

**AGENDA**  
**TOWN OF BELMONT ZONING BOARD OF APPEALS**  
**TUESDAY, May 2, 2023 AT 7:00 P.M.**

The Belmont Zoning Board of Appeals will hold a public hearing on Tuesday May 2, 2023 by a hybrid public hearing at the Art Gallery on the third floor of the Homer Building, 19 Moore Street, and by remote access through the Zoom app.

**RECEIVED**  
**TOWN CLERK**  
**BELMONT, MA**

DATE: April 14, 2023  
TIME: 9:25 AM

**FOR PARTICIPANTS:**

The meeting will start at 7:00 p.m. You can join the meeting at 6:55 p.m.

Topic: Zoning Board of Appeals

Time: April 3, 2023 07:00 PM Eastern Time

Join Zoom Meeting

<https://us02web.zoom.us/j/84995903501>

Webinar ID: 849 9590 3501

To join by telephone,

Call: (929) 205-6099

When prompted, enter: 84995903501#

When prompted, enter #

To ask a question or raise your hand, enter \*9 on your phone.

To mute or unmute. enter: \*6

Follow along LIVE on Belmont Media Center InfoTV.

Watch LIVE in Belmont on Comcast Ch 96 or Verizon Ch 30

Watch LIVE from anywhere on: [belmontmedia.org/infotv](http://belmontmedia.org/infotv)

Watch all meetings OnDemand later on: [belmontmedia.org/ZBA](http://belmontmedia.org/ZBA)

**To Ask A Question:**

If you wish to ask a question (related to the agenda or a case) here's what you do:

- By computer or smartphone – once logged in you will be able to raise your hand.
- By Telephone press \*9
- When the host is ready for you, you will be called on by the last digits of your phone number or name.

Questions should be as concise and clear as possible

**1. CALL TO ORDER**

**2. ELECTIONS OF OFFICERS (EFFECTIVE 7/1/23)**

**3. OPEN ZONING BOARD OF APPEALS DISCUSSION**

\* Formal Recommendation by the Zoning Board of Appeals to the Honorable Selectboard that Alternate Member Elliot Daniels be appointed to fill the remaining term of Nicholas A. Iannuzzi, Jr.

\* Formal Recommendation by the Zoning Board of Appeals to the Honorable Selectboard that Alternate Member David Stiff be appointed to fill the remaining term of Demetrios Jim Zarkadas.

**4. CONTINUED CASES**

a) CASE NO 23-05 ONE SPECIAL PERMIT

160-162 Beech Street – Paul L. Fountas

The applicant requests One Special Permit under section 4.2 of the By-Law to construct a driveway at 160-162 Beech Street located in a General Residence (GR) Zoning District. Special Permit: 1.-§4.2 of the By-Law requires a minimum open space of 40%, the existing open space is 18.6% and proposed open space is 18.6%.

File Date:

February 9, 2023

**5. NEW PUBLIC HEARINGS**

a) CASE NO 23-12 ONE SPECIAL PERMIT

59 Selwyn Road – Lance and Nicole Lavorie

The applicant requests One Special Permit under section 1.5 of the By-Law to construct a second story addition at 59 Selwyn Road located in a Single Residence C (SRC) Zoning District. Special Permit: 1.- §4.2.2 of the By-Law requires a minimum side setback of 10.0', the existing and proposed front setback is 9.1'.

File Date:

April 12, 2023

b) CASE NO 23-13 ONE SPECIAL PERMIT

52 Church Street – Mark Pesce

The applicant requests One Special Permit under section 3.3 of the By-Law to continue to operate a fast-food restaurant at 52 Church Street in a Local Business I (LBI) zoning district. A non-transferable Special Permit was approved by the Board of Appeals on March 1, 1999 and issued to Duarte Carvalho to allow for the operations of a fast-food restaurant at this location. Special Permit: 1.-§3.3 of the By-Law allows the operation of a fast-food restaurant in the LBI district by a Special Permit granted by the Zoning Board of Appeals.

File Date:

April 12, 2023

c) CASE NO 23-14 ONE SPECIAL PERMIT

353 Trapelo Road – Mark Pesce

The applicant requests One Special Permit under section 3.3 of the By-Law to continue to operate a fast-food restaurant at 353 Trapelo Road in a Local Business III (LBIII) zoning district. A non-transferable Special Permit was approved by the Board of Appeals on May 7, 2007 and issued to Duarte Carvalho to allow for the operations of a fast-food restaurant at this location. Special Permit: 1.-§3.3 of the By-Law allows the operation of a fast-food restaurant in the LBIII district by a Special Permit granted by the Zoning Board of Appeals.

File Date:

April 12, 2023

d) CASE NO 23-15 USE VARIANCE

34 Agassiz Avenue – Stewart Karger, Administrator

The Applicant seeks the following:

1. MODIFY A USE VARIANCE previously granted and modified (granted 1966, modified in 1991 and 2000)

in order TO CONSTRUCT A 4,974 s.f., 2-1/2 STORY ADDITION at 34 AGASSIZ AVENUE located in a General Residence Zoning District. A Use Variance was granted by the Board of Appeals on January 8, 2018, but has since expired. The applicant proposes no additional changes or amendments to the application which was approved by the Board of Appeals on January 2018.

File Date:

April 12, 2023

**DELIBERATE AND VOTE ON THE FOLLOWING CASES:**

<u>ZBA Case #:</u>	<u>Street Address:</u>	<u>Due Date:</u>
23-05	160-162 Beech Street	July 31, 2023
23-12	59 Selwyn Road	July 31, 2023
23-13	52 Church Street	July 31, 2023
23-14	353 Trapelo Road	July 31, 2023
23-15	34 Agassiz Avenue	July 31, 2023

6. **MINUTES:** Review and approve the May 5, 2022; February 6, 2023; March 6, 2023; and the April 3, 2023 public hearing meeting minutes.
7. **Rescheduling June ZBA Meetings:** The June 5, 2023 public hearings conflict with Annual Town Meeting.
8. Adjourn

The Zoning Board of Appeal's next regularly scheduled meeting was originally scheduled for June 5, 2023; this meeting must be rescheduled due to a time conflict with Annual Town Meeting.