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## TOWN OF BELMONT

## PLANNING BOARD

CASE NO. 18-12

APPLICANT: Anthony J. Sacca 49731-132

PROPERTY: 51-53 Baker Street

DATE OF PUBLIC HEARING: June 5, 2018

MEMBERS SITTING/  
VOTING:

Charles 'Chuck' Clark, Chair  
Thayer Donham  
Steve Pinkerton, Vice Chair  
Edmund 'Ed' Starzec



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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 Applicant, Anthony J. Sacca ("Applicant"), requests two Special Permits under Sections 3.3 (use) and 4.2.1.2 (lot size 7,000 sq. ft. allowed; 6,893 sq. ft. existing and proposed) of the Zoning By-Law to construct a new two-family home at 51-53 Baker Street located in the General Residence Zoning District.

Proposal

The Applicant proposed to replace the existing, non-conforming use (a junkyard) with a two-story, two-family home consisting of a total livable area (TLA) of 3,658 sf, a floor area ratio (FAR) of 0.53, and six bedrooms with the potential of converting two first floor family rooms into two additional bedrooms.

The Applicant stated that the proposed use was consistent with the neighborhood, which contains a variety of one-, two- and multi-family residential structures. Additionally, the Applicant explained that the proposed house was designed to be in scale with the prevailing neighborhood character and that it would greatly improve and enhance the neighborhood as compared to the present use.

**Submissions to the Board**

1. May 22, 2018:
  - a. Application for Special Permit;
  - b. Copy of the original denial letter;
  - c. Project narrative;
  - d. Existing conditions and neighborhood comparison photographs;
  - e. Zoning Compliance Checklist;
  - f. Neighborhood analysis;
  - g. Proposed Plot Plan;
  - h. Height comparison graphic;
  - i. Landscape Plan;
  - j. Building Plans:
    - i. Basement Plan;
    - ii. First Floor Plan;
    - iii. Second Floor Plan;
    - iv. Door and Window Schedule;
    - v. Section and Attic Plan;
    - vi. Front (West) Elevation;
    - vii. South Elevation;
    - viii. East (Rear) Elevation; and,
    - ix. North Elevation
2. June 5, 2018:
  - a. Petition and letters of support signed by abutters;
3. July 17, 2018:
  - a. Neighborhood analysis;
  - b. Aerial photographs showing curb cuts and two-family homes in the neighborhood;
  - c. Revised Building Plans:
    - i. Basement Floor;
    - ii. First Floor Plan;
    - iii. Second Floor Plan.
4. July 26, 2018 (Dated July 16, 2018):
  - a. Landscape Plan;
  - b. Revised Building Plans:
    - i. Basement Floor;
    - ii. First Floor Plan;
    - iii. Second Floor Plan;
    - iv. Attic Plan and Calculations;
    - v. Door and Window Schedule;
    - vi. West (Front) Elevation;
    - vii. South Elevation;

- viii. Rear (East) Elevation;
- ix. North Elevation;
- x. Section

5. July 30, 2018:

- a. Revised Plot Plan;
- b. Revised Zoning Compliance Checklist

6. July 31, 2018:

- a. Petition of support signed by abutters.

**Public Hearing**

The Board held a duly advertised public hearing on June 5, 2018, and continued it to July 17 and 31, 2018. The Board closed the public hearing and deliberated on July 31, 2018.

39 members of the public signed a petition of support for the application, four submitted letters of support, and five spoke in favor of the project at the hearing. No one spoke in opposition to the Applicant's proposal.

**Deliberation and Decision**

On June 5, 2018, the Board discussed the Applicant's request for two Special Permits under Sections 3.3 and 4.2.1.2 of the Zoning By-Law to construct a new two-family home at 51-53 Baker Street located in the General Residence Zoning District. The Board questioned whether a two-family home was appropriate for the neighborhood, determined that the proposed home was out of scale and character with the surrounding neighborhood and continued the hearing to July 17, 2018.

The Applicant failed to submit revised plans to the Office of Community Development ahead of the Planning Board meeting on July 17. Therefore, the Planning Board voted to continue the hearing to July 31, to allow sufficient time for review.

On July 31, the Board reviewed a neighborhood analysis provided by Planning Staff that showed that there were 59 two-family homes in the neighborhood compared to 30 single-family homes. Additionally, the revised plans submitted by the Applicant reduced the mass and size of the home to less than 2,900 sf, which was consistent with the average existing two-family home in the neighborhood.

The Board closed the hearing on July 31, and deliberated on the revised plans and neighborhood analysis. Based on the fact that the prevailing use in the neighborhood was two-family homes, that the lot was large compared to the neighborhood average, and that the Applicant sufficiently reduced the size of the proposed home, the Board determined that it was in keeping with neighborhood character and not substantially more detrimental to the neighborhood.

Accordingly, upon motion duly made and seconded, **the Board voted 4-0 to GRANT THE APPLICANT'S REQUEST FOR TWO SPECIAL PERMITS to construct a new two-family home to replace the existing nonconforming use at 51-53 Baker Street subject to the following conditions:**

General:

1. This approval is based upon the plans submitted on July 26, 2018. 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 a representative of the Board that the modification is so minor that the approval by the Board is not required.
2. Upon completion of the project, an as-built plot plan shall be submitted to the Office of Community Development to be incorporated into the Town's building files.


Structure:

1. This Special Permit prohibits the expansion of the two dormers on either side of the roof.
2. This Special Permit prohibits the installation of a full bath in the basement. In addition, rough plumbing for a full bath shall be prohibited as well.

Landscape:

3. Two trees, size and species acceptable to the Town of Belmont Tree Warden, shall be planted on either side of the grass area in the front yard as close as reasonably practical to the sidewalk and the driveways.
4. Landscaping shall be maintained/removed as approved and indicated on the landscape plan dated July 16, 2018, and submitted on July 26, 2018. All failed landscaping shall be replaced as soon as reasonably practical with comparable plant species and size.
5. The Applicant shall guarantee the landscaping for 1 year.


On Behalf of the Board,

  
\_\_\_\_\_  
Spencer K. Gober, Staff Planner  
Dated: August 7, 2018

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 August 8, 2018, 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.

November 20, 2018

  
\_\_\_\_\_  
Ellen O'Brien Cushman, Town Clerk  
Belmont, MA

Ellen O'Brien Cushman, Town Clerk  
Belmont, MA

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Thank You  
MARIA C. CURTATONE - Register of Deeds

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