

RECEIVED  
TOWN CLERK  
BELMONT, MA

2018 AUG 28 AM 10: 25

CASE NO. 18-31

NOTICE OF PUBLIC HEARING BY THE  
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR A SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday September 10, 2018 at 7:00 PM in the Art Gallery, 3<sup>rd</sup> floor, Homer Municipal Building, 19 Moore St., to consider the application of Paul Wyon at 53-55 Unity Ave., located in a General Residence (GR) Zoning District for A Special Permit under Section 1.5 of the Zoning Bylaw to construct a Three Story Deck. Special Permit – 1. Section 1.5.4 A of the Zoning By-Law allows extensions or alteration to non-conforming structures in the GR zoning district by a Special Permit from the Zoning Board of Appeals.

ZONING BOARD OF APPEALS



Town of Belmont  
Zoning Board of Appeals

RECEIVED  
TOWN CLERK  
BELMONT, MA

2018 AUG 28 AM 10:25

**APPLICATION FOR A SPECIAL PERMIT**

Date: 5-23-18

Zoning Board of Appeals  
Homer Municipal Building  
19 Moore Street  
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Laws of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 53-55 Unity Ave Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for \_\_\_\_\_

Construct a 2 story deck 23'9 x 10'8 and  
a 3rd floor balcony 4' x 15'.

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner

Print Name

Paul Wyon

Address

53 Unity Ave

Belmont MA 02478

Daytime Telephone Number

781-690-6651



OFFICE OF COMMUNITY DEVELOPMENT  
TOWN OF BELMONT

19 Moore Street  
Homer Municipal Building  
Belmont, Massachusetts 02478-0900

Telephone: (617) 993-2650 Fax: (617) 993-2651

Building Division  
(617) 993-2664  
Engineering Division  
(617) 993-2665  
Planning Division  
(617) 993-2666

February 20, 2018

Mr. Paul Wyon  
53-55 Unity Avenue  
Belmont, MA 02478

RE: Denial to Construct Three Story Deck


Dear Mr. Wyon:

The Office of Community Development is in receipt of your building permit application for the construction of a three story deck at the rear of your home located in a General Residence (GR) Zoning District.

Your application has been denied since it does not comply with the Zoning By-Law. More specifically, the proposed decks do not comply with the rear setback requirements (allowed: 20'; existing: 25'; proposed: 17.85'). Additionally, your building is considered nonconforming because your lot frontage does not comply with the current requirements (allowed: lot frontage – 70'; existing and proposed: 63.35').

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request a Variance from the Zoning Board of Appeals (rear setback) and a Special Permit from the Planning Board (nonconforming lot frontage). If you choose to pursue these permits, please call the Office of Community Development at (617)-993-2666 to schedule an appointment with Ara Yogurtian for the Variance and Jeffrey Wheeler for the Special Permit.

