

67

TOWN OF BELMONT
ZONING BOARD OF APPEALS

20-04
RECEIVED
TOWN CLERK
BELMONT, MA
2020 FEB -5 PM 12:44

Case No. 20-04

Applicant: Daniel P. Veo

Property: 160 Claflin Street

Date of Public Hearing: February 3, 2020

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

Members Voting: Nicholas Iannuzzi, Chair
James Zarkadas
Andrew Plunkett
Casey Williams (Associate Member)
Andrew Kelley (Associate Member)

BOOK: 73574

PAGE: 218



2020 00029553
Bk: 74199 Pg: 127 Doc: DECIS
Page: 1 of 2 02/27/2020 03:37 PM

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") acting as Special Permit and Variance 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 applicant Daniel P. Veo ("Applicant"), seeks Two Special Permits under Section 1.5 of the Zoning By-Laws to construct a Third Story Addition and Attic Expansion with Dormer at 160 Claflin Street located in a Single Residence C Zoning District.

The Special Permits requested:

- 1) The By-Law allows two and a half story structures. The existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a basement (66.75% of the foundation walls are exposed) and is considered a story. The proposed expansion is at a third story level.
- 2) §4.2 of the Zoning By-Law requires a minimum side setback of 10.0'. The existing side setback to the dwelling is 7.9' and the proposed setback is 9.3'.

During the hearing the Applicant 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 applicant explained that the proposed changes will make the structure in character with the neighborhood. The existing roof slopes down to the first floor and is not typical to other structures in the area where it is located. The proposed expansion will increase the headroom on the second floor as well as in the attic, thus allowing more habitable space without increasing the footprint of the dwelling.

Case #: 20-04

Address: 160 Claflin Street

The applicant provided drawings prepared by Architect Peter J. Karb dated January 6, 2020 for the Board's review, a plot plan dated November 25, 2019 and a zoning checklist dated January 6, 2020.

The Applicant indicated that he had sought feedback from the neighbors and had received positive feedback from all.

Mary Ries, a direct abutter residing at 156 Claflin Street spoke in support of the proposed alterations. No one spoke in opposition to the case.

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."

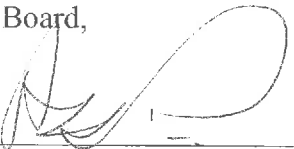
The Board deliberated on February 3, 2020. The Board found that the proposed alterations and the dormer do not increase the nonconforming nature of the structure or create a new nonconformity and are consistent with other properties in the vicinity. They also noted that there are existing residences in the neighborhood which have similar dormers.

The Board concluded that the proposed alterations are not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed alterations are in keeping with the character of the neighborhood in which they are located.

Accordingly, **upon motion duly made by Nick Iannuzzi and seconded Jim Zarkadas, the Board voted 5-0 to grant the Two (2) Special Permits as requested.**

For the Board,

Dated: February 5, 2020

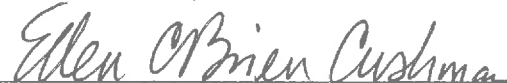


Ara Yogurtian
Assistant Director
Office of Community Development

CERTIFICATION

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 February 5, 2020, and further I certify that no appeal has been filed with regard to the granting of said two (2) Special Permits with zero (0) conditions.

February 27, 2020



Ellen O'Brien Cushman, Town Clerk
Belmont, MA