

RECEIVED
TOWN CLERK
BELMONT, MA

2019 NOV 15 AM 9:33

CASE NO. 19-41

NOTICE OF PUBLIC HEARING BY THE
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR TWO SPECIAL PERMITS

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, December 2, 2019 at 7:00 PM in the Art Gallery, 3rd floor, Homer Municipal Building, 19 Moore St., to consider the application of Travis Franck at 102 Gilbert Road located in a General Residence (GR) Zoning District for Two Special Permits under §1.5 of the Zoning Bylaw to construct a Dormer. Special Permits, 1.- Zoning By-Law Dimensional Regulations allow a maximum of 2-1/2 story structures, The existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a basement (68.70% of the foundation walls are exposed) and is considered a story. The proposed addition is at a three and a half story level. 2.- Minimum required side setback is 10.0', The existing side setback to the structure is 6.10' and the proposed to the dormer is 7.90'.

ZONING BOARD OF APPEALS



Town of Belmont
Zoning Board of Appeals

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BELMONT, MA

2019 NOV 15 AM 9:33

APPLICATION FOR A SPECIAL PERMIT

Date: 10/24/19

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 102 Gilbert 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 construction of dormer

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner	<u>Travis Franck</u>
Print Name	<u>Travis Franck</u>
Address	<u>102 Gilbert Rd</u> <u>Belmont, MA 02478</u>
Daytime Telephone Number	<u>617-858-1844</u>



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

September 27, 2019

Travis Franck
102 Gilbert Road
Belmont, MA 02478

RE: Denial to Construct a Dormer.

Dear Mr. Franck,

The Office of Community Development is in receipt of your building permit application for your proposal to construct a Dormer at 102 Gilbert Road located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 4.2.2 of the Zoning By-Law Dimensional Regulations allows a maximum of 2-1/2 story structures and requires a minimum side setback of 10.0'.

1. The existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a basement (68.70% of the foundation walls are exposed) and is considered a story. The proposed addition is at a three and a half story level.
2. The existing side setback to the structure is 6.10' and the proposed is 7.90'.

You may alter your plans to conform to the current Town of Belmont Zoning By-Law and resubmit a building permit application, or you may request two (2) Special Permits from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development to schedule an appointment with Ara Yogurtian, Assistant Director, at (617) 993-2650 in order to begin the process.

Sincerely,

Glenn R. Clancy, P.E.
Inspector of Buildings

Belmont Special Permit Application Statement

Address: 102 Gilbert Road

Marcy and Travis Franck, of 102 Gilbert Road, seek special permit relief for the number of stories and side setback in order to add two dormers on their two-family home in the GR district.

Marcy and Travis have lived at 102 Gilbert Road since 2010, moving in with an 8-month-old baby. They have increasingly become more integrated in the community and now are involved as Food Pantry volunteers, a Town Meeting Member, a Light Board Advisory Committee member, an Energy Committee member, a Belmont Second Soccer coach, and involved in the schools and church. Now, with two kids in elementary school, they are looking to stay in their home and the community by providing bedrooms for each family member. They also expect to care for their elderly parents, and this renovation would make this feasible.

Story Count: Their home is an existing non-conforming 3 1/2 story structure because the land slopes down toward the back, causing the basement level to be 68.7% above grade and therefore classified as a story. The attic half story is currently a finished space with a family room, bathroom and bedroom. The intent is to introduce a shed dormer on each side in order to allow for two new bedrooms and one additional bathroom. The attic will still constitute a half story space. Both dormers are designed to be held back from the front elevation (12'-5" back on north side and 14'-6" back on south side) in order to minimize the visibility and impact on the front façade. In addition, the view of the south side dormer is further blocked by an existing cross gable.

Side setback on north side: The existing setback on the north side is 6.1'. The dormer is offset an additional 1'-10", creating a 7.9' setback so as to minimize the massing on this side, while still maintaining enough width to reasonably accommodate a modestly sized bedroom. The dormer on the south side is an ample 24' from the property line.

There are several homes in the immediate vicinity that also have third floor dormers. In conclusion, the proposed alteration **does not pose any substantial detriment** to the neighborhood and **does not nullify or substantially derogate** the intent of the by-law. Rather, it is very reasonably sized and in line with the neighbors.

DLJ GEOMATICS

276 NORTH STREET
WEYMOUTH, MA 02191

LANDSURV@COMCAST.NET
WWW.DLJGEO.COM

AUGUST 23, 2019

100-102 GILBERT ROAD
BELMONT, MA 02478

BASEMENT CALCULATIONS:

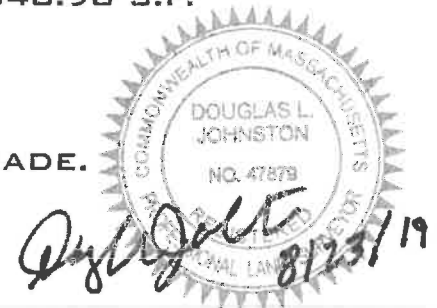
THE FOUNDATION WALLS ARE 6.40' HIGH. THERE ARE EIGHT SEGMENTS.

SEGMENT:	LENGTH:	AREA:	AREA BELOW GRADE:
A	34.8'	222.72 S.F.	130.15 S.F.
B	43.7'	279.68 S.F.	117.99 S.F.
C	15.4'	98.56 S.F.	5.36 S.F.
D	12.8'	81.92 S.F.	2.30 S.F.
E	11.0'	74.24 S.F.	0 S.F.
F	30.2'	193.28 S.F.	29.90 S.F.
G	8.2'	52.48 S.F.	17.88 S.F.
H	13.5'	86.40 S.F.	37.40 S.F.

TOTAL: 1,089.28 S.F. 340.98 S.F.

$340.98 / 1,089.28 = .3130$

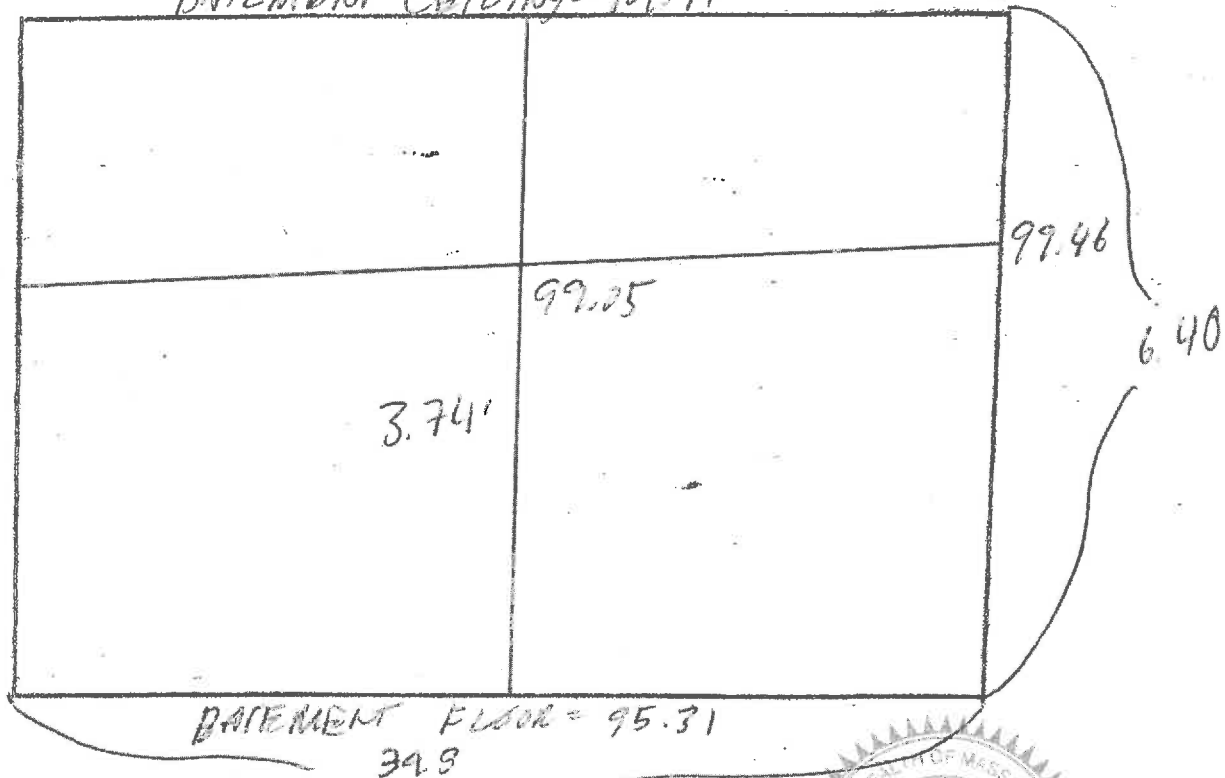
31.30% OF THE FOUNDATION WALL IS BELOW GRADE.



