

# INFORMATION ONLY

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## TOWN OF BELMONT ZONING BOARD OF APPEALS

2021 SEP 28 AM 8:17

**CASE NO.** 21-22

**APPLICANT:** “Thai Noodle Cafe” Tanaiwat Muanghom,

**PROPERTY:** 289 Belmont Street

**DATE OF PUBLIC HEARING:** September 13, 2021

**MEMBERS SITTING:** Nick Iannuzzi (Chair),  
Teresa MacNutt,  
Casey Williams,  
Andrew Kelley,  
Elliott Daniels, (Associate Member)  
Jeffrey Birenbaum, (Associate Member)  
David Stiff (Associate Member)

**MEMBERS VOTING:** Nick Iannuzzi (Chair)  
Casey Williams  
Andrew Kelley  
Teresa MacNutt  
Jeffrey Birenbaum, (Associate Member)

### Introduction

This matter came before the Board of Appeals (“Board”) of the Town of Belmont (“Town”) acting as 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, “Thai Noodle Cafe”, Tanaiwat Muanghom and Alex Winsut, owners (“Applicant”) request a Special Permit under Section 3.3 of the Zoning By-Law to operate a fast food restaurant at 289 Belmont Street located in a Local Business III Zoning District.

The Board held a duly noticed hearing on the application on September 13, 2021. The Applicants presented the proposal at the hearing. The applicants indicated that the business is presently in operation under existing management and if granted approval by The Board, all existing conditions regarding hours of operation, dumpster location, snow removal, trash removal frequency and timing, and timing and frequency of deliveries would continue to occur as they do presently.

### Proposal

The Applicants seek a Special Permit for a change of ownership with a new menu to operate a fast food restaurant. All previous conditions on the previous decision will remain the same. The proposed restaurant shall be named “Thai Noodle Cafe” which will serve Thai food

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for lunch and dinner as shown in the menu provided in the applicants' submission to the Board. All the food would be prepared to order. The layout of the restaurant shall remain the same.

- The hours of operation will be from 11:00am to 10:00pm Monday through Sunday.
- Deliveries to the restaurant will take place twice a week between 8:00 am and 3:00 pm – same as current schedule.

### **Conclusion**

On September 13, 2021 the Board deliberated on the application of Thai Noodle Cafe, Tanaiwat Muanghom and Alex Winsut, owners' request for one Special Permit under Section 3.3 of the Zoning By-Law to operate a Fast-Food Restaurant at 289 Belmont Street located in a Local Business III Zoning District.

The Board found that the proposed would not be substantially more detrimental to the neighborhood than the existing operation and that it would be in keeping with the character of the neighborhood. At the meeting no one spoke in support of or in opposition to the Applicants' proposal.

Accordingly, **upon motion duly made by Nicholas Iannuzzi and seconded by Jeffrey Birenbaum, the Board voted 5-0 to grant the Special Permit conditional upon the following:**

- a.) Special Permit issued to Tanaiwat Muanghom and Alex Winsut is not transferable.
- b.) Hours of operation, deliveries, and dumpster pickup schedule to remain as in place for the existing operator, as defined herein.

For the Board,

Dated: September 27, 2021

  
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Ara Yogurtian, *Assistant Director*  
Office of Community Development