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CASE NO. 19-33

NOTICE OF PUBLIC HEARING BY THE  
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR ONE SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, October 7, 2019 at 7:00 PM in the Art Gallery, 3<sup>rd</sup> floor, Homer Municipal Building, 19 Moore St., to consider the application of Jennifer and Bob Carter at 303 Marsh Street located in a Single Residence (SRA) Zoning District for a Special Permit under §5.1.3 of the Zoning Bylaw to construct a Front Yard Parking. Special Permit - § 5.1.3 b) 2) requires a Special Permit for the installation of parking spaces within the required front yard.

ZONING BOARD OF APPEALS

2019 SEP 23 PM 1:43



Town of Belmont  
Zoning Board of Appeals

**APPLICATION FOR A SPECIAL PERMIT**

Date: 8/23/19

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 303 Marsh St 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 Driveway expansion in front yard.

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

Address

Daytime Telephone Number

Jennifer Carter  
Jennifer Carter  
303 Marsh St  
Belmont MA 02478  
617 763-8762



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

August 13, 2019

Jennifer and Bob Carter  
303 Marsh Street  
Belmont, MA 02478

RE: 303 Marsh Street – Denial of Driveway Expansion in Front Yard

Dear Mr. and Mrs. Carter:

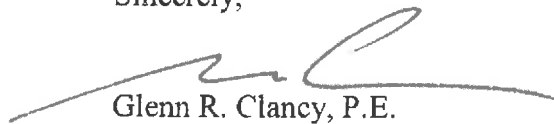
The Office of Community Development is in receipt of your application and plot plan to expand your driveway located at 303 Marsh Street in a Single Residence C (SRC) Zoning District.

Your application has been denied because it does not comply with the current Zoning By-Law requirements. More specifically,

Section 5.1.3 b) 2) requires a Special Permit for the installation of parking spaces within the required front yard. Therefore you need a Special Permit in order to expand your driveway.

You may alter your plans to conform to the Zoning By-Laws and resubmit for approval or you may request a Special Permit from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development (617-993-2650) to make an appointment with Ara Yogurtjian, Assistant Director to begin this process.

Sincerely,



Glenn R. Clancy, P.E.  
Director of Community Development

## PROJECT STATEMENT –

### DRIVEWAY EXPANSION IN FRONT YARD for 303 MARSH STREET August 26, 2019

As provided for in Section 5.1.3 b of the Zoning Code, Jennifer and Bob Carter request a Special Permit to locate a driveway within the required front yard between the side lines of the dwelling extended to the street. The area of the proposed driveway within the required front yard will be approximately 300 square feet. For the following reasons we request a Special Permit for the proposed driveway be granted:

1. Existing Driveway – Exhibit 1 titled *Existing Driveway Plan*, shows the existing driveway conditions at 303 Marsh Street.. The existing driveway consists of a 150' long dead end drive between the street and the garage, as well as a small loop drive near Marsh Street. The existing small loop driveway is inadequate because it typically only accommodates one vehicle, it receives visitors at a location from which the house cannot be clearly seen, and it is too distant from the front door. The distance to the front door is particularly challenging for the elderly and during inclement weather. During times when more than one car is parked in the drive, drivers can be forced to risk backing out on to Marsh Street. Exhibit 2 is a photo showing the existing driveway as viewed from the southeast corner of the property.

