



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: 10/12/21

Zoning Board of Appeals
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Laws of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 44 Winn Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for _____

a two story rear addition with a
crawl space below

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner

Print Name

Address

(current)

Daytime Telephone Number

[Signature]
Enn Y. Mahoney
Michael + Enn Mahoney
21 Dean St.
Belmont
617-293-5209



OFFICE OF COMMUNITY DEVELOPMENT
TOWN OF BELMONT

19 Moore Street
Homer Municipal Building
Belmont, Massachusetts 02478-0900

Telephone: (617) 993-2650 Fax: (617) 993-2651

Building Division
(617) 993-2664
Engineering Division
(617) 993-2665
Planning Division
(617) 993-2666

October 4, 2021

Michael Erin Mahoney
44 Winn Street
Belmont, MA 02478

RE: Denial to Construct an Addition.

Dear Mr. Mahoney,

The Office of Community Development is in receipt of your building permit application for your proposal to construct an addition at 44 Winn Street located in a Single Residence C Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 4.2 of the Zoning By-Law Dimensional Regulations allows a maximum of 2-1/2 stories and requires a minimum side setback of 10.0'.

1. The existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a basement (47.28% of the foundation walls are exposed) and is considered a story. The proposed addition is a three and a half (3-1/2) story addition.
2. The existing and proposed side setback is 9.8'.

You may alter your plans to conform to the current Town of Belmont Zoning By-Law and resubmit a building permit application, or you may request two (2) Special Permits from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development to schedule an appointment with Ara Yogurtian, Assistant Director, at (617) 993-2650 in order to begin the process.

Sincerely,
On Behalf of
Glenn R. Clancy, P.E.
Inspector of Buildings

Ara Yogurtian
Assistant Director
Office of Community Development

Belmont ZBA

Special Permit Narrative Statement

44 Winn Street

Erin and Michael Mahoney of 44 Winn Street seek two special permits - one for story count (existing 3 ½ story structure) and one for side yard setback (existing and proposed 9.8' on right side) - in order to construct a 2 story rear addition on their existing non-conforming home.

Michael and Erin Mahoney have deep roots in Belmont going back to the early 1900's and are both lifelong residents. Both of their parents are still living in Belmont today. Michael and Erin attended the Winn Brook and Wellington elementary schools, Chenery Middle School and graduated Belmont High Class of 1996. They came back to Belmont after college, got married and knew they wanted to raise their children, Michael (13), Cookie (11) and Patrick (8) in Belmont. Michael and Erin are both active participants in the community. Erin has been a Winn Brook PTA member since their eldest started kindergarten in 2012. She has been room mother every year since, volunteered for all class field trips, classroom events, schoolwide events and served as the Extra-curricular Program Contact Communicator. Erin serves on the Foundations for Belmont Education (FBE) raising private funds to enrich the education in the Belmont Public Schools. She is part of the fundraising efforts for the Spring Fundraising Dinner as well as part of the Nominating Committee and just completed her term on the Programs Committee reviewing and considering grants that contribute to the educational excellence of the Belmont Public Schools. Erin also coaches both in-town and travel basketball in the BYBA program and recently joined the Dolphins Swim Team Board. Michael is also an active participant in Belmont athletics. He is a hockey coach for the BYHA as well as baseball coach for the in-town and travel programs and serves on the Baseball Executive Board. Together with a few other participants, Michael and Erin have planned and coordinated the highly successful Baseball Spring Fundraiser. Michael is also a former town meeting member for the town. They own Mahoney Oil a local oil business on Brighton Street. Mahoney Oil has made many contributions to the town of Belmont. They were large contributors to the rebuilding of Joey's Park putting in countless hours and contributions as Diamond Sponsors. Mahoney Oil assisted the many other recently renovated parks throughout town, giving their time and expertise to the renovations. They have always been big supporters of The S.P.O.R.T.S. Program as well as the D.A.R.E. Program in town.

The Mahoney's currently live the next street over on Dean Street. They fell in love with the neighborhood when they bought their home on Dean Street in 2007. Michael, Erin and their three children love the ease, safety and accessibility of walking to schools, parks and the center of town. Although they are looking for more space, they would never want to consider moving out of the Winn Brook neighborhood. The beauty of the homes in the area is something that has always attracted the Mahoney's to the neighborhood, and it is their intent to remodel 44 Winn Street to maintain the character of the neighborhood.

44 Winn Street was built in 1928 and has not had any major updates since then. The current house is a brick center entrance 3 bedroom colonial with a total living area of 2,002 sf (first and second floors). The current left side sun room with bonus room above is a wood clad structure with a gambrel roof that is incongruous to the rest of the home. The home is in need of renovations in order to avoid becoming a detraction to the neighborhood.

The proposed remodel will transform the left side structure to be more cohesive with the rest of the home. The addition will provide more comfortable living space on the first floor as well as a fourth bedroom which will enable each of their three children to have their own room. The proposed addition is 812 sf (first and second floors), for a new total living area of 2,814 sf.

The first special permit – for story count – is triggered because the existing lower level is 54.09% below grade and therefore defined as a basement. However, the proposed addition will only have a crawl space below it. The overall height of the existing house is 23.7' and the proposed overall height would be 24.6', still well below the 30' limit (measured to mid point). This height is very consistent with the surrounding homes, and the proposed hip style roof further minimizes the massing.

The second special permit – for side yard setback – is because the existing house is 9.8' from the right side property line (10' required). The new rear addition will align with the existing structure in order to accommodate a clean and cohesive massing with a continuous roof line. The house has a generous 15.3' side yard on the left side.

The scale of the home is very much in keeping with the neighborhood. This is accomplished by focusing the majority of the new construction in the rear, maintaining a front façade that is minimally impacted and consistent with the neighbors.

At 9,351 sf, this property exceeds the minimum lot size and is among the larger lots within the Winn Brook neighborhood. As such, it is capable of supporting the proposed addition. Two of the neighbors (58 Winn and 64 Winn) have similarly sized rear additions and still fit in with the vernacular of the greater neighborhood. We feel that our proposed addition will also accomplish this.

In addition, the property includes a street tree and an abundance of mature landscaping which will all be either maintained or replaced. The landscaping, including an expansive 7' high hedge row along the north (left) side, effectively screens the property.

We have shared these plans with and received enthusiastic support from all of our neighbors including all of the abutters. We will be providing a signed petition demonstrating neighborhood support.

In summary, the overall effect will be in harmony with the architecture and scale of the neighborhood. The proposed design is in keeping with the intent of Town Meeting and the Planning Board Special permit criteria (Section 1.5.4.B) and is not substantially detrimental to the neighborhood. Thank you for your consideration on this matter.

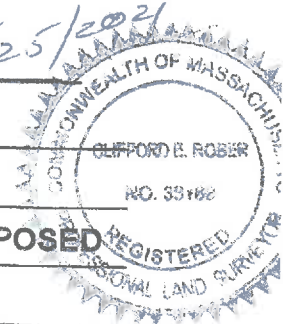
Zoning Compliance Check List

Properties Located within the SR-C Districts
(To be Completed by a Registered Land Surveyor)

Property Address: 44 WINN STREET

Surveyor Signature and Stamp: _____

Date: 8/25/2021



Per §4.2 of the Zoning By-Law				
		REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)		9,000	9,351	
Lot Frontage (feet)		75	68'	
Lot Coverage (% of lot)		25	19.8%	23.8%
Open Space (% of lot)		50	73.1%	59.4%
Setbacks: (feet)	▶ Front (a)	24.7'	24.7'	24.7'
	▶ Side/Side	10 10	12.3' 9.8'	15.3' 9.8'
	▶ Rear	30'	67.8'	73.0'
Building Height:	▶ Midpoint (feet)	30	23.7	24.6
	▶ Ridge (feet)	34		
	▶ Stories	2-1/2	2	2
1/2 Story (feet) (Per §1.4)	▶ Perimeter (50%)			
	▶ Area (60%)			
	▶ Length (75%)			
HVAC (b)	Prohibited in Front Yard and Side and Rear Setbacks and shall be screened			

(a) Front setback is equal to the average front setbacks of the abutting properties on either side.

(b) Includes all outdoor mechanical equipment and fuel storage systems.

SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece

ZBA APPROVAL
AUGUST 18, 2021

ENERGY AUDIT:

REFERENCE CH 11 - ENERGY EFFICIENCY 2015 INTERNATIONAL RESIDENTIAL CODE W/ MASS AMENDMENTS.

PRESCRIPTIVE OPTION FOR RESIDENTIAL ADDITION (401.3):

1. RENOVATION TO COMPLY WITH ENERGY STAR QUALIFIED HOMES THERMAL BYPASS INSPECTION CHECKLIST. INSULATION VALUES AS FOLLOWS: R49 ROOF R-VALUE, R20 WALL R-VALUE, R15/19 BASEMENT / CRAWL SPACE WALL R-VALUE.