100-106 GILBERT RD.
BELMONT

SEG "A"

BASEMENT CEILING = 106.71

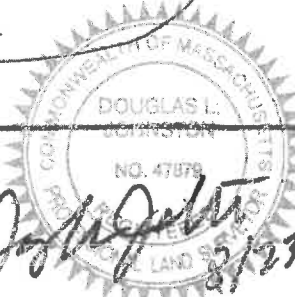


39.8
x 6.4
222.72
TOTAL
FACE
OF
WALL

39.8
x 3.74
130.15
98.63
BELOW
grade

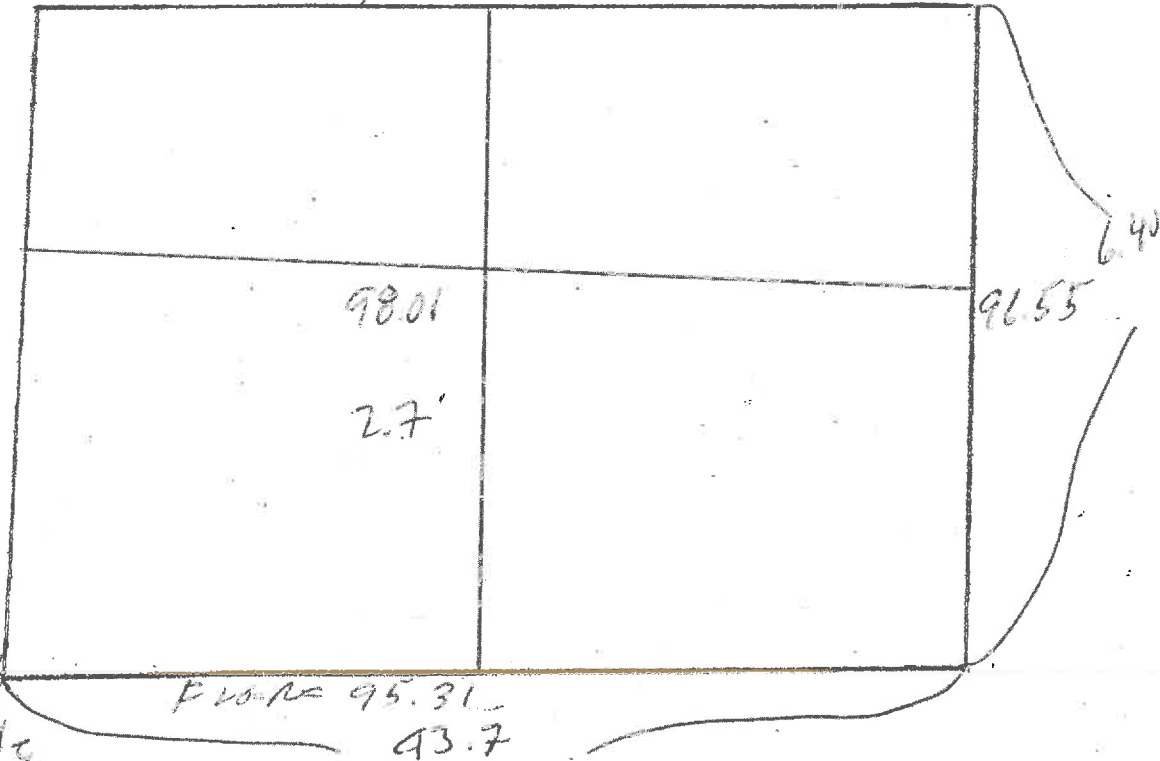
130.15
222.72 = 5844

50.44%
BELOW
grade



SEG "B"

CEILING = 106.71



43.7
x 6.40
279.68
TOTAL
FACE
OF
WALL

43.7
x 2.7
117.99
99.46
BELOW
grade

117.99
279.68 = 4219

42.19%
BELOW
grade

SEG "C"

BASEMENT CEILING = 101.71

$$\begin{array}{r} 13.4 \\ \times 6.4 \\ \hline 98.56 \end{array}$$

TOTAL
FACE
OF
WALL

96.55

$$\begin{array}{r} .88 \\ \times 6.40 \\ \hline 5.36 \end{array}$$

BELOW
GRADE

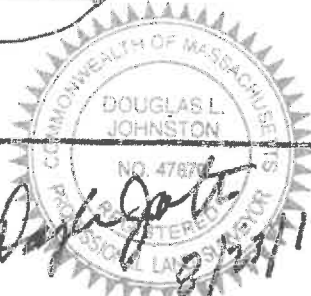
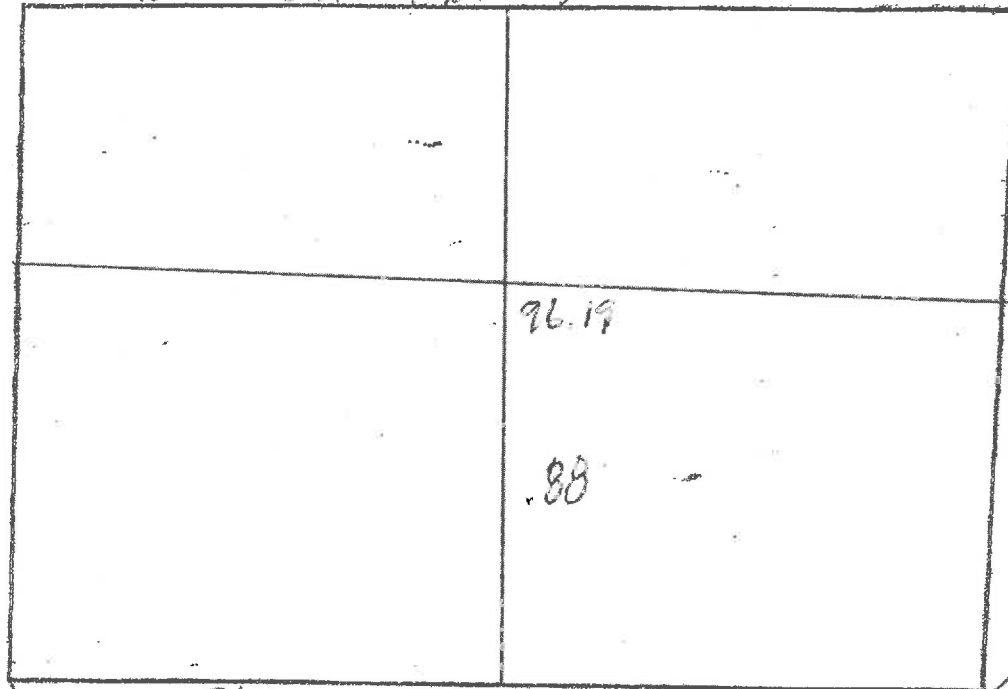
$$\begin{array}{r} 5.36 \\ 98.56 \\ \hline \end{array} = .0544$$

5.44%

BELOW grade

15.4

BASEMENT FLOOR = 95.31



SEG "D"

CEILING = 101.92

$$\begin{array}{r} 12.8 \\ \times 6.4 \\ \hline 81.92 \end{array}$$

TOTAL
FACE
OF
WALL

95.83

$$\begin{array}{r} 12.8 \\ \times .19 \\ \hline 2.30 \end{array}$$

BELOW
GRADE

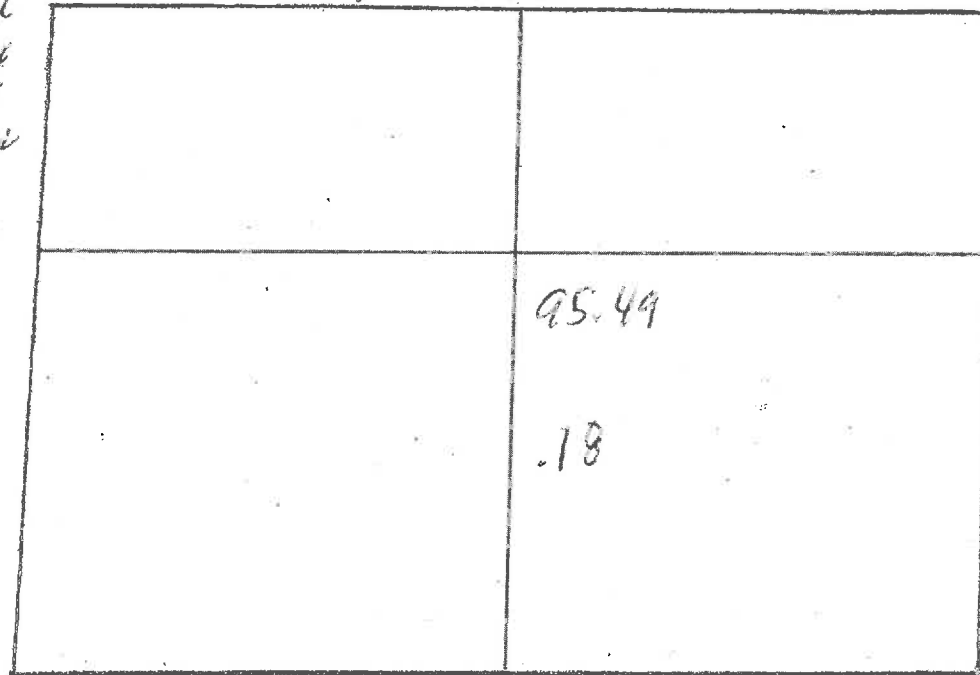
$$\begin{array}{r} 2.30 \\ 81.92 \\ \hline \end{array} = .0281$$

