

TOWN OF BELMONT
ZONING BOARD OF APPEALS

2021 OCT 12 AM 11:23

Case No. 21-25

Applicant: Diana Dill

Property: 56 Raleigh Road

Date of Public Hearing: September 13, 2021

Members Sitting: Nick Iannuzzi, Chairman
Casey Williams
Andrew Kelley
Teresa MacNutt
Elliot Daniels, Associate Member
David Stiff, Associate Member
Jeff Birenbaum, Associate Member

Members Voting: Nick Iannuzzi, Chairman
Casey Williams
Andrew Kelley
Teresa MacNutt
Jeff Birenbaum, Associate Member



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COMMUNITY
DEVELOPMENT

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 Diana Dill ("Applicant"), seeks Two (2) Special Permits under §1.5 of the Belmont Zoning-By- Laws to construct a rear and a side addition at 56 Raleigh Road located in a General Residence (GR) zoning district. Special Permits: 1.- §1.5.4A of the By-Law allows any alterations or expansions in the GR district by a Special Permit granted by the Board of Appeals. 2.- §4.2 of the By-Law requires a minimum of 10.0' side setback. The existing side setback is 8.8' and the proposed is 7.1'.

The Board held a duly noticed hearing on the application on September 13, 2021.

Proposal

The Applicant proposes to construct a rear addition to expand the kitchen and add a new half bath, and a two feet side addition for a bay window with a floor area.

The applicant submitted to the Board's review plans prepared by Design Studio LLC dated July 29, 2021, a plot plan and a zoning checklist dated May 10, 2021.

Mrs. Dill and her daughter made the presentation to the Board. Mrs. Dill showed a plan showing the immediate neighbors they had reached out to and got their support for their proposed project.

Diana Dill
56 Raleigh Road
Belmont, MA 02178

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At the meeting no one spoke in favor or in opposition to the proposed project.

Decision

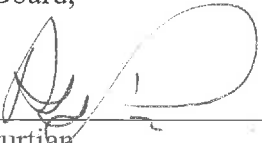
MGL 40A §6 provides in pertinent part: "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance 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 one story additions to 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 Teresa MacNutt, the Board voted 5-0 to grant the requested Two (2) special permits for the proposed additions as requested.

For the Board,

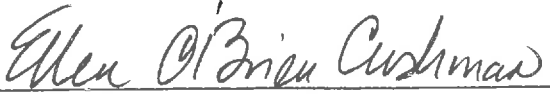
Date: October 12, 2021



Ara Yogurtian
Assistant Director
Office of Community Development

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 12, 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.

November 2, 2021



Ellen O'Brien Cushman, Town Clerk
Belmont, MA