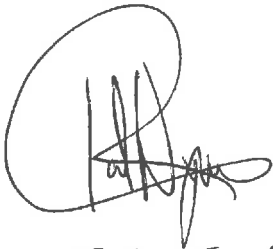
Sincerely,

  
Glenn R. Clancy, P.E.  
Inspector of Buildings

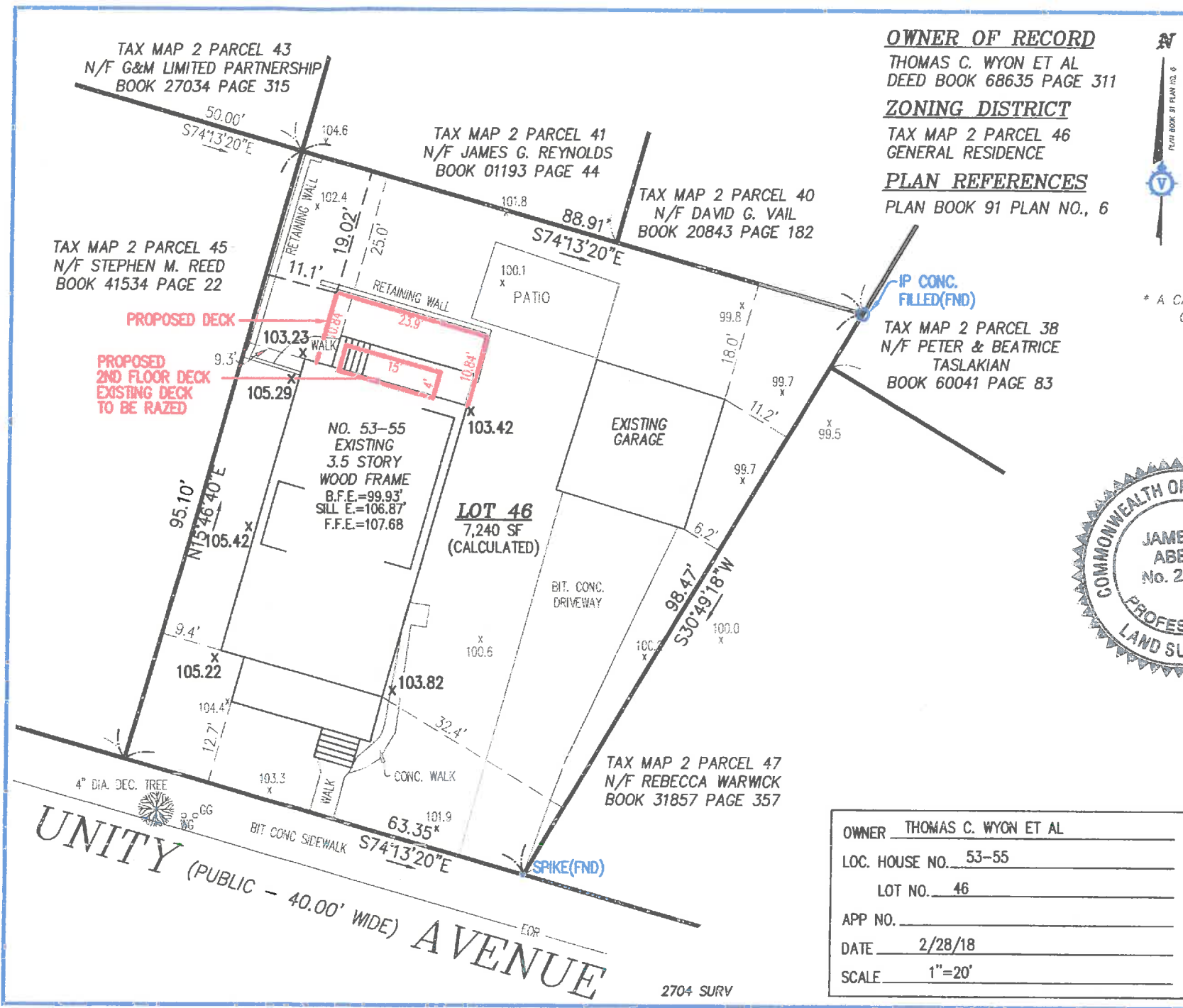
**Statement for public hearing:**

I am applying for a special permit for 53/55 Unity Ave to replace a deteriorating 2 story deck with another 2 story deck 23'.9 X 10'.80 and add 3<sup>rd</sup> floor balcony 4' X 15'. We have kept our plans within the required setbacks and by right we can have a railing and door on the 3<sup>rd</sup> story balcony. We are just asking for the space to place 2 chairs on that balcony.

It also makes us feel comfortable having a door and small balcony giving us a 2nd exit after the exit confusion that took place at the Trapelo Rd fire. The 3<sup>rd</sup> floor balcony gives us a means to get furniture in and out of that floor and any space to add view helps us enjoy our homes outside.

A handwritten signature in black ink, appearing to read 'Paul Wyon', enclosed within a large, hand-drawn oval.

7-9-18 Paul Wyon



**OWNER OF RECORD**  
THOMAS C. WYON ET AL  
DEED BOOK 68635 PAGE 311

**ZONING DISTRICT**  
TAX MAP 2 PARCEL 46  
GENERAL RESIDENCE

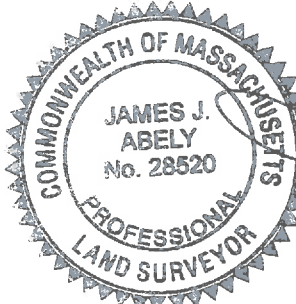
**PLAN REFERENCES**  
PLAN BOOK 91 PLAN NO., 6

ZONING TABLE			
GENERAL RESIDENCE	REQUIRED	EXISTING	PROPOSED
LOT SIZE	5,000 SQ. FT.	7,240 SQ. FT.	7,240 SQ. FT.
FRONTAGE	50.00'	63.35'	63.35'
MIN. LOT AREA FOR DWELLING	3,500 SF	7,240 SF	7,240 SF
MAX. LOT COVERAGE	30%	25.9%	29.2%
MIN. OPEN SPACE	40%	63.3%	60.8%
MINIMUM FRONT SETBACK	20.0'	12.7'	12.7'
MINIMUM SIDE SIDE SETBACK	10.0'	9.3'	9.3'
MINIMUM REAR SETBACK*	19.02'	25.0'	19.02'
MAXIMUM HEIGHT	2.5 STY/33.0'	2.0 STY/31.8'	2.0 STY/31.8'

\* A CALCULATED REAR SETBACK OF 19.02 FEET (20% THE PERPENDICULAR DEPTH OF THE LOT - 95.10') IS USED FOR THE REAR SETBACK REQUIREMENT.

I HEREBY CERTIFY THAT THIS DWELLING IS LOCATED IN FLOOD ZONE X. FLOOD ZONE X IS FURTHER DESCRIBED AS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.  
FLOOD HAZARD BOUNDARY MAP 25017C0418E  
PANEL 418E EFFECTIVE JUNE 4, 2010.

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY AND WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.