2. RENOVATION TO COMPLY WITH ENERGY STAR PROGRAM REQUIREMENTS FOR RESIDENTIAL WINDOWS, DOORS, AND SKYLIGHTS - VERSION 5.0. ALL NEW WINDOW GLAZING TO BE .30 U FACTOR AND SKYLIGHTS TO BE .55 U-FACTOR.

3. HEATING / COOLING DUCTS TO BE SEALED AND TESTED TO MEET REQUIREMENTS OF 401.3.

PROJECT INFORMATION:

BELMONT ZONING SR-C:

REQUIRED:

MAX 25% LOT COVERAGE
MIN 50% OPEN SPACE

FRONT YARD SETBACK: 25'-0" OR AVERAGE
REAR YARD SETBACK: 30'-0"
SIDE YARD SETBACK: 10'-0"

MAX HEIGHT: 2 1/2 STORIES,
30' TO MIDPOINT AND 34' TO RIDGE

- DRAWING LIST
- A1 COVER SHEET
 - A2 EXISTING BASEMENT FLOOR PLAN
 - A3 EXISTING FIRST FLOOR PLAN
 - A4 EXISTING SECOND FLOOR PLAN
 - A5 EXISTING ATTIC FLOOR PLAN
 - A6 EXISTING ELEVATIONS
 - A7 EXISTING & NEW GARAGE
 - A8 NEW BASEMENT FLOOR PLAN
 - A9 NEW FIRST FLOOR PLAN
 - A10 NEW SECOND FLOOR
 - A11 NEW ATTIC FLOOR PLAN
 - A12 NEW ROOF PLAN
 - A13 NEW ELEVATIONS

BELMONT GROSS FLOOR AREA CALCS:

EXISTING GROSS FLOOR AREA:
787 SF BASEMENT
1001 SF FIRST FLOOR
1001 SF SECOND FLOOR
22 SF ATTIC (6' OR GREATER)
2811 SF TOTAL EXISTING

30% OF 2811 = 843.3 SF MAX INCREASE

PROPOSED GROSS FLOOR AREA (EXISTING + NEW):
787 SF BASEMENT
1473 SF FIRST FLOOR
1341 SF SECOND FLOOR
46 SF ATTIC (6' OR GREATER)
3647 SF PROPOSED

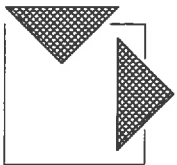
3647 SF PROPOSED - 2811 SF EXISTING = 836 SF INCREASE

836 (PROPOSED) < 843.3 (ALLOWED)

- LIGHTING LEGEND
- RECESSED LED CAN LIGHT - AS SELECTED BY OWNER
 - CEILING MOUNTED PENDANT - AS SELECTED BY OWNER
 - CEILING MOUNTED DOME LIGHT - AS SELECTED BY OWNER
 - WALL MOUNTED SCONCES AS SELECTED BY OWNER
 - CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER
 - S.D. SMOKE DETECTOR - NOTE ALL NEW AND EXISTING SMOKES TO BE HARD-WIRED PER CODE
 - S/CO HARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR
 - DATA CONNECTION
 - TELEPHONE / DATA CONNECTION
 - ELECTRIC OUTLET (SPECIFIC LOCATIONS ONLY - ALL OUTLETS AS REQUIRED BY CODE ARE NOT SHOWN ON PLANS)

- SYMBOL LEGEND
- WALL TO BE DEMOLISHED
 - EXISTING WALL TO REMAIN
 - NEW WALL
 - INTERIOR ELEVATION
 - SECTION
 - DOOR TAG
 - WINDOW TAG

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DESIGN LLC

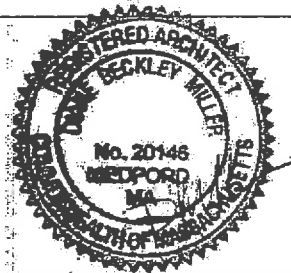


80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

10/19/20	SCHEMATIC DESIGN
10/27/20	REVISIONS
10/31/20	DESIGN DEVELOPMENT
4/6/21	PROGRESS
7/14/21	PROGRESS
8/18/21	ZBA APPROVAL



MAHONEY RESIDENCE
44 WINN STREET
BELMONT MA 02478

COVER SHEET

Sheet
Number:

A1

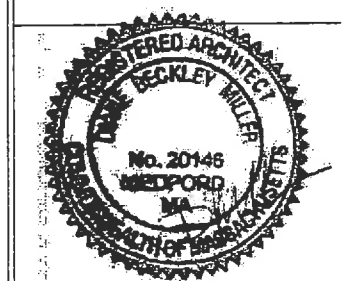
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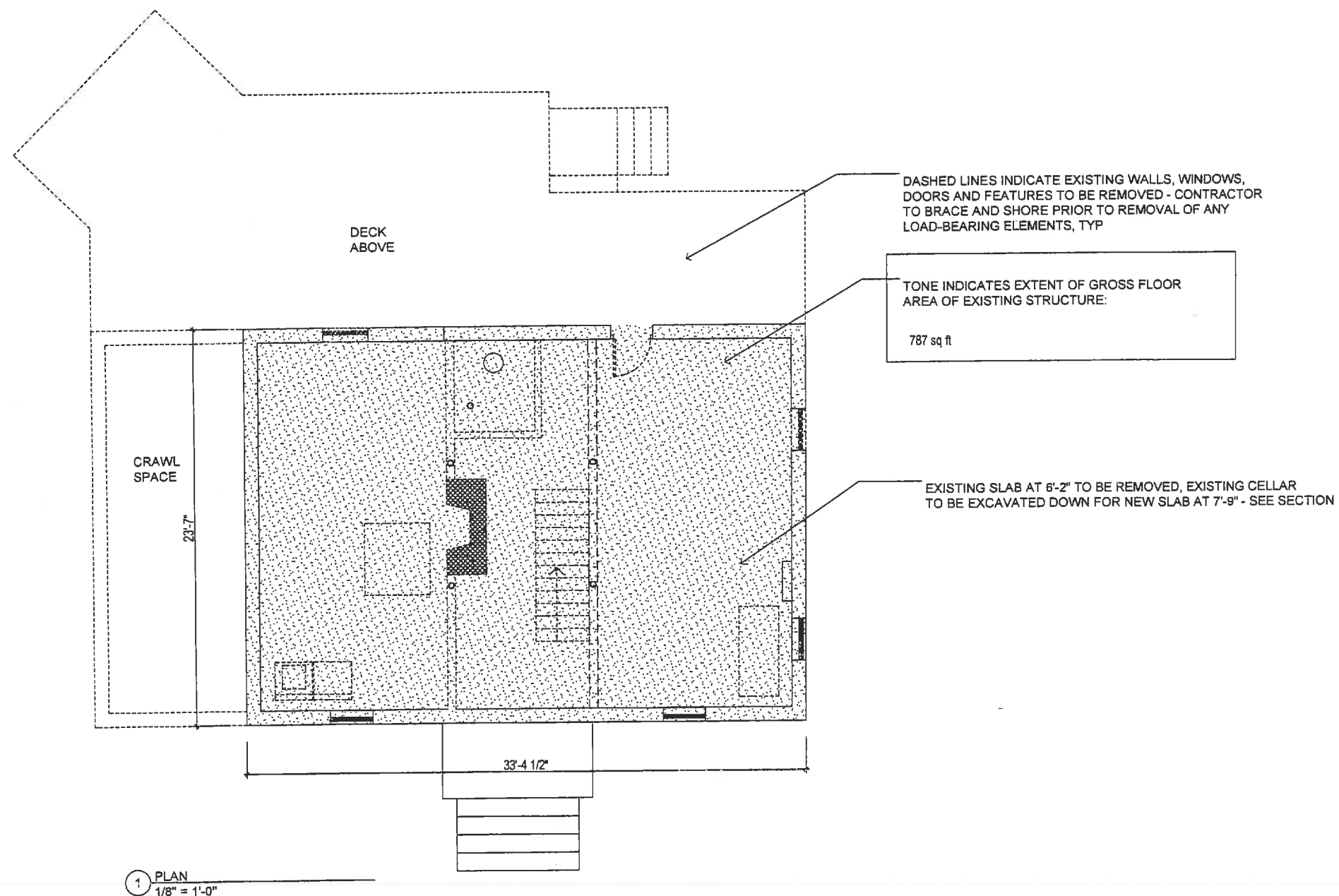