2.81%

BELOW grade

FLOOR = 95.31

12.8



100-102 GILBERT RD
BELMONT

SEG "E"

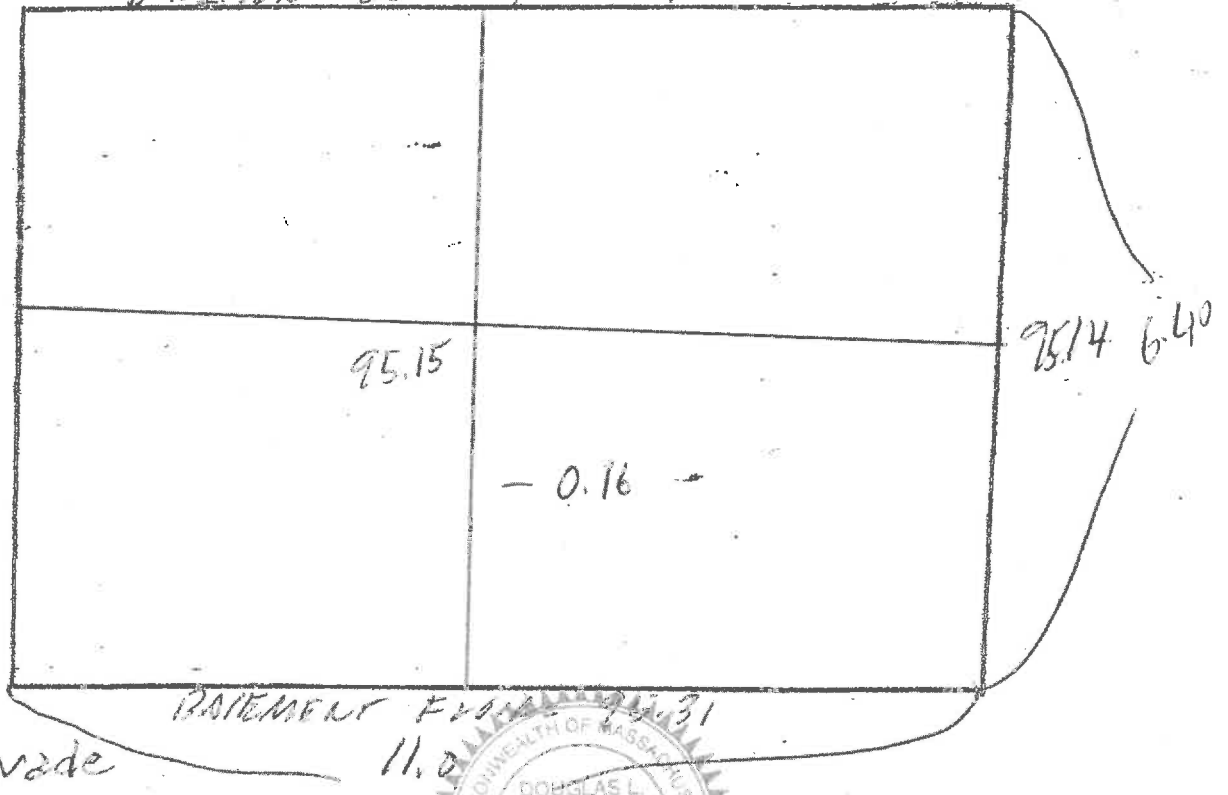
$$\begin{array}{r} 11.0 \\ \times 6.4 \\ \hline 74.24 \end{array}$$

TOTAL
FACE
OF
WALL

$$\begin{array}{r} 11.0 \\ \times .16 \\ \hline 1.76 \end{array}$$

BELOW
GRADE

BASEMENT CEILING = 101.71

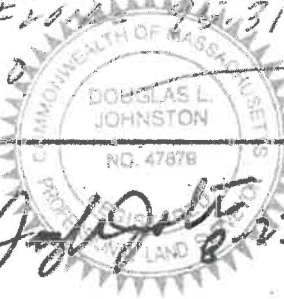


0%

BELOW grade

BASEMENT FLOOR = 95.31

11.0



8-23-17

SEG "F"

$$\begin{array}{r} 30.2 \\ \times 6.4 \\ \hline 193.28 \end{array}$$

TOTAL
FACE
OF
WALL

95.14

$$\begin{array}{r} 30.2 \\ \times .99 \\ \hline 29.90 \end{array}$$

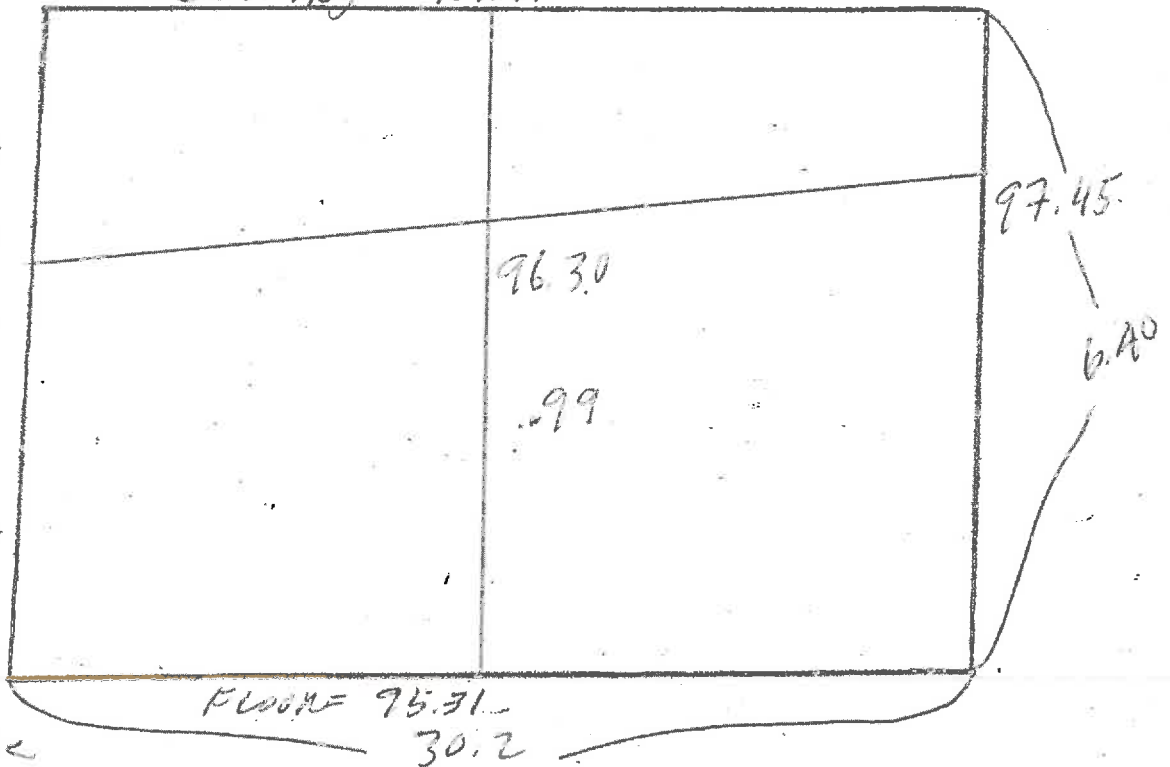
BELOW
GRADE

$$\begin{array}{r} 29.90 \\ - 29.90 \\ \hline 0.00 \end{array}$$

15.47

15.47%
BELOW grade

CEILING = 101.71



SEG "F"

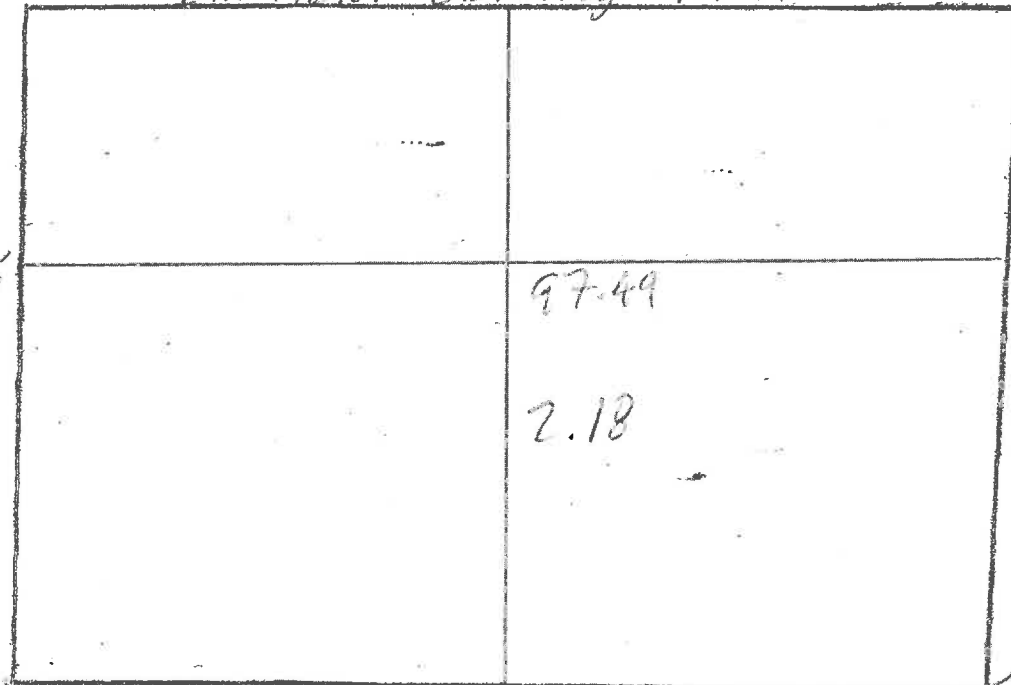
BASEMENT CEILING = 101.71

8.2
x 6.4
52.48
TOTAL
FACE
OF
WALL

8.2
x 2.18
17.88
97.45
BELOW
GRADE

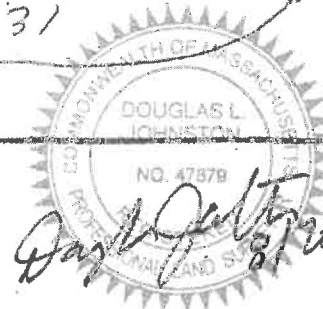
17.88
52.48 = 34.07

34.07%
BELOW GRADE



97.45
6.40

BASEMENT FLOOR = 95.31
8.2'



