

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

2020 FEB -3 AM 11:38

Case No. 19-44

Applicants: Adrienne Kelly and Shawn Avery

Property: 89 Hammond Road

Date of Public Hearing: December 2, 2019

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

Members Voting: Nicholas Iannuzzi, Chair  
James Zarkadas  
Craig White  
Phil Ruggiero  
Casey Williams (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, Adrienne Kelly and Shawn Avery (“Applicant”), seek One Special Permit under section 5.1.3- 2 to expand a Front Yard Parking at 89 Hammond Road, located in a Single Residence C (SRC) Zoning District.

The applicants propose to expand an existing front yard parking which is allowed only by Special Permit granted by the Zoning Board of Appeals.

In this regards they request to expand an existing front yard parking from 15’ wide to 25’ to allow the parking of 2 cars. The applicants explained that the side setbacks of the existing building were too narrow to allow for any parking or access to the backyard for the creation of new parking spaces.

§ 1.5.3 b-1 allows front yard parking by Special Permit granted by the Zoning Board of appeals if feasible alternatives for providing necessary parking do not exist.

§ 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 nonconformity “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

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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 applicants explained that although the town allows three (3) off street open lot parking, the existing driveway was only 15’ side and parking a second car was not feasible. They also explained that the side setbacks of the structure from the property lines were too narrow to allow for any vehicular access to the backyard for parking. The proposed width will allow them to park two vehicles side by side which will be in compliance with the number of vehicles allowed by the Zoning By-Laws for off street parking.

The Board deliberated on December 2, 2019 and determined that there were no alternate feasible options for additional parking spaces and that the proposed is not more detrimental to the neighborhood than the existing.

Accordingly, **upon motion duly made by Nick Iannuzzi and seconded by Casey Williams, the Board voted 5-0 to grant the Special Permit to allow Front Yard parking as requested.**

For the Board,

Dated: February 3, 2020



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Ara Yogurtian  
Assistant Director  
Office of Community Development