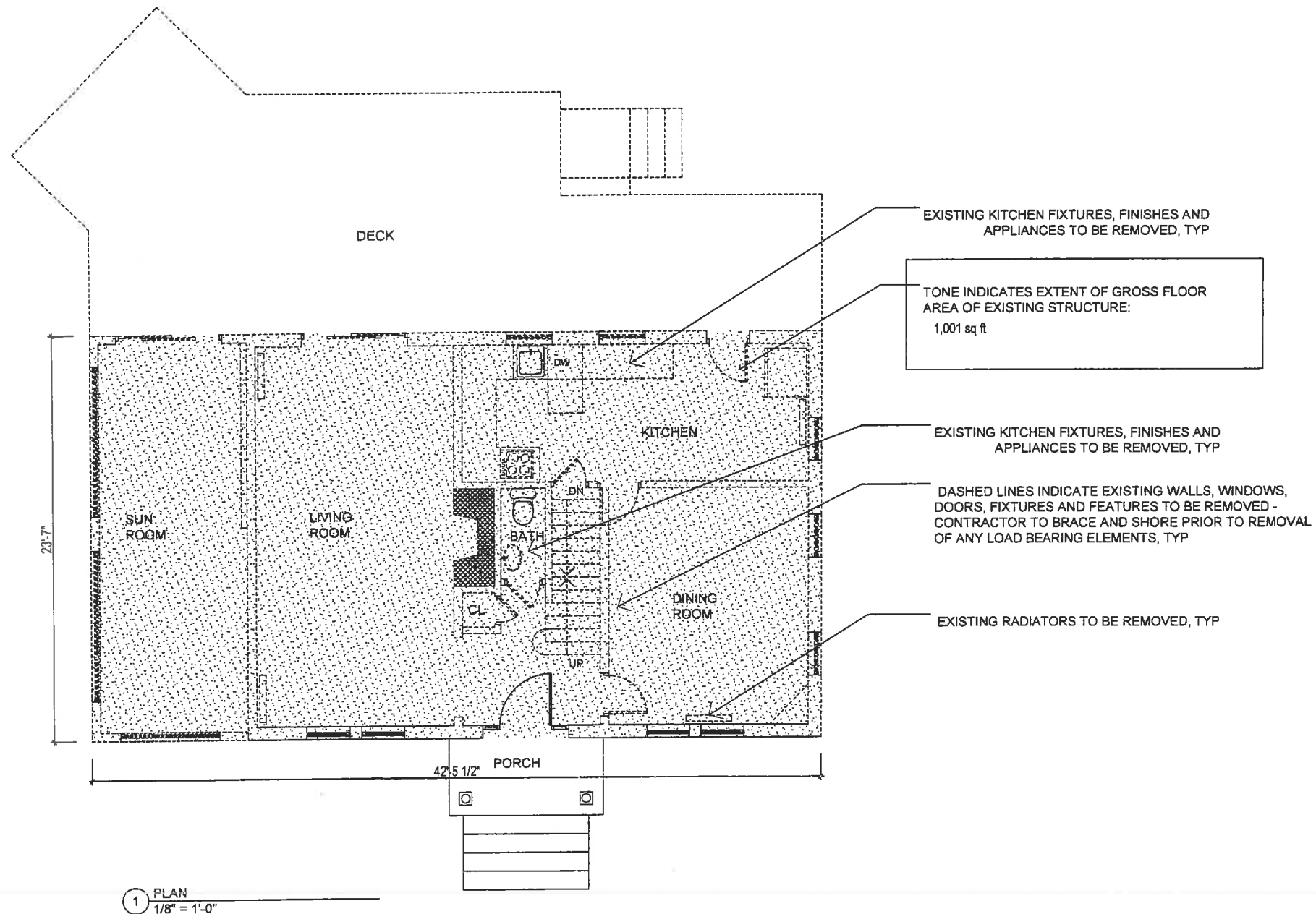
MAHONEY RESIDENCE
44 WINN STREET
BELMONT MA 02478

EXISTING
BASEMENT PLAN

Sheet
Number:

A2



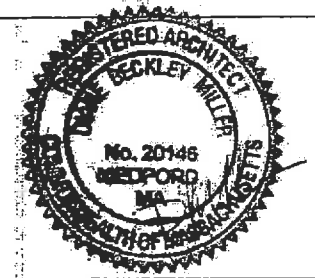


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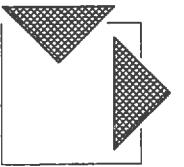


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44 WINN STREET
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EXISTING FIRST
FLOOR PLAN

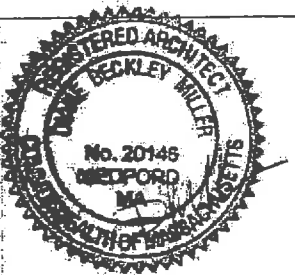
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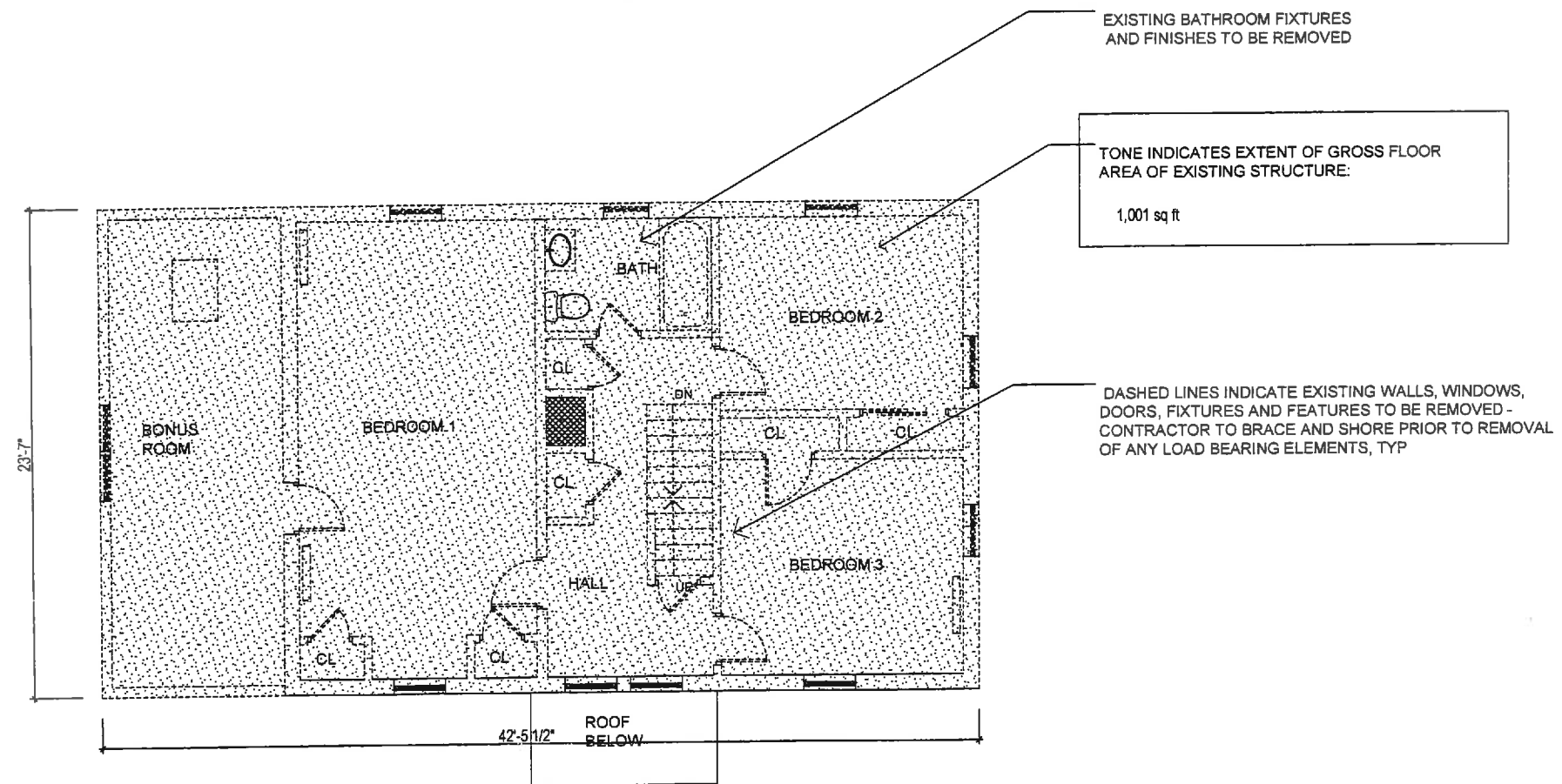
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Belmont MA 02478
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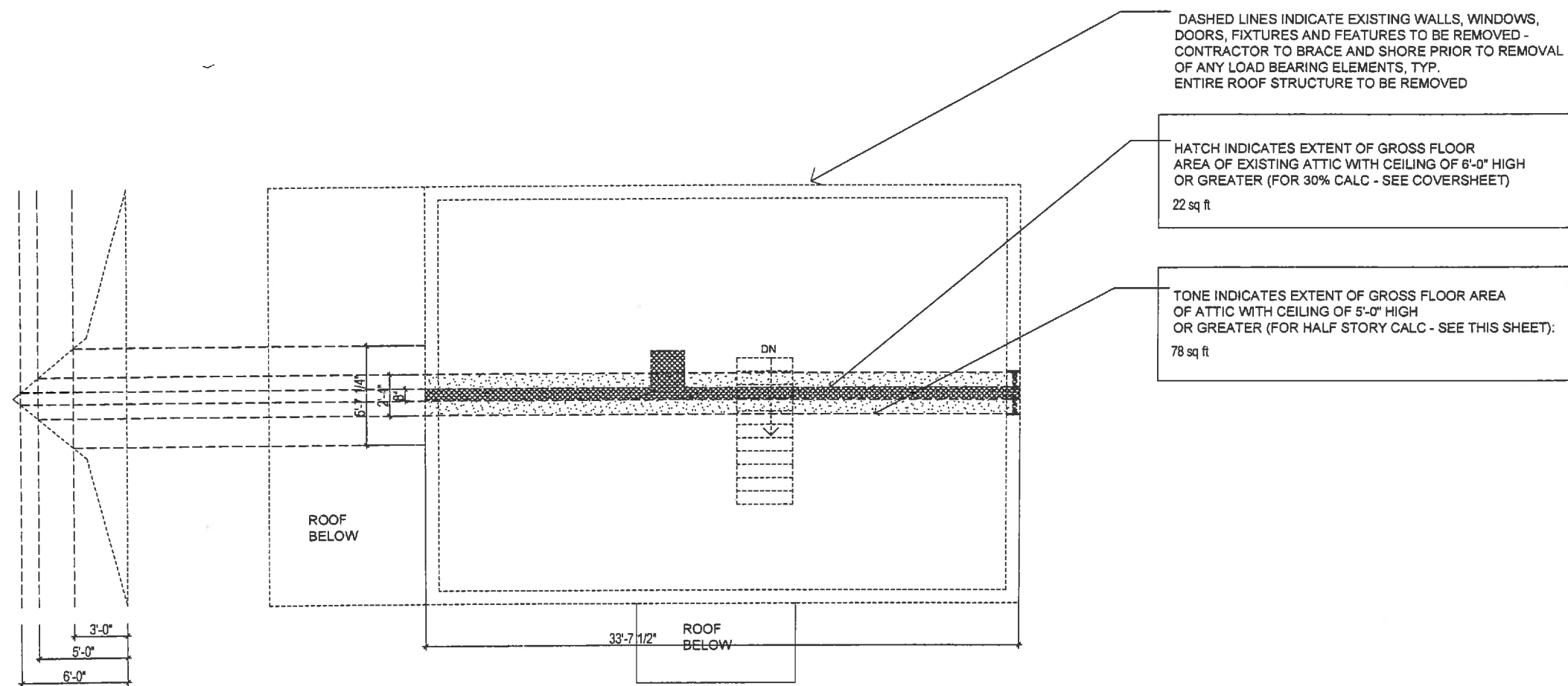


