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TOWN OF BELMONT

PLANNING BOARD

2017 JUN -9 AM 10:17

CASE NO. 17-06
APPLICANT: Benchun Miao
PROPERTY: 29 Jason Road
DATE OF PUBLIC HEARING: April 13, 2017



**MEMBERS SITTING/
VOTING:**

Elizabeth Allison, Chair
Barbara Fiacco, Vice Chair
Charles 'Chuck' Clark
Joseph DeStefano
Karl Haglund
Raffi Manjikian

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, Benchun Miao, requests two Special Permits under Section 1.5.4 of the Zoning By-Law to alter a nonconforming structure (nonconforming lot size and rear setback) in order to construct a second story on top of his existing home (addition greater than 30% of existing gross floor area) at 29 Jason Road in a Single Residence C Zoning District.

Proposal

The Applicant proposes to add a second floor to an existing one-story, single-family ranch in order to convert the existing home into a two-story home. The existing 1,360 square foot home is smaller than most homes in the neighborhood and will be expanded to become a 2,604 square foot home. On the first floor, two bedrooms will be converted into a family room, coat closet, and stairway and one bedroom will remain. On the second floor, 3 bedrooms, 2 full bathrooms and a laundry room will be added. The basement will remain relatively unchanged. The attic will be accessed by pulldown stairs and will provide storage and space for A/C equipment only. The second floor will be smaller in size than the first floor as the second floor footprint will not extend over the existing first floor garage and sunroom. The home has been designed to reflect the center entrance colonial style found throughout the neighborhood with a

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gable roof with pitch designed to mirror that of the existing garage¹. The existing driveway will be utilized and provide access to the existing one-car garage.

The existing 13 white pines along the rear of the property and the two spruce trees along the Dean Street façade will be removed and replaced with five arborvitae, 5 shrubs, and two red maple trees.

Submissions to the Board:

1) Application Submission:

- a. Building Permit Denial Letter, dated January 30, 2017;
- b. Application for Special Permit, dated March 13, 2017;
- c. Zoning Compliance Check List, dated March 24, 2017;
- d. Applicant-generated Neighborhood Analysis, not dated;
- e. Photographs of buildings in the surrounding area, not dated;
- f. Sample letter distributed to abutters, dated March 10, 2017;
- g. Project Narrative – 29 Jason Road, March 13, 2017;
- h. Certified Plot Plan, dated March 24, 2017;
- i. Plans, not dated:
 1. Cover Sheet;
 2. Existing Basement Plan (A-1);
 3. Proposed Basement Plan (A-2);
 4. Existing First Floor Plan (A-3);
 5. Proposed First Floor Plan (A-4);
 6. Proposed Second Floor Plan (A-5);
 7. Existing Front Elevation (A-9);
 8. Proposed Front Elevation (A-10);
 9. Existing Rear Elevation (A-11);
 10. Proposed Rear Elevation (A-12);
 11. Existing and Proposed Right Elevations (A-13);
 12. Existing and Proposed Left Elevations (A-14);
 13. Cross Section (S-5);
- j. Landscaping Plan, not dated; and
- k. Application Materials CD, not dated.

2) Revised Documentation:

- a. Items timestamped April 24, 2017:
 - i. Landscape Plan, timestamped April 24, 2017;
 - ii. Proposed Front Elevation (A-10);
 - iii. Proposed Rear Elevation (A-12);

¹ The original plans submitted with the application indicated that the proposed roof would have a pitch different than the existing and unchanged garage. The pitch of the proposed second story roof was revised as requested by the Planning Board to reflect that of the garage.

