

**TOWN OF BELMONT
PLANNING BOARD**

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CASE NO. 23-08

APPLICANT: Dane Helsing

PROPERTY: 64 Hoitt Road

DATE OF PUBLIC HEARING: March 21, 2023
Continued: April 11, 2023

MEMBERS SITTING Matt Lowrie (Chairman)
Jeff Birenbaum
Thayer Donham
Renee Guo
Karl Haglund
Carol Berberian (Associate Member)

MEMBERS VOTING: Matt Lowrie (Chairman)
Jeff Birenbaum
Thayer Donham
Renee Guo
Karl Haglund

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 Applicant Dane Helsing, requests two Special Permits under section 1.5 of the zoning By-Law to construct a second story addition at 64 Hoitt Road located in Single Residence C (SRC) Zoning District. Special Permits: **1.-** §1.5.4 C (2) of the Zoning By-Law allows alteration or structural change increases that increase the Gross Floor Area of a non-conforming structure more than thirty percent (30%) by a Special Permit granted by the Planning Board. The proposed Gross Floor Area addition exceeds 30% of the existing and allowed by a Special Permit. **2.-** Minimum required rear setback is 27.0', the existing and proposed is 24.1'.

Proposal

The Applicant proposes to construct a second story addition. Mr. and Mrs. Helsing, Applicants, came before the Board to present their plans for a second-story addition, without expanding the footprint and would like to finish the attic within the allowed height requirements.

Submissions to the Board:

- 1) Application Submission:
 - a. Application for Special Permit dated February 13, 2023.
 - b. Project Narrative prepared by Mr. and Mrs. Helsing.
 - c. Construction Documents, dated February 13, 2023 and revised March 23, 2023.

- d. Zoning Compliance Check List, dated November 17, 2022.
- e. Certified Plot Plan, dated November 17, 2022.

Public Hearing

The Board held a duly noticed meeting on March 21, 2023 and continued on April 11, 2023. Yael Goetz, Architect, came before the Board to present the plans for the addition. She noted that the TLA fit within the other homes in the neighborhood. There was one small corner encroaching in the setback. She walked the Board through the proposed floorplans and the existing and proposed elevations.

The Board reviewed the neighborhood analysis prepared by Board member Carol Berberian, and found that there were many second-story additions in the neighborhood.

Mr. Lowrie noted that the Planning Board has historically been reluctant to extend an existing non-conformity. Ms. Goetz noted that the setback encroachment was one square foot, and the box window would also encroach. Mr. Yogurtian noted that it would be helpful to have the average of the two front setbacks of the abutting neighbors.

Mr. Lowrie noted that he was concerned about the encroachment into the setback by the window boxes. Ms. Joanne Adduci, the neighbor across the street, spoke in support of the project.

Mr. Matzel, 55 Hoitt Road, lives across the street and manages 61 Hoitt Road, spoke in support of the project. He has shared the plan with the owners of 61 Hoitt Road and they are in support of the project.

Ms. Donham was fine with the plan as it was. She said that the Board typically does not approve extending non-conformities in the setback and she was struggling with the bay windows.

Mr. Haglund noted that the box windows were a clever way to add space and visual appeal to the outside of the home and he was in favor of what they were proposing.

Ms. Guo recommended a bay window with angles rather than a box window so as not to extend the non-conformities. She also likes the box window design.

Ms. Berberian noted that she felt that the windows fit into the neighborhood. She asked for clarification of the section of the by-law stating something about an exemption if the projections are under two feet.

Mr. Yogurtian noted that a bay window that extends 24" or less could be exempt so long as the bottom goes on an angle and cannot be part of the floor area. From the outside it has to look like a window and not an extension, it has to be 18" above the floor level.

On April 11 the applicants and the architect presented to the Board revised drawings showing the bay windows without floor area, which by the By-Law rules and regulations are exempt from any setback requirements.


Deliberation and Decision

On April 11, 2023, the Board deliberated on the Applicants' request for Two Special Permits under Section 1.5 of the Zoning By-Law to construct a second story addition at 64 Hoitt Road. Board members found that the proposed addition will not be substantially more detrimental to the neighborhood than the existing home and that it will be in keeping with the character of the neighborhood. The addition will not increase any of the existing nonconformities and has been designed to reflect the character of the surrounding neighborhood. Neighbors have expressed support to this project.

Accordingly, upon motion duly made by **Mr. Lowrie** and seconded by **Ms. Donham**, **The Board voted 5 in favor and 0 oppose (5-0) to grant the Special Permits as requested.**

On Behalf of the Board

Dated: May 22, 2023

A handwritten signature in blue ink, appearing to read 'Ara Yogurtian', with a large loop at the end.

Ara Yogurtian
Assistant Director
Office of Community Development