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**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

18-24
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2018 AUG 13 PM 3:31

CASE NO. 18-24

APPLICANT: Denise Molk (Jersey Village 11015)

PROPERTY: 83 Channing Road

DATE OF PUBLIC HEARING: July 9th, 2018

MEMBERS SITTING: Nick Iannuzzi, Chairman
Faustino Lichauco
Andrew Plunkett
Jim Zarkadas
Blake Currier, Associate Member
Casey Williams, Associate Member

MEMBERS VOTING: Nick Iannuzzi, Chairman
Faustino Lichauco
Andrew Plunkett
Jim Zarkadas
Blake Currier, Associate Member

DECIS
18-24
CL-3

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 sought to construct a three story addition. The need for two Special Permits arose because of pre-existing non-conformities in height and side setback. More specifically, the existing structure is a three and a half story structure, and therefore non-compliant with the 2½ story limit. Its non-compliance results from foundation walls that are exposed 54.87% and is considered a basement, not a cellar and counts as a story. The existing and proposed side setback is 9.4', which falls short of the required 10.0' side setback.

The proposed addition involves expanding the footprint of an existing enclosed side porch and adding a story above the newly created footprint. The proposed roof ridge line will be lower than the existing ridge line.

With regards to the requested first Special Permit, it was noted that the proposed modification would have created a monolithic and windowless façade. However, as this would be facing the railroad tracks, and therefore invisible to the neighborhood, it was therefore deemed to not be detrimental to the character of the neighborhood. Although visible from the tracks, it is not considered as part of the "neighborhood" per se.

2-10-18

Case No. 18-24

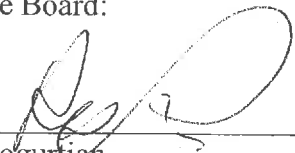
Property address: 83 Channing Road

With regards to the requested second Special Permit, it is noted that the proposed side setback does not change from the existing. Thus, there appears to be no basis for suggesting that the proposed construction would be detrimental to the character of the neighborhood.

Accordingly, **upon motion duly made and seconded, the Board voted 5-0 to grant the two (2) Special Permits as requested.**

For the Board:

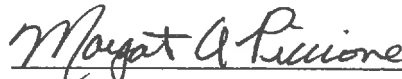
Dated: August 13, 2018



Ara Yogurtian
Assistant Director
Office of Community Development

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 August 13, 2018, and further I certify that no appeal has been filed with regard to the granting of said two (2) Special Permits with zero (0) conditions.

September 4, 2018



Margaret A. Piccione, Assistant Town Clerk
Belmont, MA