*[Signature]*  
JAMES J. ABELY  
P.L.S.  
DATE 2/28/18

PLAN OF LAND  
CERTIFIED PLOT PLAN  
LOCATED IN  
53-55 UNITY AVENUE  
BELMONT, MA

SCALE 1"=20'      FEBRUARY 28, 2018  
PREPARED BY

OWNER THOMAS C. WYON ET AL

LOC. HOUSE NO. 53-55

LOT NO. 46

APP NO. \_\_\_\_\_

DATE 2/28/18

SCALE 1"=20'

**VINEYARD ENGINEERING  
& ENVIRONMENTAL SERVICES INC.**  
LAND SURVEY, CIVIL ENGINEERING & ENVIRONMENTAL SERVICES  
319 MAIN STREET, UNIT 2R  
STONEHAM, MA 02180  
TEL. 781-572-3272 FAX. 781-572-3135  
Vineyardeng.com



# Zoning Compliance Check List

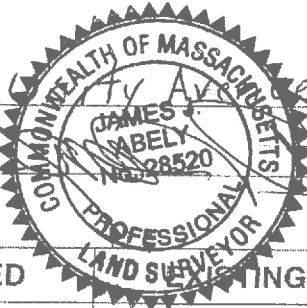
## (Registered Land Surveyor)

Property Address: 53-55

Zone: Gen. Res.

Surveyor Signature and Stamp:

Date: 2-28-18

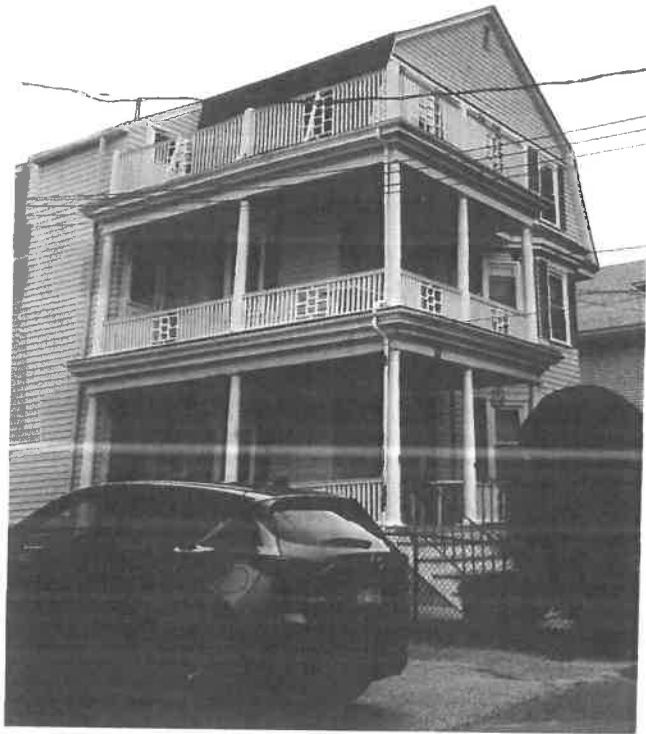


	REQUIRED	EXISTING	PROPOSED
Lot Area	5,000 SF	7,240 SF	7,240 SF
Lot Frontage	50 ft.	63.35 ft.	63.35 ft.
Floor Area Ratio	NA	NA	NA
Lot Coverage	30%	25.9%	28.2%
Open Space	40%	63.3%	60.8%
Front Setback	20 ft.	12.7 ft.	12.7 ft.
Side Setback	10 ft.	9.3 ft.	9.3 ft.
Side Setback	10 ft.	32.4 ft.	32.4 ft.
Rear Setback	19.02' *	25.0 ft.	19.02 ft.
Building Height	NA	NA	NA
Stories	NA	NA	NA
1/2 Story Calculation	NA	NA	NA

**NOTES:**

\* A calculated rear setback of 19.02 feet (20% of the perpendicular lot depth of 95.10 feet) is used for the rear setbacks requirement.

