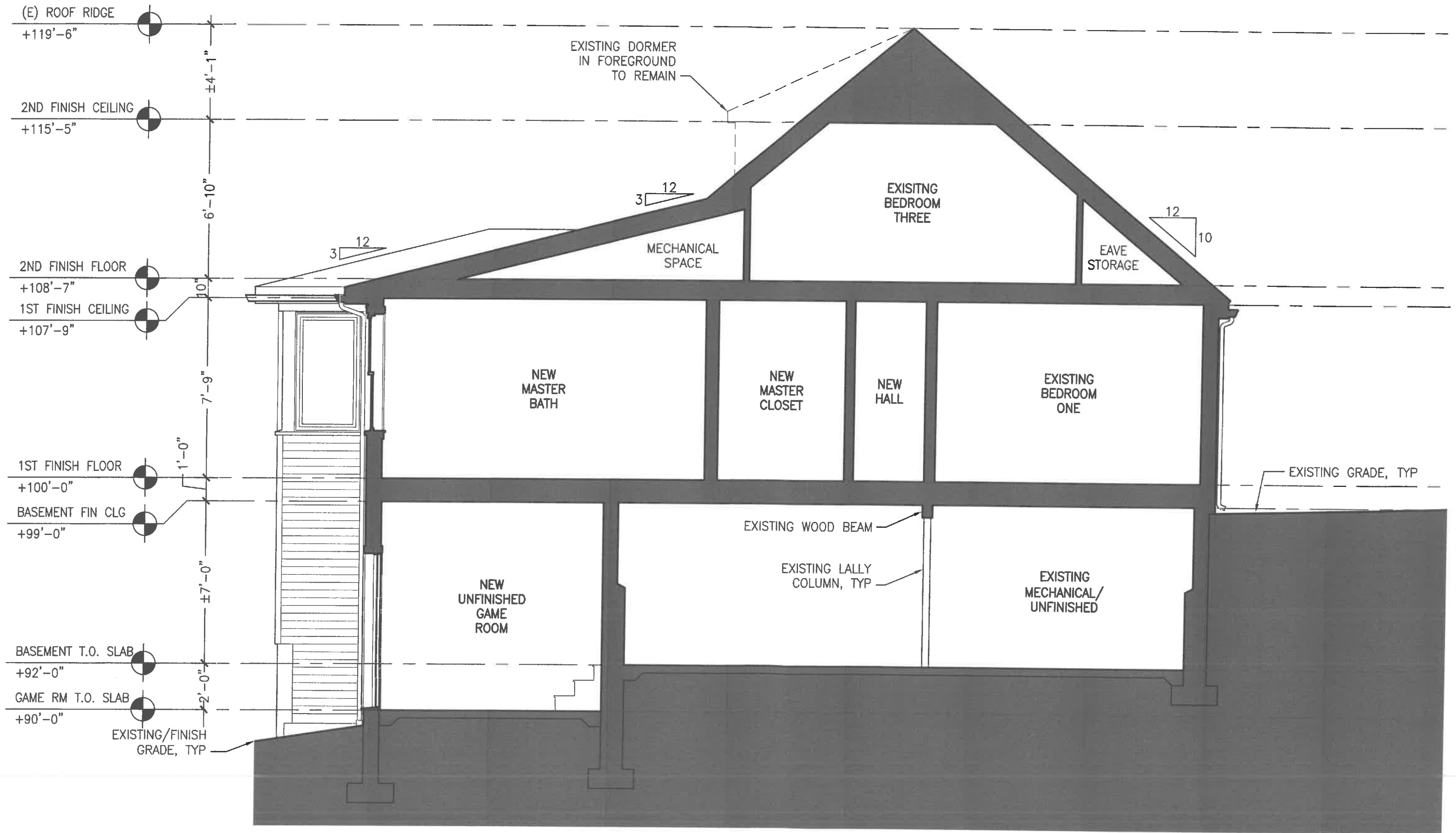
857.988.7414

frank@frankdillarchitects.com

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PRELIMINARY:
NOT FOR
CONSTRUCTION