EXISTING SECOND
FLOOR PLAN

A4

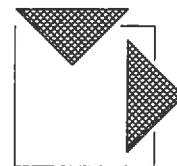


① PLAN
1/8" = 1'-0"



1 PLAN
1/8" = 1'-0"

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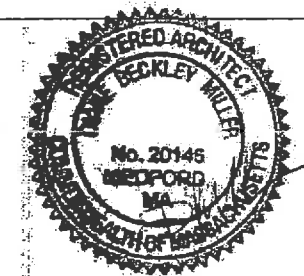
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EXISTING ATTIC
FLOOR PLAN

Sheet
Number:

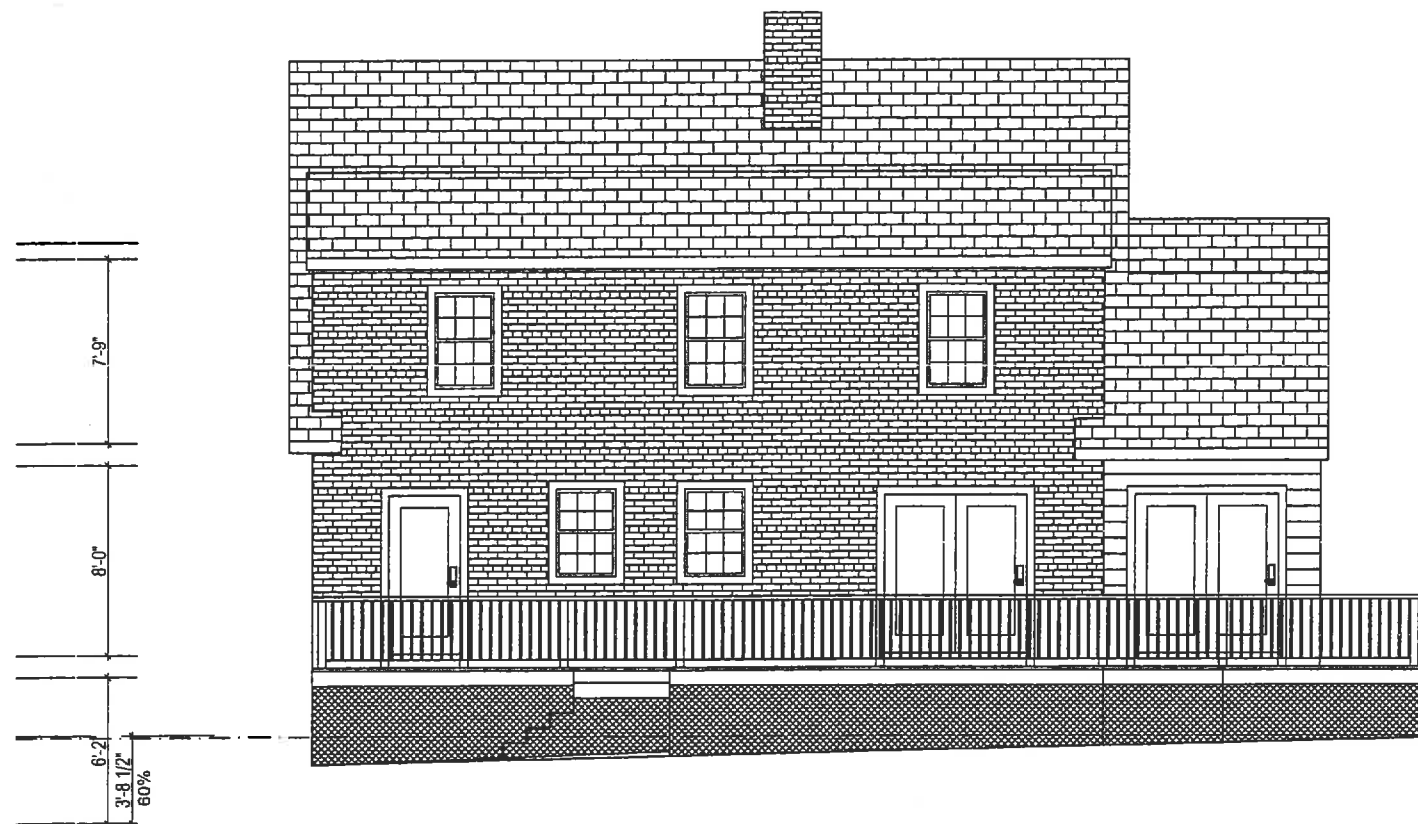
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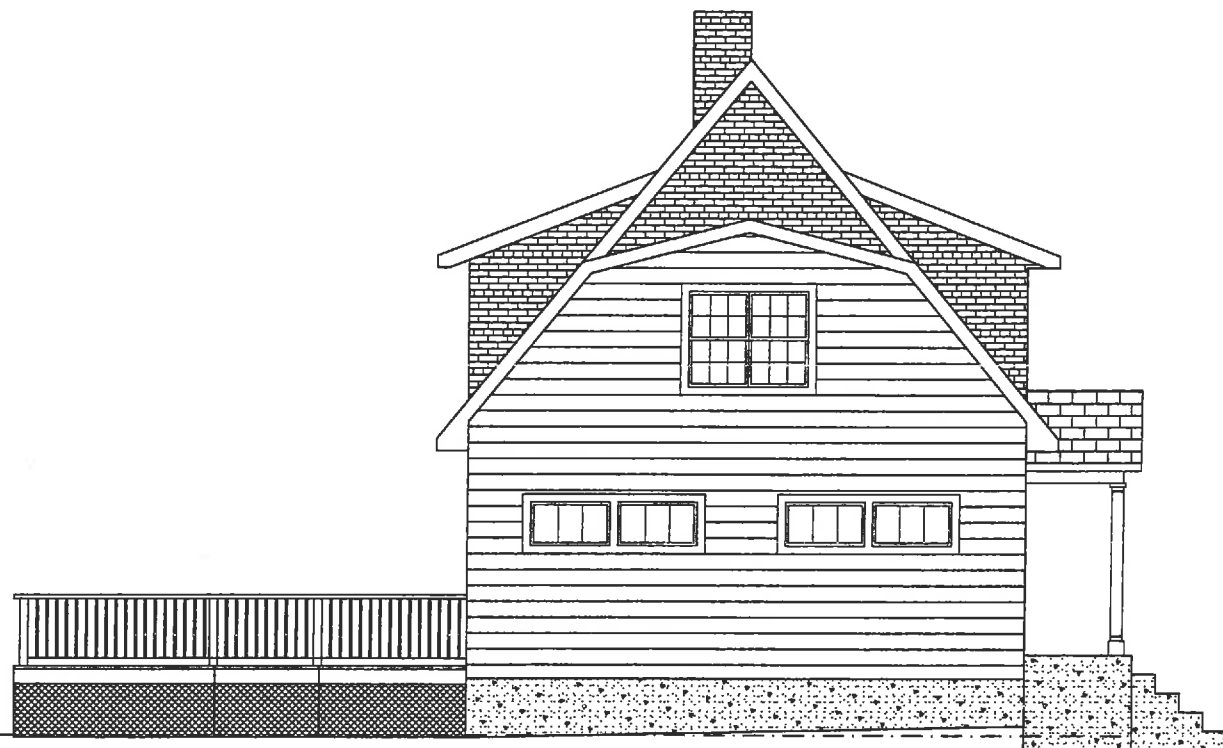
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1/8" = 1'-0"