Marlboro St



Falmouth St

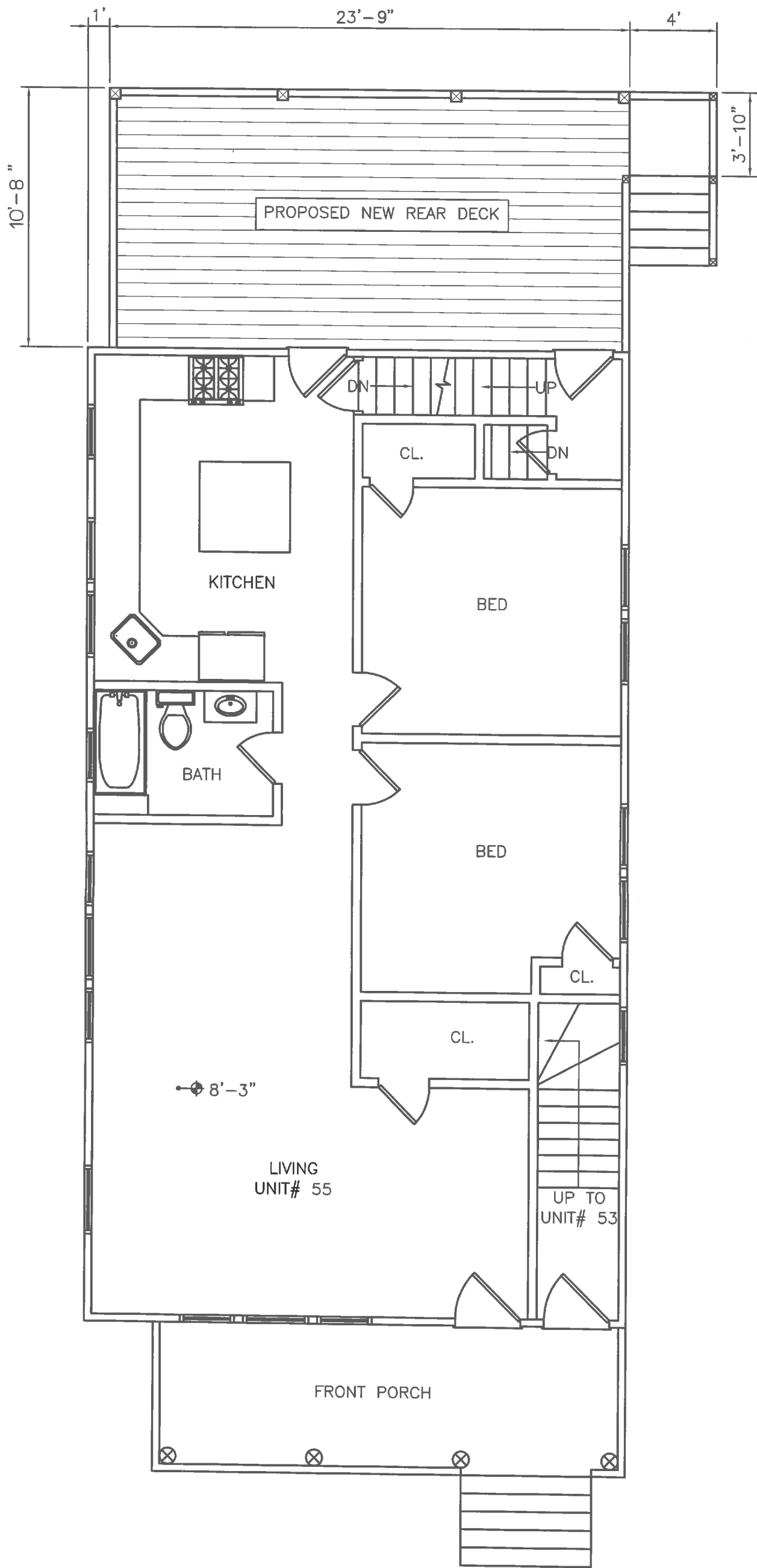


Falmouth St



Falmouth St





# PROPOSED REAR DECK FIRST FLOOR PLAN-UNIT# 55

SCALE:  $\frac{3}{16}$ " = 1'-0"

