



Town of Belmont
Planning Board

APPLICATION FOR A SPECIAL PERMIT

Date:

2 / 10 / 22

Planning Board
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

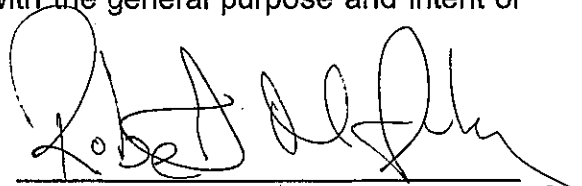
To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Law 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 261 Orchard St 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 _____

BUILD new house

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

ROBERT MCAULEY

Address

1 BANKS ST
Somerville

Daytime Telephone Number

617 956 2184



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

January 12, 2022

Robert McAvley
261 Orchard Street
Belmont, MA 02478

RE: Denial to Demo and Reconstruct a Single-Family Dwelling

Dear Mr. McAvley,

The Office of Community Development is in receipt of your building permit application for the demolition and reconstruction of a single-family dwelling at 261 Orchard Road located in the Single Residence C (SR-C) Zoning District.

Your application has been denied because it does not comply with the Zoning By-Law. More specifically, §1.5.4C(3) allows the reconstruction of a larger nonconforming structure that exceeds the original nonconforming structure's gross floor area, special permit granted by the Planning Board.

1. The proposed reconstruction of the single-family dwelling is larger in gross floor area than the original nonconforming dwelling. A Special Permit granted by the Planning Board is required.

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 Planning Board. If you choose this option, please contact the Office of Community Development to schedule an appointment with Robert Hummel, Senior Planner at (617) 993-2650 in order to begin the process.

Sincerely,

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

February 10, 2022

Dear Planning Board Members:

My wife, Danielle, and I are excited to develop the property at 261 Orchard St into our new home. We are currently three with our daughter and plan to have more children. In addition, both our parents are elderly and regularly travel to stay with us.

The structure on the site has been vacant for many, many years and is in a state of extreme disrepair; currently the house is truly an eyesore within a very nice neighborhood. With the new residence we are proposing, we aim to meet the needs of our growing family while replacing the existing dilapidated house with one that will enhance the immediate area. We believe the design will improve the view towards the property for the abutting neighbors, neighbors from across the street, and people walking or driving by the property. Our priority has been to keep a similar form and orientation to that of the existing house and the abutting homes. We have deliberately chosen a simple, unadorned style which we believe will complement the character of the neighborhood. As viewed from Orchard Street, the style can be described as Modern American Farmhouse Style. In keeping with the more traditional American Farmhouse Style, the main section of the house is to be clad in traditional clapboards, and the gabled roofs are to be an attractive, durable standing seam metal roofing system.

While the proposed house is larger than the existing, it is smaller than some of the homes in the vicinity. The use of compact forms and simple, clean detailing and the placing of a large portion of the volume at the rear, minimally visible from Orchard Street, is meant to moderate the overall massing of the building.

Regarding the lot, the two nonconforming items are the Lot Area and Lot Frontage; for both Existing and Proposed, the zoning setbacks and other requirements are met. The proposed siting of the structure is such that the front of the house is 4 feet further back from the current location; the objective being to provide a bit more open space on the public side, allowing for a welcoming covered entryway and stair. Along the east side, we are also proposing a bit wider space between the house and the property line. Finally, with regards to landscaping, our proposal is to retain as many of the mature trees as possible.

Sincerely,
Robert McAuley

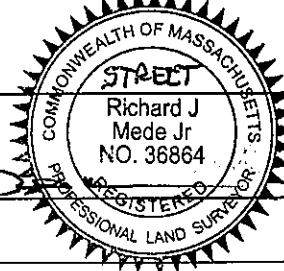
Landscape Plan

We plan to make minimal changes to current landscape design. All current trees, the current driveway and small shed/garage in the back will remain as is.

