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**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

**CASE NO.** 20-27

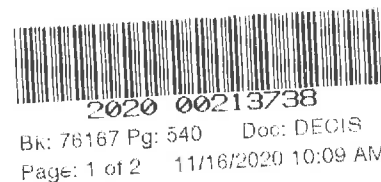
**APPLICANT:** Lisa Colosi

**PROPERTY:** 75 Lexington Street

**DATE OF PUBLIC HEARING:** September 14, 2020

**MEMBERS SITTING:** Nick Iannuzzi, Chair  
Jim Zarkadas, Vice Chair  
Casey Williams  
Andrew Kelley  
Teresa MacNutt  
William Fick

**MEMBERS VOTING:** Nick Iannuzzi, Chair  
Jim Zarkadas, Vice Chair  
Casey Williams  
Andrew Kelley  
Teresa MacNutt



69238-98

**Introduction**

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") acting as Special Permit Granting Authority under 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, Lisa Colosi, ("Applicant") seeks One Special Permit under Section 1.5.4A of the Zoning By-Law to enclose a porch and to construct a one story addition with an overhang at 75 Lexington Street located in a General Residence Zoning District. Allowed maximum lot coverage is 30%, the existing is 22.0% and proposed is 22.8%. Required minimum Open Space is 40%, the existing is 63.1% and proposed is 62.3%. Side Setback is 10', the existing is 8.3' and proposed is 18.3'. Rear Setback required is 20', the existing is 82.9' and proposed is 77.0'.

The Board held a duly noticed public hearing on the proposal on September 14, 2020 conducted via ZOOM videoconference (in connection with current restrictions regarding social distancing in connection with COVID-19). The Applicant, Lisa Colosi proposes to construct additions at 75 Lexington Street located in a General Residence (GR) district.

The applicant had submitted for the Board's review architectural drawings prepared by Bernard H. Hamill, civil engineer, a plot plan and a zoning checklist prepared by Rober Survey dated 10/22/2019.

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Address: 75 Lexington Street

§1.5.4 A. 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, alteration, 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."


During the hearing No one spoke in support or in opposition to the proposed alterations.

The Board deliberated on September 14, 2020. The relief sought is for one (1) Special Permit. A special permit is required for any modification to residences in a General Residence Zoning District. The proposal was considered by the Board. The Board found that the proposed alterations do not substantially increase the non-conforming nature of the structure or create a new nonconformity. The Board concluded that the proposed alterations are not substantially more detrimental to the neighborhood than the existing non-conforming structure, and that the proposed alterations are in keeping with the character of the neighborhood in which the property is located.

Accordingly, **upon motion made by Nick Iannuzzi and Jim Zarkadas, the Board voted 5-0 to grant the Special Permit as requested.**

For the Board,

Dated: September 30, 2020

  
\_\_\_\_\_  
Ara Yogurtian  
Assistant Director  
Office of Community Development

CERTIFICATION BY TOWN CLERK

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 October 5, 2020, and further I certify that no appeal has been filed with regard to the granting of said One (1) Special Permits with Zero (0) conditions.

Statutory appeal periods, and thus the issuance of Certificates of No Appeal, have been temporarily affected by Court Standing Orders, available at [www.mass.gov/guides/court-system-response-to-covid-19](http://www.mass.gov/guides/court-system-response-to-covid-19). Applicants, abutters and interested parties should consult the Standing Orders to determine their next actions. Any decision by a permit holder to proceed is at their own risk, and the permit holder is urged to consult their own legal counsel.

Under Section 17 of Chapter 53 of the Acts of 2020, the requirement to record permit decisions with the Registry is suspended for so long as the Registry is "closed or subject to rules and procedures restricting public in-person access." However, such recording will still be required upon the full reopening of the Registry. The Middlesex County Registry of Deeds continues to accept filings by postal mail during this period, and permit holders are requested to file for recording through this method to the extent possible.



Ellen O'Brien Cushman, Town Clerk  
Belmont, MA

November 12, 2020