SEG "G"

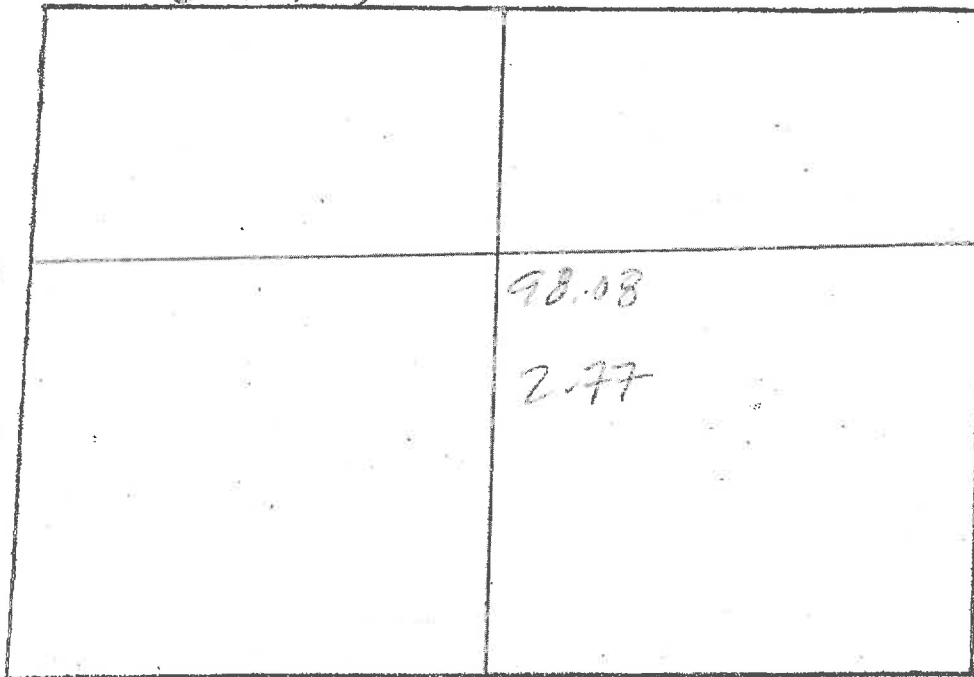
CEILING = 101.71

13.5
x 6.4
86.40
TOTAL
FACE
OF
WALL

13.5
x 2.77
37.40
97.53

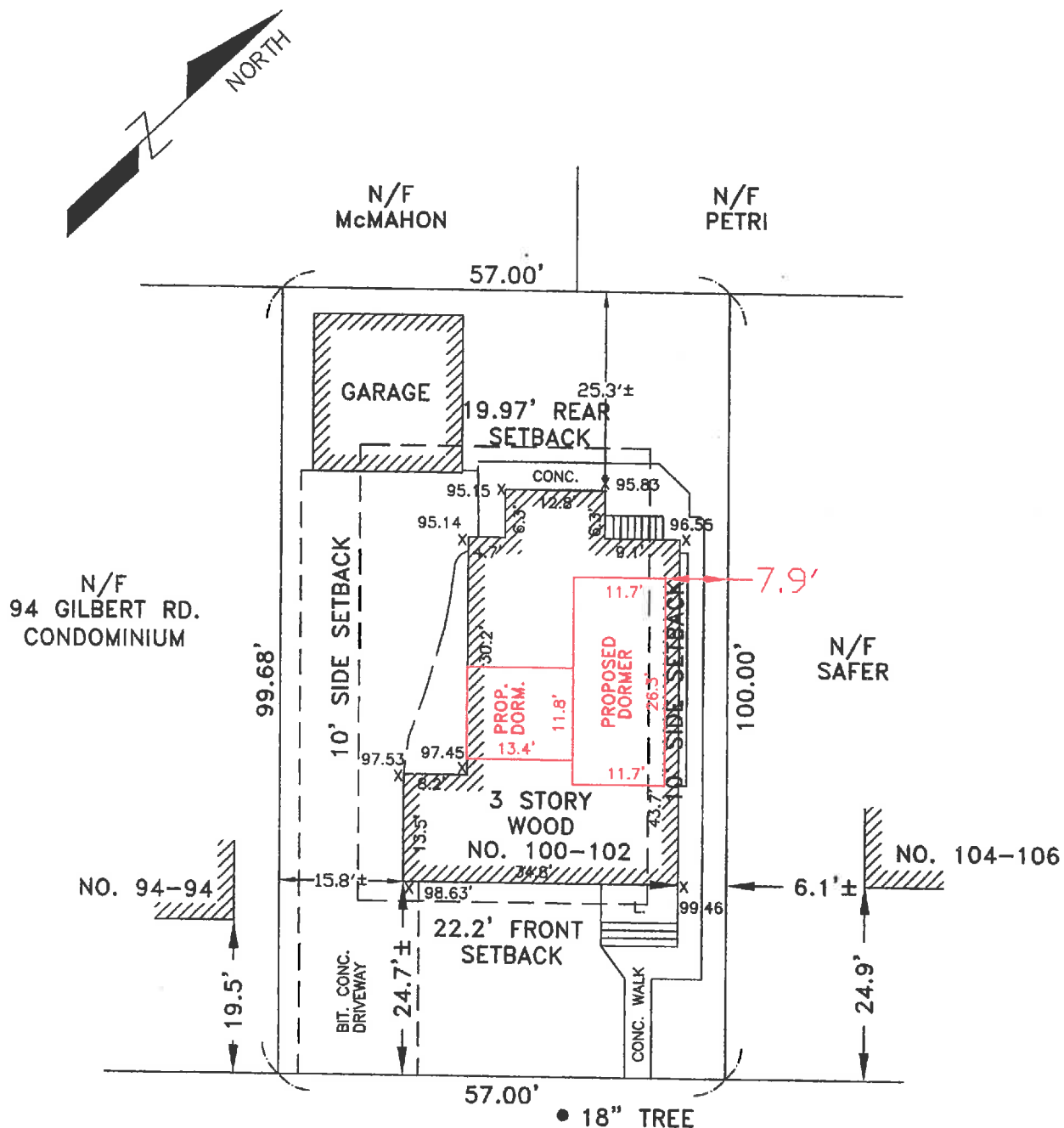
37.40
86.40 = 43.29

43.29%
BELOW GRADE



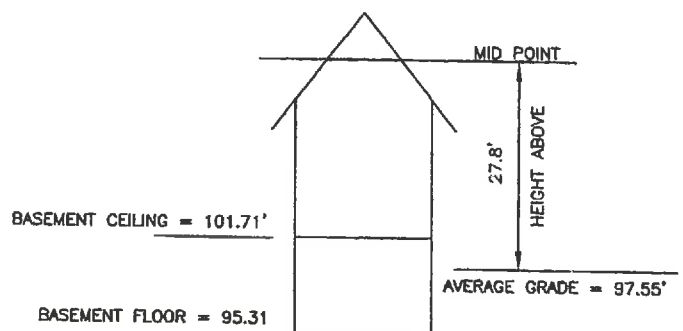
97.53
6.40

FLOOR = 95.31
13.5'



GILBERT ROAD

LOT AREA = 5,700 S.F.±
 EXISTING BUILDING = 1,375 S.F.±
 EXISTING GARAGE = 380 S.F.±
 EXISTING PAVEMENT + WALK = 1,632 S.F.±
 PROPOSED ADDITION = 466 S.F.±
 EXISTING LOT COVERAGE = 30.8%
 PROPOSED LOT COVERAGE = 30.8%
 EXISTING OPEN SPACE = 40.6%
 PROPOSED OPEN SPACE = 40.6%



NOTES

1. SEE DEED RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN DEED BOOK 19918, PAGE 117.
2. SEE PLAN RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN PLAN BOOK 324, PAGE 45.
3. SUBJECT PARCEL IS LOCATED IN ZONE GR.
4. SUBJECT PARCEL IS LOCATED IN FLOOD ZONE X AS SHOWN ON PANEL 25017C0418E WITH AN EFFECTIVE DATE OF JUNE 4, 2010.
5. ONE PUBLIC SHADE TREE IS LOCATED WITHIN THE LIMITS OF THE PROPERTY FRONTAGE OF THE SUBJECT PROPERTY.
6. FRONT SETBACK = $24.9' + 19.5' = 44.4'$
 $44.4' / 2 = 22.2'$; FRONT SETBACK = 22.2'.



