

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, July 13, 2020 at 7:00 PM by remote access through the Zoom app. to consider the application of Amy M. Brown at 239 Beech Street located in a General Residence (GR) Zoning District for one Special permit under §1.5 of the Zoning Bylaw to install a Therapeutic Pool. Special Permit 1.- § 4.2 of the Zoning Bylaws Dimensional Regulations allow a maximum lot coverage of 30%. The existing lot coverage is 30.9% and the proposed is 32.5%.

ZONING BOARD OF APPEALS



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

June 8, 2020

Amy M. Brown  
239 Beech Street  
Belmont, MA 02478

RE: Denial to Install a Therapeutic Pool

Dear Ms. Brown,


The Office of Community Development is in receipt of your building permit application for your proposal to install a therapy pool at 239 Beech Street 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 Bylaws. More specifically, Section 4.2 of the Zoning Bylaws Dimensional Regulations 1.- Allow a maximum lot coverage of 30%.

1. The existing lot coverage is 30.9% and the proposed is 32.5%. A Special Permit.

You may alter your plans to conform to the current Town of Belmont Zoning Bylaws and resubmit a building permit application, or you may request One (1) Special Permit 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

Amy M. Brown  
239 Beech Street  
Belmont, MA 02478  
Cell: 339-227-0578

June 10, 2020

Zoning Board of Appeals  
Homer Municipal Building  
19 Moore Street  
Belmont, MA 02478

RE: 239 Beech Street, Application for Special Permit

To Whom It May Concern,

I am applying for a special permit to install a therapy pool in my backyard to provide water-based physical therapy for my son.

My son has Duchenne Muscular Dystrophy, a fatal muscle wasting disease. He and other boys with Duchenne cannot produce dystrophin, the protein that creates and repairs muscles. Most boys with Duchenne are wheelchair bound and unable to walk by age 12. My son is 13, and he is still ambulatory. His ability to walk short distances at this stage of the disease is at least partly due to his strict physical therapy routine which includes therapy in a pool.

My son and I have been in self-quarantine since March 13<sup>th</sup> because he is at risk for COVID-19. He has not been able to attend his pool-based physical therapy sessions. He is already showing decline in the use of his hips, arms, shoulders, and neck in just 3 months of missed pool sessions. I am doing two in-home physical therapy sessions with my son every day. He wears AFO braces on both legs during the day and night splints on his legs and arms every night. He uses a stander for additional stretching at home, but all of this is not enough.

We expect to be in quarantine for an extended time. I am already working with the Belmont public schools to continue his remote learning in the fall. We need the ability to do physical therapy in the pool at home. This is essential for him to maintain his flexibility and mobility.

Thank you for your consideration.

Sincerely,



Amy M. Brown

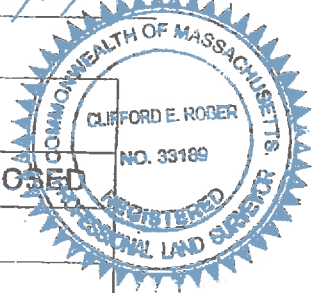
# Zoning Compliance Check List

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

Property Address: 239 Beech Street

Surveyor Signature and Stamp: 

Date: 5/12/20



## Per §4.2 of the Zoning By-Laws

	REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)	5,000	5,903	—
Lot Frontage (feet)	50'	48'	—
Lot Area/Unit (sq. ft./d.u.)	3,500	—	—
Lot Coverage (% of lot)	30%	30.9%	32.5%
Open Space (% of lot)	40%	46.2%	44.5%
Setbacks: (feet)	➤ Front	15.55'	15.3'
	➤ Side/Side	10' 10'	7.5' 14.9'
	➤ Rear	20'	63.7'
Building Height:	➤ Feet	33'	—
	➤ Stories	2 1/2	—
1/2 Story (feet) (Per §1.4)	➤ Perimeter	—	—
	➤ Area	—	—
	➤ Length	—	—

