



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: 11/5/21

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 65 Vernon Road 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 Construction Addition

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

Daytime Telephone Number

[Signature]
Lauren Pincus
65 Vernon Road
Belmont MA 02478
305.632.7530



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

November 3, 2021

Michael Pincus
65 Vernon Road
Belmont, MA 02478

RE: Denial to Construct an Addition.

Dear Mr. Pincus,

The Office of Community Development is in receipt of your building permit application for your proposal to construct an addition at 65 Vernon Road 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 allow a maximum of 2-1/2 story structures.

1. The existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a basement (62.5% 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.

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 One (1) Special Permit 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,

Glenn R. Clancy, P.E.
Inspector of Buildings

Lauren and Michael Pincus
65 Vernon Road
Belmont MA 02478
11/4/2021

Zoning Board of Appeals
Town of Belmont

Dear Zoning Board of Appeals:

Attached please find our application for a special permit for an addition to our home. We moved to this home in 2014, shortly after our first child was born, and we lucked upon Belmont in our search for a town with excellent schools, a sense of community and primly located for commuting to work. During the open house we casually asked one of the neighbors who was running after her kids if she liked the neighborhood and she replied, "I love it! I wouldn't leave this house even if I won the lottery!" 7 years and 2 more kids later, we feel the same. However, our family of 5 is pushing the limits of our existing 3 bedroom home. The work/school/social constraints of Covid made that even more apparent. We have looked elsewhere, but nothing compares to our current location which is in a very unique, no-through neighborhood teeming with children and abutting conservation land. We have made close friends in our neighborhood, we are active in the community coaching sports and leading Girl Scout troops, our kids are thriving in the school system, and we take advantage of the conservation land with frequent trail walks and tending to the victory garden. We have decided that renovating is the best option for our family.

Functionally, our goals in renovating are to provide an extra bedroom for our youngest child (who is currently sleeping in our closet), create a multi-purpose space in the basement for the kids to play or for guests to sleep, have a larger kitchen to accommodate our larger family, relocate the front entryway away from the stairs, and move the laundry upstairs adjacent to a new prime bedroom suite to allow better access. Aesthetically, we desire more natural light to enter our home by removing the existing sunroom which we love but shadows the home, install more windows, build a modest front porch to watch the kids play in the cul-de-sac and add character to the façade, and build a smaller pool and pool deck so we can enjoy more of our backyard. In addition, the existing garage is in poor condition so this will be rebuilt with a smaller foot print.

We appreciate the ZBA's mission to maintain the integrity of a neighborhood and our design aligns with this mission. Unfortunately because our lowest level is designated a basement and not a cellar, our existing home is 3 ½ stories. Our proposed addition is considered a 3 ½ story addition even though our house will not be any higher than existing after the proposed renovation. For this reason, we are requesting your consideration in a special permit. Aside from the front porch and entryway, the

addition is not visible at street level and we feel this is a reasonable request. The addition will be visible to the two adjacent neighbors on either side of us, the Colavitos and Filippov families. We have discussed the plans at length with them and they are supportive. They have offered to attend the ZBA meeting and/or write letters in support of our project if needed. Our additional abutting neighbors who will not see the addition directly, have also been consulted and have no objections.

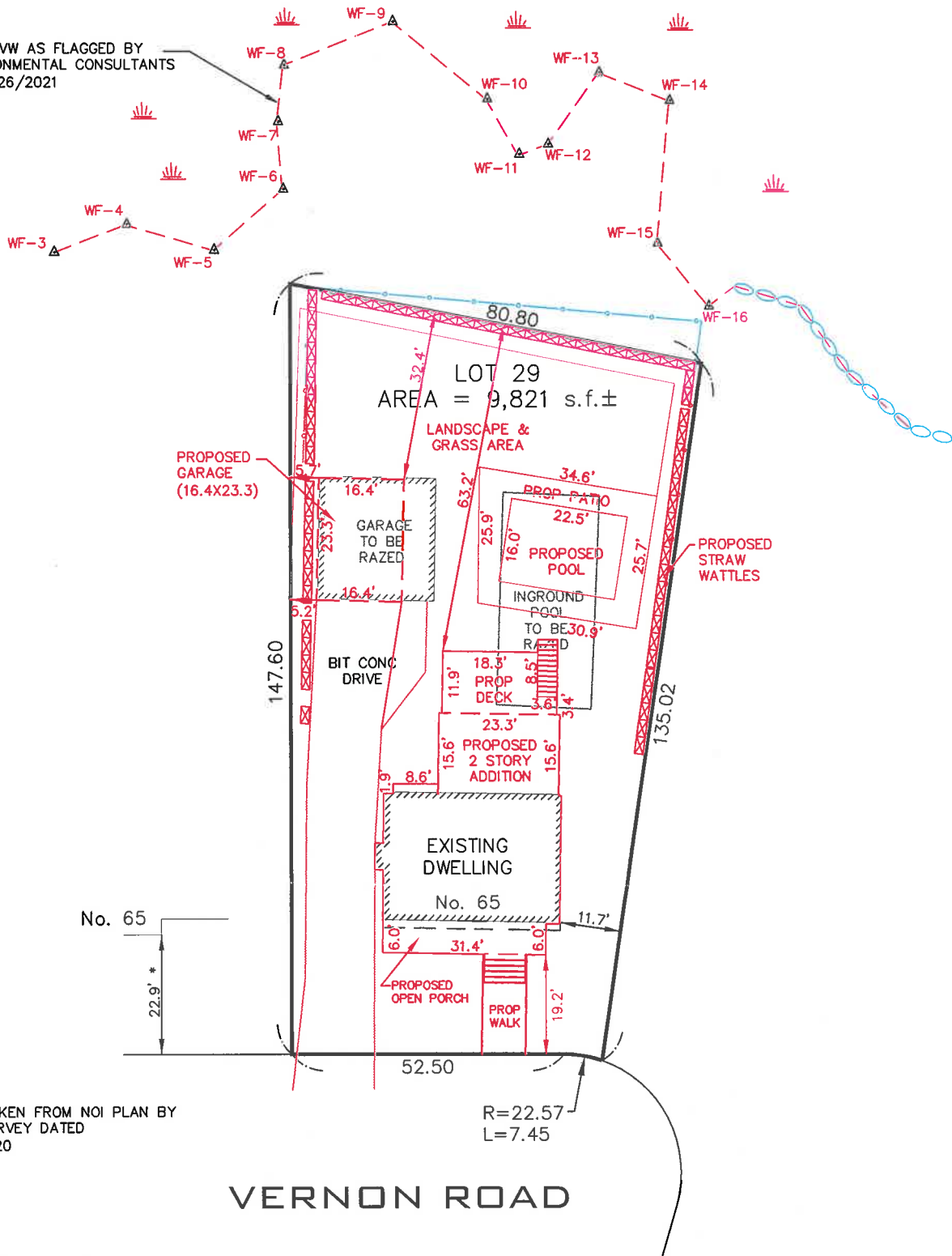
Thank you for your time and consideration of our request. We look forward to working with you!

Sincerely,

Mike and Lauren Pincus



EDGE OF BVW AS FLAGGED BY
LEC ENVIRONMENTAL CONSULTANTS
INC ON 2/26/2021



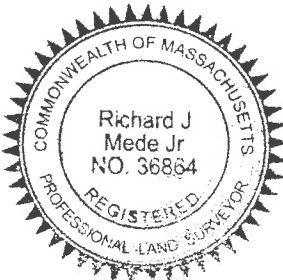
NOTE: *TAKEN FROM NOI PLAN BY
ROBER SURVEY DATED
10/02/2020

R=22.57
L=7.45

ZONED (SR-C)


ZONING REQUIREMENT	EXISTING	PROPOSED
FRONT: 25'	25.2'	19.2'
SIDE: 10'	11.7'	NO CHANGE
REAR: 30'	78.1'	63.2'
MAX. LOT COV.: 25%	26.4%	24.9%
MIN. OPEN SPACE: 50%	60.1%	57.1%

THE PROPERTY IS NOT LOCATED IN AN
ESTABLISHED FLOOD HAZARD ZONE ACCORDING
TO THE F.I.R.M. OF BELMONT.