A
4.1



90 AGASSIZ AVENUE - BELMONT MA
BUILDING SECTION AT HOUSE
PROPOSED

Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

Reference

Issued 6.8.2020

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Belmont, MA 02478

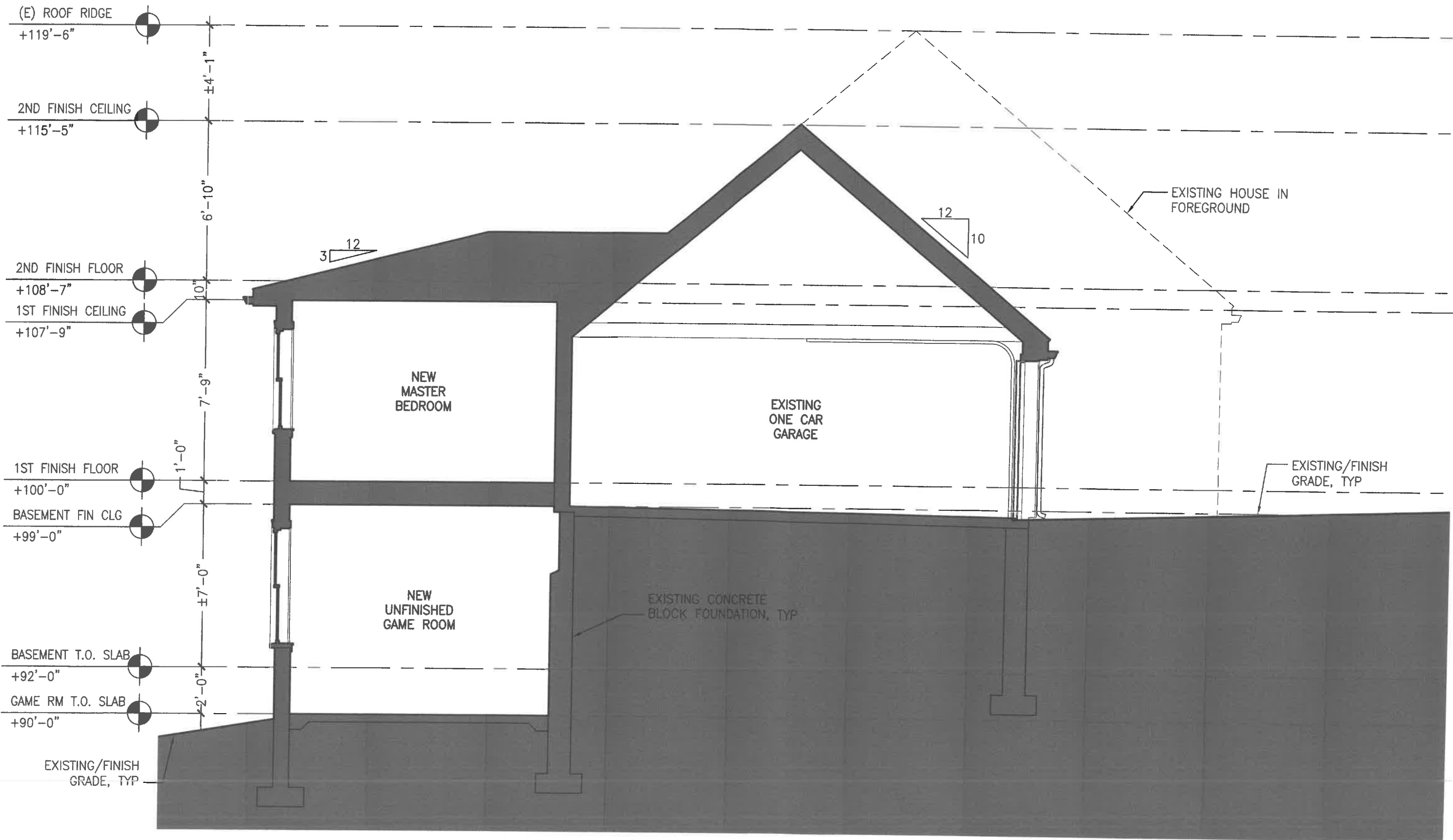
857.398.7414

frank@frankdillarchitects.com

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PRELIMINARY:
NOT FOR
CONSTRUCTION

