

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

RECEIVED
TOWN CLERK
BELMONT, MA

2017 DEC 28 PM 12:49

CASE NO. 17-22

APPLICANT: Boris Shepov

PROPERTY: 30 Madison Street

DATE OF PUBLIC HEARING: October 2, 2017

MEMBERS SITTING: Nick Ianuzzi, Chairman
Faustino Lichauco
Craig White
Andrew Plunkett
Phil Ruggiero, Associate Member

MEMBERS VOTING: Nick Ianuzzi, Chairman
Faustino Lichauco
Craig White
Andrew Plunkett
Phil Ruggiero, Associate Member

Introduction

This matter came before the Board of Appeals ("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, Arthur Cameron ("Applicant"), requests two Special Permits under Section 1.5 of the Zoning By-Law to construct a Three and a half (3.5) story addition to replace an existing deck at 30 Madison Street, located in a Single Residence C Zoning District:

1. Maximum allowed building height is two and a half (2.5) stories, existing and proposed are three and a half (3.5) stories.
2. Maximum allowed lot coverage is 25.0%, existing and proposed are 25.4%.

The Board held a duly noticed hearing on the application on October 2, 2017. At the hearing the Applicant presented a certified plot plan, half story calculations, exposed foundation and average grade plan, photographs of similar structures in the neighborhood and professionally drawn architectural plans and elevations.

Neighbors, Pamela and John Saidnawey (11 Adams Street), Megan Pickette (83 Bow Road), Sarah and David Isenberg (3 Adams Street), Patricia Rissmiller (17 Adams Street) and Coleen McArtor & Scott Thompson (23 Adams Street) had submitted letters of opposition to the proposed project.

Proposal

The Applicant proposes to construct a three and a half story addition to replace an existing deck. The applicant acknowledged that he had already rough framed the proposed third floor addition at his own risk and was to remove it if he was not granted the relief he was seeking.

Neighbors voiced concerned that the 3.5 story addition is not in harmony with other structures in the neighborhood and would have been more detrimental to the neighborhood than what existed.

The discussions, concerns and opposition from the neighbors was related to the height and the number of stories, the existing and proposed lot coverage to remain at 25.4% was moot.

Conclusion

On October 2, 2017, the Board deliberated on the Applicant's request for Special Permits under Section 1.5 of the Zoning By-Laws to construct a three and a half story addition at 30 Madison Street located in a Single Residence C Zoning District.

The Board noted the expansion did not maintain the character of the neighborhood. Consequently, the Board found that the proposal does increase the nonconforming nature of the structure and that was substantially more detrimental to the neighborhood and is not in keeping with the character of the neighborhood in which it is located.

Accordingly, upon motion duly made and seconded, **the Board voted 5-0 to DENY the Applicant's request for Special Permits.**

For the Board:

Dated: December 28, 2017

A handwritten signature in black ink, appearing to read 'Ara Yogurtian', is written over a horizontal line.

Ara Yogurtian
Assistant Director
Office of Community Development