DEED REFERENCE: BK 63904 PG 23
PLAN REFERENCE: PLAN BK 394 PG 5

OWNER:	MICHAEL & LAUREN PINCUS
LOC.	HOUSE NO.: 65 LOT NO.: 29
APP. NO.:	
DATE:	OCTOBER 18, 2021
SCALE:	1" = 30'

 10/18/2021
RICHARD J. MEDE, JR. — P.L.S. DATE:

Zoning Compliance Check List (Registered Land Surveyor)

Property Address: _____

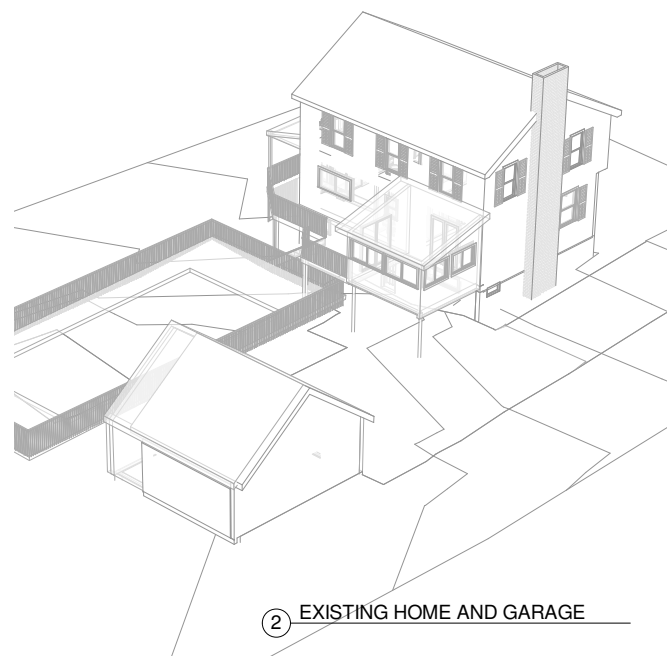
Zone: _____

Surveyor Signature and Stamp: _____

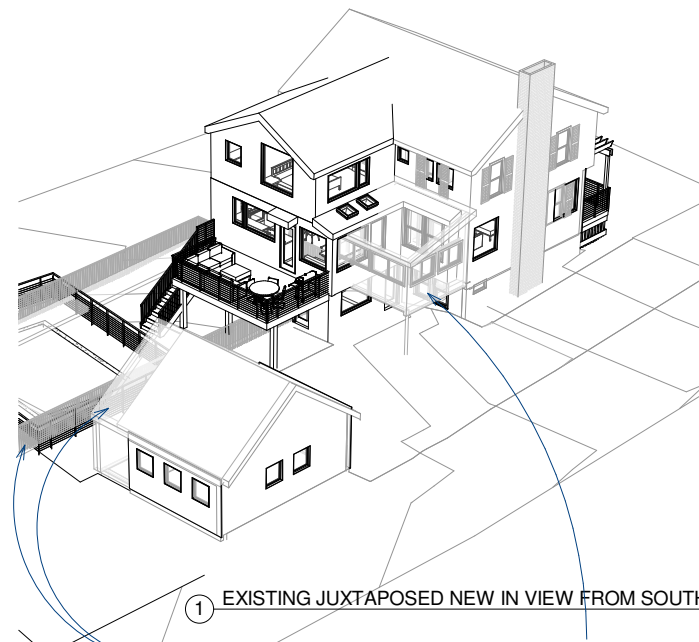
Date: _____

	REQUIRED	EXISTING	PROPOSED
Lot Area			
Lot Frontage			
Floor Area Ratio			
Lot Coverage			
Open Space			
Front Setback			
Side Setback			
Side Setback			
Rear Setback			
Building Height			
Stories			
½ Story Calculation			

NOTES:

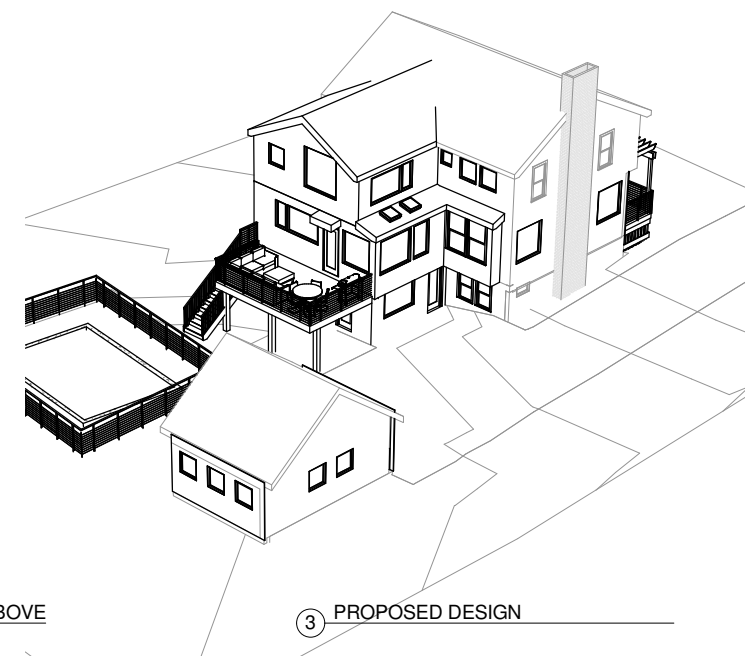


② EXISTING HOME AND GARAGE



① EXISTING JUXTAPOSED NEW IN VIEW FROM SOUTHWEST ABOVE

SEE-THROUGH SHADOWED AREA SHOWS DEMOLISHED



③ PROPOSED DESIGN

SYNOPSIS: OWNERS WANT TO EXPAND THEIR HOME TO ALLOW FOR THEIR GROWING FAMILY. THE PROPOSED INCLUDES THE FOLLOWING:

- REMOVE EXISTING SUNROOM, DECK, FRONT ENTRY AND A PORTION OF THE EXISTING GARAGE.
- NEW KITCHEN AND DECK AT BACK OF EXISTING HOME WITH REC ROOM BELOW.
- PRIME BEDROOM SUITE ABOVE KITCHEN ON THE UPPER LEVEL WITH A SMALLER FLOOR PLATE.
- AT THE FRONT OF THE HOUSE, A WIDE OPEN AIR PORCH.
- THERE IS A SMALLER POOL AND POOL DECK.

ZONING:
SINGLE RESIDENCE "C"

MINIMUM LOT AREA	9000 SF
MINIMUM LOT FRONTAGE	75 feet
MAXIMUM LOT COVERAGE	25%
MINIMUM OPEN SPACE	50%
SR-C	MINIMUM SETBACK DIMENSIONS in FEET
Dwelling	front: 25 side: 10
rear: 30/25	max bldg ht: 36
stories: 2.5	

PROJECT INFORMATION: ADDITION TO INCLUDE A PRIME BEDROOM ON THE UPPER LEVEL, AN EAT IN KITCHEN ON THE MAIN LEVEL, A REC ROOM ON THE LOWER LEVEL AND AN OPEN FRONT PORCH. RENOVATION INCLUDES BATHROOMS AND LAUNDRY ON THE SECOND FLOOR AND THE FRONT ENTRY MUDROOM.