A
4.2



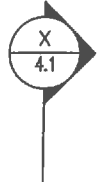
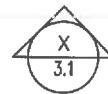
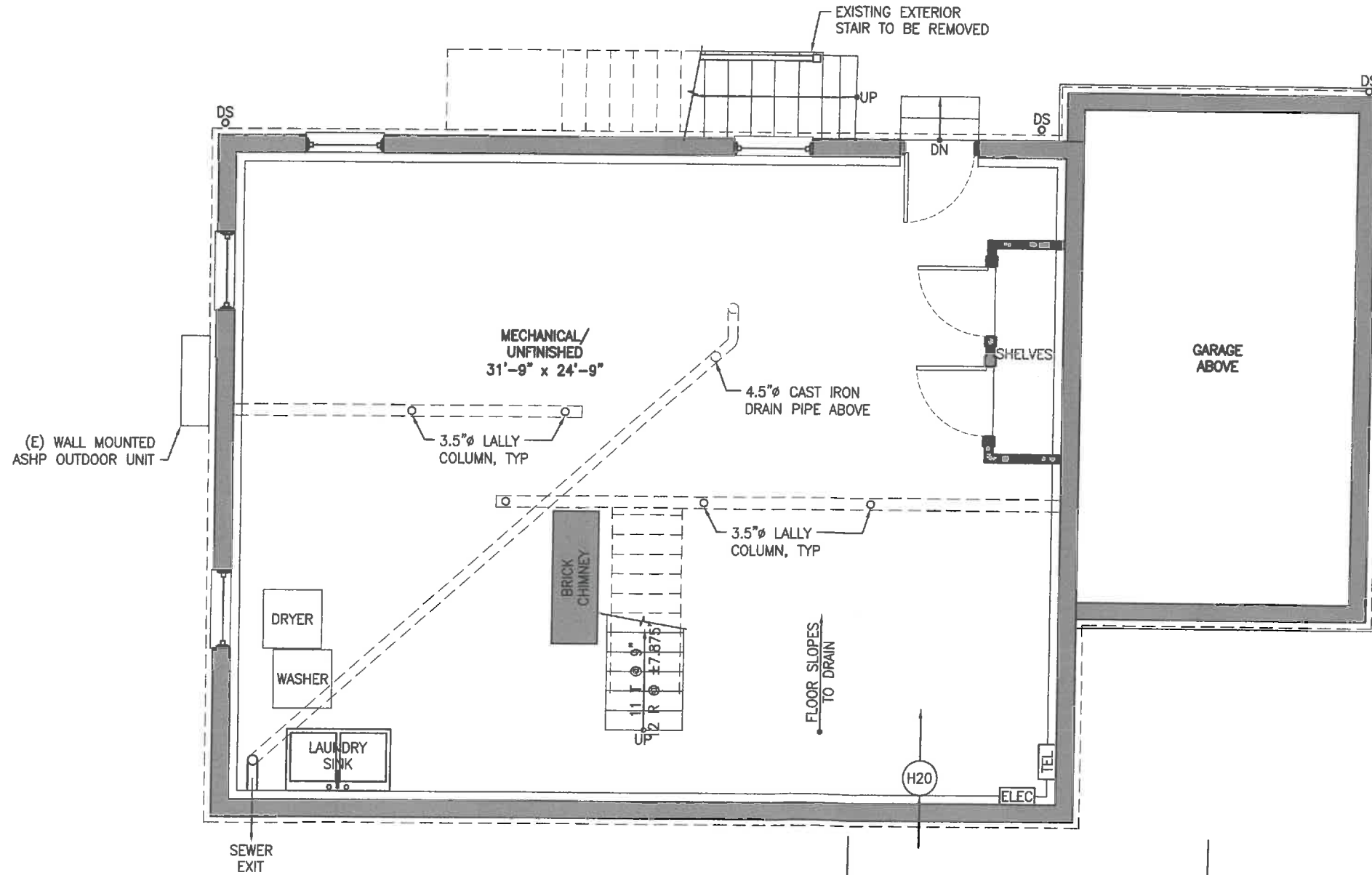
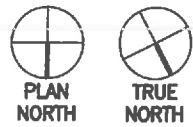
90 AGASSIZ AVENUE - BELMONT MA
BUILDING SECTION AT GARAGE
PROPOSED

Revised 11.1.2020

Project ASCANIO-MOMOSE
Scale 1/4" = 1'-0"

Reference
Issued 6.8.2020
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FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com