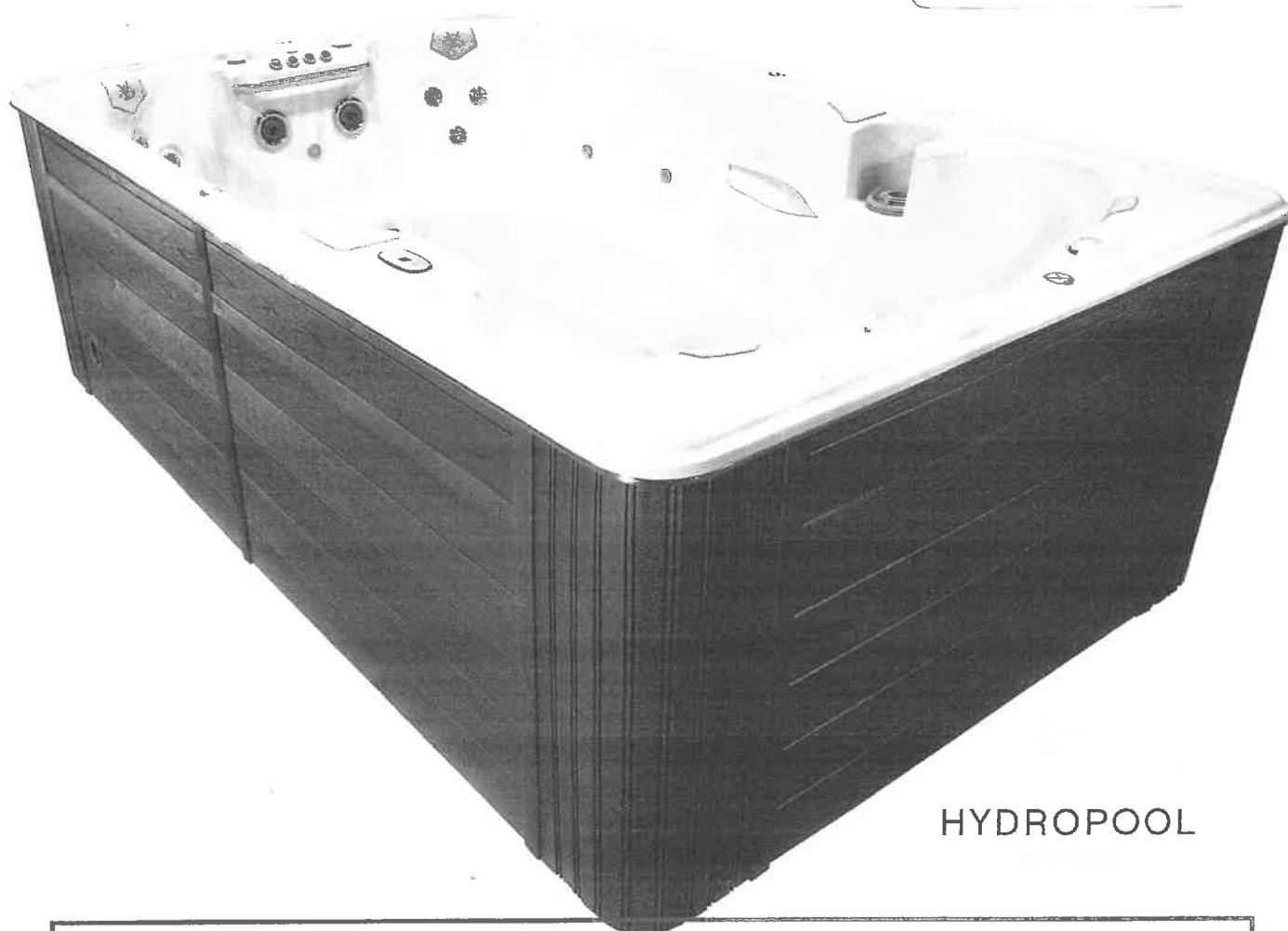
## Per §6D of the Zoning By-Laws

	REQUIRED	EXISTING	PROPOSED
Front Doors:	➤ Face Street	—	—
	➤ Setback	—	—
Curb Cut	—	—	—
HVAC:	➤ Front Yard	—	—
	➤ Side/Rear Setbacks	—	—

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

2020 HYDROPOOL  
**12FFP AquaPlay**  
*Swim Spa*

**INSTALLATION  
GUIDE**



HYDROPOOL

**CAUTION: THIS GUIDE IS FOR REFERENCE ONLY!** All installations must follow local electrical and building codes. Please consult your local business and planning division for your codes in your area.  
**HYDROPOOL INC. WILL NOT BE RESPONSIBLE FOR ANY ERRORS IN INSTALLATIONS OR CODE INFRACTIONS.**

**EFFECTIVE DATE: January 1, 2020** *(supersedes all others)*

## 2. Model Series, Specification and Electrical

### 2.1

### **12FFP AquaPlay Swim Spa**

**Shell Dimensions:**

150" X 93" /  
381 cm x 236.2 cm\*

\* +/- tolerance of 1/4"