LOT IS ADJACENT TO A RESOURCE.

(E) HOME IS A SINGLE FAMILY, 3 BR, 3 1/2 BATH RESIDENCE. THE PROPOSED IS A 4 BEDROOM 3 1/2 BATH RESIDENCE

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PINCUS- ZBA SUBMITTAL



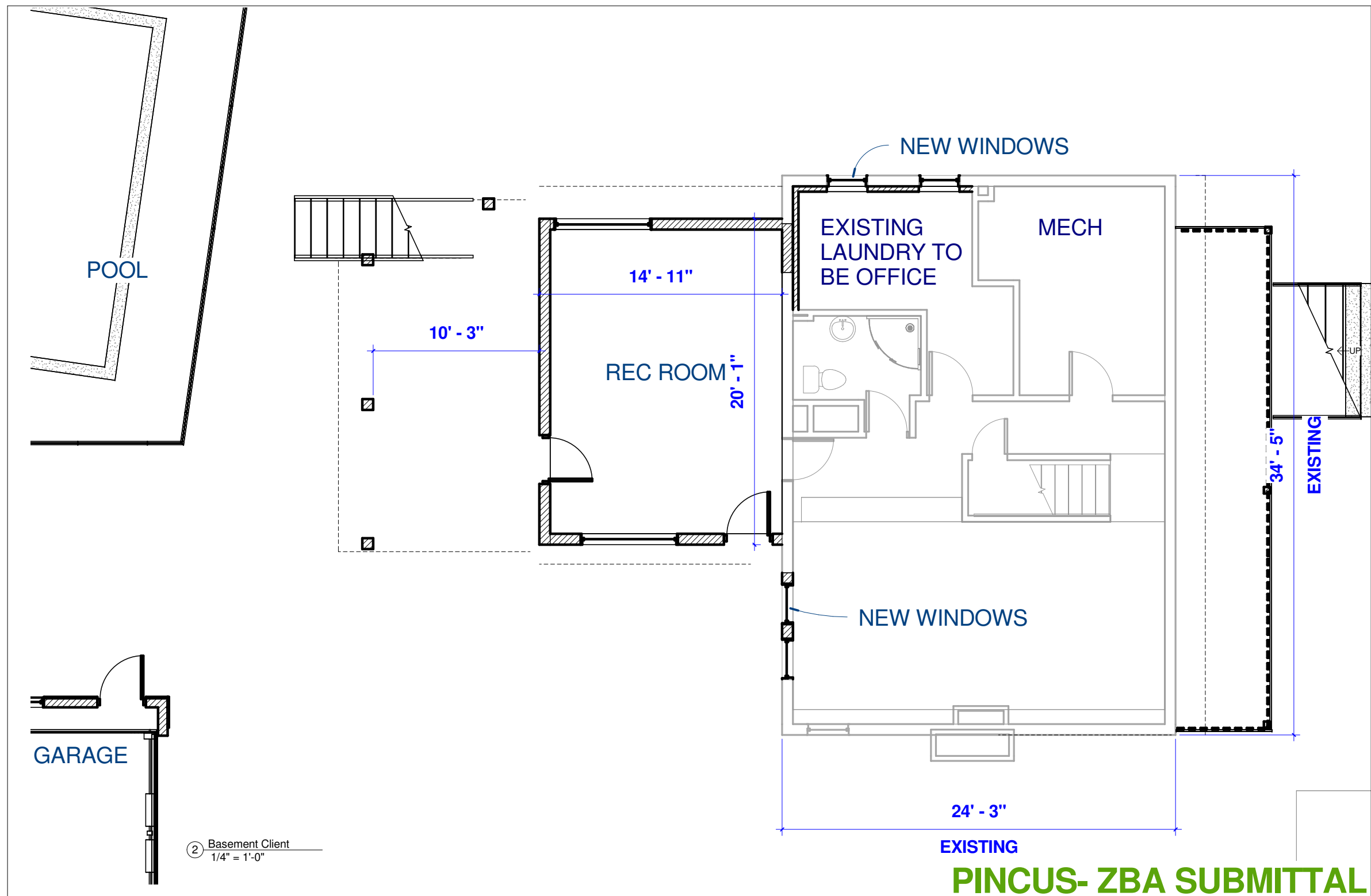
CA DESIGN STUDIO LLC
ARCHITECTURE PLANNING DESIGN
CHRISTINEARTHUR@GMAIL.COM

A0

OVERVIEW

09/16/2021

PINCUS RESIDENCE
65 VERNON RD
BELMONT MA 02478



PINCUS- ZBA SUBMITTAL



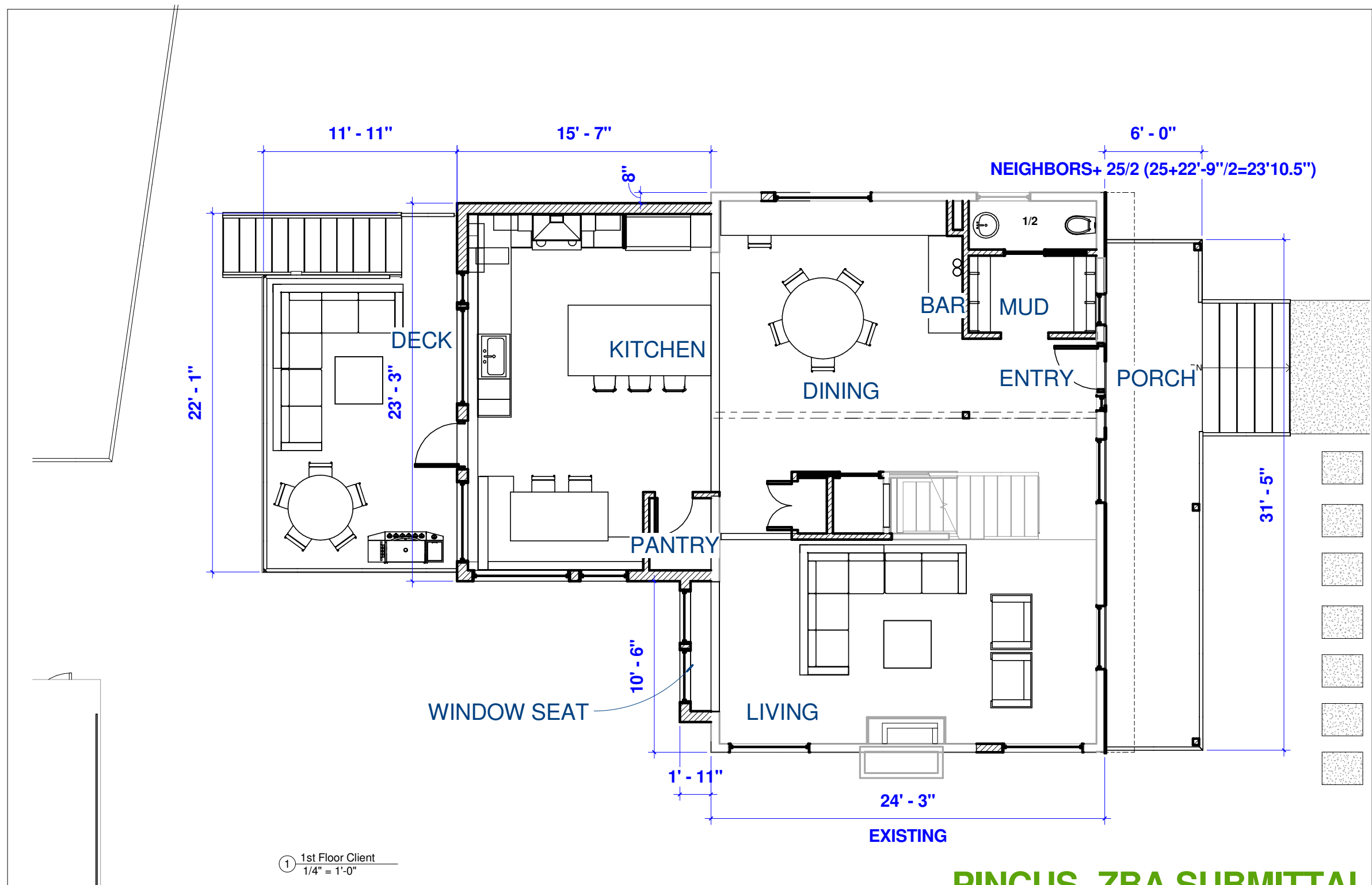
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A1