PRELIMINARY:
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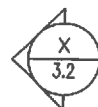
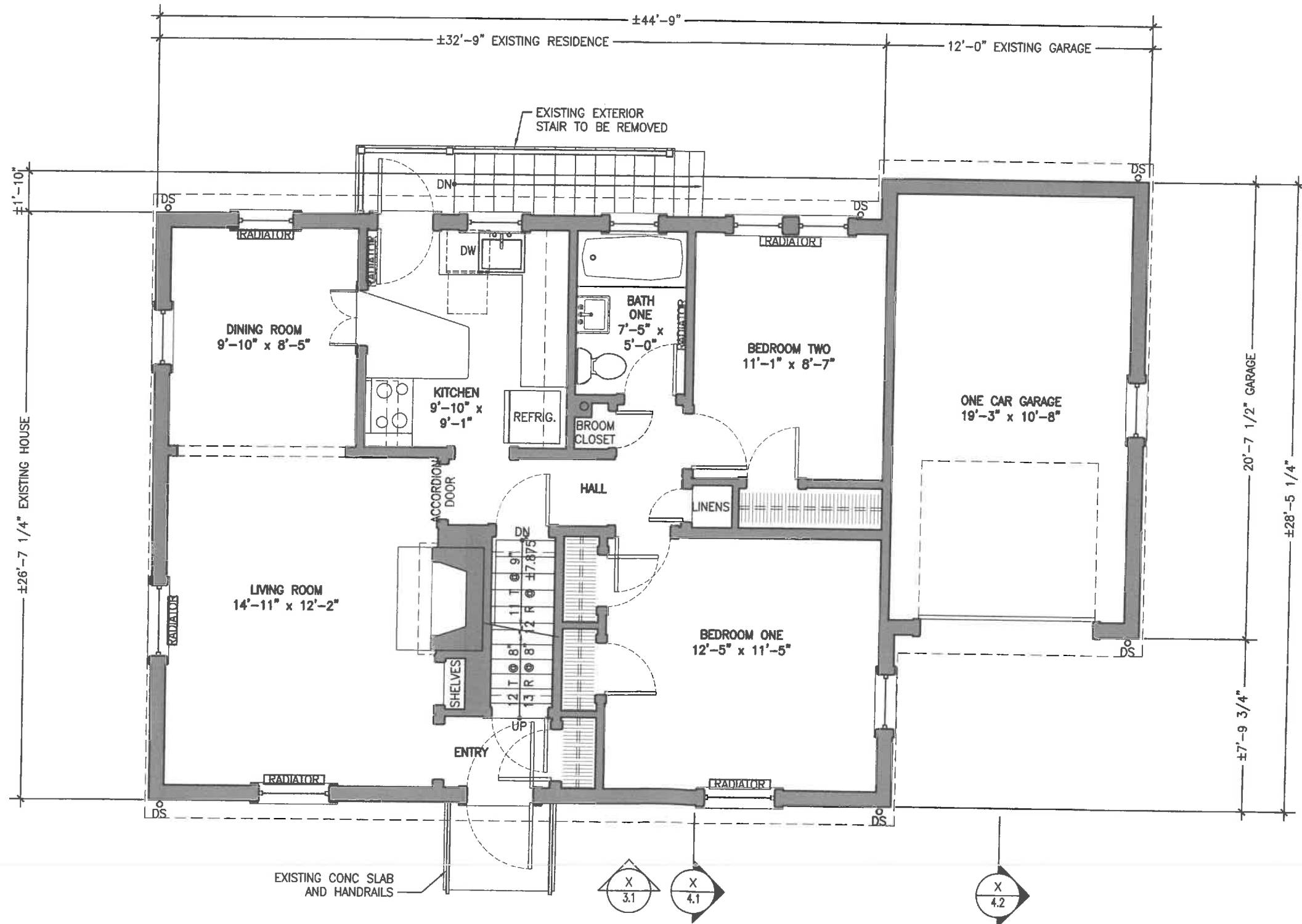
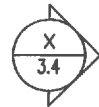
FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

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Scale 3/16" = 1'-0"
Reference
Issued 6.8.2020
Drawn By FYD

