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**TOWN OF BELMONT  
PLANNING BOARD**

**CASE NO.** 18-14  
**APPLICANT:** OJ, LLC.  
**PROPERTY:** 32-34 Wilson Avenue  
**DATE OF PUBLIC HEARING:** July 17, 2018

Lot 95  
B6-P325

**MEMBERS SITTING/  
VOTING:**

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

**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, OJ, LLC. ("Applicant"), requests two Special Permits (side setback and height: number of stories) under Section 4.2.2 (allowed side setback: 10.0'; existing and proposed: 4.0'; allowed height: 2-1/2 stories; existing and proposed: 3-1/2 stories) of the Zoning By-Law in order to raise the existing nonconforming home at 32-34 Wilson Avenue which is located in the General Residence Zoning District.

**Proposal**

The Applicant proposed to raise the existing home 24 inches to allow for living space in the basement as the existing height of the basement is less than 6'. The proposed ridge of the house will be 28'-2", which is below the maximum allowed ridge height of 33'. The existing footprint of the house will remain unchanged, but the interior layout will be altered to increase the bedroom count from three existing bedrooms to six bedrooms. The Applicant proposes to add an additional bedroom in the basement and the attic of the home.

The total livable area (TLA) and the floor area ratio (FAR) will remain unchanged from what currently exists.

The Applicant stated that the previous owners of the home had not properly maintained it and that the proposed renovation would improve the appearance of the home and the neighborhood as a whole, and improve the livability of the home.

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### **Submissions to the Board**

1. July 11, 2018:
  - a. Application for Special Permit;
  - b. Copy of the Original Denial Letter;
  - c. Project Narrative;
  - d. Building Plans:
    - i. Existing Floorplans;
    - ii. Existing and Proposed Basement Floorplans;
    - iii. Existing Elevations;
    - iv. Proposed Floorplans;
    - v. Proposed Elevations
  - e. Proposed Plot Plan;
  - f. Landscape Plan;
  - g. Zoning Compliance Checklist;
  - h. Basement v. Cellar Calculations;
  - i. Copy of Neighborhood Outreach Letter;
  - j. Petition of Support; and,
  - k. Existing Conditions Photographs.
2. July 25, 2018:
  - a. Revised Landscape Plan;
  - b. Revised Building Plans:
    - i. Proposed Attic Floorplan (A-1); and,
    - ii. Existing and Proposed Basement Floorplans (A-3)

### **Public Hearing**

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

Three members of the public spoke in favor of the project, nine abutters signed a petition in support of the project, and no one spoke in opposition to the Applicant's proposal.

### **Deliberation and Decision**

On July 17, 2018, the Board discussed the Applicant's request for two Special Permits (side setback and height: number of stories) under Section 4.2.2 (allowed side setback: 10.0'; existing and proposed: 4.0'; allowed height: 2-1/2 stories; existing and proposed: 3-1/2 stories) of the Zoning By-Law in order to raise the existing nonconforming home at 32-34 Wilson Avenue which is located in the General Residence Zoning District. The Board raised concerns over the proposal to add a bedroom and bathroom in both the attic and the basement, and felt that the landscape plan was insufficient. The Board voted to continue the hearing to July 31, 2018, to provide the Applicant time to revise the plans.

The Board closed the hearing on July 31, and deliberated on the revised plans. The Board determined that the reduction in bedroom and bathroom counts in the basement and attic, as well as the proposed drop-down attic access sufficiently addressed their concerns. Therefore, the Board determined that the proposed home was in keeping with neighborhood character, that the renovation would improve the appearance of the home, and that it would not be 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 raise by 24 inches the existing nonconforming home at 32-34 Wilson Avenue subject to the following conditions:**

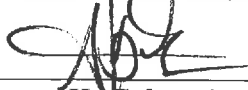
General:

1. This approval is based upon the submitted and revised plans. The plans dated July 25, 2018, contain the final approved exterior elevations, landscape plans, and floorplans. 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.

Landscape:

1. Landscaping shall be maintained/removed as approved and indicated on the landscape plan dated July 25, 2018. 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.

On Behalf of the Board,

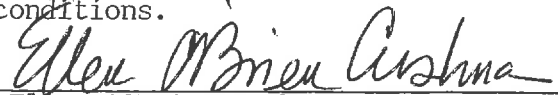


Spencer K. Gober, Staff Planner

Dated: August 8, 2018

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 Special permits with four (4) conditions.

August 29, 2018



Ellen O'Brien Cushman, Town Clerk  
Belmont, MA