BASEMENT FLOOR PLAN

09/16/2021

PINCUS RESIDENCE
65 VERNON RD
BELMONT MA 02478



PINCUS- ZBA SUBMITTAL



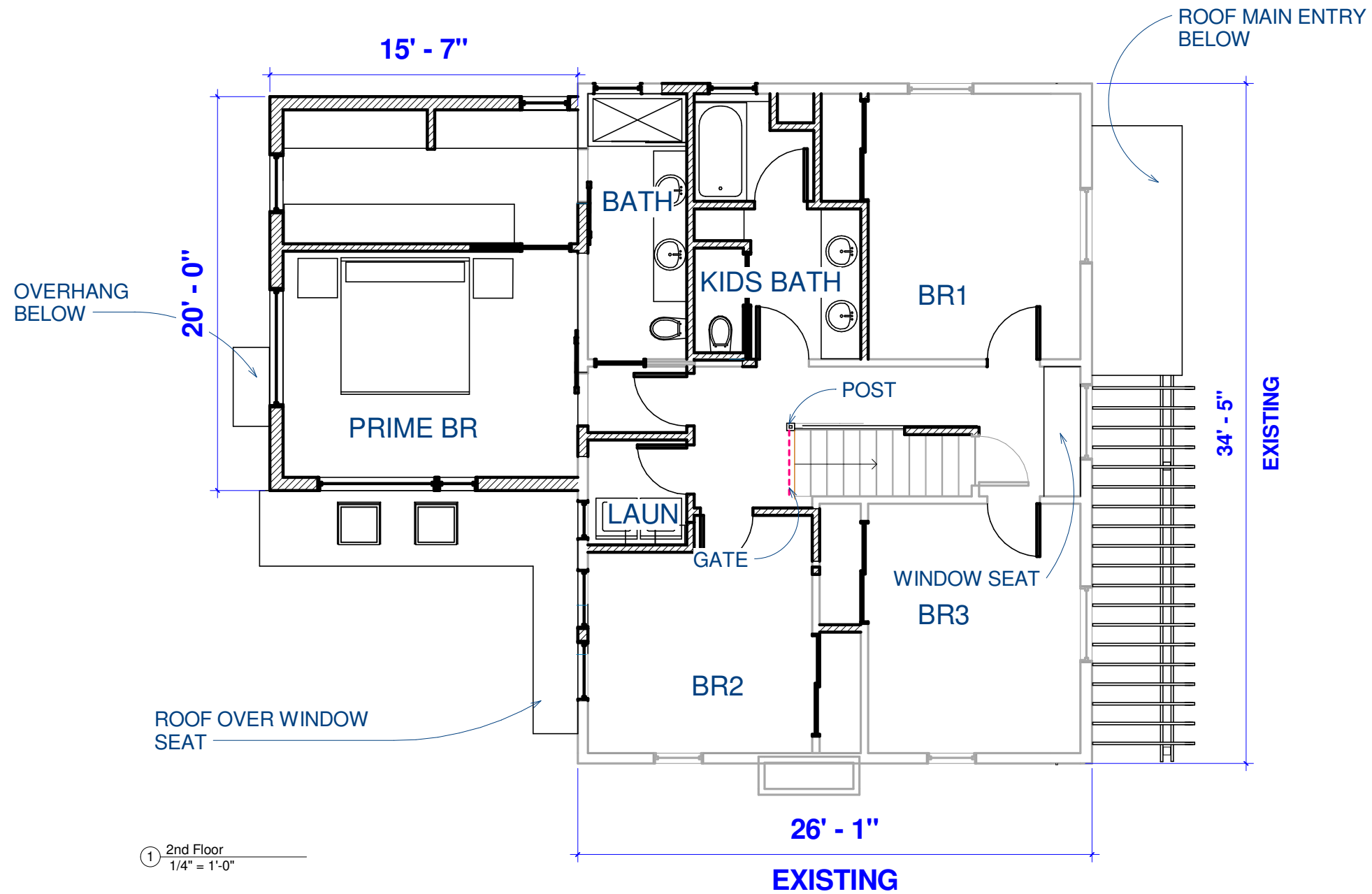
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A2

FIRST FLOOR PLAN

09/16/2021

PINCUS RESIDENCE
65 VERNON RD
BELMONT MA 02478



PINCUS- ZBA SUBMITTAL



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A3

SECOND FLOOR PLAN

09/16/2021

PINCUS RESIDENCE
65 VERNON RD
BELMONT MA 02478

NEW FENCE AROUND
PROPOSED POOL LOCATED
BEYOND 25'-0" SETBACK

POOL LOCATION
WITHIN BUILDING
SETBACKS (TO
ALLOW FOR PATIO
THAT IS OUTSIDE OF
RESOURCE
SETBACK).

PATIO AROUND PROPOSED
POOL BEYOND 25'-0" RESOURCE
SETBACK

EXISTING POOL AND
CONCRETE DECK TO BE
REMOVED

EXISTING MAIN LEVEL DECK
AND STAIRS TO BE REMOVED

SETBACKS

POOL

25' - 0"

50' - 0"

25' - 0"

10' - 0"

ASPHALT DRIVEWAY

REDUCE SIZE OF EXISTING
GARAGE

STRAW WATTLE
DURING CONSTRUCTION

ASPHALT DRIVEWAY
REMAINS IN THE SAME
LOCATION

GREEN = SETBACKS

EXISTING SUNROOM
TO BE REMOVED

① SITE PLAN AT FLR 1
1/8" = 1'-0"

PINCUS- ZBA SUBMITTAL



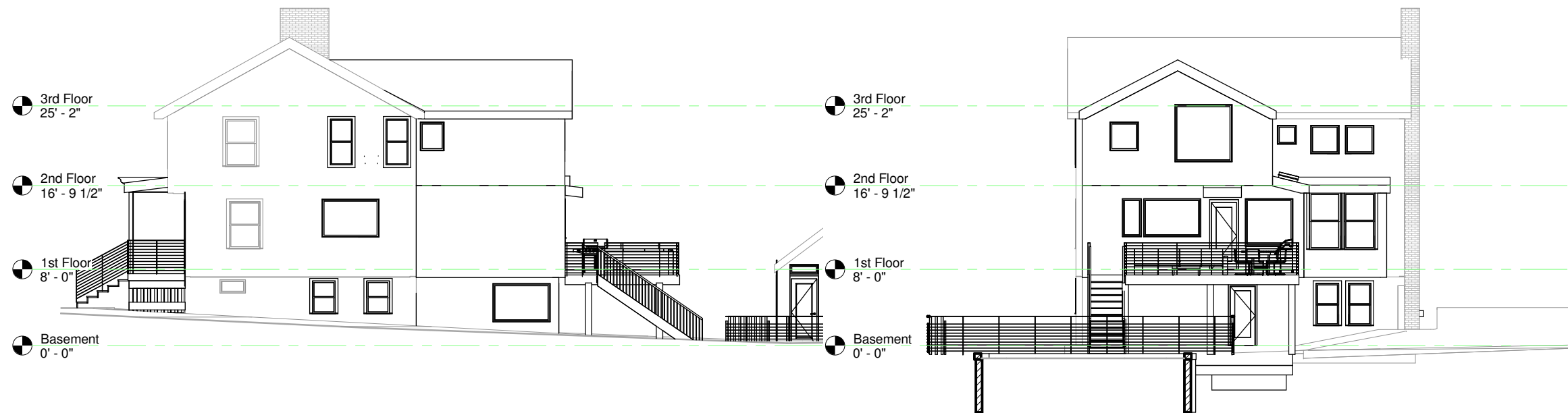
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SITE PLAN