Revised 11.1.2020

90 AGASSIZ AVENUE BELMONT, MA
BASEMENT FLOOR PLAN
EXISTING CONDITIONS

X
2.0



PRELIMINARY:
NOT FOR
CONSTRUCTION

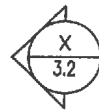
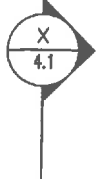
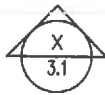
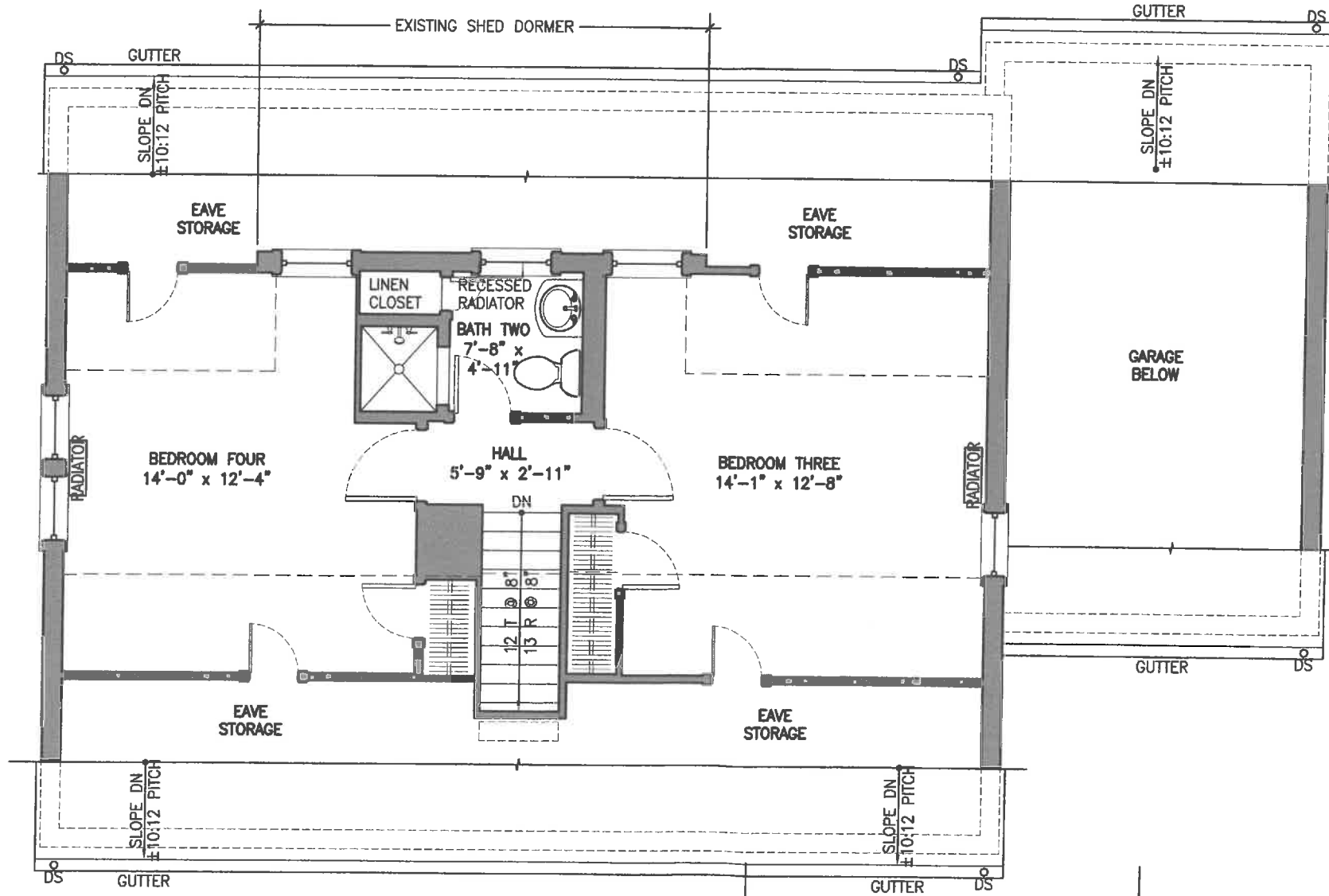
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857.998.7414
frank@frankdillarchitects.com

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Revised 11.1.2020

90 AGASSIZ AVENUE BELMONT, MA
FIRST FLOOR PLAN
EXISTING CONDITIONS

X
2.1



PRELIMINARY:
NOT FOR
CONSTRUCTION

FRANK DILL
ARCHITECTS

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Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