Zoning Compliance Check List

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

Property Address: 261 ORCHARD



Surveyor Signature and Stamp: _____

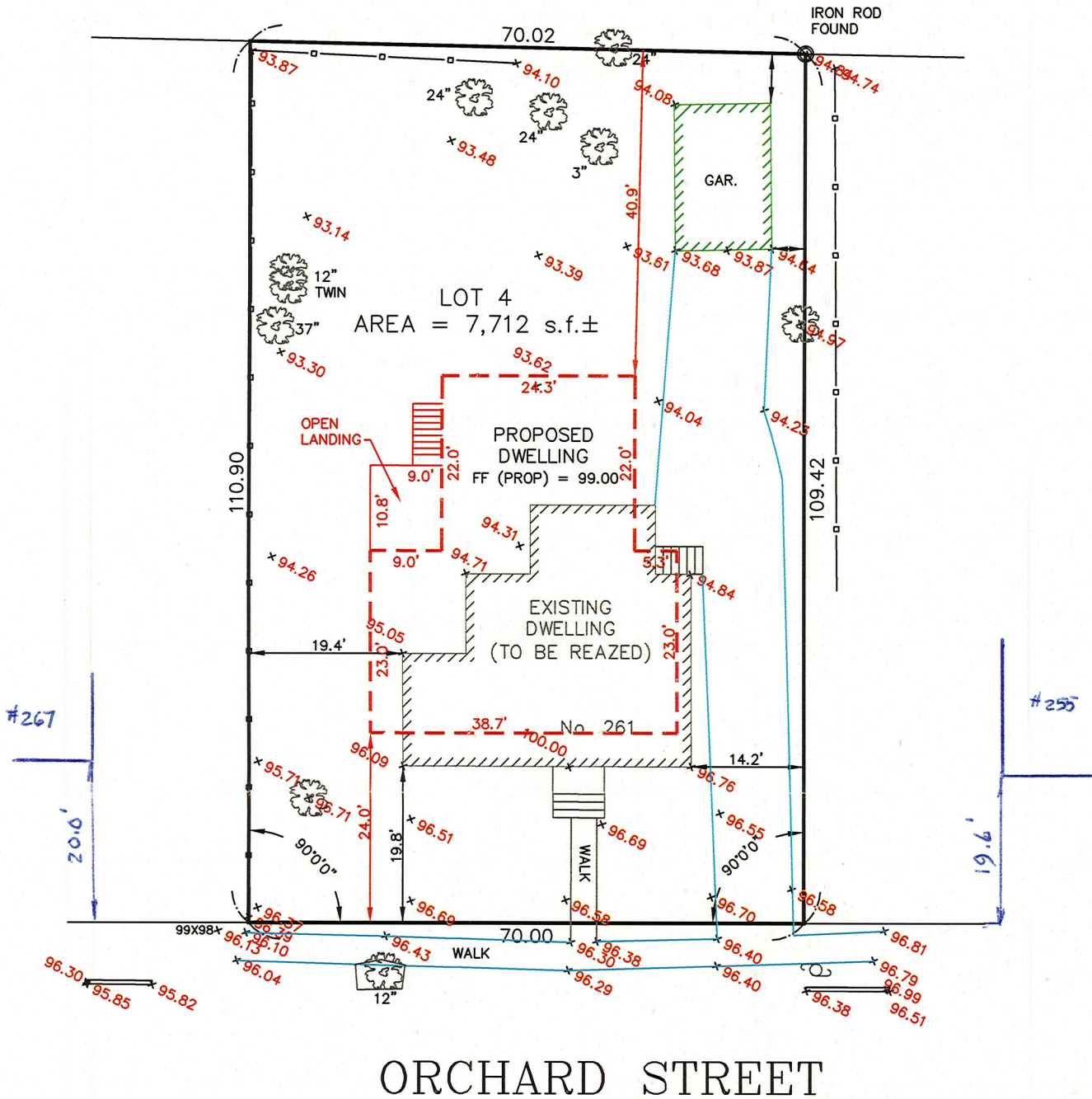
Date: 01/27/2022

Per §4.2 of the Zoning By-Law							
		REQUIRED		EXISTING		PROPOSED	
Lot Area (sq. ft.)		9,000 <i>sf</i>		7,712 <i>sf</i>		7,712 <i>sf</i>	
Lot Frontage (feet)		75'		70'		70'	
Lot Coverage (% of lot)		25 %		15.15 %		21.4 %	
Open Space (% of lot)		50 %		63.7 %		57.4 %	
Setbacks: (feet)	➤ Front (a)	19.65'		19.8'		24.0'	
	➤ Side/Side	10'	10'	19.4'	14.2'	15.3'	16.0'
	➤ Rear	30'		57.1'		40.9'	
Building Height:	➤ Midpoint (feet)	30		24.11'		28.87'	
	➤ Ridge (feet)	34		28.28'		33.17'	
	➤ Stories	2-1/2		2 1/2		2 1/2	
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.

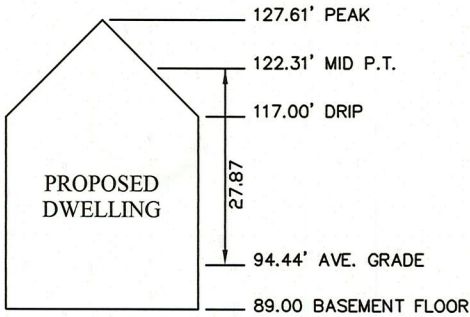
SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated.