PAGE NUMBER

A-3

T DESIGN, LLC

1248 RANDOLPH AVE  
MILTON, MA. 02186

617-797-6637

QUOCTUANPE@GMAIL.COM

DESIGNED: TN

DRAWN: TN

CHECKED: TN

DATE: 08/01/17

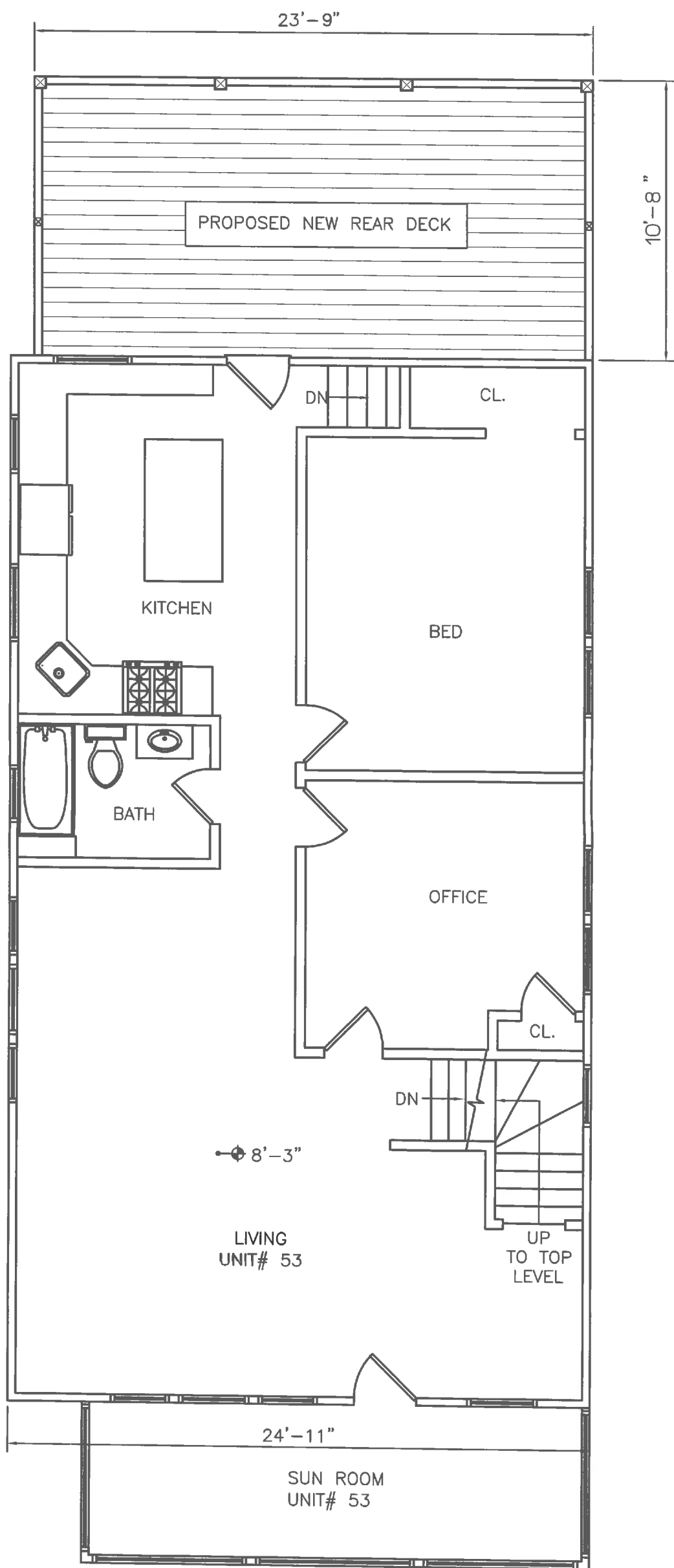
APPROVED: TN

DORMER AND REAR DECK ADDITION  
53-55 UNITY AVE.  