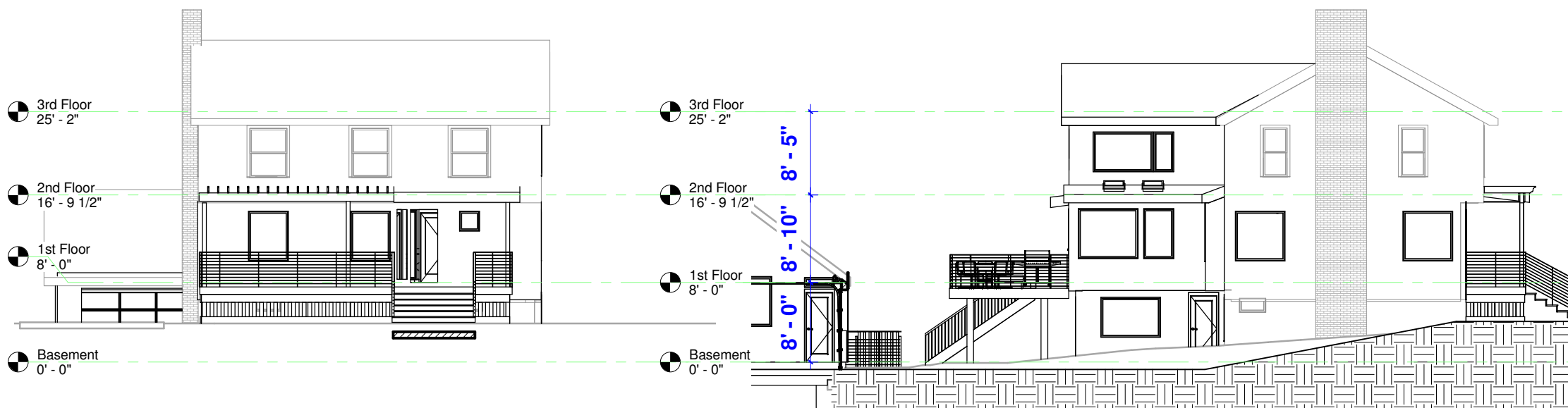
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① NORTH ELEVATION
1/8" = 1'-0"

② WEST ELEVATION
1/8" = 1'-0"



③ EAST ELEVATION
1/8" = 1'-0"

④ SOUTH ELEVATION
1/8" = 1'-0"

PINCUS- ZBA SUBMITTAL



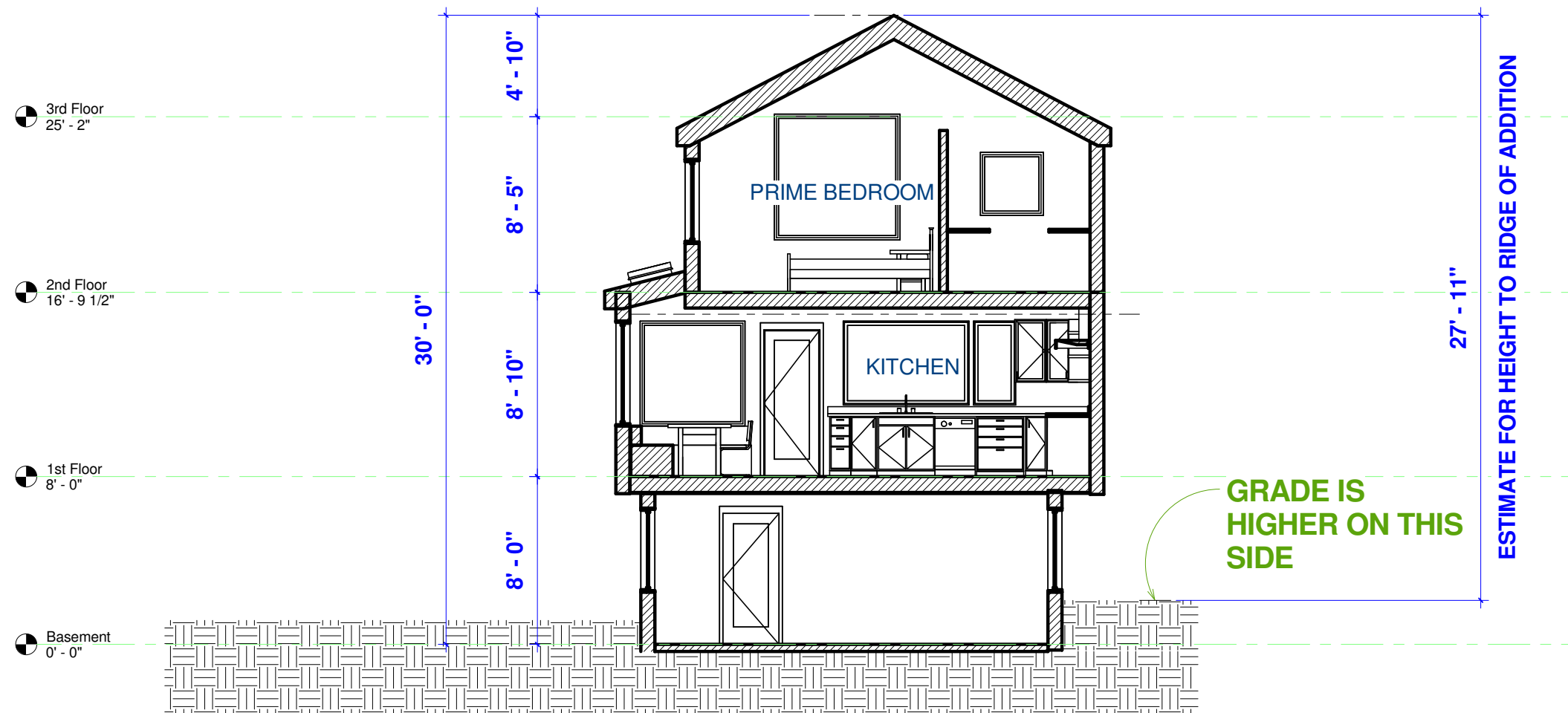
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A5

ELEVATIONS

09/16/2021

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① NORTH SOUTH SECTION
1/4" = 1'-0"