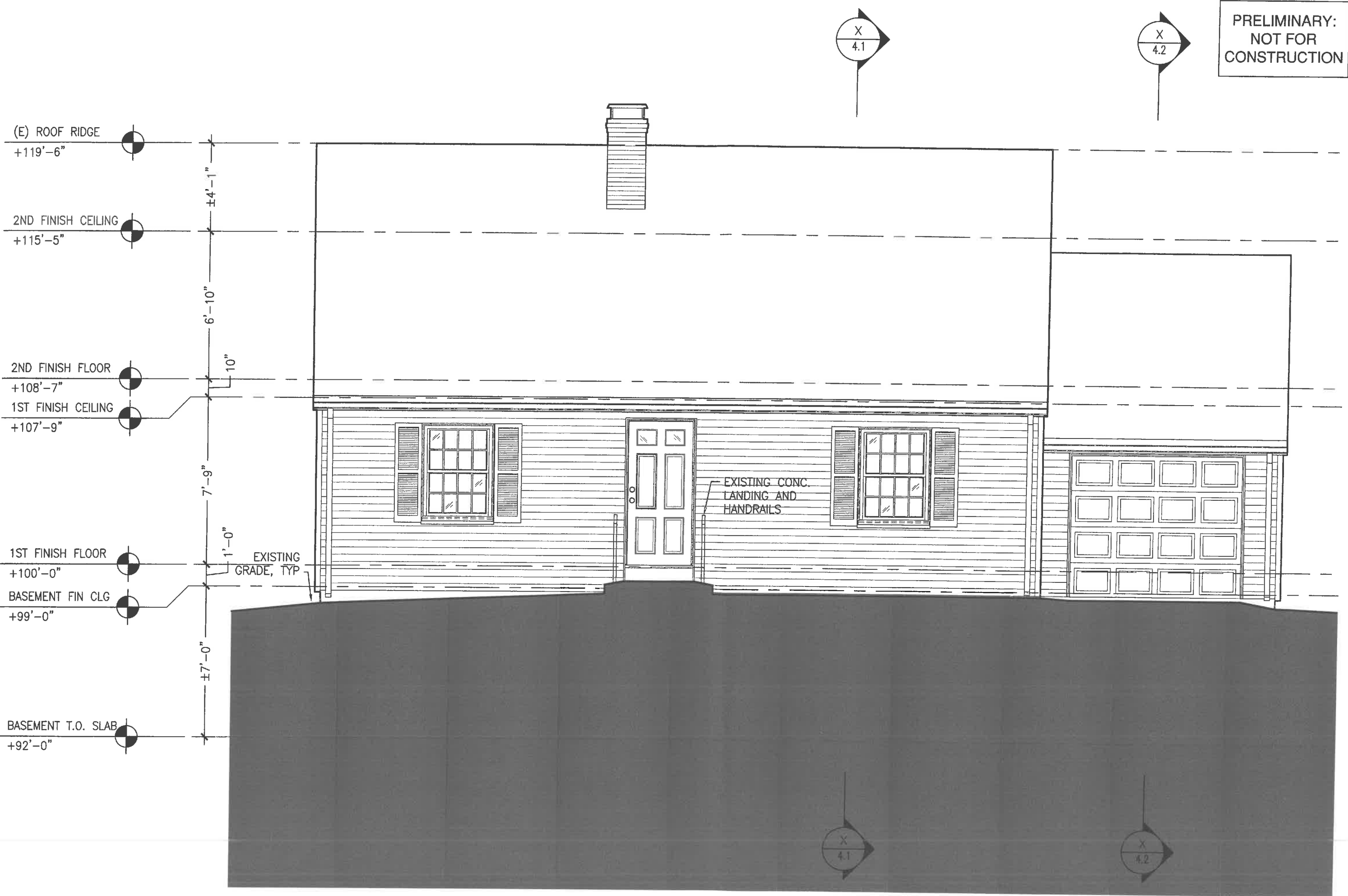
Project ASCANIO-MOMOSE
Scale 3/16" = 1'-0"