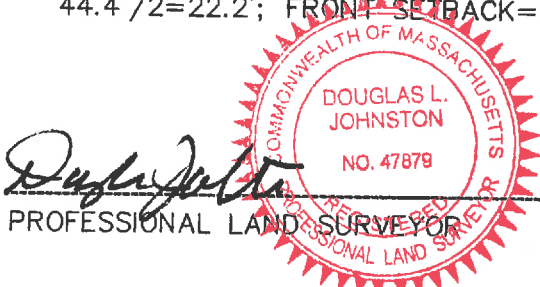
(IN FEET)
1 inch = 20 ft.

CERTIFIED PLOT PLAN
IN
BELMONT, MA

SCALE: 1" = 20' AUGUST 23, 2019

DLJ GEOMATICS
PROFESSIONAL LAND SURVEYING
276 NORTH STREET
WEYMOUTH, MA 02191
(781) 812-0457

100-102 GILBERT RD BELMONT.dwg



8-23-19

PROFESSIONAL LAND SURVEYOR DATE

Zoning Compliance Check List

Properties Located within the GR Zoning Districts
(To be Completed by a Registered Land Surveyor)

Property Address: 100-102 GILBERT ROAD

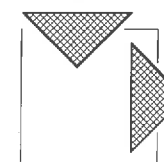
Surveyor Signature and Stamp: [Signature]

Date: 8/19/19

<u>Per §4.2 of the Zoning By-Law</u>							
		REQUIRED		EXISTING		PROPOSED	
Lot Area (sq. ft.)		5,000 S.F.		5,700 S.F.		5,700 S.F.	
Lot Frontage (feet)		50.0'		57.0'		57.0'	
Lot Area/Unit (sq. ft./d.u.)							
Lot Coverage (% of lot)		30.0%		30.8%		30.8%	
Open Space (% of lot)		40%		40.6%		40.6%	
Setbacks: (feet)	➤ Front ^(a)	22.2'		24.7'		24.7'	
	➤ 2nd Front Door (25%)	N/A		N/A		N/A	
	➤ Side/Side	10'	10'	15.8'	6.1'	15.8'	6.1'
	➤ Rear	19.97'		25.3'		25.3'	
Building Height:	➤ Feet	33'		27.8'		27.8'	
	➤ Stories	2 1/2		3		3	
1/2 Story (feet) (Per §1.4)	➤ Perimeter (50%)						
	➤ Area (60%)						
	➤ Length (75%)						
<u>Per §6D of the Zoning By-Law</u>							
HVAC:		Prohibited in Front Yard and Side and Rear Setbacks					
Front Doors:		Both Must Face Street ^(b)					
		STANDARD		PROPOSED			
Curb Cut (One per 70' Frontage) ^(c)		/		/			

- (a) Front setback is equal to the average front setbacks of the abutting properties on either side.
- (b) The second unit's front door may be allowed to face the side yard only if the existing structure is historically or architecturally significant.
- (c) A second curb cut may be allowed where the Applicant can demonstrate that creating a second curb cut is harmonious with the surrounding neighborhood.

SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated



80 CLARK STREET
BELMONT, MA 02478

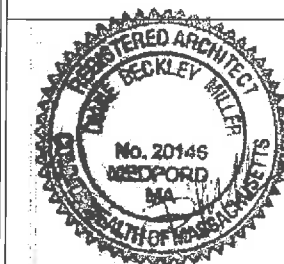
Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
-------	-------------

5/17/19 SCHEMATIC DESIGN

8/9/19	DESIGN DEVELOPMENT
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8/14/19 CONSTRUCTION DOCS