PINCUS- ZBA SUBMITTAL



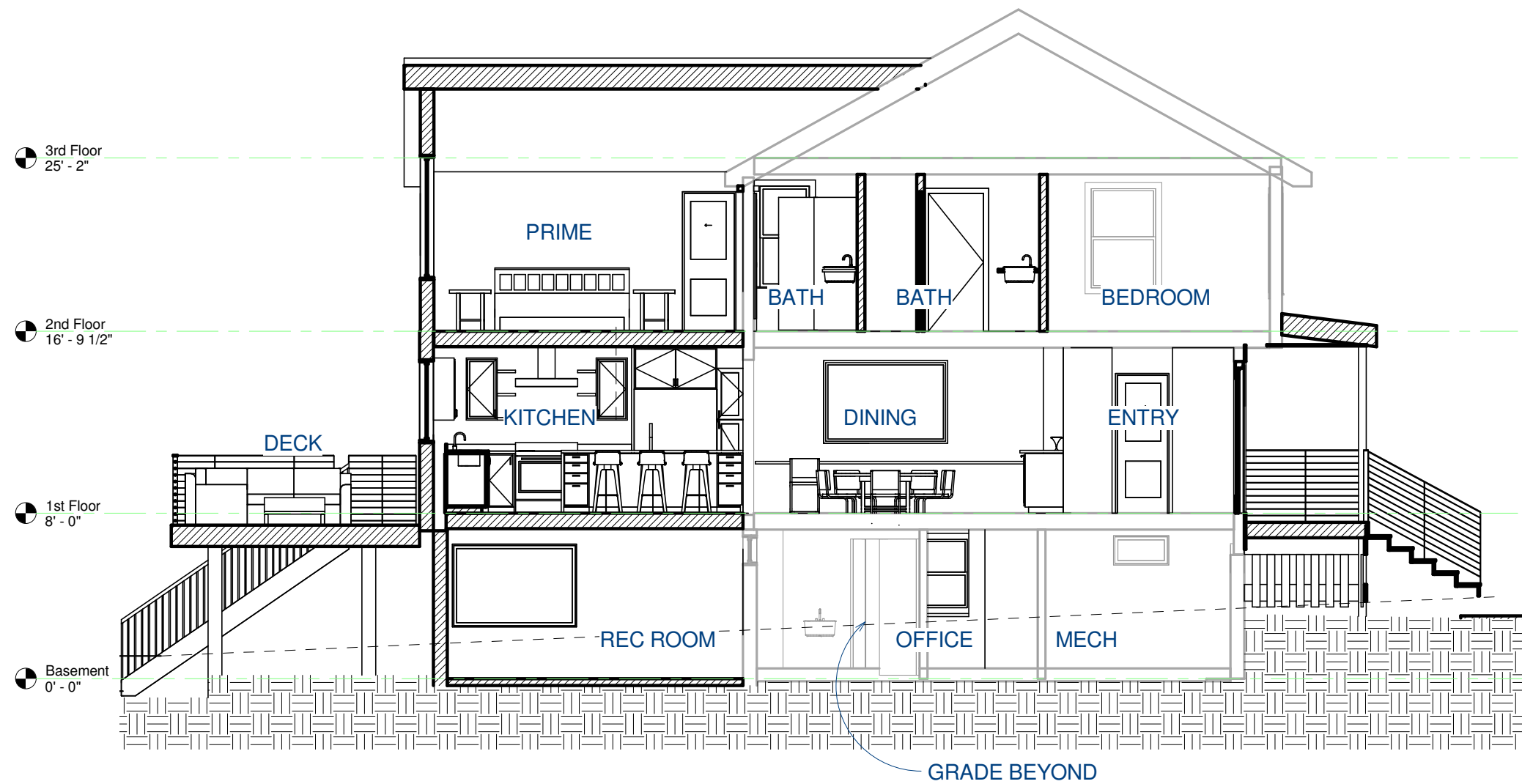
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NORTH SOUTH SECTION

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65 VERNON RD
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① WEST EAST SECTION
1/4" = 1'-0"

PINCUS- ZBA SUBMITTAL



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WEST EAST SECTION

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BELMONT MA 02478



① VIEW FROM NORTHEAST



② VIEW FROM NORTHWEST



③ VIEW FROM SOUTHEAST



④ FROM THE SW

PINCUS- ZBA SUBMITTAL



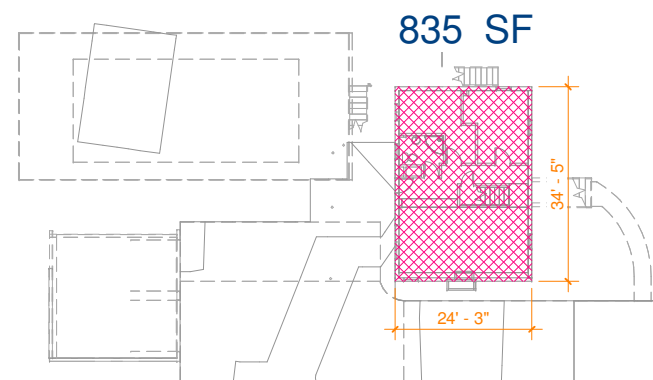
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VIGNETTES

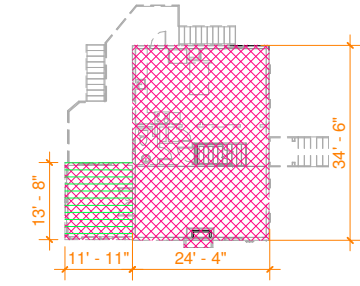
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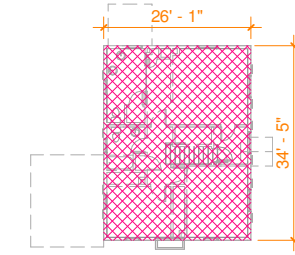
③ Basement EXISTING GFA
1" = 20'-0"

1,008- 163 (SUNROOM)=845 SF



① 1st Floor EXISTING GFA
1" = 20'-0"

897 SF



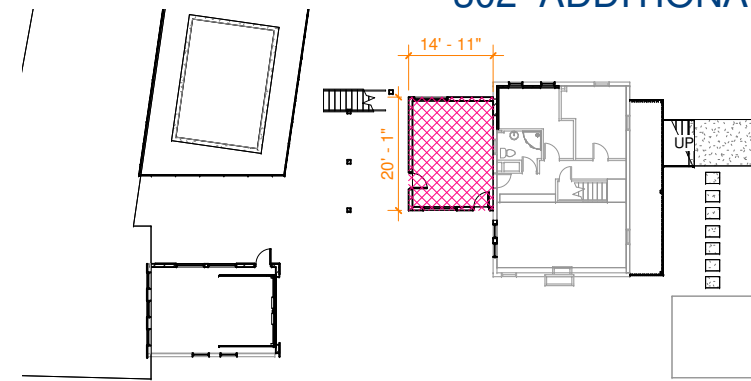
② 2nd Floor EXISTING GFA
1" = 20'-0"

$835 + 1,008 + 897 = 2,740 \text{ SF}$

TOTAL EXISTING GFA= 2,740 SF (INCLUDES SUNROOM)

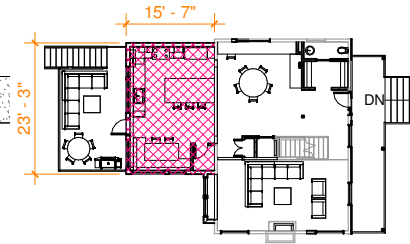
30% REQUIREMENT:
TOTAL EXISTING GFA= 2,740 SF
 $2,740 \times .3 = 822 \text{ SF.}$
ALLOWABLE GFA: 2,740+822= 3,562 SF

302 ADDITIONAL



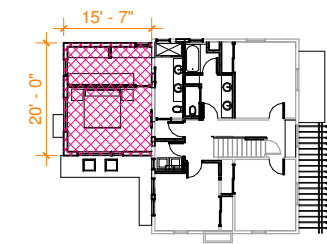
⑦ Basement NEW GFA
1" = 20'-0"

363 ADDITIONAL



⑧ 1st Floor NEW GFA
1" = 20'-0"

