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**TOWN OF BELMONT**

2020 JUL 14 PM 8:15

**PLANNING BOARD**

**CASE NO.**

20-01

**APPLICANTS:**

Christopher Poli

**PROPERTY:**

181 Common Street

LOT  
14A

Current owner  
181 Common Street LLC

**DATE OF PUBLIC HEARING:**

Commenced: February 18, 2020

Concluded: March 31, 2020

**MEMBERS SITTING/  
VOTING:**

Stephen Pinkerton, Chair  
Thayer Donham  
Edmund Starzec  
Renee Guo

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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, Christopher Poli ("Applicant"), requests two (2) Special Permits (size of addition and front setback) under Section 1.5 (increasing the size of a nonconforming structure more than 30% of the Gross Floor Area) and Section 4.2.2 of the Zoning By-Law (allowed front setback: 30.0'; existing and proposed off of Orchard Street: 19') in order to construct several additions on both the sides and rear of the existing house at 181 Common Street located in a Single Residence C Zoning District.

**Proposal**

The Applicant proposes to add additions to the both sides and the rear of the existing home in order to create a four (4) bedroom, two-car garage home. The additions will enlarge the office, kitchen, family room and porch/decks on the first floor and create a fourth bedroom, enlarge the children's bedrooms, and enlarge the master bedroom closet and bathroom on the second floor. The fourth bedroom is needed for the Applicant's in-laws, which often visit for extended periods of time to help care for his children. The rear addition will include an additional garage parking space on the ground floor, which will be perpendicular to the existing garage, thereby creating two (2) garage parking spaces. The rear of the existing home with the rear addition will make the home appear to be three (3) stories since the lot slopes from front to back thereby creating a walk-out basement. The Applicant noted that he tried hard to live within the constraints of the Town's Zoning By-Law and did not want to expand the footprint that much. His ultimate goal was to create additional space for his family and to beautify the existing home.

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### **Public Hearing**

The Board held a duly noticed public hearing on the application on February 18, 2020. The hearing was continued to March 31, 2020 since the Planning Board expressed serious concerns with the size of the home once the proposed additions were constructed since they will make it one of the largest in the neighborhood. The Board was also expressed concern about increasing the nonconforming front setback off of Orchard Street. Furthermore, the Board determined that the proposed additions increased the nonconforming height of the home (three (3) stories) as a result of the size of the additions and the slope of the lot, which created the appearance of a three (3) story home at the home's rear.

Several abutters spoke in support of the application at the February 18, 2020, and the continued March 31, 2020, public hearings. One abutter specifically stated that this area of Common Street consists of several stately homes and that he thought the Applicant put a lot of thought into the design so that it complemented the surrounding neighborhood. The Applicant also submitted letters of support from 14 abutters.

### **Revised Plans**

At the conclusion of the February 18, 2020, public hearing, the Planning Board agreed to meet during a working group session in order to resolve the Board's concerns. At the continued March 31, 2020, public hearing, the Applicant presented revised plans based on the input from the working group session. The revised plans cut the proposed additions in half and therefore, significantly reduce the size of the home so that it fit into the neighborhood better. As a result, the revised plans eliminated the need for a Special Permit to increase the front setback off of Orchard Street. The revised plans eliminated the rear addition. As a result, the reconfigured floor plans create a traditional two-car garage on the basement level, which in turn reduces the amount of driveway and increases the amount of landscaped area. The layout on the first floor remains similar to the original proposal though the office and kitchen/family room were reduced in size. On the second floor, the fourth bedroom was eliminated and the master bedroom closets and the two (2) children's bedrooms were reduced in size as well. The fourth bedroom, though eliminated from the second floor, was moved to the basement and a full bathroom was added

### **Deliberation and Decision**

On March 31, 2020, the Planning Board deliberated on the Applicant's request for two (2) Special Permits (size of addition and front setback) under Section 1.5 (increasing the size of a nonconforming structure more than 30% of the Gross Floor Area) and Section 4.2.2 (allowed front setback: 30.0'; existing and proposed off of Orchard Street: 19') in order to construct several additions on both of the sides and rear of the existing house at 181 Common Street located in a Single Residence C Zoning District.

The Board found that the proposed additions 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 additions will not increase any of the existing nonconformities (front setback

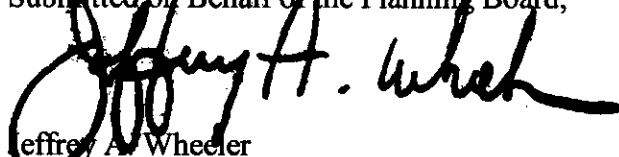
181 Common Street  
 July 13, 2020  
 Page 3

and height) and the revised plans have been designed to reflect the surrounding neighborhood and therefore fit in better than the original proposal. The Board also found that the large lot can accommodate a larger home without having a detrimental impact on the neighborhood. Finally, abutters expressed their support for the proposed additions.

Accordingly, upon motion duly made and seconded, **the Board voted 4-0 to GRANT the Applicant's request for TWO (2) SPECIAL PERMITS** (size of addition and front setback) **under Section 1.5** (increasing the size of a nonconforming structure more than 30% of the Gross Floor Area) **and Section 4.2.2** (allowed front setback: 30.0'; existing and proposed off of Orchard Street: 19') **in order TO CONSTRUCT SEVERAL ADDITIONS ON THE SIDES AND REAR OF THE EXISTING HOUSE AT 181 COMMON STREET** located in a Single Residence C Zoning District, **subject to the following CONDITION:**

The Applicant shall submit revised site and landscape plans to the Office of Community Development to reflect the revised building plans as approved by the Planning Board.

Submitted on Behalf of the Planning Board,

  
 Jeffrey A. Wheeler  
 Senior Planner


Dated: July 13, 2020

CERTIFICATION BY TOWN CLERK

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 July 24, 2020, and further I certify that no appeal has been filed with regard to the granting of said Two (2) Special Permits with One (1) condition.

Statutory appeal periods, and thus the issuance of Certificates of No Appeal, have been temporarily affected by Court Standing Orders, available at [www.mass.gov/guides/court-system-response-to-covid-19](http://www.mass.gov/guides/court-system-response-to-covid-19). Applicants, abutters and interested parties should consult the Standing Orders to determine their next actions. Any decision by a permit holder to proceed is at their own risk, and the permit holder is urged to consult their own legal counsel.

Under Section 17 of Chapter 53 of the Acts of 2020, the requirement to record permit decisions with the Registry is suspended for so long as the Registry is "closed or subject to rules and procedures restricting public in-person access." However, such recording will still be required upon the full reopening of the Registry. The Middlesex County Registry of Deeds continues to accept filings by postal mail during this period, and permit holders are requested to file for recording through this method to the extent possible.

  
 Ellen O'Brien Cushman, Town Clerk  
 Belmont, MA

August 24, 2020

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Southern Middlesex Land Court  
Registry District

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On: Sep 01:2020 at 09:56A

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NOTED ON: CERT 270525 BK 01544 PG 73

ALSO NOTED ON:

Christopher Poli  
12 Oakley Rd  
Belmont, MA 02478 508-414-9856