BELMONT, MASSACHUSETTS

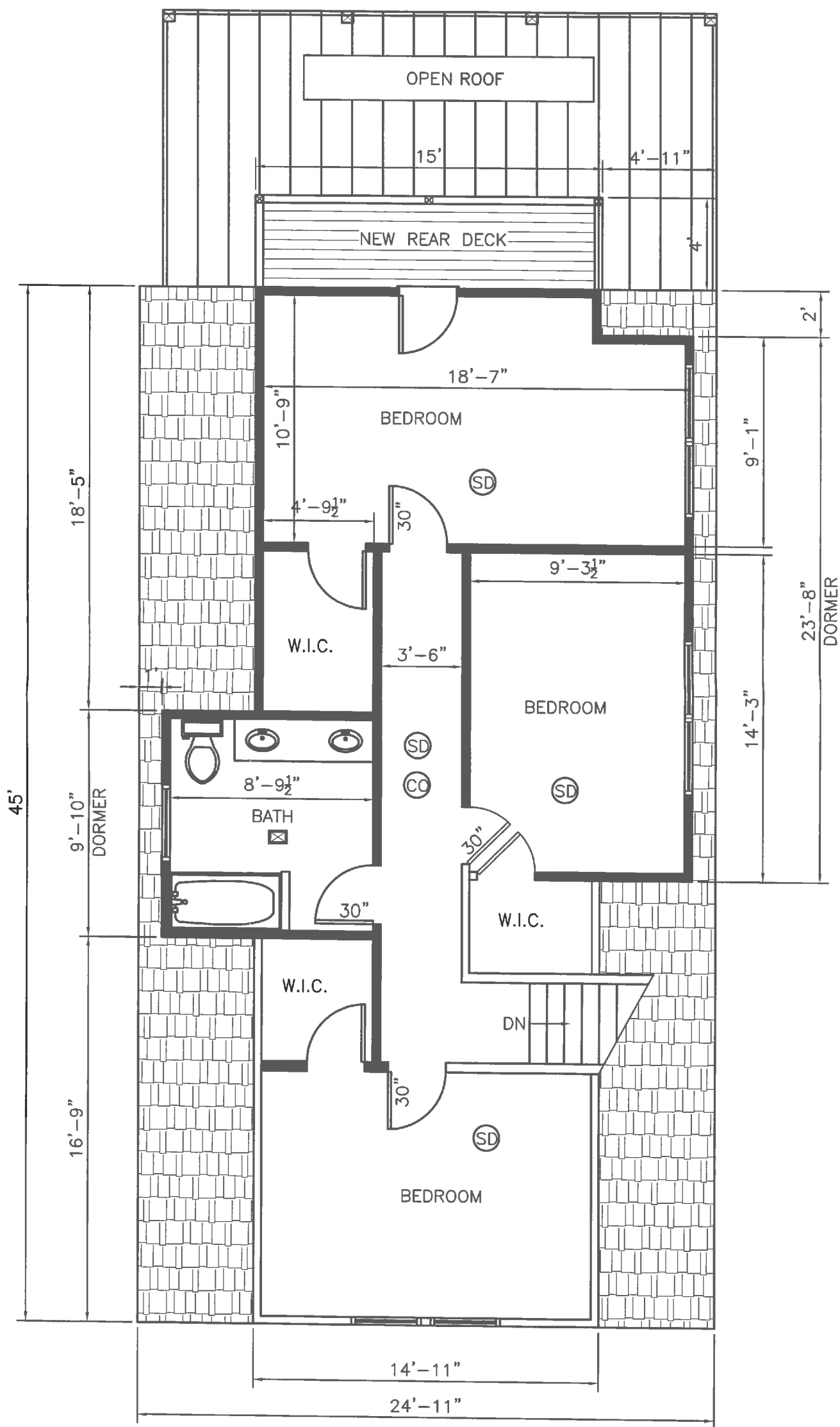
REVISION



SECOND FLOOR AREA = 1272 SF.  
SECOND FLOOR PERIMETER = 140 FT

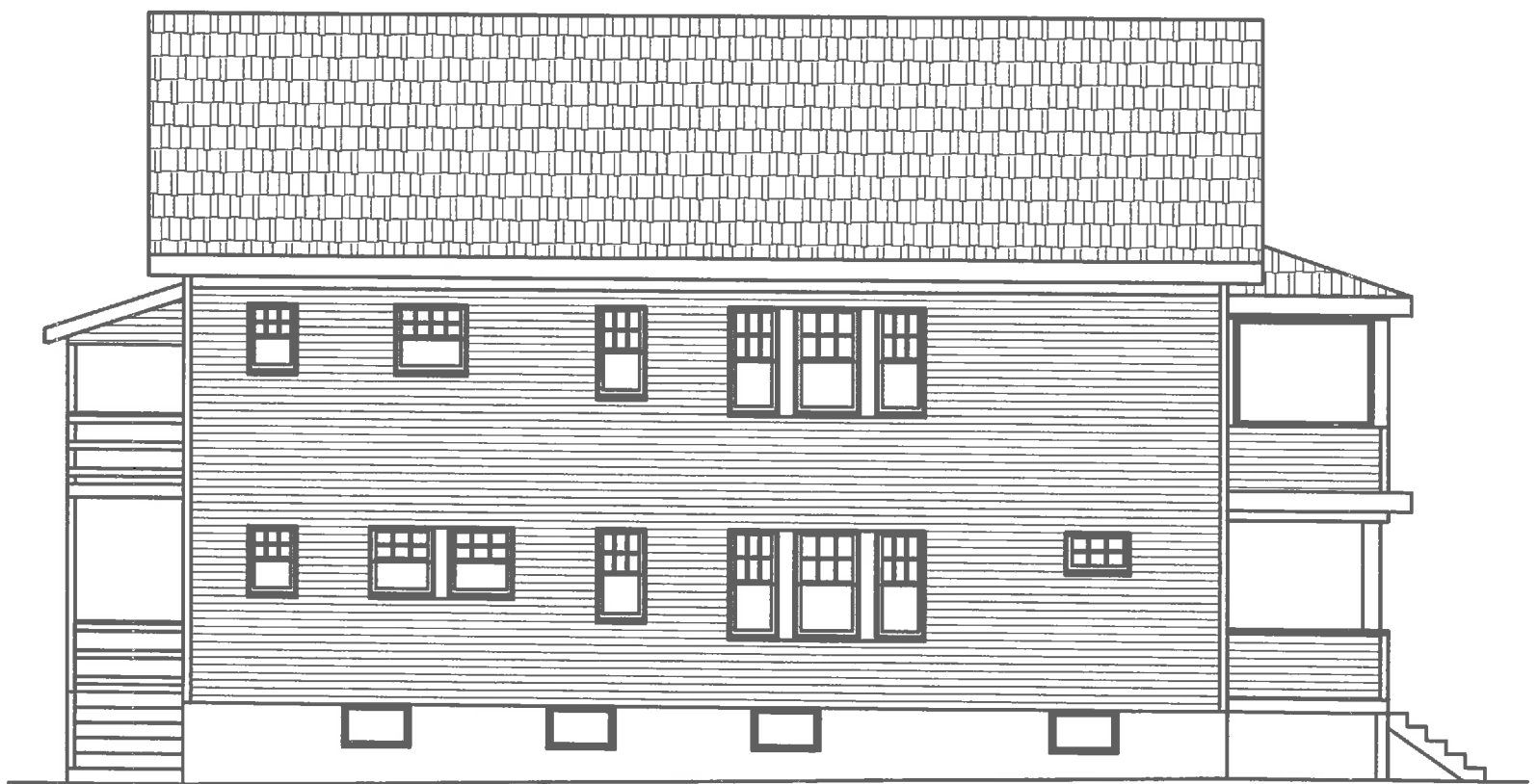


PROPOSED REAR DECK SECOND FLOOR PLAN-UNIT# 53  
SCALE:  $\frac{3}{16}$ " = 1'-0"