311 ADDITIONAL



⑨ 2nd Floor NEW GFA
1" = 20'-0"

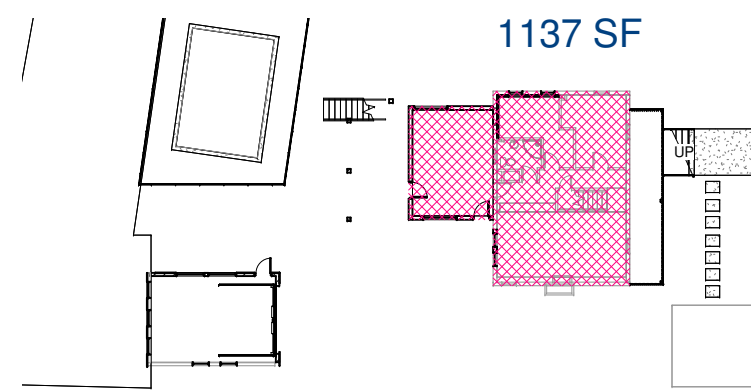
TOTAL ADDITIONAL GFA=976 SF

$302 + 363 + 311 = 976 \text{ SF}$

$976(\text{additional}) - 163(\text{sunroom}) = 813 < 822 \text{ additional allowable.}$

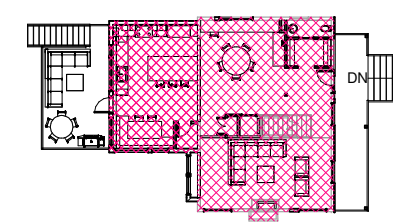
TOTAL PROPOSED GFA=3,553 SF

1137 SF



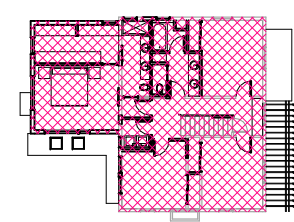
⑤ Basement GFA
1" = 20'-0"

1,208 SF



④ 1st Floor GFA
1" = 20'-0"

1,208 SF



⑥ 2nd Floor GFA
1" = 20'-0"

$2,740 (\text{EXISTING}) - 163 (\text{SUNROOM}) = 2,577$
 $2,577 + 976 (\text{ADDITIONAL}) = 3,553$

$1,137 + 1,208 + 1,208 = 3,553 \text{ SF}$

TOTAL GFA PROPOSED= 3,553 SF
3,553 < 3,562 ALLOWABLE GFA
FOLLOWS THE CODE

PINCUS- ZBA SUBMITTAL



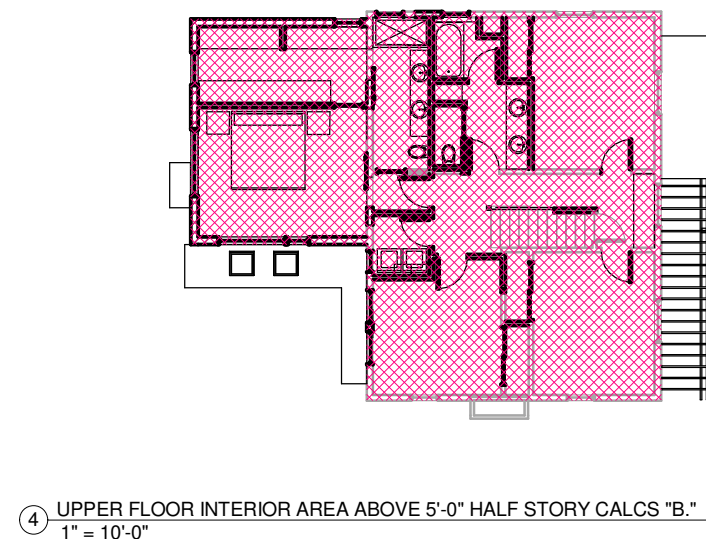
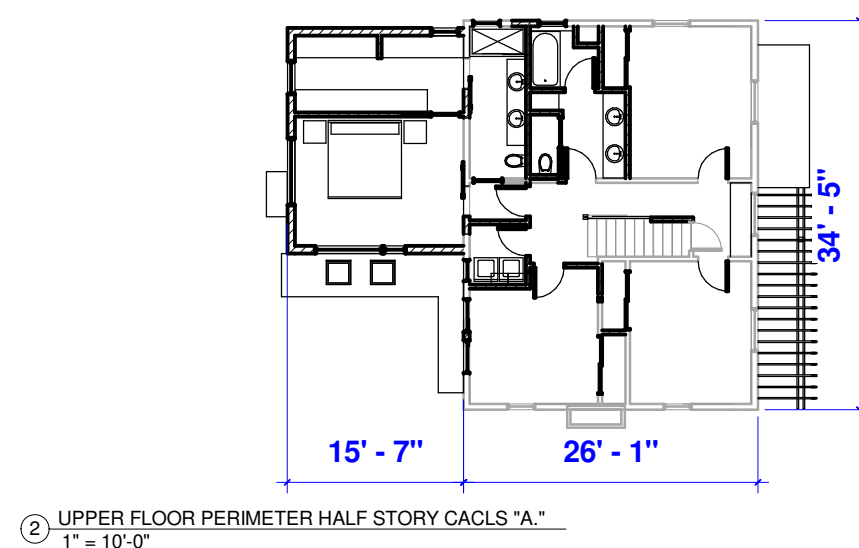
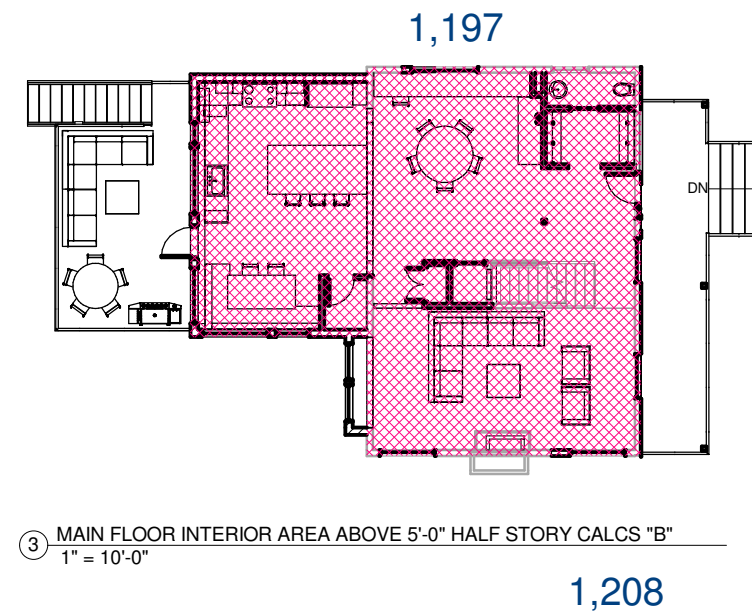
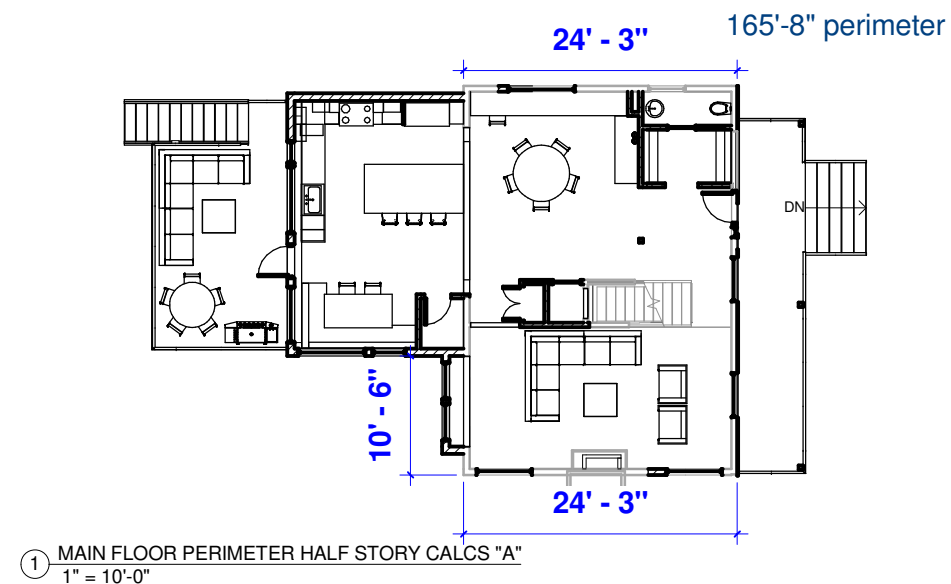
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A9