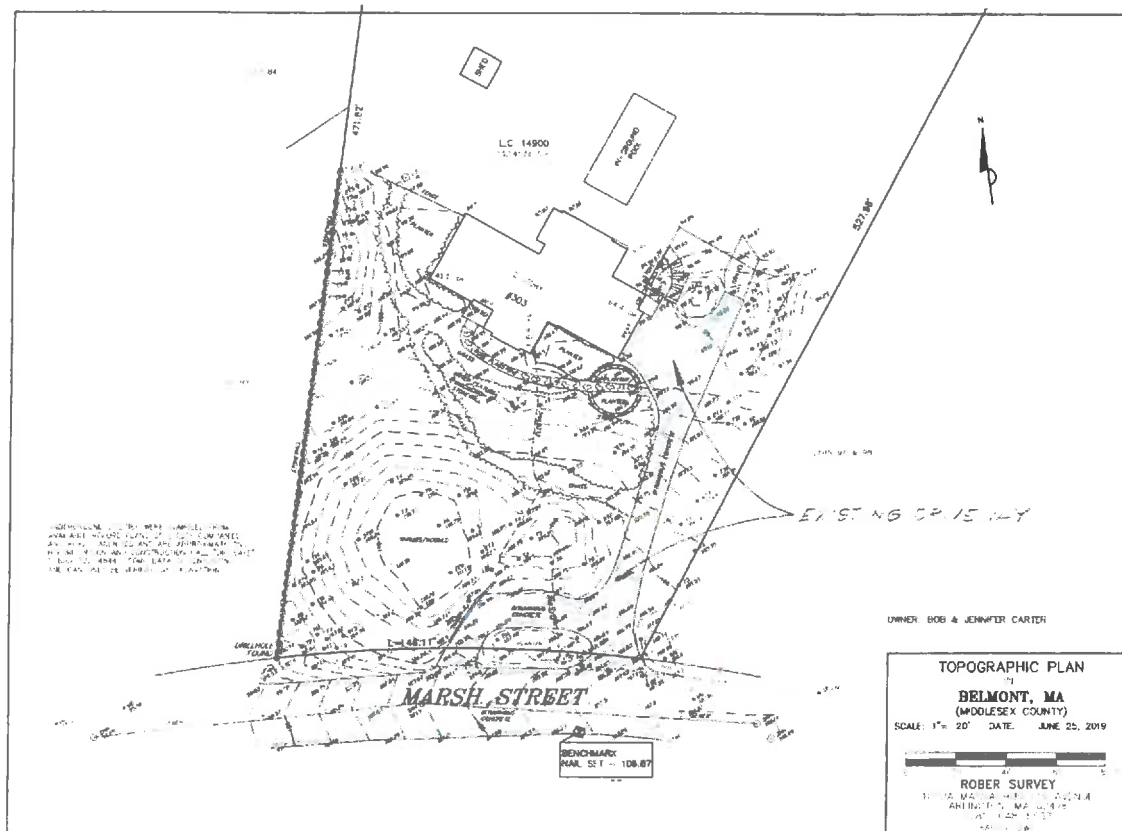


Exhibit 1 – Existing Driveway Plan



Exhibit 2 – View of existing driveway from the southeast corner of the lot

2. Proposed Driveway - The proposed driveway will provide the following benefits. See Exhibit 3 titled *Proposed Driveway Plan* and Certified Plot Plan titled *Proposed Plot Plan 303 Marsh Street*.
  - a. Improve the functionality of the driveway for service, emergency, and visitor use.
  - b. Improve safety by reducing the need for visitors to back out of the property on Marsh Street.
  - c. Make the location of the front door of the house evident to visitors
  - d. Shorten the distance between the driveway and front door
  - e. Provide parking for several cars and space for cars to pass in a new loop drive.