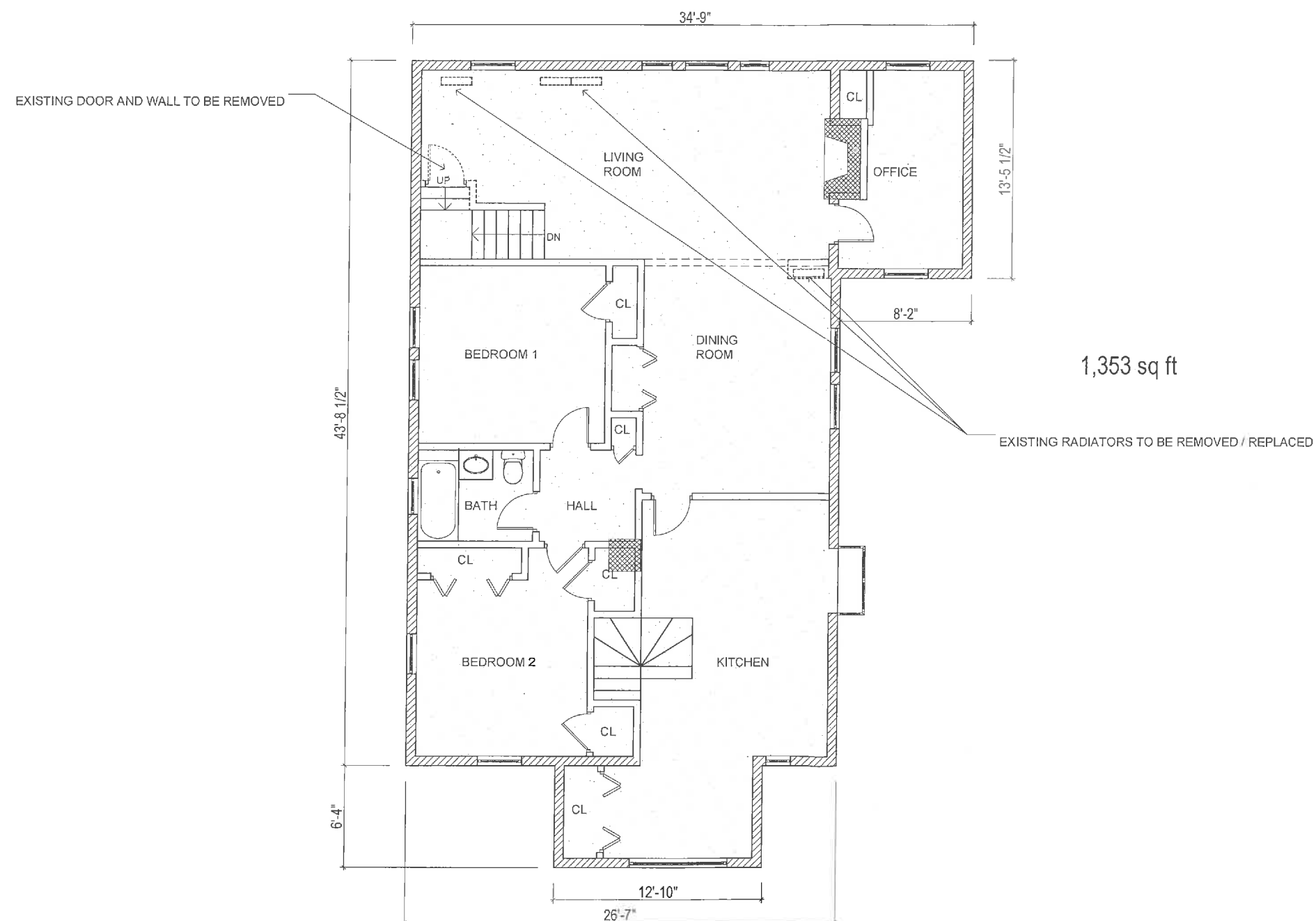


FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

EXISTING
SECOND FLOOR

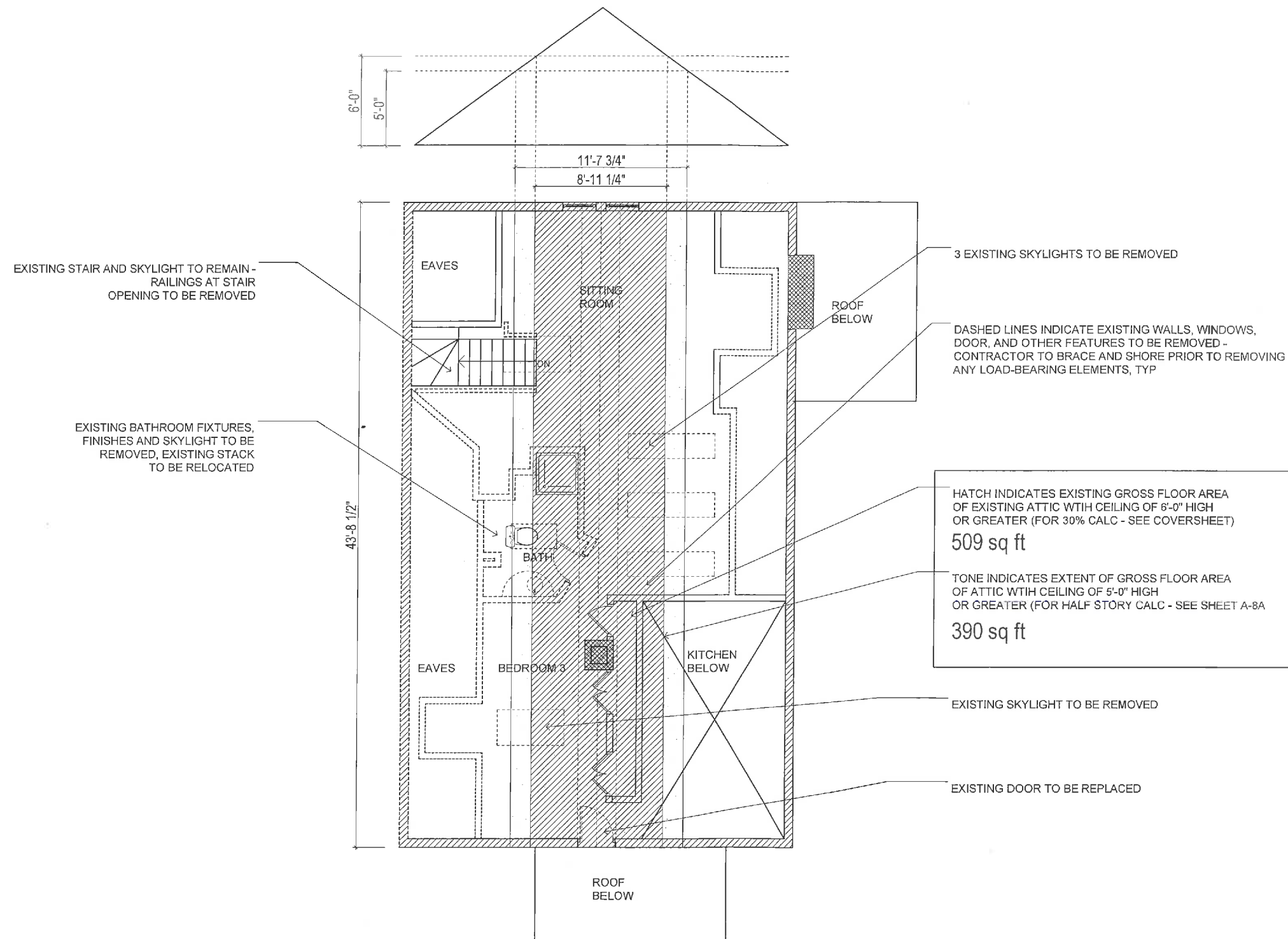
Sheet
Number:

A4



1 PLAN
SCALE: 1/8" = 1'

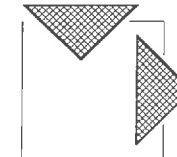




1 PLAN
SCALE: 1/8" = 1'



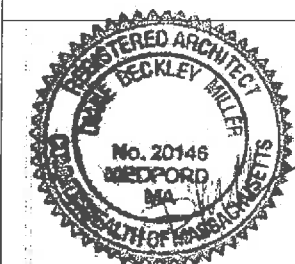
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
5/17/19	SCHEMATIC DESIGN
8/9/19	DESIGN DEVELOPMENT
8/14/19	CONSTRUCTION DOCS



FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

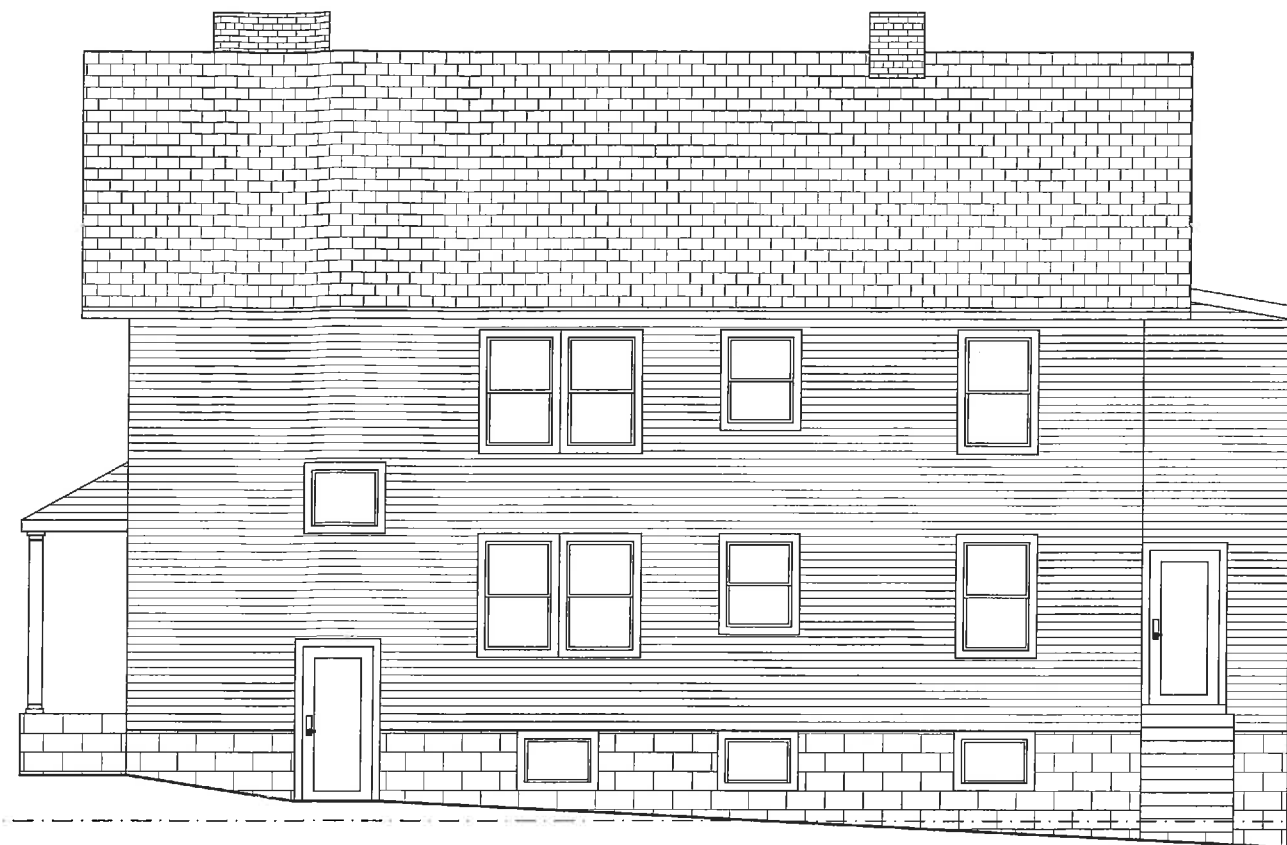
EXISTING
ATTIC

Sheet
Number:

A5



1 FRONT ELEVATION
SCALE: 1/8" = 1'



2 SIDE ELEVATION
SCALE: 1/8" = 1'

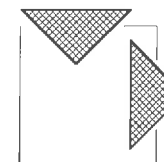


3 REAR ELEVATION
SCALE: 1/8" = 1'



4 SIDE ELEVATION
SCALE: 1/8" = 1'

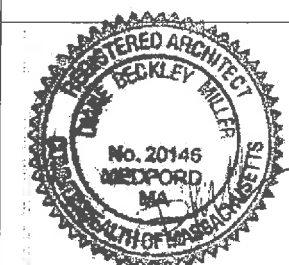
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

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FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

EXISTING
ELEVATIONS

Sheet
Number:

A6

NEW BUILT IN CUBBIES AND BENCH IN MUD ROOM -
SEE ISECTION 2/A12

HEAT PUMP IN WALL ABOVE MILLWORK

NEW 4' HIGH WALL - SEE SECTION 3/A12

NEW RAILING AT BOTTOM OF EXISTING STAIR

NEW HEAT PUMPS IN EXISTING ROOMS

NEW HEAT PUMPS IN EXISTING ROOMS

SEE NOTES ON COVERSHEET FOR NEW ELECTRICAL SCOPE, TYP

FIREPLACE REMODEL - SEE SECTION 1/A12

TONE INDICATES EXTENT OF GROSS FLOOR AREA
FOR HALF STORY CALCULATIONS - SEE SHEET A9

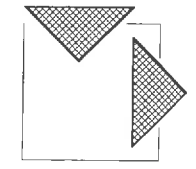
1,353 sq ft

SEE NOTES ON COVERSHEET FOR NEW ELECTRICAL SCOPE, TYP

1 PLAN
SCALE: 1/8" = 1'



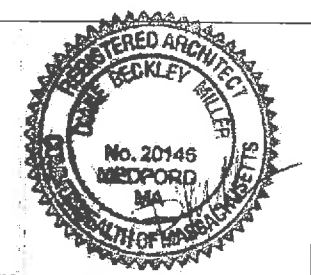
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
5/17/19	SCHEMATIC DESIGN
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8/14/19	CONSTRUCTION DOCS

