

19-17



2019 01822720

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RECEIVED
TOWN CLERK
BELMONT, MATOWN OF BELMONT
ZONING BOARD OF APPEALS

2019 AUG 12 AM 11:05

Case No.

19-17

OWNERS

PANDEY

Applicants:

Reenu[Pandy] and Kartikeya Pant

LOT 69

Property:

17-19 Francis Street

Date of Public Hearing:

May 13, 2019

Members Sitting:

Nicholas Iannuzzi, Chair
 James Zarkadas, Vice Chair
 Andrew Plunkett
 Phil Ruggiero
 Casey Williams (Associate Member)
 Blake Currier (Associate Member)

Members Voting:

Nicholas Iannuzzi, Chair
 James Zarkadas, Vice Chair
 Andrew Plunkett
 Phil Ruggiero
 Blake Currier (Associate Member)

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicants, Reenu Pandey and Kartikeya Pant ("Applicant") seek two Special Permits under Section 1.5 of the Zoning Bylaw to construct a Dormer Expansion. Special Permits -1.- §1.5.4 A of the Zoning By-Law allows preexisting non-conforming structures to be extended or altered by a Special Permit granted by the Zoning Board of Appeals. 2.- §4.2.2 of the By-Law requires a minimum front setback of 14.9', the existing and proposed front setback is 6.4'.

The applicants propose to add two bedrooms and a bathroom in the attic space of an existing two bedrooms and one bathroom unit, making in total 4 bedrooms and 2 bathrooms by raising the existing ridgeline of the structure to allow for more headroom for living space and adding a dormer on the south elevation.

The applicants had submitted for the Board's review architectural drawings dated April 12, 2019, a plot plan dated April 3, 2019, Zoning checklist dated April 10, 2019 and 6 signatures from neighbors supporting their project.

The Board held a duly noticed hearing on the application on May 13th, 2019. Mr. Fred Dill, the architect of the project made a presentation to the Board. During the hearing Mr. Dill presented details of the proposed plan and answered the Board's questions regarding the existing ceiling height in the attic and the necessity to raise the ridge to allow for better headroom for a habitable space in addition to other matters related to the proposed construction. He noted that the alterations requested is common in this neighborhood.

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Address: 17-19 Francis Street

During the hearing, no one spoke in support or in opposition to the proposed alterations.

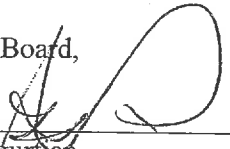
§1.5.3. of the Town's Zoning By-Law provides that the Board may issue a Special Permit to reconstruct, extend, alter, or change a nonconforming structure "only if it determines that such reconstruction, extension, alternation, or change does not increase the nonconforming nature of said structure or create a new nonconformity and shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood and that it shall be in keeping with the character of the neighborhood in which it is located."

The Board deliberated on May 13, 2019. The Board found that the proposed alteration and the dormer addition does not increase the nonconforming nature of the structure or create a new nonconformity. The Board noted that there are existing residences in the neighborhood which have similar dormers. The Board concluded that the proposed alteration is not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed alteration is in keeping with the character of the neighborhood in which it is located.

Accordingly, upon motion duly made by Jim Zarkadas, vice chair, and seconded by Blake Currier, the Board voted 5-0 to grant the Two Special Permits as requested.

For the Board,

Dated: August 12, 2019




Ara Yogurtian
Assistant Director
Office of Community Development

CERTIFICATION

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 August 12, 2019, 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 3, 2019



Ellen O'Brien Cushman, Town Clerk
Belmont, MA

Official Receipt for Recording in:

Middlesex South Registry of Deeds
208 Cambridge St.

Cambridge, Massachusetts 02141

Issued To:

REENU PANDY
17-19 FRANCIS ST

BELMONT MA 02478

Recording Fees

| Document Description | Number | Cert Number | Recording Amount |
|----------------------|----------|-------------|------------------|
| DECIS | 01822720 | 267395 | \$75.00 |
| CC | | | \$3.00 |
| Collected Amounts | | | \$78.00 |

| Payment Type | Amount |
|--------------|---------|
| Check | 310 |
| | \$78.00 |
| | \$78.00 |

Total Received : \$78.00
Less Total Recordings: \$78.00
Change Due : \$.00

Thank You
MARIA C. CURTATONE - Register of Deeds

By: Karen Harolan

Receipt# Date Time
2364712 09/05/2019 10:06a

REENU PANDEY
KARTIKEYA PANT
25 LESLIE RD
BELMONT, MA 02478-2237

311
53-13/110 MA
26753

Pay To The
Order Of

Date

\$

Dollars

Bank of America

ACH R/T 011000138

For

⑆011000138⑆ 004601545261⑈0311

Harland Clarke

1386198
9-1-05

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Southern Middlesex Land Court
Registry District

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REENU RANDY
NAME 607-351-5502 TEL
STREET ADDRESS
CITY OR TOWN ZIP

I HEREBY ATTEST AND CERTIFY ON 09/05/2019
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 