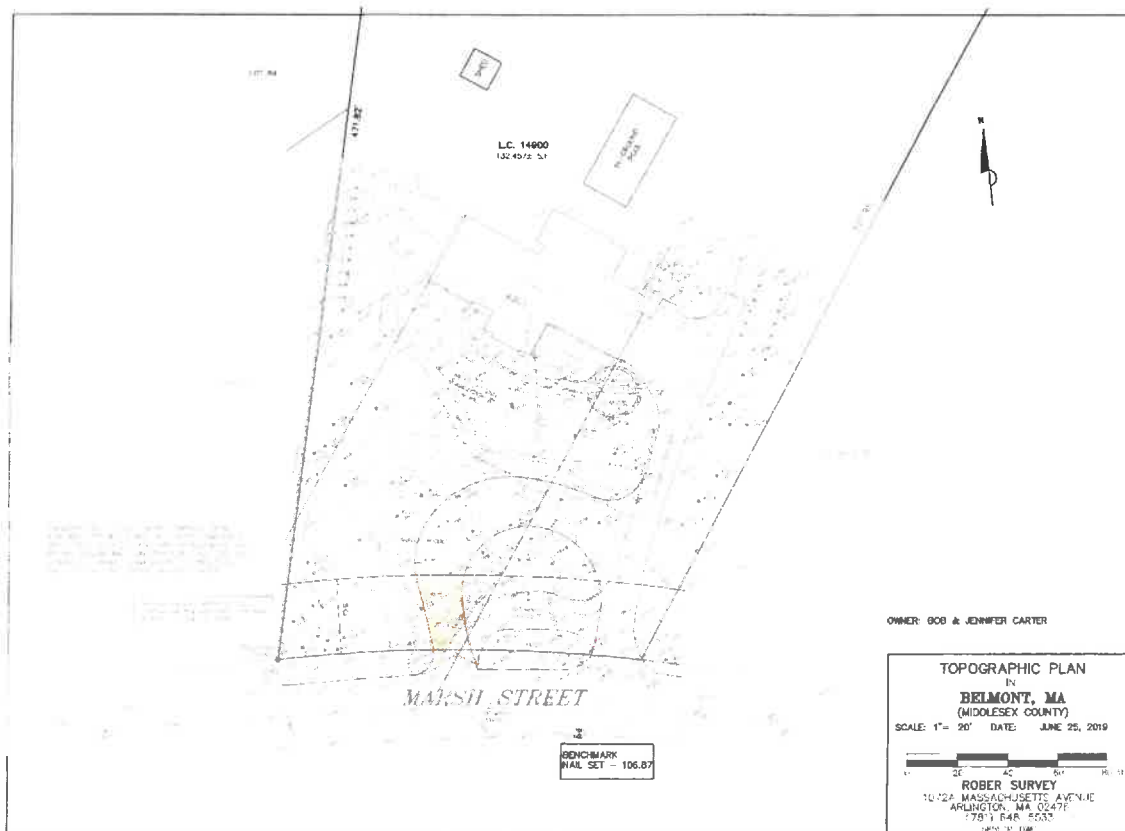


Exhibit 3 – Proposed Driveway Plan. Yellow indicates area subject to special permit



3. No Feasible Alternatives to the Proposed Driveway - Alternative driveway configurations which would provide safe and functional access to 303 Marsh Street, and be compliant with Section 5.1.3 b of the Zoning code, are infeasible.
  - f. Given the traffic on Marsh Street, it is safer to not back up into the street. A loop driveway configuration is therefore preferred. A properly dimensioned, functional loop drive that will facilitate sensible operation and safety for truck deliveries, elderly drivers, emergency vehicles, as well as everyday users is not possible to achieve at 303 Marsh St. without constructing part of the drive in the required front yard.
  - g. Because the side lines of the dwelling extended to the street are not perpendicular to Marsh Street, it is not possible for a loop drive to exit on to Marsh Street on the west side of the property. Limited sight distances on Marsh Street also prohibit moving the driveway exit further west than its current location.
4. Visual Impacts - The proposed driveway will be consistent with the general character of the Marsh Street neighborhood and will not introduce parked cars into the required front yard. That portion of the proposed driveway in the required front yard will in most circumstances be used for vehicle travel, not parking; therefore, parked cars will typically not occupy the required front yard. Attractive planting is proposed to frame the new loop driveway and reduce the visibility of parked cars seen from the street. Several other homes on Marsh Street have loop driveways within the required front yard; therefore, the introduction of this driveway configuration at 303 will be in keeping with multiple nearby properties. Examples of Marsh Street homes with circular loop driveways in the required front yard: 315 (west abutter to 303), 135, 107, 265, and 223. See Exhibit 4.



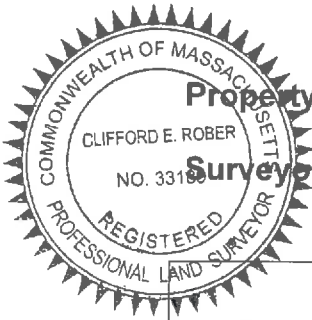
Exhibit 4 – Examples of other homes on Marsh Street with driveways in the required front yard. Clockwise from top left: 315, 275, 107, 265.

5. Drainage - Storm drainage will be adequately provided for, with only minor alteration of existing patterns of runoff from and within the property. As is the case with the existing

driveway, most of the surface drainage from the proposed driveway will be directed northward onto the property, with only a small area directed to Marsh Street. Marsh Street is crowned, so runoff from the drive will continue to run westward along the north edge of the street, not across the street.