2 SIDE ELEVATION
1/8" = 1'-0"

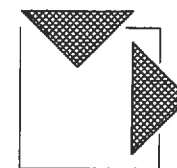


3 REAR ELEVATION
1/8" = 1'-0"



4 SIDE ELEVATION
1/8" = 1'-0"

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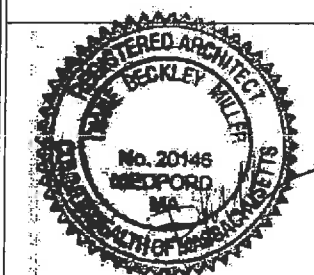
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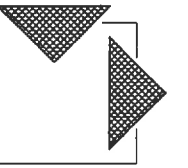
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EXISTING
ELEVATIONS

Sheet
Number:

A6

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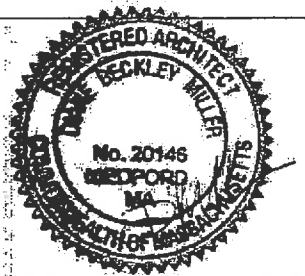


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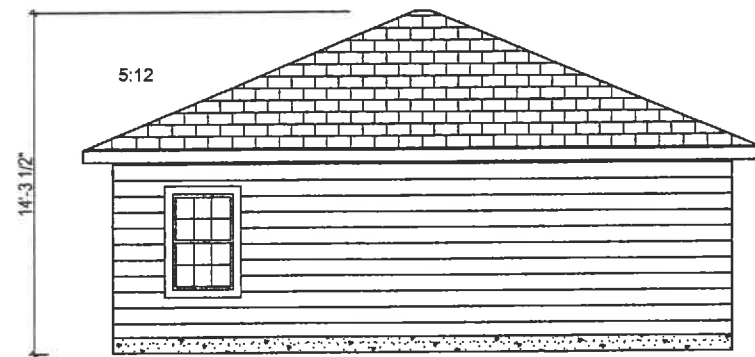


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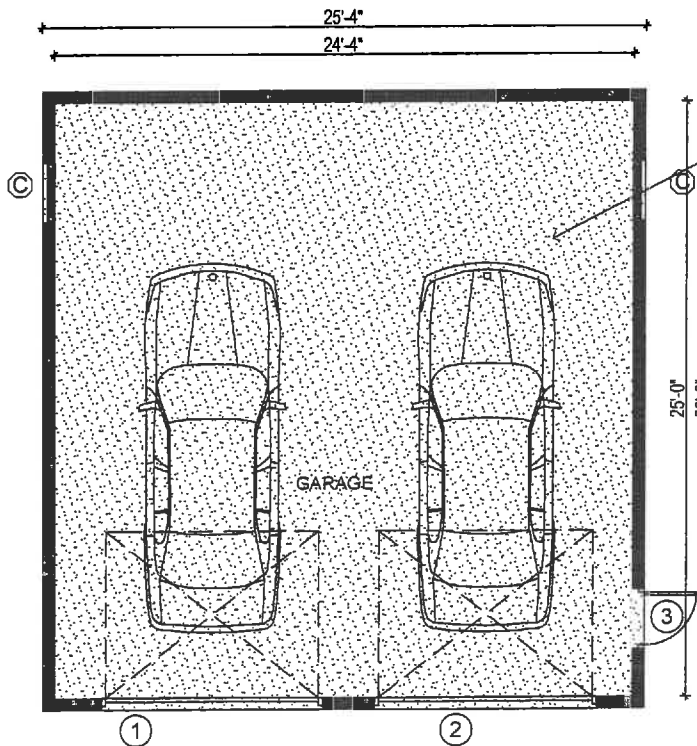
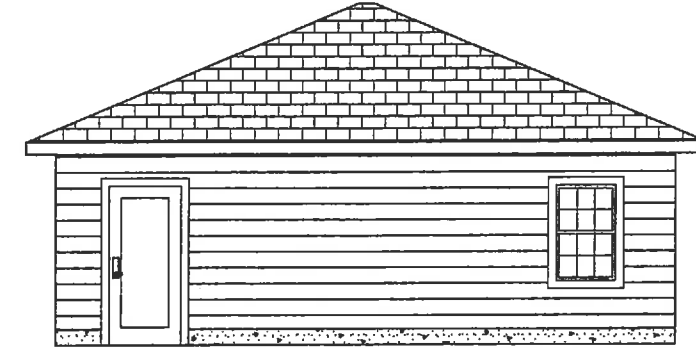
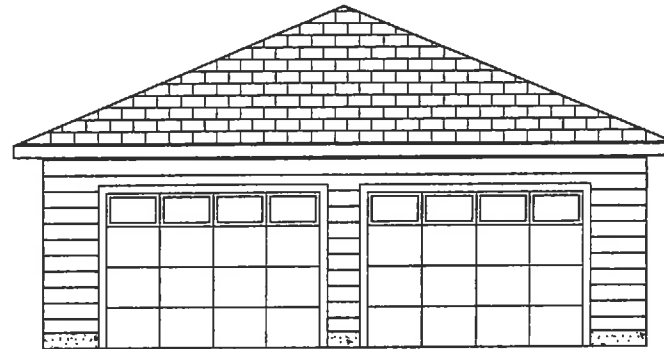
EXISTING & NEW
GARAGE PLANS

Sheet
Number:

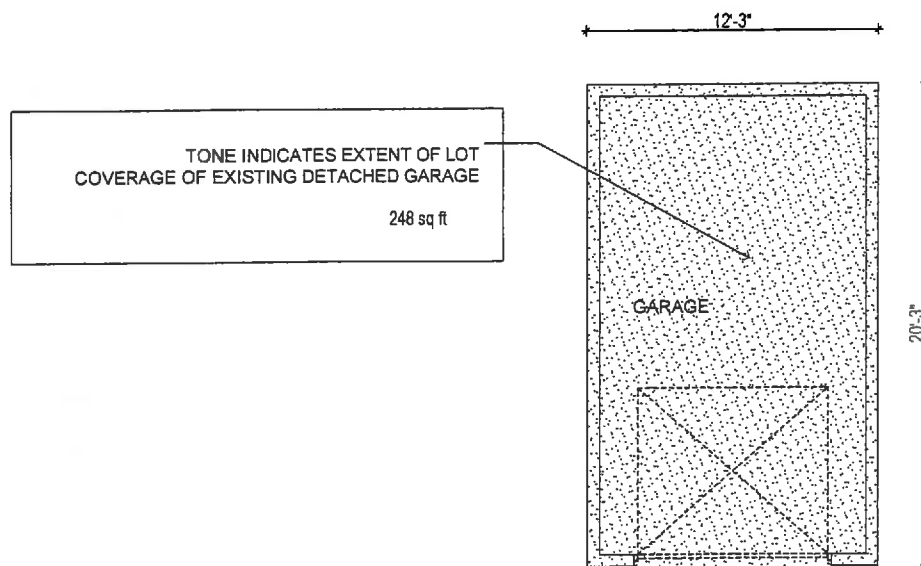
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3 NEW ELEVATIONS
1/8" = 1'-0"

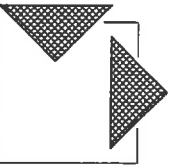


2 NEW PLAN
1/8" = 1'-0"



1 EXISTING PLAN
1/8" = 1'-0"

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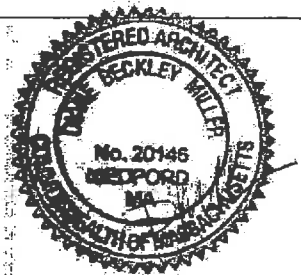


