

TOWN OF BELMONT
ZONING BOARD OF APPEALS

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BELMONT, MA

2019 OCT 17 PM 3: 23

Case No. 19-32
Applicants: Valerie Duff and Jacob Strautmann
Property: 23 Harriett Ave
Date of Public Hearing: October 7th, 2019



2019 01828342
Bk: 00116 Pg: 70 Cert#: U21631
Doc: DECIS 11/12/2019 01:13 PM

Members Sitting: Nicholas Iannuzzi, Chair
Craig White
Phil Ruggiero
James Zarkadas
Andrew Plunkett
Casey Williams
Andrew Kelley
Teresa MacNutt

Members Voting: Nicholas Iannuzzi, Chair
Craig White
Phil Ruggiero
James Zarkadas
Andrew Plunkett

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, Valerie Duff and Jacob Strautmann ("Applicant"), seek ONE SPECIAL PERMIT under Section 1.5 of the Zoning By-Laws to construct a dormer at 23 Harriett Ave. The property is located in a General Residence Zoning District.

The applicants propose to add two dormers to the property. The Special Permit requested:

- 1) The existing structure is three and a half stories, and current zoning permits two and a half. The lowest level of the dwelling is a basement (59.9% of the foundation walls are exposed) and is therefore considered a story. The proposed addition is therefore a third story alteration.

During the hearing the Applicants discussed and presented an overview of the proposed plan and answered the Board's questions regarding use and other matters related to the proposed construction. The applicants explained that the house was suitable when purchased in summer of 2011, and they had anticipated staying for approximately 5 years due to their expectation that they would outgrow it at that time. As predicted their family has grown and they require additional space to accommodate their children, but due to rising real estate prices in Belmont, finding a larger house has become infeasible. They presently have one full and a half bathroom in the home, and this has become challenging with the number of people using the home. The proposed addition allows for an additional bathroom as well as one net additional bedroom and a

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mudroom/laundry room. The applicants provided images of adjacent and nearby properties that have similar dormers.

The Applicants indicated that they had sought feedback from their neighbors and that neighbors were in support. They provided documentation with signatures in support of the application from neighbors at 25, 27, 29 and 36 Harriett Ave.

The applicants provided plans drafted by Slocum Hall Design dated 8/21/19 for the Board's review. They also confirmed that they do not presently use the basement as living space since they own the upstairs unit of the building.

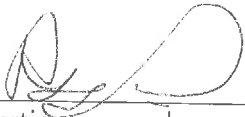
Section § 1.5.3. of the Town's Zoning By-Law provides that the Board may issue a Special Permit to reconstruct, extend, alter, or change a nonconforming structure "only if it determines that such reconstruction, extension, alternation, or change does not increase the nonconforming nature of said structure 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 October 7th, 2019. The Board found that the proposed alteration does not increase the nonconforming nature of the structure or create a new nonconformity. The proposal to add the dormers is consistent with other properties in the vicinity. 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 and seconded, the Board voted 5-0 to grant the Special Permit as requested.**

For the Board,

Dated: October 17, 2019




Ara Yogurtian
Assistant Director
Office of Community Development

CERTIFICATION

I, Margaret Piccione, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on October 17, 2019, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions.

November 12, 2019



Margaret Piccione, Assistant Town Clerk
Belmont, MA

ZIP

CITY OR TOWN

STREET ADDRESS

3270

NAME

Valerie Duff-Straumann 617-
- TEL 993-

Doc 01822342

Southern Middlesex Land Court
Registry District

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11/12/2019
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

Maria C. Curtatone