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BELMONT, MATOWN OF BELMONT
ZONING BOARD OF APPEALS

2021 FEB 10 AM 11:04

CASE NO. 20-39

APPLICANT: Lois Erickson ✓

PROPERTY: 24-26 Creeley Road *Lot 39*

DATE OF PUBLIC HEARING: December 7, 2020
Continued: January 11, 2021

MEMBERS SITTING: Nick Iannuzzi, Chairman
Jim Zarkadas, Vice Chair
Casey Williams
Andrew Kelley
Teresa MacNutt
William Fick, Associate Member
Elliot Daniels, Associate Member

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

Current Owner
"Lois m Erickson
Revocable Trust"
Jennifer Pressey, TR

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, Lois Erickson ("Applicant"), requests two (2) Special Permits under Section 1.5 of the Zoning By-Laws to construct two dormers and at 24-26 Creeley Road located in a General Residence (GR) Zoning District.

The Board held a duly noticed hearing on the application on December 7, 2020 and continued on January 11, 2021. The applicant had submitted for the Board's review architectural drawings dated April 17, 2020, a plot plan and a zoning checklist dated July 10, 2020 and pictures of neighborhood buildings with dormers.

At the meeting no one spoke in support or in opposition to the application.

Proposal

The applicant proposes to construct two dormers to create two new bedrooms, a bathroom, two new closets and to raise the roofline to accommodate for the ceiling height of the stairs leading to the attic. The two Special Permits requested are as follows:

1. §4.2 of the By-Law allows two and a half (2-1/2) story buildings, the existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a



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Address: 24-26 Creeley Road

basement (59.64% of the foundation walls are exposed) and is considered a story. The proposed dormers are at three and a half (3-1/2) story.

2. Minimum required side setback is 10.0', the existing side setback on the south side is 6.5' and the proposed is 6.6'.

The initial proposed dormer showed a vertical extension of roughly eight feet of the ridge line with a square footprint. Board members, expressed concerns about the proposed and suggested that the proposed was not consistent with the character of the neighborhood, although, they acknowledged that there was one other property nearby with a similar dormer.

The applicant proposed a continuance until January 11, 2021 to modify the plans and resubmit for the Board's review.

On January 11, 2021, new plans were submitted with a proposal of two shed dormers, which was more common the neighborhood and was in character with other dormers in the vicinity.


Conclusion

On January 11, 2021 the Board deliberated on the Applicant's request for two (2) Special Permits under Section 1.5 and 1.5.4A of the Zoning By-Law to construct two Dormers at 24-26 Creeley Road located in General Residence (GR) Zoning District.

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

For the Board:

Dated: February 9, 2021


Ara Yogurtian
Assistant Director
Office of Community Development

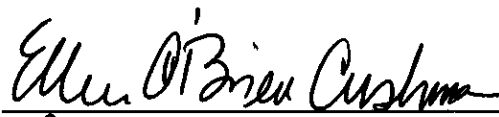
CERTIFICATION BY TOWN CLERK

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 February 10, 2021, 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.

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. 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.

May 4, 2021


Ellen O'Brien Cushman, Town Clerk
Belmont, MA

①

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Southern Middlesex Land Court
Registry District

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