**Height:**

48.75" / 123.83 cm\*

**Volume:**

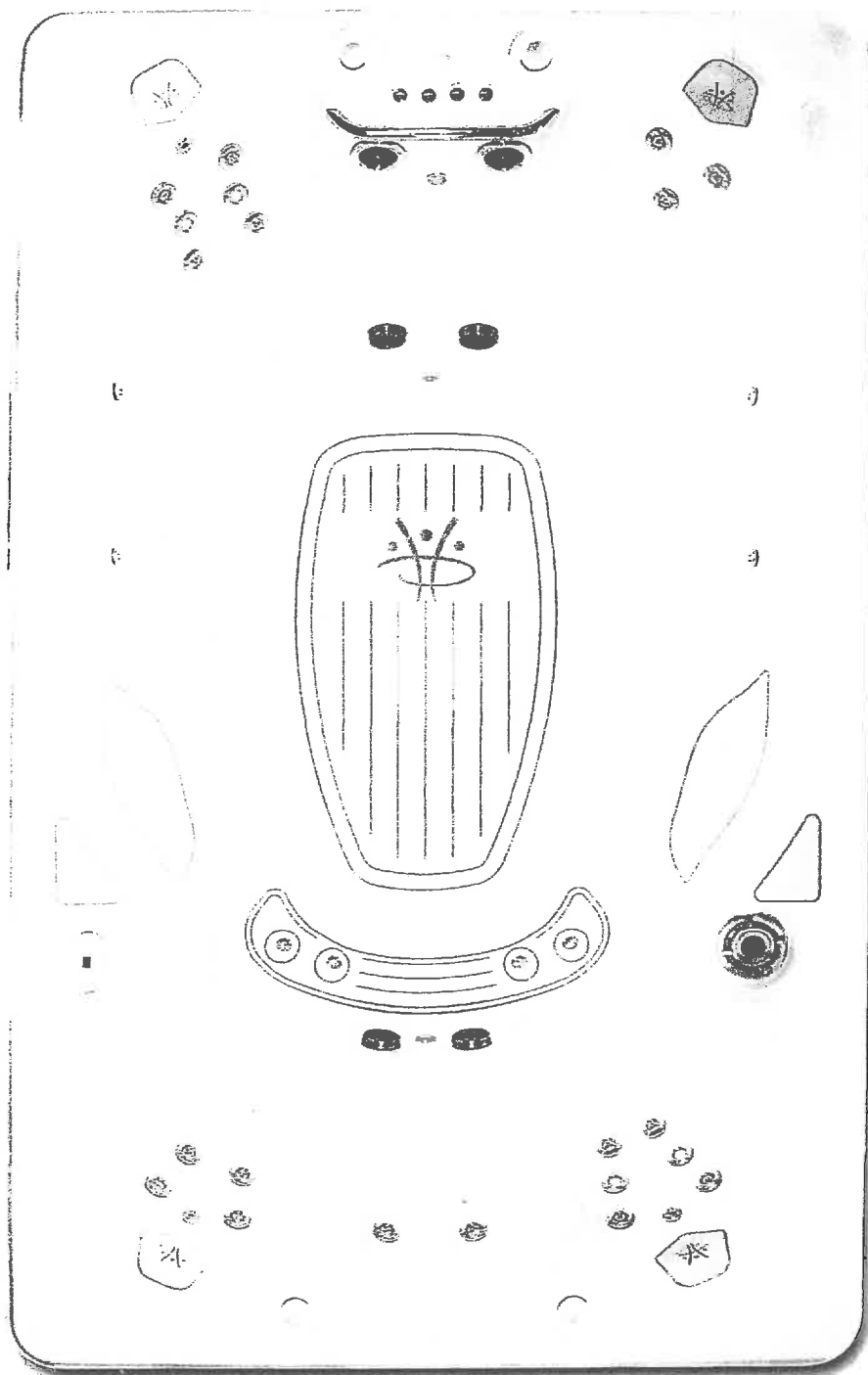
1,229 US gallons /  
4,670 Liters

**Weight Full:**

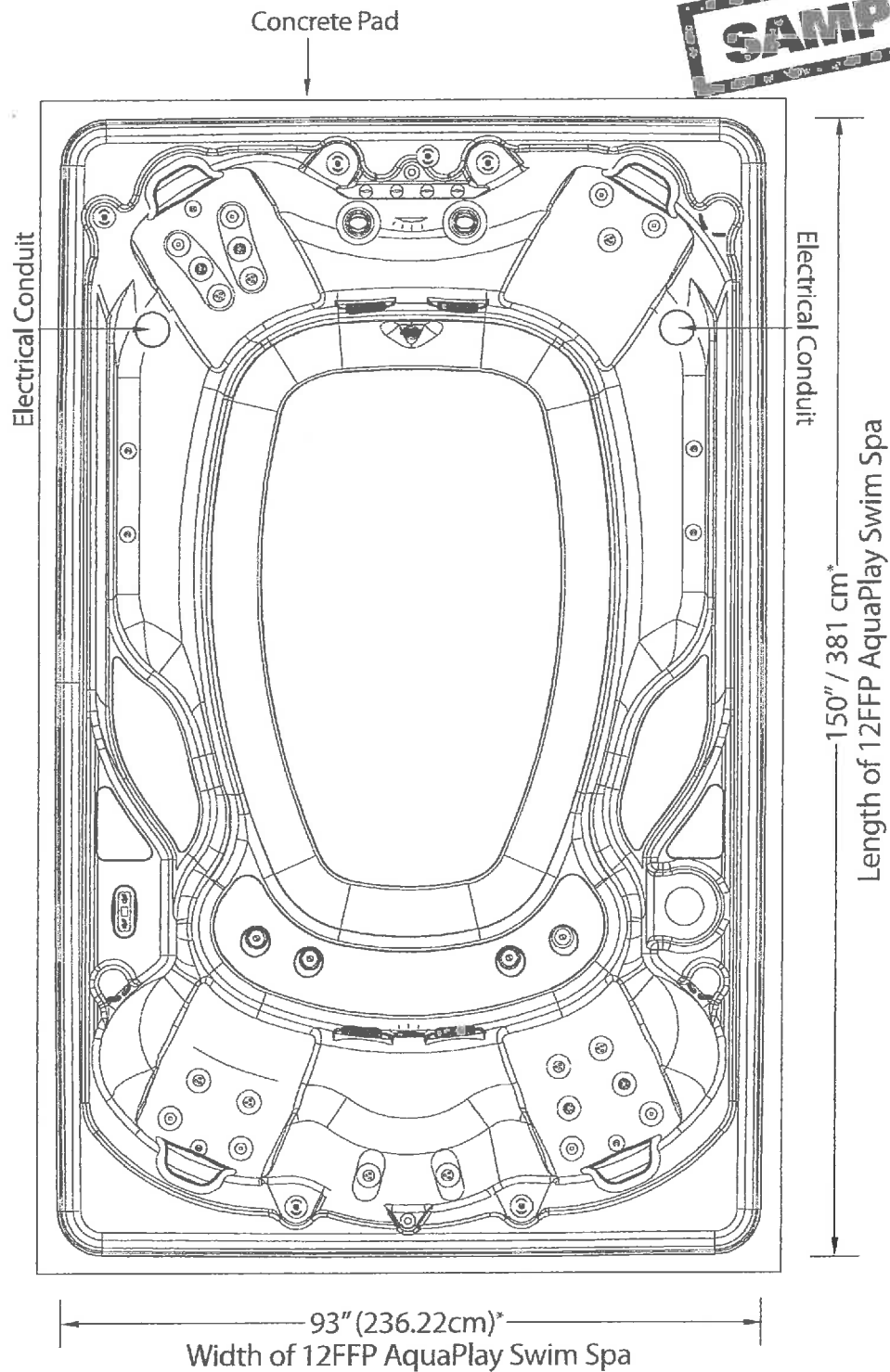
12,825 lbs /  
5,819 Kg

**Weight Empty:**

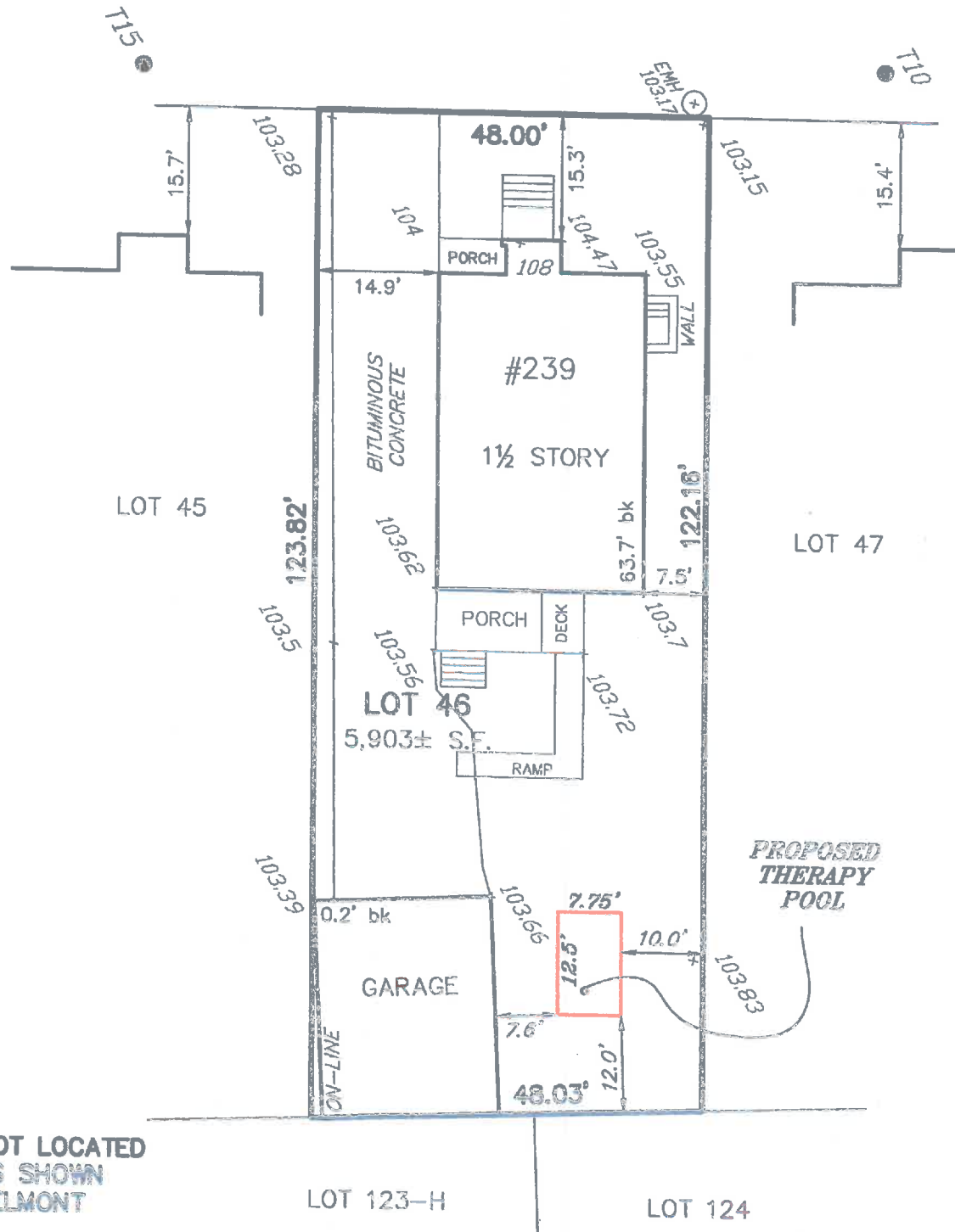
2,532 lbs / 1,149 Kg



## Cross Section Topside View of 2020 12FFP AquaPlay Swim Spa Install Above Ground



# BEECH STREET

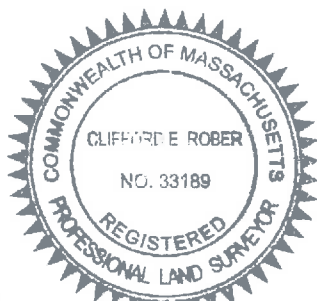


THE PROPERTY IS NOT LOCATED  
WITHIN WETLANDS AS SHOWN  
ON THE TOWN OF BELMONT  
WETLANDS ATLAS.

ZONING DISTRICT:	GR (GENERAL RESIDENCE)		
	REQ.	EXISTING	PROP.
FRONT SETBACK:	15.55'	15.3'	-
SIDE SETBACK:	10'	7.5'	6.8'
REAR SETBACK:	20'	63.7'	10.0'
MAXIMUM LOT COVERAGE:	30%	30.9%	32.5%
MINIMUM OPEN SPACE:	40%	46.2%	44.5%
LOT FRONTAGE:		48.00'	

TOTAL LOT AREA: 5,903± S.F.

OWNER: AMY BROWN  
L.C. CERT. 256941  
ASSESSORS MAP 26 - PARCEL 71



CLIFFORD E. ROBER, PLS

DATE

PROPOSED PLOT PLAN  
#239 BEECH STREET  
IN  
BELMONT, MA  
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 5/12/2020



**ROBER SURVEY**  
1072 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533  
DWG. NO. 5255PP2.DWG