Reference
Issued 6.8.2020
Drawn By FYD

Revised 11.1.2020

90 AGASSIZ AVENUE BELMONT, MA
SECOND FLOOR PLAN
EXISTING CONDITIONS

X
2.2



PRELIMINARY:
NOT FOR
CONSTRUCTION

X
3.1

90 AGASSIZ AVENUE - BELMONT MA
NORTH EXTERIOR ELEVATION
EXISTING CONDITIONS

Revised 11.1.2020

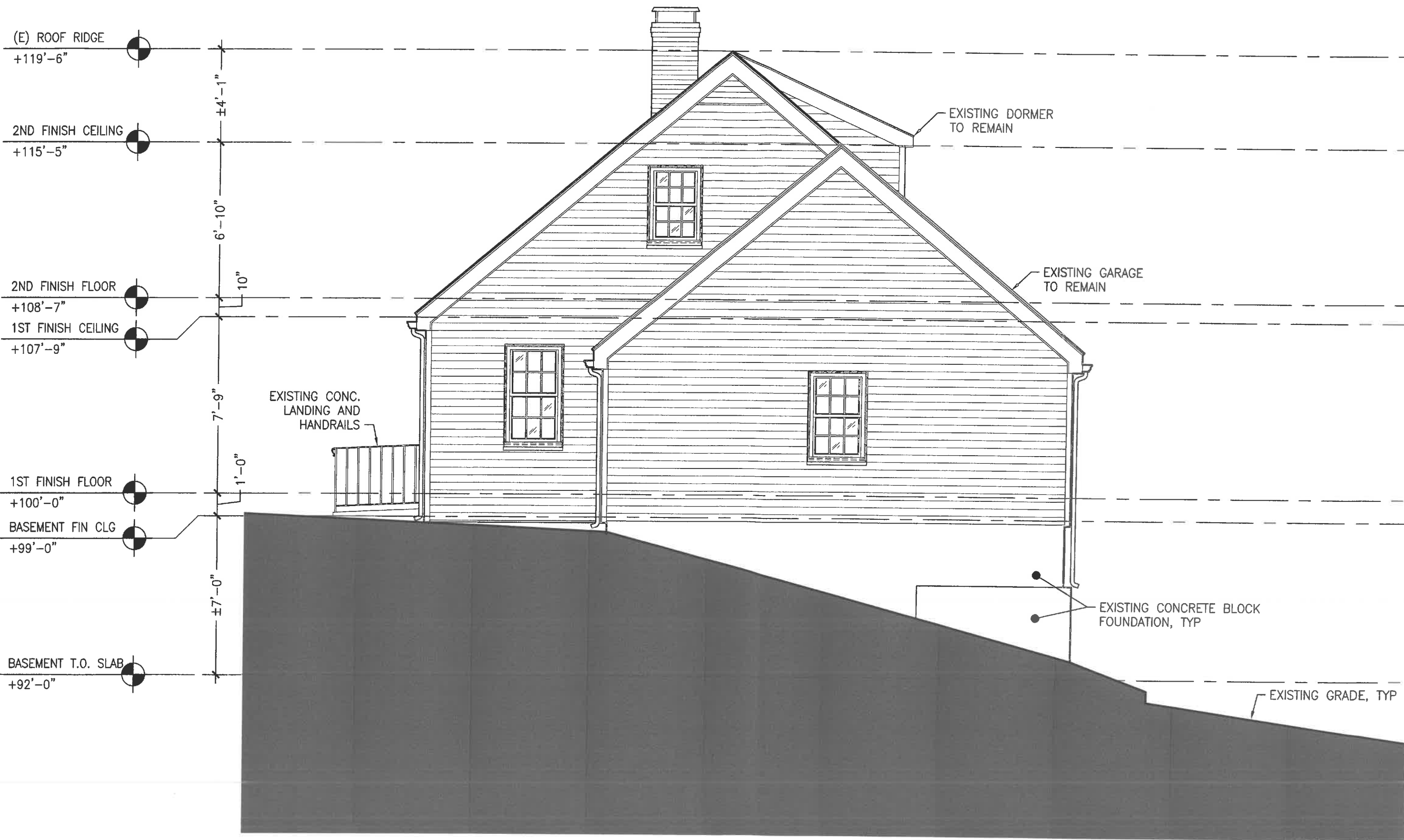
Project ASCANIO-MOMOSE
Scale 1/4" = 1'-0"

Reference
Issued 6.8.2020
Drawn By FYD

FRANK DILL
ARCHITECTS
27 Leslie Road
Belmont, MA 02478
857.998.7414
frank@frankdillarchitects.com

