

19-19

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BELMONT, MATOWN OF BELMONT
ZONING BOARD OF APPEALS

2019 JUN 14 AM 11:27

Case No. 19-19

Applicant: Martha Pickett *owner*

Property: 373 Brighton Street

Date of Public Hearing: May 13, 2019

Members Sitting: Nicholas A. Iannuzzi, Jr., Chair
Jim Zarkadas
Philip Ruggiero
Andrew Plunkett
Casey Williams (Associate Member)
Blake Currier (Associate Member)

Members Voting: Nicholas A. Iannuzzi, Jr., Chair
Jim Zarkadas
Philip Ruggiero
Andrew Plunkett
Blake Currier (Associate Member)

Deed reference 64776-471

2019 00096977

Bk: 72898 Pg: 529 Doc: DECIS
Page: 1 of 2 07/10/2019 08:41 AM**Introduction**

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") Acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicant, Martha Pickett ("Applicant") seeks two (2) Special Permits under §1.5 of the Belmont Zoning-By- to construct a one story addition and bulkhead. Section 4.2.2 of the Zoning By-Law requires a minimum side setback of 10.0'. Special permits 1. – The existing side setback is 6.5' and the proposed side setback to the addition is 7.4' and 2. – The proposed side setback to the bulkhead is 5.9' at 373 Brighton Street located in a Single Residence B (SRB) Zoning District.

Proposal

The Applicant proposes to construct a one story addition and a bulkhead. The Zoning By-Law requires a minimum side setback of 10.0' in zoning district SRB. The proposal is set forth on plans, including elevations dated 1/12/19, a plot plan dated 2/21/19 and a Zoning Compliance Checklist dated 4/8/19. The Applicant and her spouse, Nathan Pickett presented the proposal at a duly noticed public hearing of the Board on May 13, 2019. They described the proposal and provided a petition of the neighbors in support of the application. No one spoke in opposition.

Nathan and Martha Pickett
373 Brighton St
Belmont, MA 02478

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Property: 373 Brighton Street

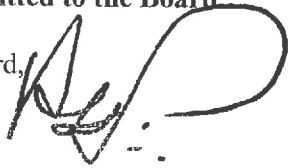
Decision

The 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." By-Law § 1.5.3.

The Board deliberated on May 13, 2019. The Board found that the proposed addition does not increase the nonconforming nature of the structure or create a new nonconformity. The proposed addition will be consistent in style with the existing house. In the circumstances, the Board concluded that the proposed addition is not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed addition is in keeping with the character of the neighborhood in which it is located.

Accordingly, **upon motion duly made by Nick Ianuzzi and seconded by Phil Ruggerio, the Board voted 5-0 to grant the two requested special permits for the proposed addition as shown on the plans submitted to the Board**

For the Board,

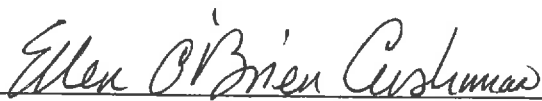


Date: June 14, 2019

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 June 14, 2019, and further I certify that no appeal has been filed with regard to the granting of said one (2) Special Permits with zero (0) conditions.

July 8, 2019


Ellen O'Brien Cushman, 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.

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Cambridge, Massachusetts 02141

Issued To:

NATHAN AND MARTHA PICKETT
373 BRIGHTON ST

BELMONT MA 02478

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DECIS	00096977	72898 529	\$75.00
			\$75.00

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Collected Amounts

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Payment Type		Amount
Check	1262	\$75.00
		\$75.00

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Total Received :	\$75.00
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Thank You
MARIA C. CURTATONE - Register of Deeds

By: Odn M

Receipt# Date Time
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