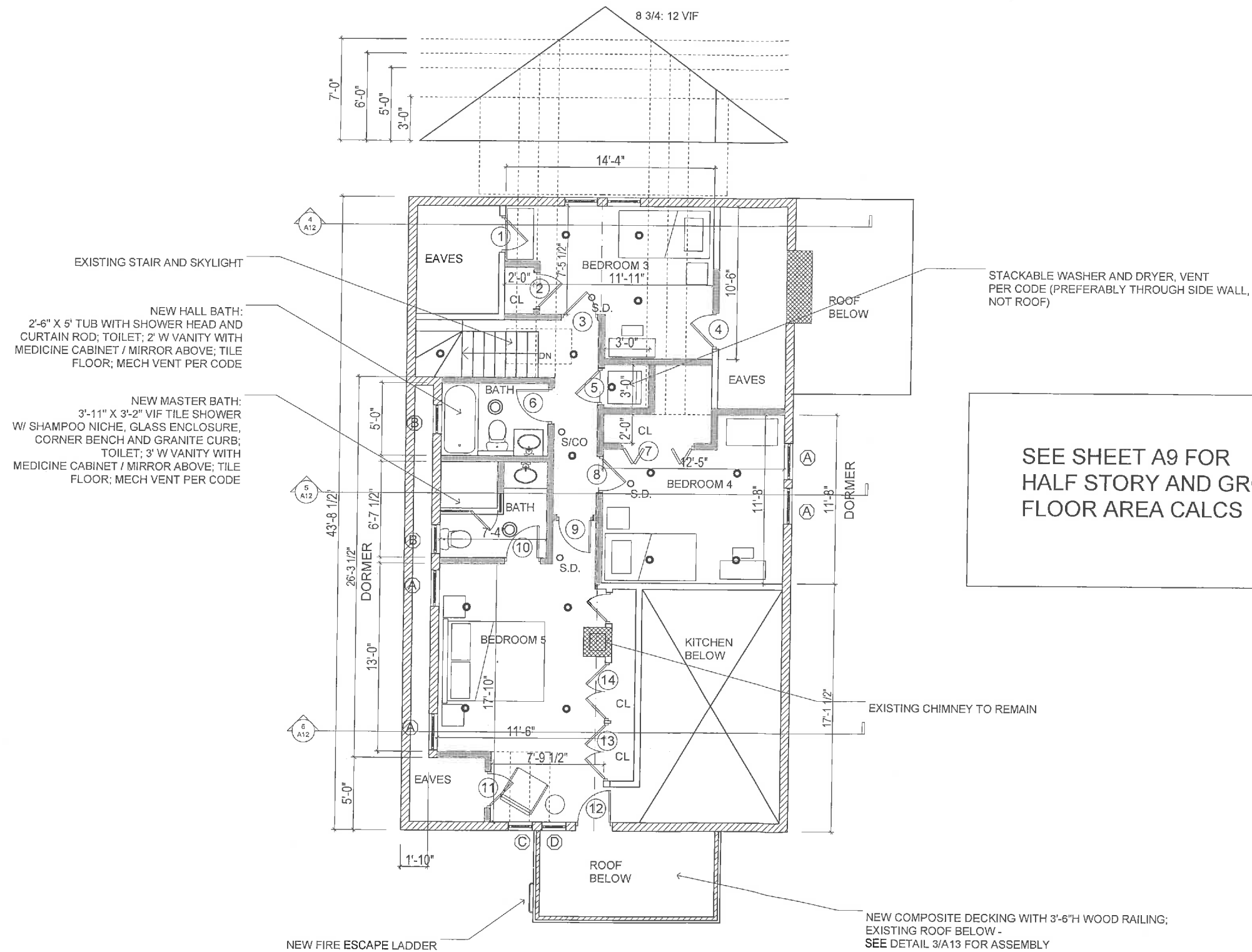


FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

NEW SECOND
FLOOR PLAN

Sheet
Number:

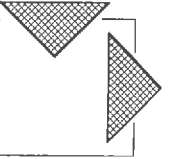
A7



1 PLAN
SCALE: 1/8" = 1'



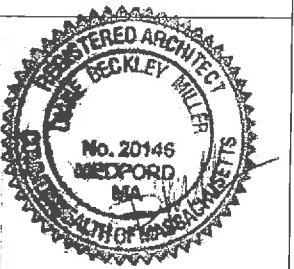
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

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5/17/19	SCHEMATIC DESIGN
8/9/19	DESIGN DEVELOPMENT
8/14/19	CONSTRUCTION DOCS



FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

NEW ATTIC
FLOOR PLAN

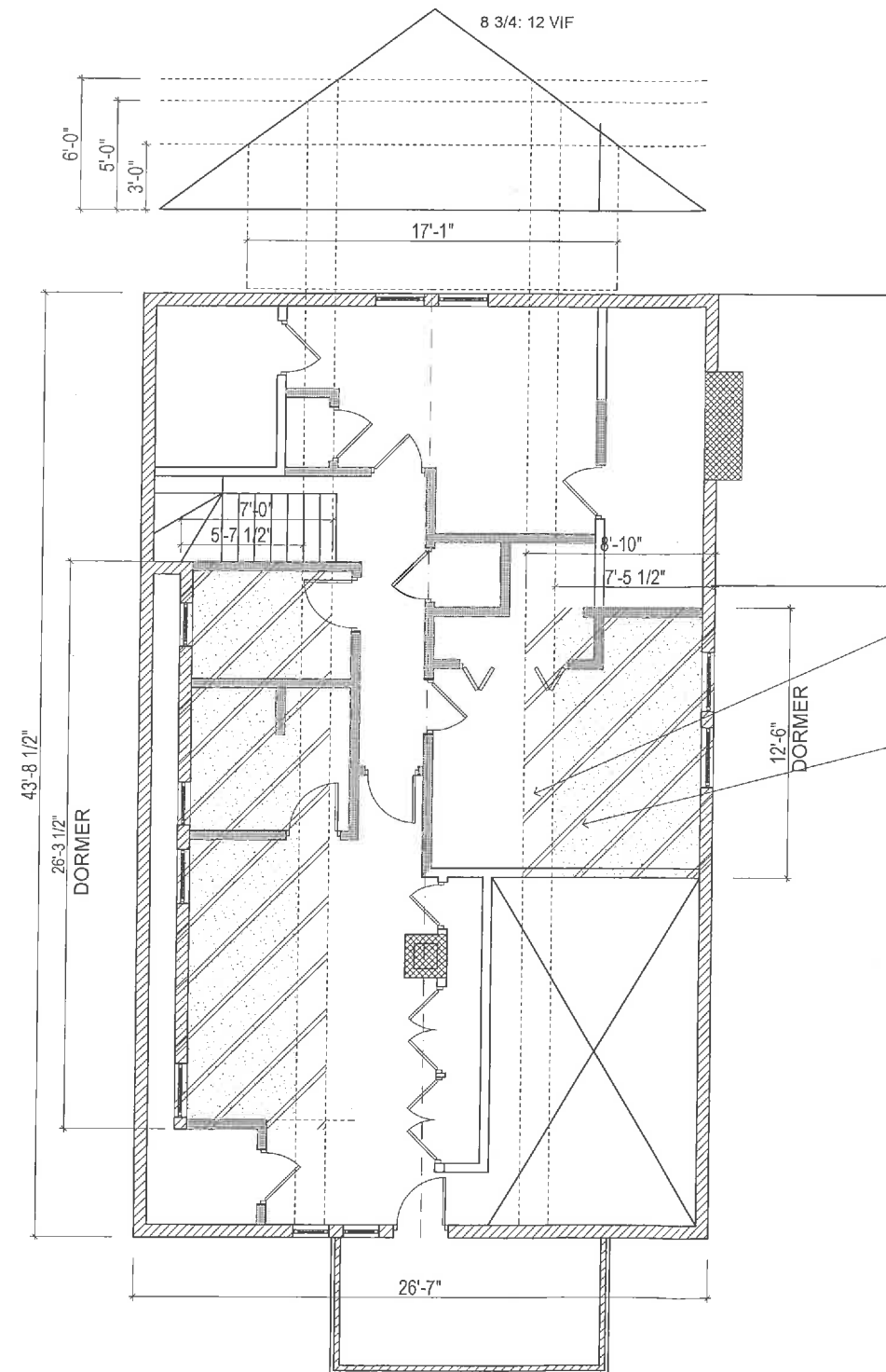
Sheet
Number:

A8

HALF STORY AREA CALCULATIONS:
ALLOWABLE: AREA WITH CEILING HEIGHT OF 5' OR GREATER
CAN BE NO MORE THAN 60% OF SECOND FLOOR AREA
SECOND FLOOR AREA = 1353 SF
60% OF 1353 = 811.8 SF MAX
ACTUAL: 390 SF EXISTING + 148 + 93 SF PROPOSED = 631 SF,
CONFORMING (PROPOSED AREA W/ CEILING HEIGHT OF 5' OR
GREATER IS DESIGNATED BY TONE)

HALF STORY PERIMETER CALCULATIONS:
SECOND FLOOR PERIMETER = 149'-9" LF
ALLOWABLE: MAX 74'-10 1/2" W/ RAFTER BOTTOMS AT 3' OR GREATER
(BASED ON 50% OF 149'-9" PERIMETER).
ACTUAL: 26'-3 1/2" + 12'-6" + 17'-1" + 17'-1" = 72'-11 1/2", CONFORMING