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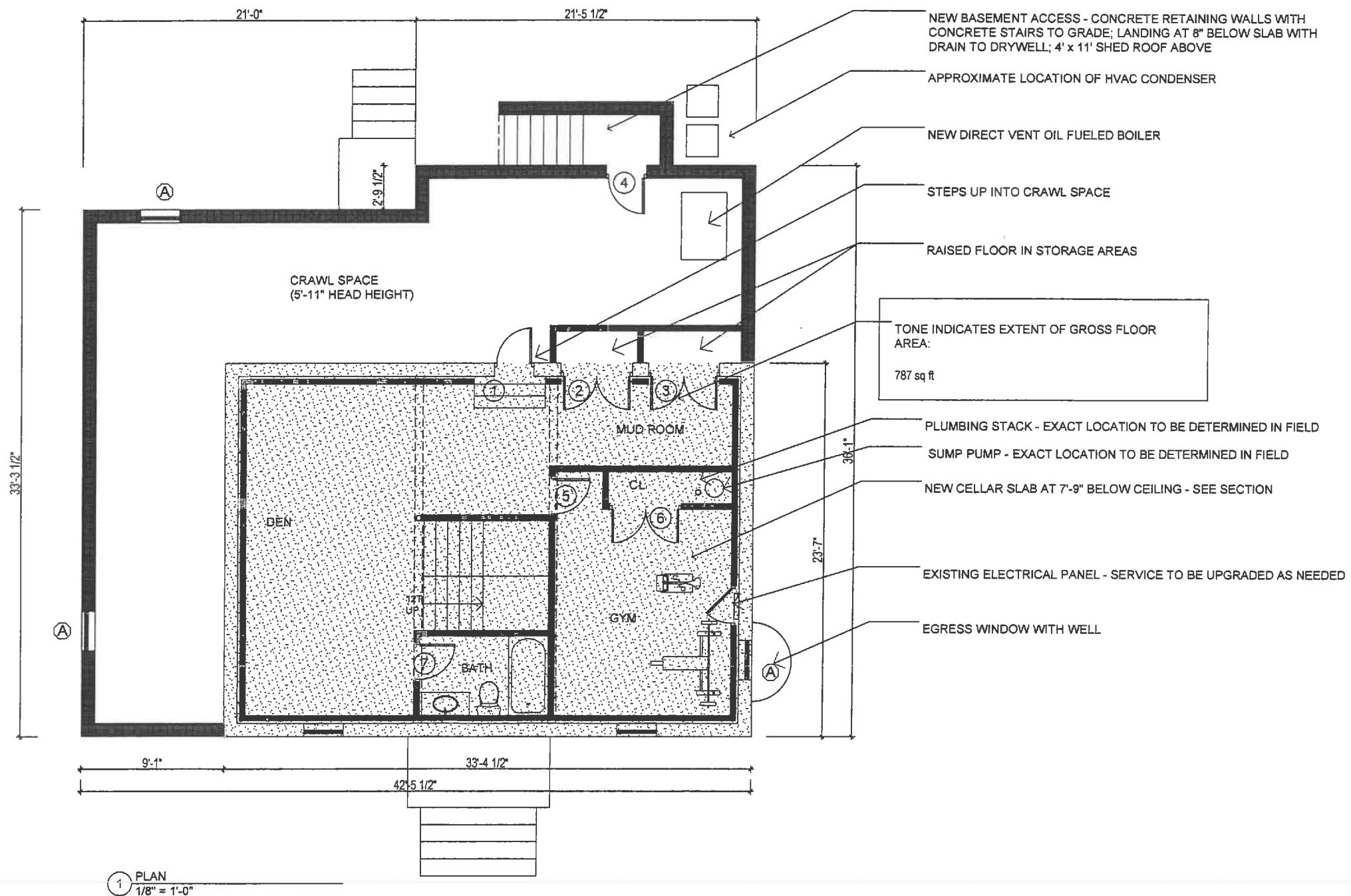


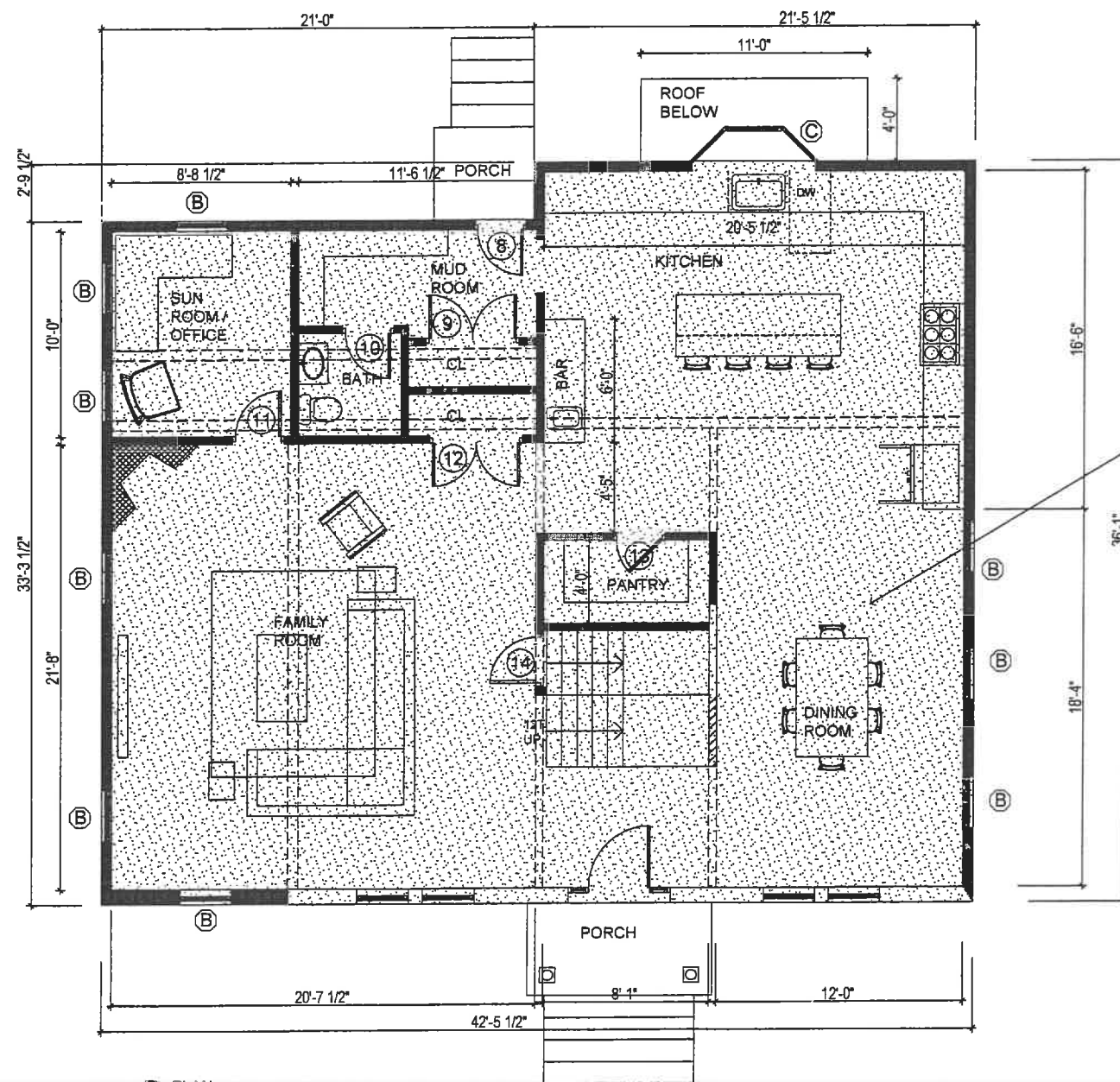
MAHONEY RESIDENCE
44 WINN STREET
BELMONT MA 02478

NEW BASEMENT FLOOR PLAN

Sheet
Number:

A8





1 PLAN
1/8" = 1'-0"

TONE INDICATES EXTENT OF GROSS FLOOR AREA:
1,473 sq ft

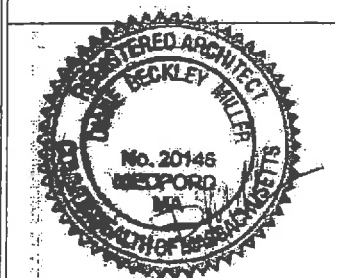
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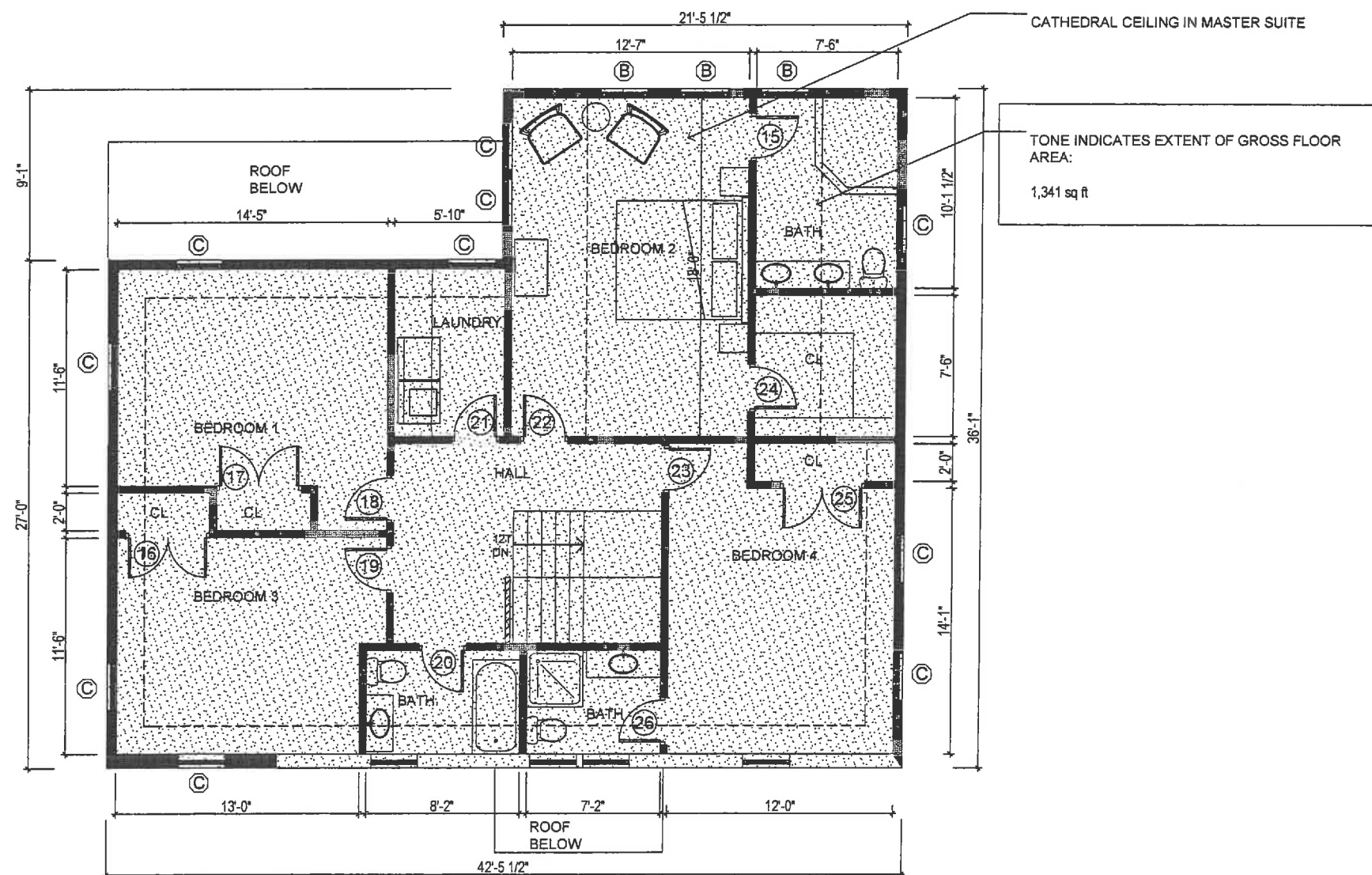


MAHONEY RESIDENCE
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**NEW FIRST
FLOOR PLAN**

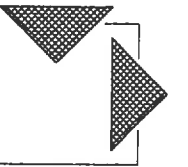
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A9



1 PLAN
1/8" = 1'-0"

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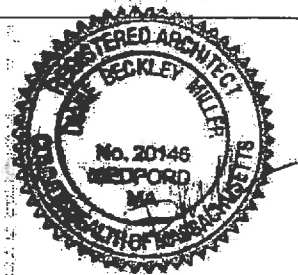


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7/14/21	PROGRESS
8/18/21	ZBA APPROVAL

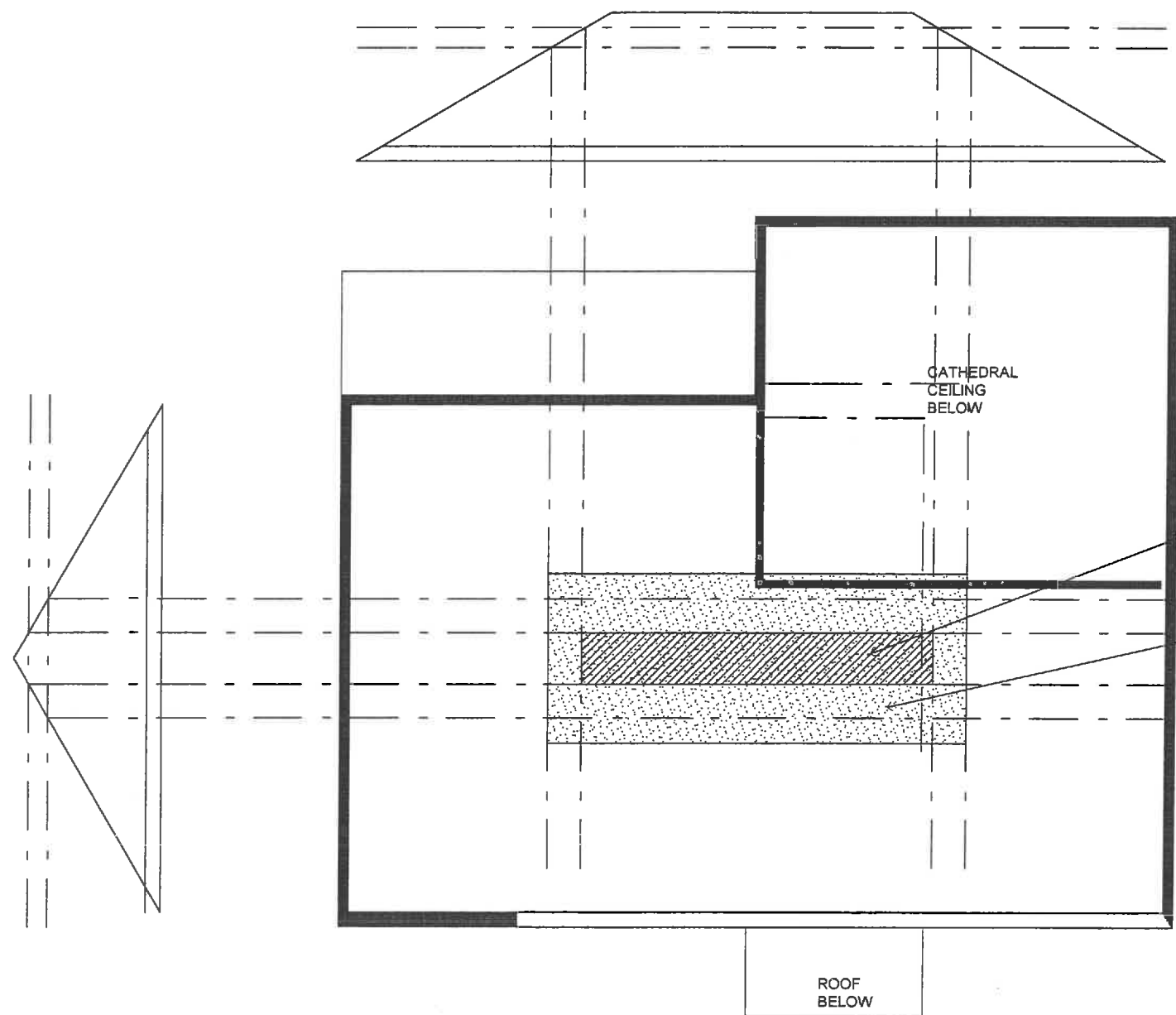


MAHONEY RESIDENCE
44 WINN STREET
BELMONT MA 02478

NEW SECOND
FLOOR PLAN

Sheet
Number:

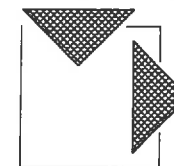
A10



HALF STORY AREA CALCULATIONS:
SECOND FLOOR AREA = 1341 SF
ALLOWABLE: MAX 804.6 SF W/ CEILING HEIGHT OF 5' OR GREATER (BASED ON 60% OF 1341 SF SECOND FLOOR).
ACTUAL: 183 SF
(AREA W/ CEILING HEIGHT OF 5' OR GREATER IS DESIGNATED BY TONE)

HATCH INDICATES EXTENT OF NEW GROSS FLOOR AREA WITH CEILING HEIGHT OF 6'-0" OR GREATER (FOR GROSS AREA CALCS - SEE COVERSHEET)
46 sq ft
TONE INDICATES EXTENT OF GROSS FLOOR AREA WITH CEILING HEIGHT OF 5'-0" OR GREATER (FOR HALF STORY CALCS - SEE THIS SHEET)
183 sq ft

