

**TOWN OF BELMONT
PLANNING BOARD**

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CASE NO. 22-07

APPLICANTS/OWNERS: Orton Huang and Hanyin Lin

PROPERTY: 55 Hawthorne Street

DATE OF PUBLIC HEARING: April 19, 2022
Continued May 3, 2022
June 7, 2022

MEMBERS SITTING/VOTING: Steve Pinkerton, Chairman
Matt Lowrie
Thayer Donham
Karl Haglund
Renee Guo (Associate)

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, Orton Huang and Hanyin Lin ("Applicants"), requested one (1) Special Permit under Section 1.5.4 A (2) of the By-Law to alter a nonconforming structure. The proposal is located at 55 Hawthorne Street located in the General Residence Zoning District (GR).

Section 1.5.4 A (2) of the By-Law allows any change increase of the Gross Floor Area by more than 300 square feet in the General Residence zoning district by a Special Permit granted by the Planning Board.

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

- 1) The proposed increase in Gross Floor Area (790 square feet) exceeds 300 square feet and is allowed by a Special Permit granted by the Planning Board

Proposal

The Applicants proposed to construct a second floor and an attached garage. The existing dwelling has a total Gross Floor Area (GFA) of 2,459 square feet and additional 790 square feet is being proposed. Upon completion, the dwelling will have a GFA of 3,249 square feet including the proposed garage. The existing Total Living Area (TLA) is 2,310 square feet and the TLA of the existing dwelling after the expansion is completed is 2,940 square feet including the proposed garage.

Submissions to the Board

1. March 7, 2022 Application
 - a. Copy of the Original Denial Letter;
 - b. Application for Special Permit;
 - c. Original Building Permit;
 - d. Narrative;
 - e. Neighborhood Support Signature;
 - f. Architectural and Floor Plans;
 - g. Zoning Compliance Check List;
 - h. Plot Plan;
 - i. Basement Calculations.
2. Revisions
 - a. Revised Attic Area Calculation, dated April 20, 2022;
 - b. Revised Plans, dated April 23, 2022;
 - c. Revised Plans, dated May 25, 2022.
3. Staff Correspondence & Comments
 - a. Planning Staff Final Neighborhood Analysis, presented at June 7, 2022 Public Hearing.

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 April 19, 2022 and the public hearing was continued to May 3, 2022, and June 7, 2022. The public hearing was closed at the June 7, 2022 public hearing. No comments were received from the public at the public hearing.

Deliberation and Decision

After the close of the public hearing, the Planning Board deliberated on the Applicants' request for one (1) Special Permit under Section 1.5.4 A (2) of the By-Law to alter a nonconforming structure in order to increase the size of the structure by more than 300 feet of the existing Gross Floor Area. The Board agreed that the proposed expansion was appropriate for the neighborhood.

Ms. Guo was elevated as a full member for voting purposes. 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 55 Hawthorne Street subject to the following conditions.

Conditions:

1. This approval is based upon the plans presented at the June 7, 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 the 1st 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 the 1st building permit.
3. Prior to the 1st building permit, the applicant shall submit an acceptable plot plan to the Community Development Department for approval that reflects the approved plan changes.

On Behalf of the Board,

A handwritten signature in cursive script, appearing to read "Robert Hummel", is written over a horizontal line.

Robert Hummel, Senior Planner

Dated: June 8, 2022

Anyone aggrieved by the issuance of this Special Permit Approval has the right to appeal pursuant to M.G.L. Ch. 40A, § 17 and shall file such appeal within 20 days after the date of filing this Decision with the Town Clerk.