PRELIMINARY:
NOT FOR
CONSTRUCTION

X
3.2



90 AGASSIZ AVENUE - BELMONT MA
WEST EXTERIOR ELEVATION
EXISTING CONDITIONS

Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

Reference

Issued 6.8.2020

Drawn By FYD

FRANK DILL
ARCHITECTS

27 Leslie Road
Belmont, MA 02478
857.998.7414

frank@frankdillarchitects.com

PRELIMINARY:
NOT FOR
CONSTRUCTION

X
3.3



90 AGASSIZ AVENUE - BELMONT MA
SOUTH EXTERIOR ELEVATION
EXISTING CONDITIONS

Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

Reference

Issued 6.8.2020

Drawn By FYD

FRANK DILL
ARCHITECTS

27 Leslie Road
Belmont, MA 02478
857.958.7414
frank@frankdillarchitects.com

34
X



Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

scale 1/4" = 1'-0"
Reference
Issued 6.8.2020

Issued 6.8.20
Drawn By FYD

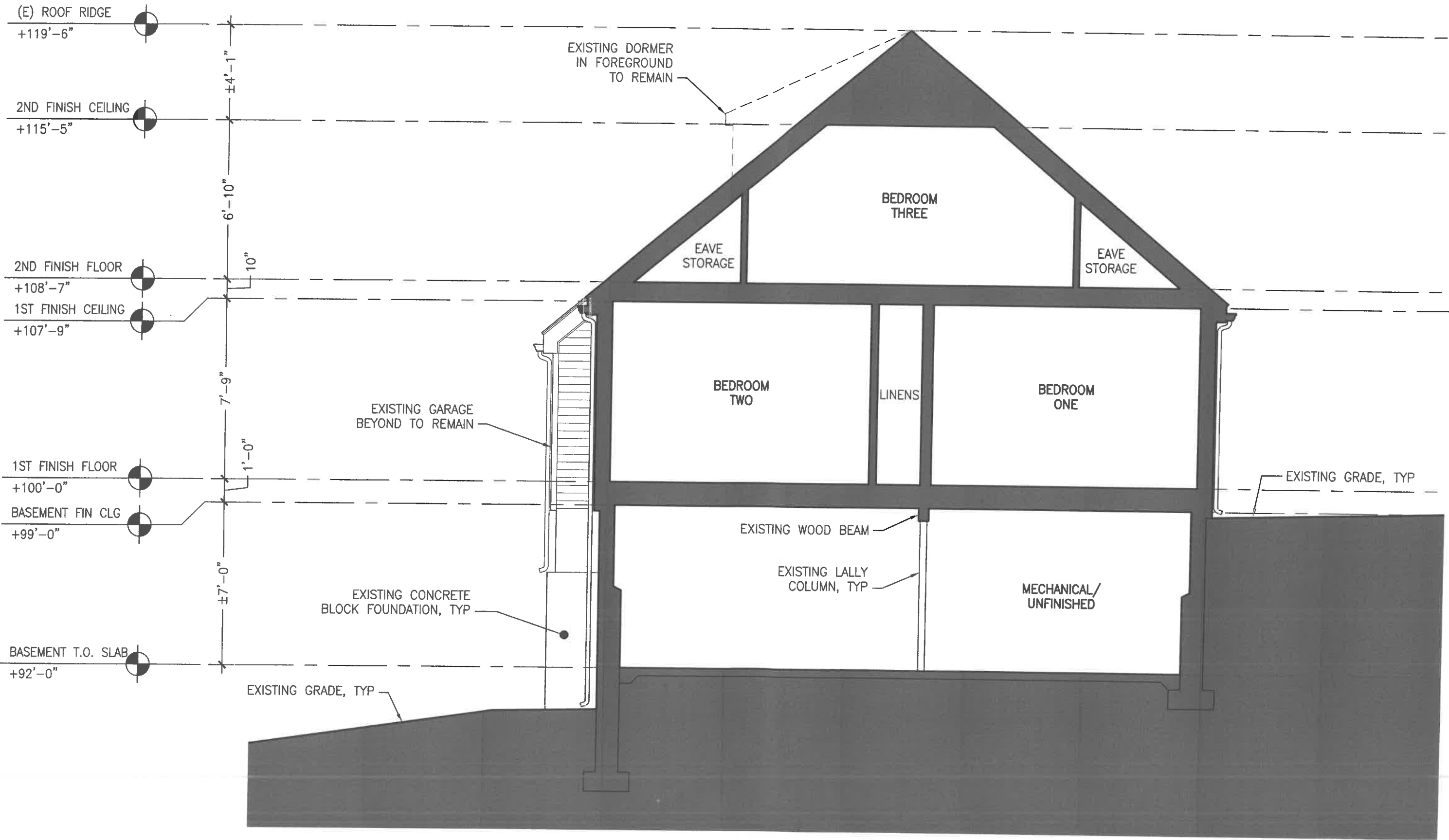
FRANK DILL
ARCHITECTS

27 Leslie Road
Belmont, MA 02478
857.998.7414

857.998.7414
frank@frankdillaarchitects.com

PRELIMINARY:
NOT FOR
CONSTRUCTION

X
4.1



90 AGASSIZ AVENUE - BELMONT MA
BUILDING SECTION AT HOUSE
EXISTING CONDITIONS

Revised 11.1.2020

Project ASCANIO-MOMOSE

Scale 1/4" = 1'-0"

Reference

Issued 6.8.2020

Drawn By FYD

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ARCHITECTS

27 Leslie Road

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857.998.7414

frank@frankdillarchitects.com

[illegible]

NOTE: WETLANDS FLAGGED BY BASBANES WETLAND CONSULTING ON 1/24/2019

	REQ.	EXISTING	PROP.
FRONT SETBACK:	12.05'	8.5'	6.6'
SIDE SETBACK:	10'	7.0'	41.1'
REAR SETBACK:	19.72'	61.1'	28.2%
MAXIMUM LOT COVERAGE:	30%	18.6%	69.0%
MINIMUM OPEN SPACE:	40%	78.6%	
LOT FRONTAGE:		61.36'	

COMMONWEALTH OF MASSACHUSETTS
CLIFFORD L. TORSER
NO. 33123
REGISTERED PROFESSIONAL LAND SURVEYOR

CLIFFORD E. ROBER, PLS DATE

SPECIAL PERMIT - PLANNING BOARD

BELMONT, MA
(MIDDLESEX COUNTY)

ROBER SURVEY

1072 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533

DWG. NO. 6062PP1A.DWG