# Zoning Compliance Check List

## (Registered Land Surveyor)



Property Address: 303 Marsh Street

Zone: SA

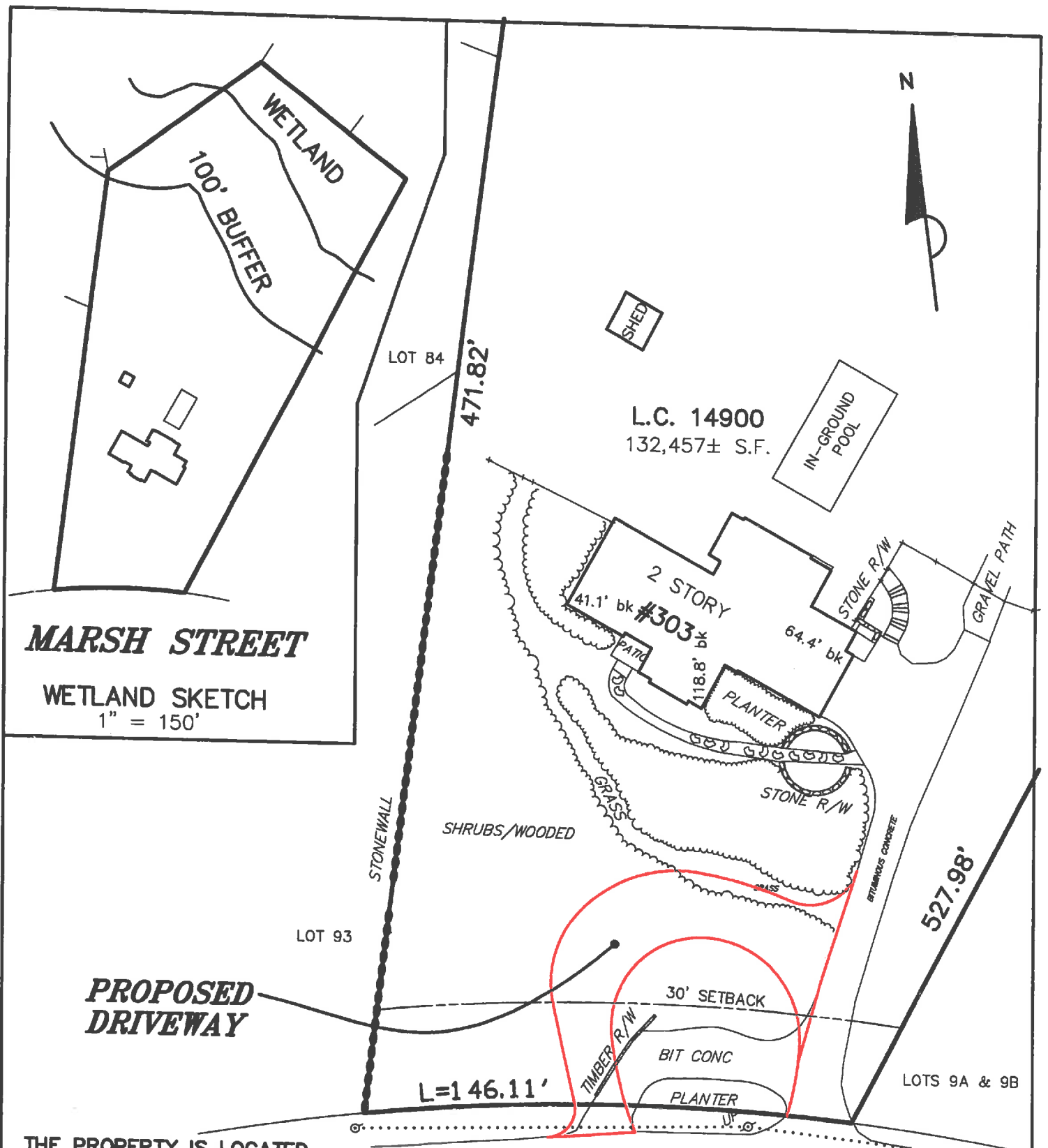
Surveyor Signature and Stamp: *Clifford E. Robber*

Date: 6/25/2019

	REQUIRED	EXISTING	PROPOSED
Lot Area	25,000 s.f.	132,457 s.f.	132,457 s.f.
Lot Frontage	125'	146.11'	146.11'
Floor Area Ratio			
Lot Coverage	20%	3.0%	3.0%
Open Space	50%	94.3%	93.1%
Front Setback	30'	118.8'	118.8'
Side Setback	15'	41.1'	41.1'
Side Setback	15'	64.4'	64.4'
Rear Setback	40'	393.6'	393.6'
Building Height	36'		
Stories	2½		
½ Story Calculation			

<b>NOTES:</b>





**MARSH STREET**

**WETLAND SKETCH**

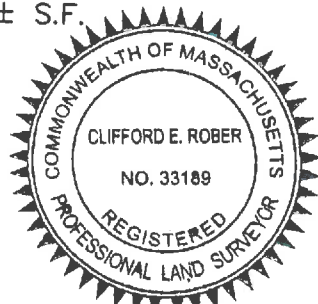
1" = 150'

THE PROPERTY IS LOCATED  
WITHIN WETLANDS AS SHOWN  
ON THE TOWN OF BELMONT  
WETLANDS ATLAS.

ZONING DISTRICT: SA (SINGLE RESIDENCE A)

	REQ.	EXISTING	PROP.
FRONT SETBACK:	30'	118.8'	—
SIDE SETBACK:	15'	41.1'	—
REAR SETBACK:	40'	393.6'	—
MAXIMUM LOT COVERAGE:	20%	3.0%	3.0%
MINIMUM OPEN SPACE:	50%	94.3%	93.1%
LOT FRONTAGE:		146.11'	

TOTAL LOT AREA: 132,457± S.F.



CLIFFORD E. ROBER, PLS

DATE

6/25/19

OWNER: BOB & JENNIFER CARTER  
LCC 265918  
ASSESSORS MAP 70 - PARCEL 58

**PROPOSED PLOT PLAN**  
**#303 MARSH STREET**  
IN  
**BELMONT, MA**  
(MIDDLESEX COUNTY)

SCALE: 1" = 40'

DATE: 6/25/2019



**ROBER SURVEY**

1072 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533

DWG. NO. 5855TP1PP.DWG