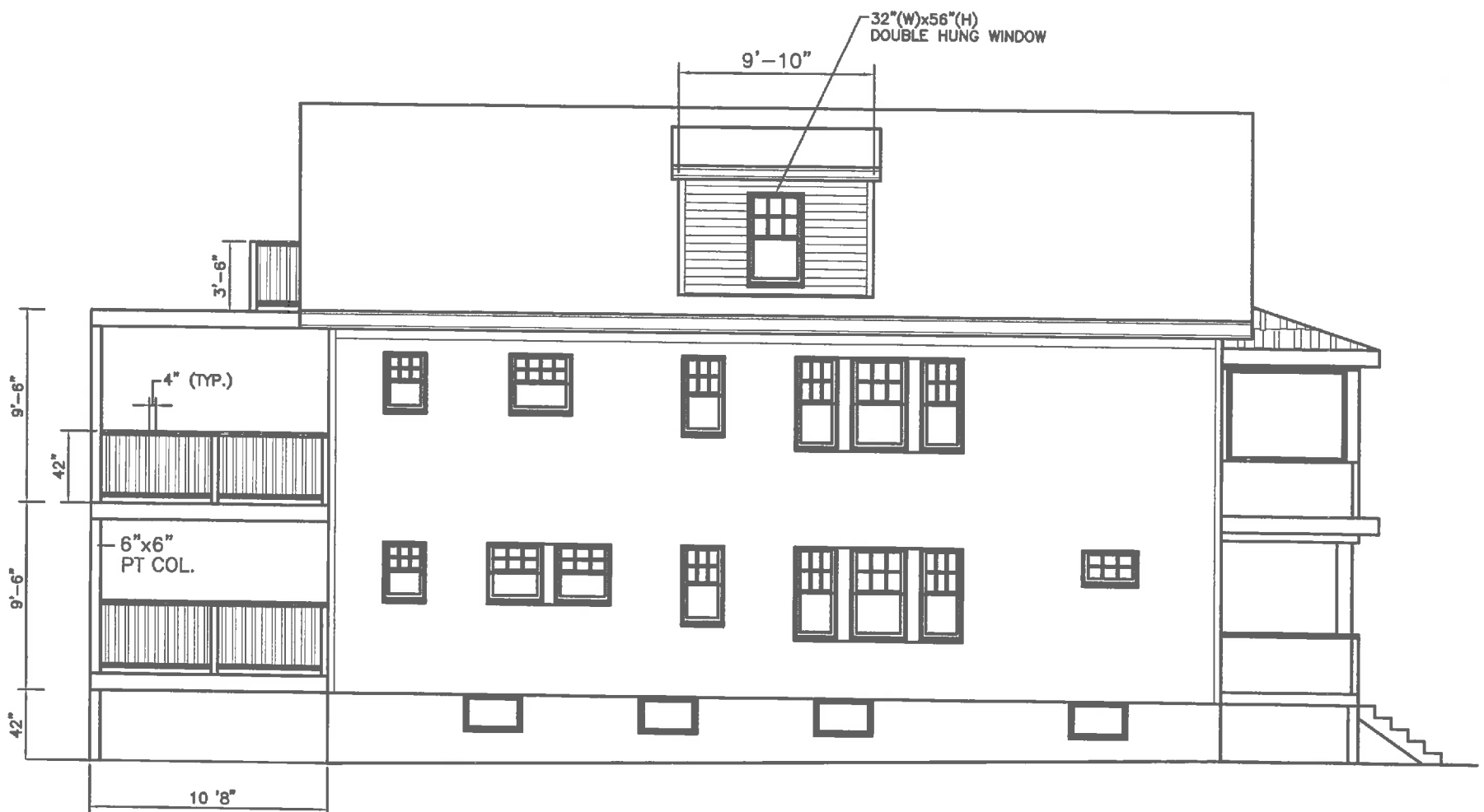


# PROPOSED TOP FLOOR PLAN-UNIT# 53

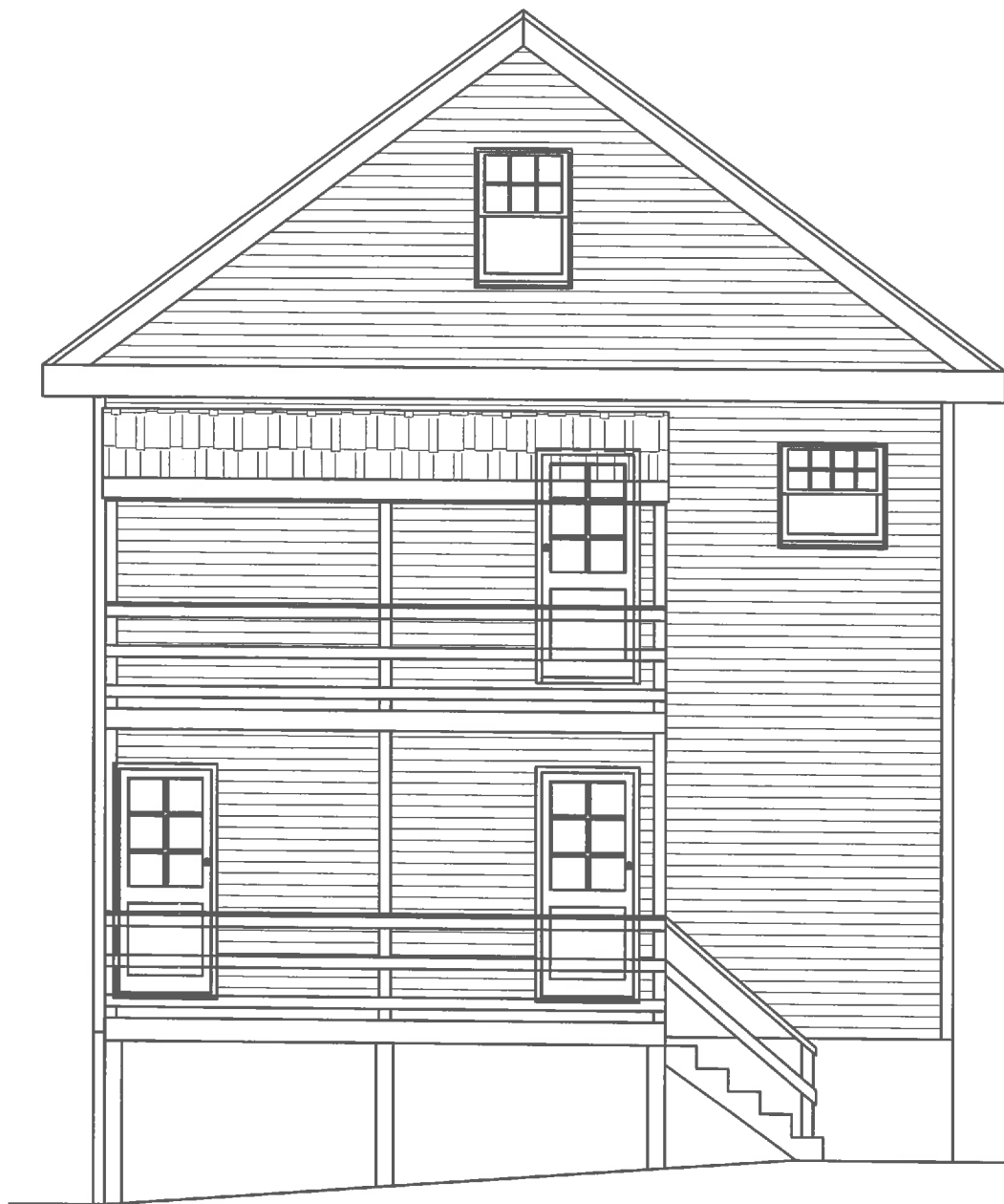
SCALE: 3/16" = 1'-0"



