

**BELMONT ZONING BOARD OF APPEALS
MEETING MINUTES
November 7, 2016**

Present: Eric Smith (Chair), Nick Iannuzzi, Jim Zarkadas, Tino Lichauco, Phil Ruggerio (Associate Member), Andrew Plunkett (Associate Member), Gang Zhao (Associate Member).

Staff: Ara Yogurtian, Liaison to the Office of Community Development.

7:05 P.M. Meeting called to order

Chair Eric Smith welcomed everyone to the November 7, 2016 meeting of the Zoning Board of Appeals, introduced all of the members of the Board, and then proceeded to give a brief outline of the process. He encouraged audience participation before the committee's deliberation at the end of the meeting, as well as encouraging the submission of relevant documents and other materials necessary to support each case. He also stated that the Board reviewed all submitted materials and urged there was no need to repeat that information. He mentioned that the second part of the meeting is for deliberations and voting and Applicants can stay until the end of the meeting or call Mr. Yogurtian the following day for the results.

1. CONTINUED PUBLIC HEARINGS:

a. Case No. 16-20, Robert Fadel, 350 Trapelo Road, A Special Permit and two Variances

Eric Smith began by explaining that the Public Notices were only for a Special Permit and two Variances and did not include the two new matters. Mr. Smith noted that a better way to proceed would be to withdraw the application, resubmit the new application (with the filing fees waived) and continue the case until the next hearing on December 5, 2016.

Mr. Becker, Attorney, stated that he is prepared to present the updated proposal.

Mr. Smith explained that the Public Notices must be updated to reflect the following requests:

- A Special Permit for increasing the nonconforming lot coverage.
- A Special Permit to extend the nonconforming use (two pumps going to a third pump)
- 2 Special Permits for the nonconforming pump setbacks.
- 2 Variances for front setbacks for the canopy.

Mr. Iannuzzi asked Mr. Becker if a Neighborhood Meeting has been held. Mr. Becker stated that there has not been a neighborhood meeting. Mr. Iannuzzi suggested a Neighborhood meeting would be beneficial to addressing some of the issues as related to the expansion. Mr. Becker agreed that he would attempt to reach out to the neighbors right away.

Mr. Smith reiterated that Mr. Becker should formally withdraw the application without prejudice and refile the new application in order to have the Public Notices republished with the updated information.

2. PUBLIC HEARINGS:

a. Case No. 16-21, Xin Zhang, 19 Cushing Avenue, Two Special Permits

Alison Hammer, Design Consultant, explained the need for the expanded kitchen. She noted that she understands that the proposed design is encroaching on setbacks and she stated that the Applicant has received support from many of the neighbors.

Benjamin Bauer, 52 Willow Street, Neighbor and Town Meeting Member, spoke in support of the proposal but stated that he is concerned about the setback getting to close to the property line.

Mr. Smith explained that under the current By-Laws, if there is already a nonconforming setback then the question is whether the proposed change makes the property substantially more detrimental than the existing property, that is the standard that is applied to this case.

No one else spoke. The ZBA took the matter under advisement.

b. Case No. 16-22, Thomas and Erin Lynch, 11 Prospect Street, Two Special Permits

Mr. Lynch, Applicant, stated that he would like to add a second-floor bathroom and a small office.

Paul Preston, Architect, stated that the proposed addition sits exactly on top of the existing porch on the second floor and he is not extending the existing setback but just building upon what is there.

Joseph Scali, 19 Prospect Street, spoke in favor of the project. The previous owner put a temporary stairway to remove a bathtub and he wishes for his neighbors to have a bathtub again.

Maryann Scali, 19 Prospect Street, spoke in support of the application.

No one else spoke. The ZBA took the matter under advisement.

c. Case No.16-23, Eugene Benoit, 28 Thayer Road, A Special Permit

Eugene Benoit, Applicant, explained that he would like to build a dormer to add a master bedroom, a master bathroom, a television room and extra storage space. He is asking for a Special Permit to reduce the setbacks. He stated that he has spoken to his neighbors and they are in agreement to his proposed dormer addition.

Eric Perkins, 32 Thayer Road, came before the board to speak in support of the application.

Thomas Ferraro, 40 Thayer Road, came before the board to speak in support of the application.

David Frizzell, representing his Mother, 30 Thayer Road, came before the Board to speak in favor of the application.

No one else spoke. The ZBA took the matter under advisement.

3. DELIBERATE AND VOTE

Case No. 16-21 – Two Special Permits

MOTION to approve by Nick Iannuzzi and seconded by Jim Zarkadas. Special permit granted by vote 5-0.

Case No. 16-22 – Two Special Permits

MOTION to approve by Jim Zarkadas and seconded by Nick Ianuzzi. Special permit granted by vote 5-0.

Case No. 16-23 – A Special Permit

MOTION to approve made by Nick Iannuzzi and seconded by Faustino Lichauco, Special permit granted by vote 5-0.

4. APPROVAL OF PREVIOUS MEETING MINUTES

Postponed until the Board Members have a chance to review.

5. REVIEW AND APPROVAL OF THE 2017 PROPOSED MEETING SCHEDULES

The proposed dates for the 2017 Zoning Board of Appeals meetings were approved by the Board unanimously.

ADJOURN 7:45 PM