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BELMONT, MATOWN OF BELMONT
ZONING BOARD OF APPEALS

2018 NOV 19 PM 4:15

CASE NO.

18-44

APPLICANT:

ERIC L BROWN
Silvia Limm Brown

PROPERTY:

69 Bartlett Avenue ✓
Unit 2

DATE OF PUBLIC HEARING:

November 5th, 2018 ✓

MEMBERS SITTING:

Nick Iannuzzi, Chairman
Jim Zarkadas
Andrew Plunkett
Craig White
Phil Ruggiero
Casey Williams, Associate Member
Blake Currier, Associate Member

MEMBERS VOTING:

Nick Iannuzzi, Chairman
Jim Zarkadas
Andrew Plunkett
Craig White
Phil Ruggiero

2019 01805637

Bk: 00126 Pg: 39 Cert#: U22954

Doc: DECIS 01/16/2019 10:18 AM

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 Silvia Limm Brown ("Applicant") requests Two (2) Special Permits under Section 1.5 of the Zoning By-Laws to construct two (2) Dormers. Special Permits-1. The regulation allows a maximum of 2-1/2 stories, the existing and the proposed structure is 3-1/2 stories. (2). Minimum allowed side setback is 10.0'. The existing and proposed side setbacks is 8.5' at 69 Bartlett Avenue, located in a General Residence (GR) Zoning District.

The Board held a duly noticed hearing on the application on November 5th, 2018. The Applicant Silvia Limm Brown made a presentation to the Board assisted by her husband Eric and their architect Keith Miller of Miller Design.

Proposal

The applicant proposes to build two dormers on the two-family home complying with the Belmont zoning criteria for half story additions. The existing roof height and front elevation of the house will remain unchanged. The new space will include a renovated bedroom and a family room, new three-quarter bath, half bath, laundry and a closet.

The home owner has lived in the current 3-bedroom layout for five years which has no bathroom on the upper floor and only a small bathroom on the 2nd floor. In addition, the existing bedroom on the upper floor does not comply with the current building code requirement for head height. The current layout/ space has made the bedroom, bathroom, and lack of closets located in the roof eaves section on the upper level insufficient for a family of four.

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The applicant has worked with Keith Miller of Miller Design to create a design for additional space. The applicant understood that they could add the dormer to the front of the house but wanted to retain the look of the existing home from Bartlett Ave. They did not want to add a dormer to the front of the house because it would detract from the streetscape and would not enhance the character of the neighborhood. With the current design they also wanted to maintain the existing roof height. They believe adding a dormer on the rear is a better design since it is more sensitive to the neighborhood as it retains the front view which will have no detrimental impact on the neighborhood.

4 neighbors spoke in favor of the proposal. The applicant also submitted a petition with 15 signatures. Direct abutters Jacob Knowles and Kate Bowen (67 Bartlett Ave.) spoke in opposition stating the dormer would have an impact on sunlight exposure and solar panel intake.

Conclusion

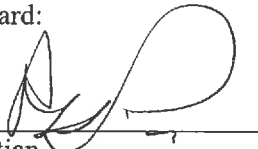
On November 5th, 2018, the Board deliberated on the Applicant Silvia Limm Brown's ("Applicant") request for Two (2) Special Permits under Section 1.5 of the Zoning By-Laws to Construct Two Dormers. Special Permits-1. The regulation allows a maximum of 2-1/2 stories, the existing and the proposed structure is 3-1/2 stories. (2). minimum allowed side setback is 10.0'. The existing and proposed side setback is 8.5' located at 69 Bartlett Avenue, located in a General Residence (GR) Zoning District.

Based on the foregoing factors, the Board determined that the applicant's proposal did not have any adverse effects to the Town or the neighborhood and that the proposed request will be in harmony with the neighborhood and general purpose and intent of the By-law and will not be more detriment than what exists.

Accordingly, upon motion duly made by Jim Zarkadas and seconded by Nick Iannuzzi, **the Board voted 5-0 to grant the Two (2) Special Permits to the Applicant as requested.**

For the Board:

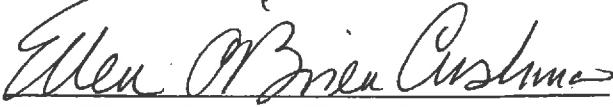
Dated: November 19, 2018 ✓



Ara Yogurtian
Assistant Director
Office Of Community Development

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on November 19, 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. ✓

January 15, 2019



Ellen O'Brien Cushman, Town Clerk
Belmont, MA

with
12661
997

Doc 01809637

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Southern Middlesex Land Court
Registry District

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NOTED ON: CERT U 22954 BK 00126 PG 39

ALSO NOTED ON:

I HEREBY ATTEST AND CERTIFY ON
THAT THE FOREGOING DOCUMENT IS A FULL, TRUE AND
CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY

MARIA C. CURTATONE
ASST RECORDER
LAND COURT

BY 

1/16/2019

Sylvia Limm Brown
NAME 508-314-4026
STREET ADDRESS _____
CITY OR TOWN Zir

Official Receipt for Recording in:

Middlesex South Registry of Deeds
208 Cambridge St.
Cambridge, Massachusetts 02141

Issued To:
FRESH START CONTRACTING CORP
30 B STREET
BURLINGTON MA 01803

Recording Fees		
Document Description	Number Cert Number	Recording Amount
DECIS	01805637 U 22954	\$75.00
		\$75.00

Collected Amounts	
Payment Type	Amount
Check	22881
	\$75.00
	\$75.00

Total Received : \$75.00
Less Total Recordings: \$75.00
Change Due : \$0.00

Thank You
MARIA C. CURTATONE - Register of Deeds
By: Nerina L

Receipt# 2287075 Date 01/16/2019 Time 10:18a

