

TOWN OF BELMONT
ZONING BOARD OF APPEALS

2021 AUG 18 PM 2:46

Case No. 21-18

Applicant: Michael Sahagian (owners: Michael Sahagian, Steven Sahagian)

Property: 26 Statler Road Deed ref 73144-250

Date of Public Hearing: July 19, 2021

Members Sitting: Nick Iannuzzi, Chairman
Casey Williams
Teresa MacNutt
Elliot Daniels, Associate Member
William Fick, Associate Member

Members Voting: Nick Iannuzzi, Chairman
Casey Williams
Teresa MacNutt
Elliot Daniels, Associate Member
William Fick, Associate Member



2021 00209514

Bk: 78746 Pg: 161 Doc: DECIS
Page: 1 of 2 09/21/2021 02:05 PM**Introduction**

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") Acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicant Michael Sahagian (the "Applicant"), seeks One (1) Special Permit under Section 1.5 of the Belmont Zoning-By- Laws to construct an attached garage and a second story addition at 26 Statler Road located in a Single Residence C (SRC) zoning district. §4.2 of the By-Law requires a minimum rear setback of 25.0' in the SRC district. The existing and the proposed rear setback is 20.3'.

The Board held a duly noticed hearing on the application on July 19, 2021.

Proposal

The Applicant proposes to relocate an existing attached garage and to construct a second story addition to expand the kitchen and the dining room on the first floor and to add two bedrooms and a bathroom on the second floor.

The proposed addition will not have any habitable attic space.

The applicant had submitted to the Board's review plans prepared by Walter A. McKinnon Associates, Inc. dated March 9, 2021, and a plot plan and a zoning checklist dated May 15, 2021.

No one spoke in favor or in opposition to the proposed project.

Michael Sahagian
56 Statler Rd
Belmont, Ma. 02478

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Decision

MGL 40A §6 provides in pertinent part: "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood."

In the present case, the Board did not find the proposed second story addition would be substantially more detrimental. The Board found that the proposed does not increase the nonconforming nature of the structure or create a new nonconformity. The proposed addition will be consistent in style with the existing house. The Board concluded that the proposed are not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed is in keeping with the character of the neighborhood in which it is located.

Accordingly, upon motion duly made by Nick Iannuzzi and seconded by Casey Williams, the Board voted 5-0 to grant the requested One (1) special permit for the proposed additions as requested.

For the Board,

Date: August 19, 2021

18 A.Y.




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 August 18, 2021, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions.

September 16, 2021



Ellen O'Brien Cushman, Town Clerk
Belmont, MA

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Belmont, MA

Any appeal from this decision must be made pursuant to Ch.40A, S.17, MGL, and must be filed within 20 days after the filing of such notice in the office of the Town Clerk.