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PB 22-02

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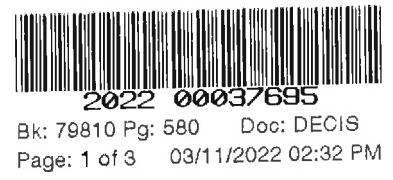
**TOWN OF BELMONT  
PLANNING BOARD**

**CASE NO.** 22-02  
**APPLICANTS:** Naomi & Ted Dukas (owners)

**PROPERTY:** 236 Payson Road

**DATE OF PUBLIC HEARING:** February 15, 2022

**MEMBERS SITTING/**  
Steve Pinkerton, Chairman  
Matt Lowrie  
Thayer Donham  
Karl Haglund  
Renee Guo (Alternate)



**MEMBERS VOTING:**  
Steve Pinkerton, Chairman  
Matt Lowrie  
Thayer Donham  
Karl Haglund  
Renee Guo (Alternate)

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**Introduction**

This matter came before the Planning Board ("Board") of the Town of Belmont ("Town") acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicants, Naomi & Ted Dukas ("Applicants"), requested one (1) Special Permit under Sections 1.5.4 C (2) of the By-Law to alter a nonconforming structure. The proposal is located at 236 Payson Road located in the Single Residence C Zoning District (SR-C).

§1.5.4 C (2) of the By-Law allows additions in the SR-C zoning district that exceed 30% of the existing Gross Floor Area by a Special Permit granted by the Planning Board.

The one (1) requested Special Permit is as follows:

- 1) The proposed increase of Gross Floor Area (33.6%) of the expansion exceeds 30% and is allowed by a Special Permit granted by the Planning Board.

**Proposal**

The Applicants proposed to construct a rear addition. The existing dwelling has a total Gross Floor Area (GFA) of 3,241 sq. ft., and the additional 1,090 sq. ft. is being proposed. Upon completion, the home will have a GFA of 4,331 sq. ft. The existing Total Living Area (TLA) is 1,956 sq. ft. and the TLA of the existing dwelling after expansion is completed is 3,047 sq. ft.

Theodore Dukas  
236 Payson Road  
Belmont, MA 02478

### **Submissions to the Board**

1. January 19, 2022 Application
  - a. Application for Special Permit;
  - b. Copy of the Original Denial Letter;
  - c. Project Narrative;
  - d. Plot Plan;
  - e. Architectural Plans;
  - f. Applicant's Neighborhood Gross Floor Area Analysis;
  - g. Neighborhood Support Letters;
2. Additional Documents
  - a. Neighborhood Support Signatures, submitted February 15, 2022;
3. Response to Comments
  - a. Applicant Response to Public Comments, dated February 14, 2022;
4. Staff Comments
  - a. Age Friendly Action Committee Comments, dated February 10, 2022;
5. Public Comments
  - a. Holly & Scott Stratford, dated January 26, 2022;
  - b. Martin Guentert & Usha Tedrow, dated February 9, 2022;
  - c. Sarah Wald & Steven Stark, dated February 14, 2022;
6. Staff Neighborhood Analysis

### **Public Hearing**

The Board held a duly advertised public hearing conducted via ZOOM videoconference (in connection with current restrictions regarding social distancing in connection with COVID-19) on February 15, 2022 and the public hearing was closed at the same public hearing. No comments were received from the public at the public hearing. Renee Guo was elevated as a voting member.

### Deliberation and Decision

After the close of the public hearing, the Planning Board deliberated on the Applicants' request for one (1) Special Permit under Sections 1.5.4 C (2) of the By-Law to alter a nonconforming structure in order to increase the size of the structure by more than 30% of the existing Gross Floor Area. The Board agreed that the proposed expansion was appropriate for the neighborhood.

The five (5) Board members voting on the case found that the proposed addition will not be substantially more detrimental to the neighborhood than the existing homes and that it will be in keeping with the character of the neighborhood. The additions will not substantially increase any of the existing nonconformities.

Accordingly, upon motion duly made and seconded, the Board voted 5-0 to grant the applicants' request for the Special Permit to construct the addition at 236 Payson Road subject to the following conditions.

#### Conditions:

1. This approval is based upon the plans presented at the February 15, 2022 Planning Board Meeting. No modifications may be made without the approval of the Board, or a determination in writing by a representative of the Board that the modification is so minor that the approval by the Board is not required;
2. Prior to any building permit being issued, this decision shall be recorded at the Middlesex South District Registry of Deeds or the Middlesex Registry District of the Land Court. Proof of recording shall be forwarded to the Zoning Enforcement Officer prior to the issuance of any building permit.

On Behalf of the Board,



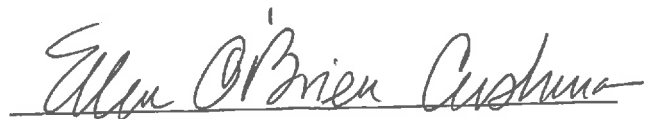
Robert Hummel, Senior Planner  
Dated: February 16, 2022

Any appeal from this decision must be made pursuant to Ch.40A, S.17, MGL, and must be filed within 20 days after the filing of such notice in the office of the Town Clerk.

### CERTIFICATION

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on February 16, 2022, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with two (2) conditions.

March 10, 2022



Ellen O'Brien Cushman, Town Clerk  
Belmont, MA