GFA

09/16/2021

PINCUS RESIDENCE
 65 VERNON RD
 BELMONT MA 02478



**WILL NOT WORK
BECAUSE BASEMENT ILO
CELLAR DESIGNATION.**

Story, Half - A space under a sloping roof where:

a) the line of intersection of the rafter bottoms and the interior wall surface is not more than three feet above floor level on at least half the perimeter of the second floor,
PERIMETER OF MAIN FLOOR:
 $165'-8" / 2 = 82'-10"$. PERIMETER OF THE DORMERS = 156'-4" SPECIAL PERMIT

b) the potential space having headroom of five feet or more is not more than 60% as large as the second floor,
 $1/2$ STORY CALCS $1354 \text{ SF} \times .6 = 812 \text{ SF}$ ALLOWABLE.
TOTAL = 1,317 SF DESIGNED-SPECIAL PERMIT

c) provided that the length of any dormer does not exceed 75% of the length of the roofline of the side of the structure where the dormer is constructed,
DOES NOT WORK- SPECIAL PERMIT

and

d) for purposes of this calculation, when the height of the second floor is indeterminate, the height of the second floor (from finished floor to finished ceiling) shall be equal to 12 feet, the remaining portion of the wall shall be factored into the half-story calculation.

PINCUS- ZBA SUBMITTAL

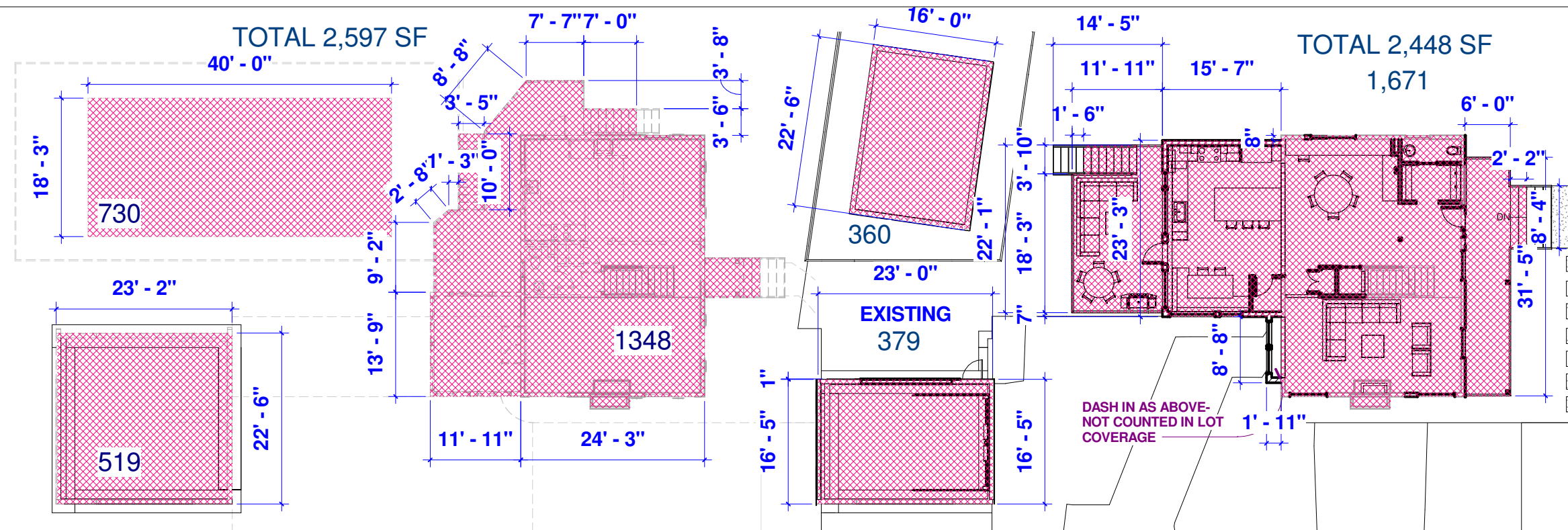


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A10 HALF STORY CALCS

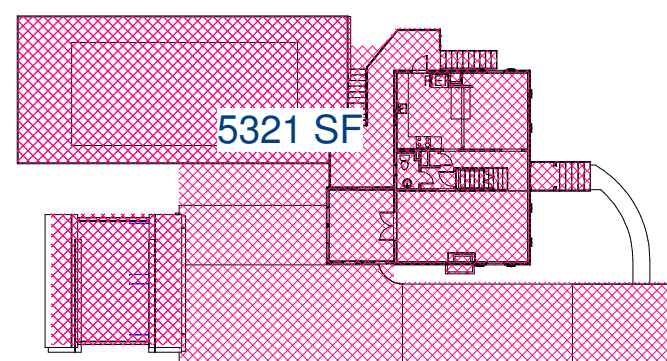
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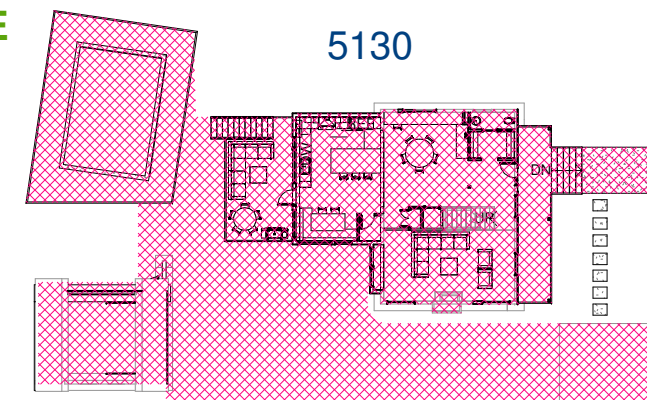
② 1st Floor EXISTING LOT COVERAGE
1" = 10'-0"

**ESTIMATED EXISTING LOT COVERAGE= 2,597 SF
EXISTING IS OVER THE ALLOWABLE LOT COVERAGE**



5 EXISTING SITEPLAN (SHOWN AT FLR 1 FOR CLARITY)
1" = 20'-0"

**ESTIMATED BEFORE
IMPERVIOUS= 5,321-
ESTIMATED PROPOSED
IMPERVIOUS= 5,130=-191 SF**



TOTAL ALLOWABLE LOT COVERAGE
LOT SIZE 9,821 SF X .25= 2,455 SF
TOTAL LOT COVERAGE PROPOSED = 2,448.
LESS THAN EXISTING LOT COVERAGE AND WITHIN 25%.
FOLLOWS THE CODE

PINCUS- ZBA SUBMITTAL



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A11 LOT COVERAGE

PINCUS RESIDENCE
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