EXISTING LEFT ELEVATION VIEW  
SCALE:  $\frac{1}{8}" = 1'-0"$

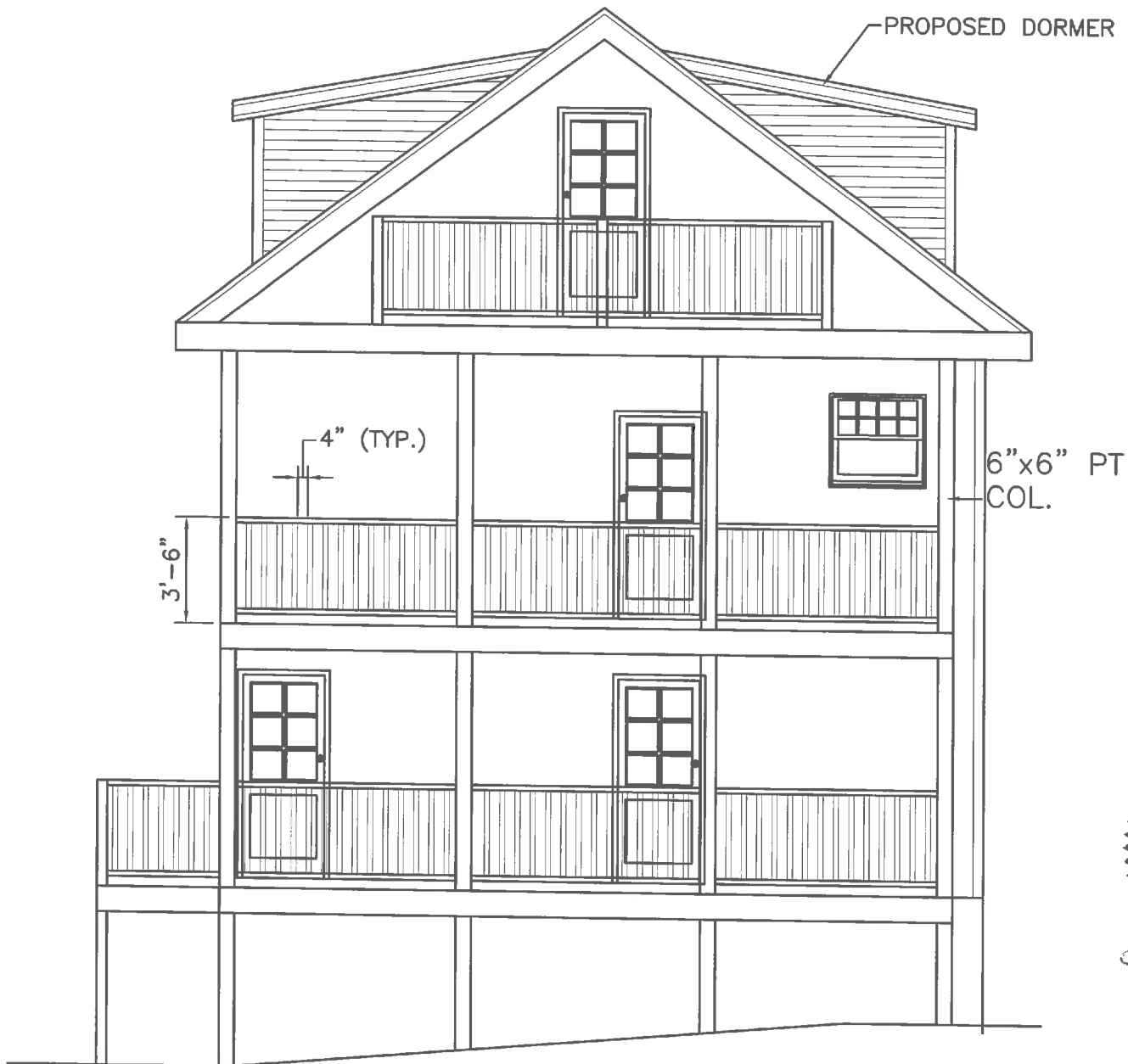


PROPOSED LEFT ELEVATION VIEW  
SCALE:  $\frac{1}{8}" = 1'-0"$



**EXISTING REAR ELEVATION VIEW**

SCALE:  $\frac{3}{16}'' = 1'-0''$



**PROPOSED REAR ELEVATION VIEW**

SCALE:  $\frac{3}{16}'' = 1'-0''$





**Construct 2 story deck (23.9x10.80) and a 3rd floor balcony (4'x15')**

[illegible]