

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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TOWN CLERK  
BELMONT, MA

CASE NO. 20-29 2020 OCT 13 AM 10:46

APPLICANT: Christopher Martin *ded rf 73838-33*

PROPERTY: 91 Brookside Avenue

DATE OF PUBLIC HEARING: September 14<sup>th</sup>, 2020

MEMBERS SITTING: Nick Iannuzzi, Chairman  
Jim Zarkadas, Vice-Chairman  
Andrew Kelley, Member  
Casey Williams, Member  
Teresa McNutt, Member  
William Fick, Associate member



2021 00012938

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MEMBERS VOTING: Nick Iannuzzi, Chairman  
Jim Zarkadas, Vice-Chairman  
Andrew Kelley, Member  
Casey Williams, Member  
Teresa McNutt, Member

Introduction

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act").

The applicant Christopher Martin requests One Special Permit under §1.5 of the By-Law to construct a second story expansion at 91 Brookside Ave. located in Single Residence C (SRC) Zoning District. Special Permit, §4.2.2 of the Zoning By-Law Dimensional Regulations require a minimum side setback of 10.0', the existing and proposed side setback, is 9.4'.

The Board held a duly noticed hearing on the application on September 14, 2020 conducted via ZOOM videoconference (in connection with current restrictions regarding social distancing in connection with COVID-19).

The Applicant submitted architectural drawings dated April 27, 2020, a plot plan dated June 9, 2020, and a zoning checklist dated May 5, 2020. The applicant was represented by the architect of the project, Mr. Keith Miller. The architect presented photographs of the existing conditions. At the hearing, Mr. Miller noted that the Applicant had collected signatures of support from abutters and neighbors and would provide said documents to the Office of Community Development to be included with the case file. At the meeting, no one spoke in support or in opposition to the Applicant's proposal.

Proposal

The applicant proposes to construct a second-story 5.1' x 13.1' expansion of an existing dormer at the rear of the building within the same footprint of the existing structure. This 67 square feet area will be added to the existing bedroom.

*Christopher Martin  
91 Brookside Ave  
Belmont MA 01830*

Case No. 20-29

Address: 91 Brookside Avenue

On September 14, 2020, the Board deliberated on the case and found that the proposed expansion is comparable in scale and style to many other homes in the neighborhood; that 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. The expansion is reasonably sized and in line with the existing structure.

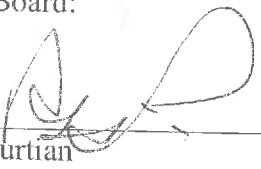
### Conclusion

On September 14<sup>th</sup> 2020, the Board deliberated on the Applicant's request for One Special Permit under §1.5 of the Zoning Bylaw to expand a second floor dormer at 91 Brookside Ave. located in Single Residence C (SRC) Zoning District. Special Permit requested, §4.2.2 of the Zoning By-Law Dimensional Regulations require a minimum side setback of 10.0', the existing and proposed side setback is 9.4'.

Accordingly, **upon motion duly made by Jim Zarkadas and seconded by Nick Iannuzzi, the Board voted 5-0 to grant the Applicant One (1) Special Permit as requested.**

For the Board:

Dated: October 8, 2020

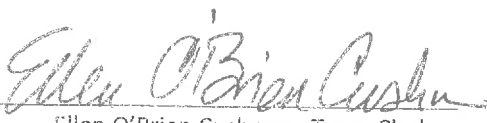
  
\_\_\_\_\_  
Ara Yogurtian  
Assistant Director  
Office of Community Development

### 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 13, 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.njss.gov/guides/court-system-response-to-covid-19](http://www.njss.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.

  
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Ellen O'Brien Cushman, Town Clerk  
Belmont, MA

November 12, 2020