MILLER
DESIGN LLC

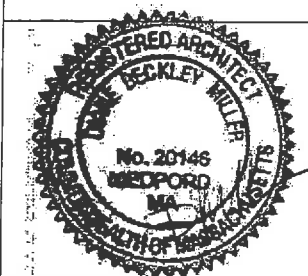


80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

10/19/20	SCHEMATIC DESIGN
10/27/20	REVISIONS
10/31/20	DESIGN DEVELOPMENT
4/6/21	PROGRESS
7/14/21	PROGRESS
8/18/21	ZBA APPROVAL

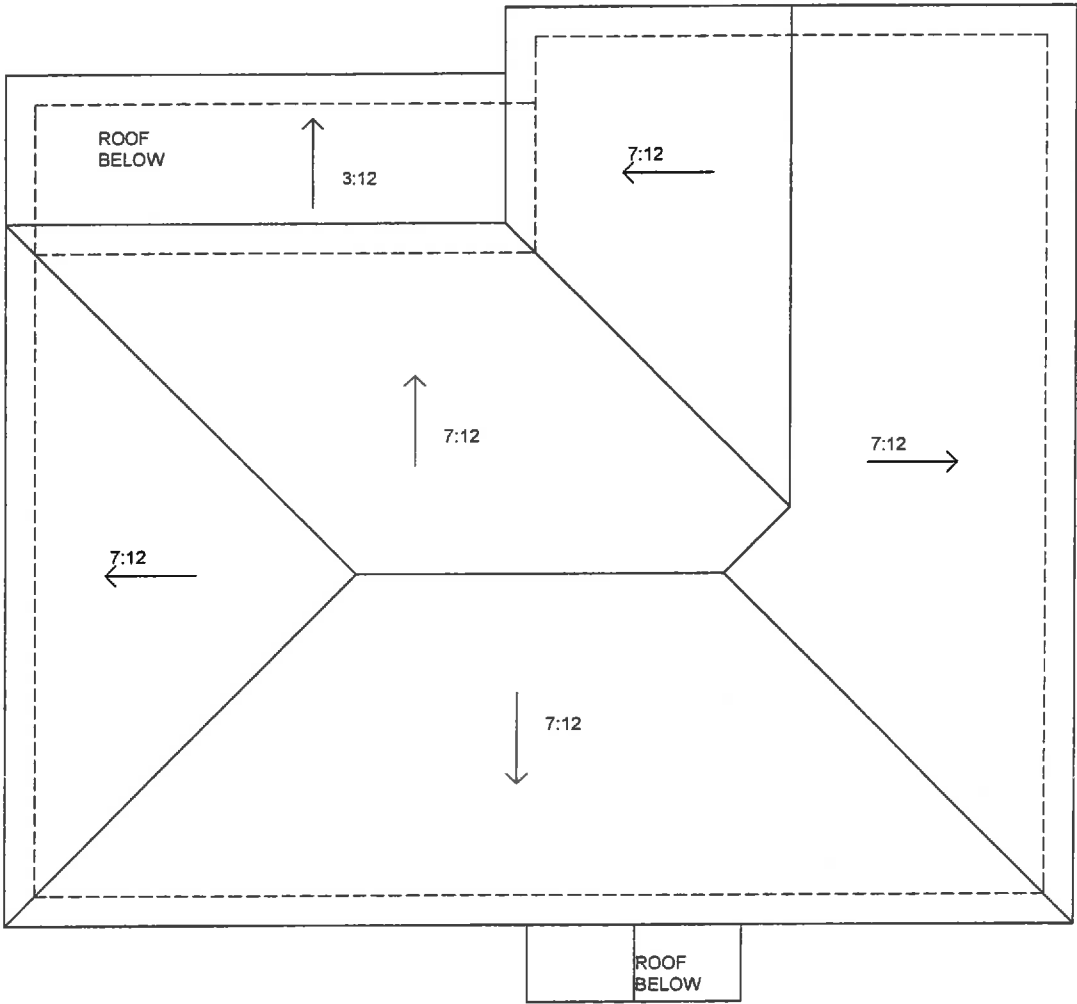


MAHONEY RESIDENCE
44 WINN STREET
BELMONT MA 02478

ATTIC PLAN

Sheet
Number:

A11



1 PLAN
1/8" = 1'-0"

MILLER
DESIGN LLC

80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

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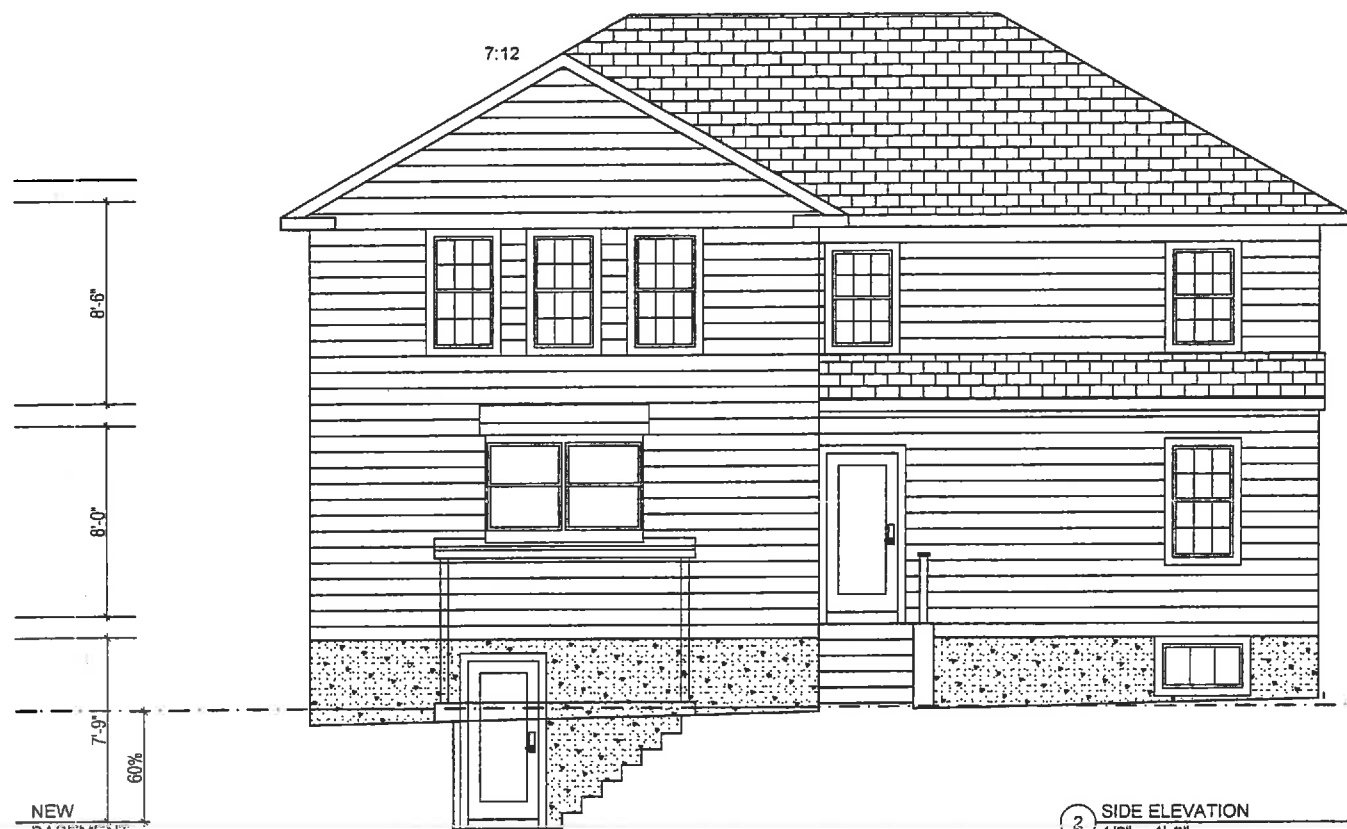
ROOF PLAN

Sheet
Number:

A12

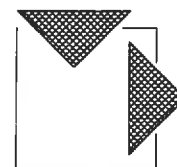


1 FRONT ELEVATION
1/8" = 1'-0"



2 SIDE ELEVATION
1/8" = 1'-0"

MILLER
DESIGN LLC

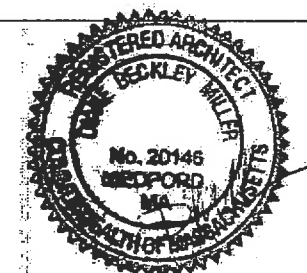


80 CLARK STREET
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7/14/21	PROGRESS
8/18/21	ZBA APPROVAL



MAHONEY RESIDENCE
44 WINN STREET
BELMONT MA 02478

NEW
ELEVATIONS

Sheet
Number:

A13