

TOWN OF BELMONT
ZONING BOARD OF APPEALS

MEETING MINUTES
October 3, 2011

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7:00 p.m. Meeting called to order.

Attendance: William Chin (Chair), James Ryan-Fagan, Nicholas Iannuzzi, Eric Smith, Jim Zarkadas; Christopher Henry (Associate), Craig White (Associate); Jay Szklut, Staff

Absent: David Iaia (Associate)

William Chin welcomed everyone to the monthly meeting of the Zoning Board of Appeals. He gave a very brief outline of the process and encouraged audience participation before the committee's deliberations.

PUBLIC HEARINGS:

CASE NO. 11-25 – 138 SHERMAN STREET: Variance to construct a roofed front porch and a special permit to construct a two story addition both on applicant's home.

The home owner Brendan Connolly and his architect, Diane Miller were present and spoke to the application. The existing front porch currently extends beyond five feet into the front setback as allowed for porches. Roofing the porch would provide shelter from inclement weather. A roofed front porch is a common feature in the neighborhood. The addition is needed to make the home more functional and would not be more detrimental to the neighborhood.

The applicant submits a petition signed by many of the neighbors in support of the project.

Mr. Chin notes that a dormer is being added to the front of the building and asks whether the building would meet the half story standards. Mr. Szklut responds that staff had performed the required calculation and that the proposed building addition did not exceed a half story.

Mr. Smith requests information on the height above grade of the porch platform.

No one speaks in favor or in opposition to the application.

Mr. Chin then closes the public hearing with the Board taking the matter under advisement.

CASE NO. 11-26 – 29-31 MARION ROAD: Variances to Lot Coverage and Open Space, a Special Permit to extend a nonconforming rear setback and a Special Permit for use to replace 2 existing 2-car garages with a single 4-car garage on site.

Joseph Barrell Jr., owner, introduced Andy Rojas, designer, to discuss the project. Mr. Rojas briefly describes the site noting that this site is a three family building with a shared driveway and that creating a single garage eliminates the space between the two existing garages allowing easier access to the lot. Additionally, the proposed garage would be higher but still conforming to the height limit. This added height allows the addition of architectural details to the garage improving the aesthetics of the site.

Mr. Barrell submits photos to the Board and states that the garages were damaged over the winter and need to be razed. The location of the proposed structure increases the right side setback.

Mr. Chin asks whether the shared driveway occupies equal space on both adjoining lots. It does.

Mr. Zarkadas asks whether the existing garages are metal.

Mr. Chin asks how much space above the parking area in the garage is needed? Will the garage be used for storage?

Mr. Barrell responds that the area beneath the roof is not currently planned for use.

Mr. White asks how many cars are currently parked on site.

Mr. Barrell notes that only 2 cars are allowed per unit.

Mr. Smith questions whether there is a standard size for a garage.

Mr. Rojas responds that a typical parking spot is 9 feet by 18 feet and a garage should allow an additional 2 feet on either side to accommodate opening of car door.

Those in Favor

Jeff Levine, 38 Unity Avenue notes that the increased height creates additional privacy.

Peter Miller, 42 Marlboro Street, while supporting the project is concerned that the pitch of the roof would force water onto the abutting properties. He would like to see gutters and a dry well added to the application.

Mr. Barrell states that he has no objection with installing a dry well to control runoff.

No one spoke in opposition.

Mr. Chin closes the public hearing and refers the matter to the Board for deliberation.

CASE NO. 11-27 – 112 STONY BROOK ROAD: Variance from side setback to add a sunroom onto an existing enclosed porch at the applicant's home.

The owner, Leon Barsoumian, and Kevin Keeler, the sunroom manufacturer addressed the Board. The addition is meant to create a family room to accommodate the needs of the Barsoumian family. Because of the unusual shape of the lot, the left side lot line angles in towards the house, the sunroom would encroach into the setback area.

Mr. Zarkadas asks whether it would be possible to add a buffer along the side.

Mr. Smith wonders why the sunroom could not be added to the side of the porch.

Mr. Barsoumian responds that an addition on the side of the porch would block the kitchen window.

No one speaks in favor or in opposition to the application.

Mr. Chin closes the public hearing and the Board taking the matter under advisement.

CASE NO. 11-28 – 1000 PLEASANT STREET, UNIT 9: Special Permit to open an automotive services business in an LB II zoning district.

The applicant states that he must move from his current location as the building is being sold. He seeks to move into the proposed location. An automotive repair business is allowed in this location by special permit.

Two customers of his are in attendance and speak in favor of the application.

No one speaks in opposition.

There are no questions from the Board.

Mr. Chin closes the public hearing.

CASE NO. 11-29 – 10 JUNIPER ROAD: Review the Special permit granted one year ago to graze sheep and goats on Massachusetts Audubon property in a Single Residence A district.

Roger Wrubel reviews the experience of Mass. Audubon during the past year. He notes that no complaints were received and that no animals were lost due to coyotes or other wild animals.

Two abutters to the property support the continuation of the practice.

No one spoke in opposition.

There were no questions from the Board.

The hearing was closed and the matter taken under advisement.

DELIBERATIONS AND VOTES

138 SHERMAN STREET, CASE NO. 11-25 – The Board expressed concern that the extension of the roof into the front setback did not meet the deminimus test for approval despite the fact that the porch already extended into the setback.

Motion – Nick Iannuzzi moved to approve the special permit. Eric Smith seconded the motion. Motion approved unanimously.

Motion – Nick Iannuzzi moved to deny the application for variance. Eric Smith seconded the motion. Motion approved unanimously.

29-31 MARION ROAD, CASE NO. 11-26 – The Board expressed reservation that the proposed structure significantly violated allowed lot coverage and open space requirements. Mr. Chin was also concerned that the height of the new structure was detrimental to the neighborhood especially the abutting property owners. The applicant requested additional time to modify their plans to minimize the needed relief requested and to lower the height of the structure.

Motion – Nick Iannuzzi moved to re-open and continue the Public Hearing to November 7, 2011 at 7:00PM in the 3rd Floor Art Galley, Homer Municipal Building. Eric Smith seconded the motion. Motion approved unanimously.

112 STONY BROOK ROAD, CASE NO. 11-27 – There were no objections raised to the application.

Motion – Nick Iannuzzi moved to grant the variance based on the shape of the lot and the existing location of the house on the lot. Bill Chin seconded the motion. Motion approved unanimously.

1000 PLEASANT STREET, UNIT 9 CASE NO. 11-28 – There were no objections raised to the application.

Motion – Nick Iannuzzi moved to grant the special permit. Jim Zarkadas seconded the motion. Motion approved unanimously.

10 JUNIPER ROAD, CASE NO. 11-29 – The Board congratulated Mass. Audubon on a successful experiment.

Motion – Eric Smith moved to grant the special permit and to remove the condition for annual review. Bill Chin seconded the motion. Motion approved unanimously.

Meeting Adjourned – 9:15 pm