- iv. Existing and Proposed Left Elevations (A-14);
 - v. Existing and Proposed Right Elevations (A-13).
 - b. Letter of Support, dated May 9, 2017
 - c. Items timestamped May 16, 2017:
 - i. Landscape Plan;
 - ii. Existing Front Elevation (A-9), timestamped May 16, 2017;
 - iii. Proposed Front Elevation (A-10);
 - iv. Proposed Rear Elevation (A-12);
 - v. Existing and Proposed Left Elevations (A-14);
 - vi. Existing and Proposed Right Elevations (A-13);
 - vii. Unfinished Attic Plan.
 - d. Two Letters of Support, dated May 18, 2017;
 - e. Items timestamped May 31, 2017:
 - i. Landscape Plan, timestamped May 31, 2017;
 - ii. Cover Sheet, timestamped May 31, 2017;
 - iii. Existing Basement Plan (A-1);
 - iv. Proposed Basement Plan (A-2);
 - v. Existing First Plan (A-3);
 - vi. Proposed First Plan (A-4);
 - vii. Proposed Second Floor Plan (A-5);
 - viii. Existing Front Elevation (A-9);
 - ix. Proposed Front Elevation (A-10).
 - x. Existing Rear Elevation (A-1);
 - xi. Proposed Rear Elevation (A-12);
 - xii. Existing and Proposed Left Elevations (A-14);
 - xiii. Existing and Proposed Right Elevations (A-13);
 - xiv. First Floor Reinforcement Plan (S-1);
 - xv. Second Floor Framing Plan (S-2);
 - xvi. Attic Framing Plan (S-3);
 - xvii. Roof Framing Plan (S-4); and
 - xviii. Cross Section (S-5).
- 3) Additional Information:
 - a. 29 Jason Road Neighborhood Analysis;
 - b. Quartile Analysis;
 - c. Site visit photos; and
 - d. Memos relaying the Tree Warden's comments.

Public Hearing

The Board held a duly noticed public hearing on the application on April 13, 2017. A working group was formed to provide guidance on the landscaping plan, and the Town's Tree Warden was consulted regarding the tree removal and replacement. The Applicant submitted

letters of support for the proposed addition and tree removal from neighbors. An abutter on Jason Road spoke in support of the Applicant's proposal. The Planning Board requested additional information and the public hearing was continued to May 2, May 23, and closed on June 6, 2017.

Deliberation and Decision

On June 6, 2017, the Board deliberated on the Applicant's request for a Special Permit under Section 1.5 of the Zoning By-Law to alter a nonconforming structure (nonconforming lot size and frontage) in order to construct a second story (addition greater than 30% of existing gross floor area) at 29 Jason Road in a Single Residence C Zoning District. The Board found that the proposed second story 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 surrounding neighborhood. Finally, neighbors have not expressed any objections to the proposed addition.

Accordingly, upon motion duly made and seconded, **the Board voted 6-0 to GRANT the Applicant's request for TWO SPECIAL PERMITS to ALTER A NONCONFORMING STRUCTURE (nonconforming lot size and rear setback) IN ORDER TO CONSTRUCT A SECOND STORY AT 29 JASON ROAD subject to the following CONDITIONS:**

General:

1. This approval is based upon the submitted and revised plans identified above. **The plans timestamped May 31, 2017, contain the final approved landscape plans, interior floorplans, and exterior elevations.** No modifications, except as provided in the conditions listed below, may be made without the approval of the Board, or a determination in writing by the Building Inspector that the modification is so minor that the approval of the Board is not required.
2. An as-built plan shall be submitted to the Office of Community Development prior to the issuance of a Certificate of Occupancy.

Landscaping:

1. Landscaping shall be maintained/removed as approved and indicated on the May 31, 2017 landscape plan. All failed landscaping shall be replaced as soon as reasonably practical with comparable plant species and size.
2. The Applicant shall guarantee the landscaping for 1 year. Dead plants shall be replaced as soon as reasonably practical with comparable plant species and size.

3. The five (5) Arborvitae at the rear of the house shall be 6' - 7' tall at the time of planting and shall be the Hetz Wintergreen variety.
4. The five (5) shrubs at the rear of the house shall be 3' tall at the time of planting.
5. The two (2) Red maple trees along Dean Street shall have a 3.5"-4" caliper and be planted 8'-10' from the edge of the street pavement.

Submitted on Behalf of the Planning Board,



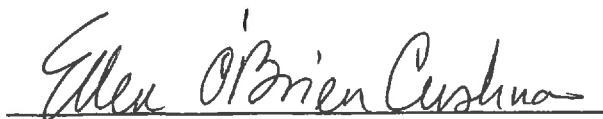
Spencer K. Gober
Staff Planner

June 8, 2017

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 June 9, 2017, and further I certify that no appeal has been filed with regard to the granting of said two (2) Special Permits with seven (7) conditions.

June 30, 2017



Ellen O'Brien Cushman, Town Clerk
Belmont, MA