DORMER LENGTH CALCULATIONS:
ALLOWABLE: 32'-9 1/2" MAX PER ROOF SIDE (75% OF 43'-8 1/2")
ACTUAL: 26'-3 1/2", CONFORMING



HATCH INDICATES NEW GROSS FLOOR AREA
OF ATTIC WITH CEILING OF 6'-0" HIGH
OR GREATER (FOR 30% CALC - SEE COVERSHEET)

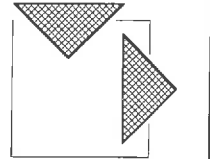
184 sq ft 110 sq ft

TONE INDICATES NEW AREA
OF ATTIC WITH CEILING OF 5'-0" HIGH
OR GREATER (FOR HALF STORY CALC - SEE THIS SHEET)

148 sq ft 93 sq ft

UNDER 300 SF NEW 6' H GROSS,
THEREFORE ZBA

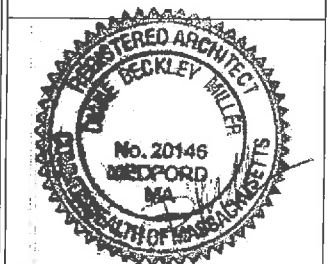
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
5/17/19	SCHEMATIC DESIGN
8/9/19	DESIGN DEVELOPMENT
8/14/19	CONSTRUCTION DOCS



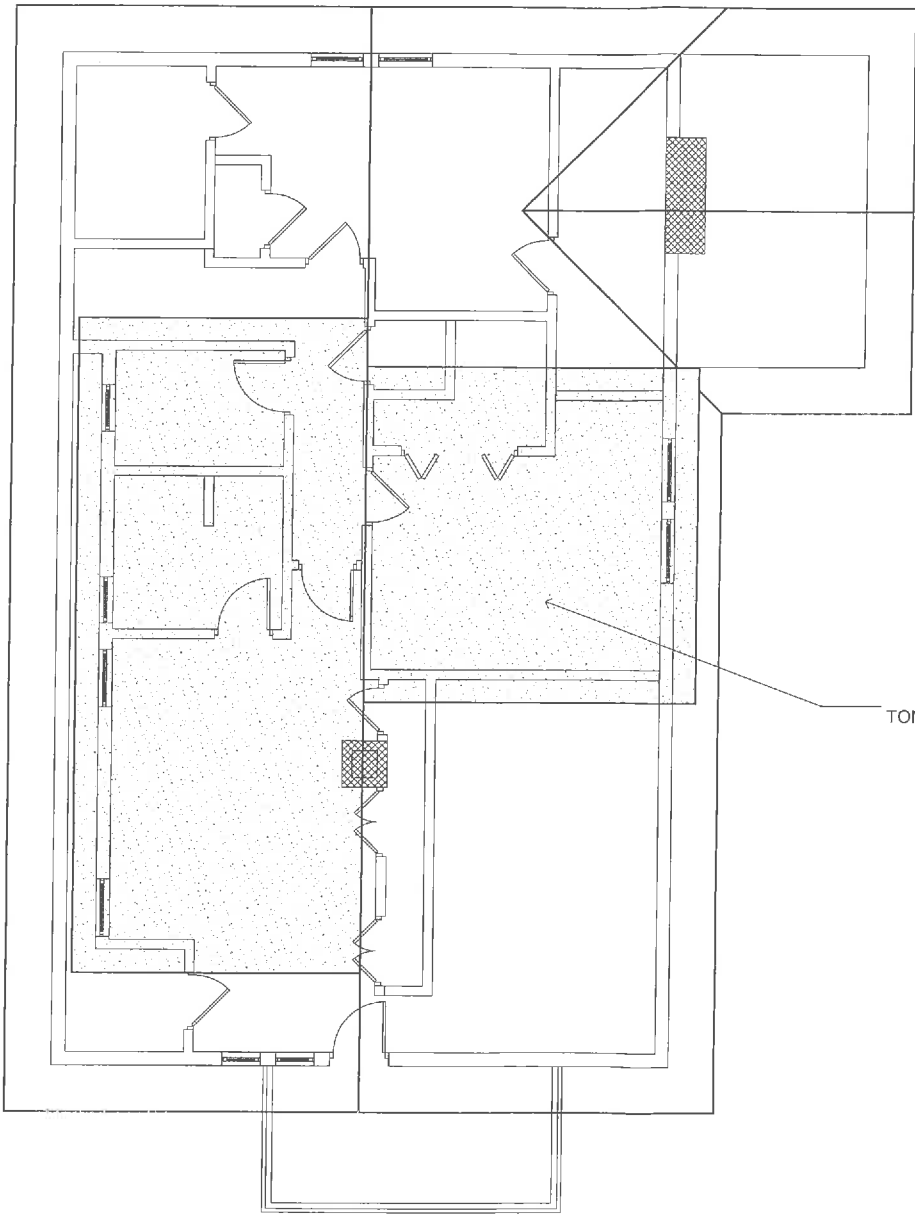
FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

ATTIC
CALCULATIONS

Sheet
Number:

A9





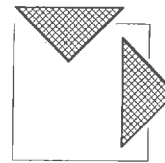
NOTE: EXISTING SOLAR PANELS TO BE REMOVED AND REINSTALLED.

TONE INDICATES NEW SHED DORMERS

1 PLAN
SCALE: 1/8" = 1'



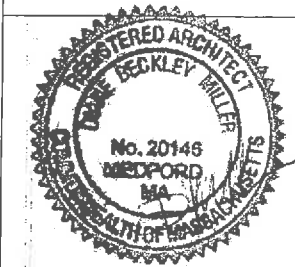
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
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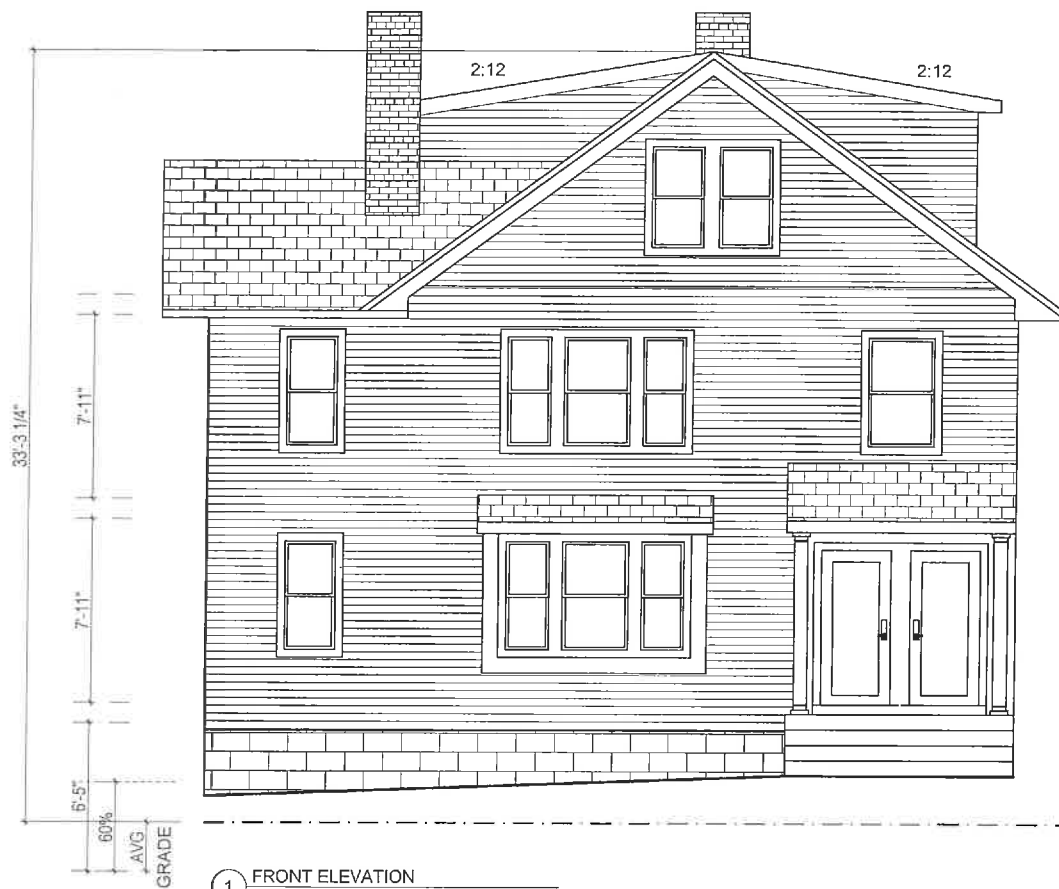


FRANCK RESIDENCE
102 GILBERT ROAD
BELMONT MA 02478

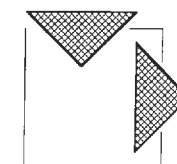
ROOF PLAN

Sheet
Number:

A10



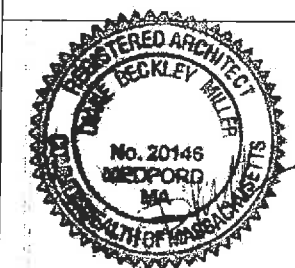
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NEW
ELEVATIONS

Sheet
Number:

A11