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BELMONT, MA**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

2018 MAR 16 PM 3:03

CASE NO. 18-04

APPLICANT: **RACHID SMAIRI**

PROPERTY: 80 Leonard Street

DATE OF PUBLIC HEARING: March 5th, 2018

MEMBERS SITTING: Nick Iannuzzi, Chairman
Jim Zarkadas
Craig White
Andrew Plunkett
Phil Ruggiero, Associate Member

MEMBERS VOTING: Nick Iannuzzi, Chairman
Jim Zarkadas
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 Variance and 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 Rachid Smairi ("Applicant") request one (1) SPECIAL PERMIT under Section 3.3 of the Zoning By-Laws TO CHANGE THE OWNERSHIP OF AN EXISTING FAST FOOD RESTAURANT TO THE APPLICANT located in a Local Business I (LBI) Zoning District.

The Board held a duly noticed hearing on the application on March 5th, 2018. The Applicant Rachid Smairi proposed the plan at the hearing and submitted architectural plans, photos (exterior and interior), menu and ownership proposal including hours of operation, number of employees, deliveries, dumpster schedule and parking. One person spoke in favor. There was no opposition to the Applicant's proposal.

Proposal

The applicant would like to transfer ownership of the Bellmont café. His experience includes being in the food and beverage industry 15 years working in high profile environments such as Starbucks and in hospitality at the Sheraton in Boston. The applicant is currently managing the Dunkin Donuts at 52 Church St in Belmont. The proposed transfer is in keeping with the character of the neighborhood and is not detrimental to the community.

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Conclusion

On March 5th, 2018, the Board deliberated on The Applicant's, Rachid Smairi's ("Applicant") request one (1) SPECIAL PERMIT under Section 3.3 of the Zoning By-Laws TO CHANGE THE OWNERSHIP OF AN EXISTING FAST FOOD RESTAURANT TO THE APPLICANT located in a Local Business I (LBI) Zoning District.

Accordingly, **upon motion duly made by Jim Zarkadas and seconded by Nick Iannuzzi, the Board voted 5-0 to grant the Applicant the requested (1) Special Permit.**

Subject to the following conditions:

1. Same terms and conditions as the previous granted special permit Case No. 14-15 to the Applicant: Minas Daldalian Property: 80 Leonard Street Date of Public Hearing: July 9, 2014
2. The hours of operation of the restaurant shall not exceed Monday through Saturday 6:00 a.m. to 10:00 p.m. and Sunday 7:00 a.m. to 7:00 p.m.;
3. The seating shall not exceed 15 as shown on the plans submitted to the Board.

For the Board:

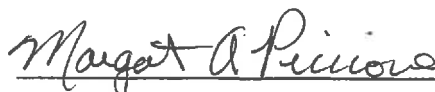


Ara Yogurtian
Assistant Director
Office of Community Development

Dated: March 16, 2018

I, Margaret A. Piccione, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on March 16, 2018, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with three (3) conditions.

April 9, 2018



Margaret A. Piccione, Assistant Town Clerk
Belmont, MA

Any appeal from this decision must be made pursuant to Ch.40A, S.17, MGL, and must be filed within 20 days after the filing of such notice in the office of the Town Clerk.