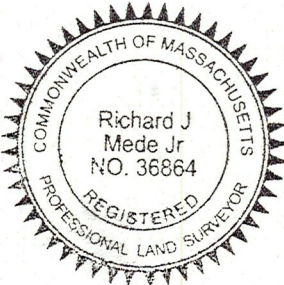
ORCHARD STREET

ZONED (SR-C)

ZONING REQUIREMENT	EXISTING	PROPOSED
FRONT: 19.65'	19.7'	24.0'
SIDE: 10'	14.2'	15.3'
REAR: 30'	57.1'	40.9'
MAX. LOT COV.: 25%	15.15%	21.4%
MIN. OPEN SPACE: 50%	63.7%	57.4%



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



DEED REFERENCE: BK 1567 PG 42
PLAN REFERENCE: 6851A

OWNER: ROBERT MCAULEY
HOUSE NO.: 641
LOC. LOT NO.: 4
APP. NO.:
DATE: JANUARY 27, 2022
SCALE: 1" = 20'

RICHARD J. MEDE, JR. - P.L.S.

DATE:

2-1-2022

New Residence at 261 Orchard St Belmont MA

Zoning Compliance Check List - Half Story

REQUIRED (RELATIVE TO PROPOSED):

Perimeter (50%):	$\geq 85'$
Area (60%):	≤ 887 SF
Length (75%):	$\leq 75'$

EXISTING:

Perimeter (50%):	83'-6"
Area (60%):	100.5 SF
Length (75%):	NA

PROPOSED:

Perimeter (50%):	142'-6"
Area (60%):	425 SF
Length (75%):	NA

Additional Information

We made an introduction to all immediate neighbors and provided each a copy of the Architectural Design Plans.

Please see attached letter.

February 1, 2022

Hello Future Neighbors!

We are the owners of 261 Orchard Street and currently in the process of applying for a special permit with the town to build a new house. Enclosed is the plan for our new house design. We have tried to design a house to fit into the neighborhood and intend to keep the trees.

We hope you like the drawings. The town of Belmont suggested that support from our neighbors would be helpful in getting such a plan approved. After reviewing the plan, would you consider supporting us with a brief email statement that we can show the town planning board.

Our contact information is below.

Thank you for your time.

Kind regards,

Robert McAuley, Danielle Ward and Caoimhe McAuley (age 5)

Robert: (617) 956-2184
rbmcauley@gmail.com

Danielle: (508) 736-9195
elleinad24@gmail.com

Re: Orchard Street- new house construction

Inbox



Mollica Manandhar

Tue, Feb 1,
2:45 PM (8
days ago)

to me,
Ashish

Hi Robert and Danielle (and Caoimhe),

Thanks for sending along the permit drawings for the design of your new house. I wanted to write and let you know that our family at 32 George Street finds the design to be contextual, scale-appropriate and sensitively placed in the new location. It is a beautiful exterior and interior design too, and we are looking forward to seeing the new house built and occupied in our neighborhood. We are thrilled to hear that you are planning to keep the trees- thank you. If you need us to write a more formal letter directly addressing the Town of Belmont, I'd be happy to do that as well. Please let us know.

All the best with the permitting process!

Mollica

(Manandhar/Upadhyay household at 32 George)

New Residence at 261 Orchard St

261 Orchard St Belmont, MA 02478

GENERAL ENERGY CONSERVATION NOTES:

- PROJECT MUST COMPLY WITH CURRENT EDITION OF THE MASSACHUSETTS RESIDENTIAL BUILDING CODE [9TH EDITION (2015 IRC, 2018 IECC & MA AMENDMENTS)].
- BUILDING ENVELOPE: ENTIRE BUILDING ENVELOPE TO RECEIVE INSULATION AND VAPOR BARRIER (ON WARM SIDE) THAT MEETS OR EXCEEDS THE BUILDING CODE THERMAL REQUIREMENTS, WHERE CLOSED CELL SPRAY FOAM INSULATION IS USED, A SEPARATE VAPOR BARRIER WILL NOT BE INSTALLED.
PROVIDE AT MINIMUM:
 - FENESTRATION U-FACTOR: 0.30
 - SKYLIGHT U-FACTOR: 0.55
 - CEILING R-FACTOR: 49
 - WOOD FRAME WALL R-VALUE: 20 OR 13 + 5 (CONT)
 - MASS WALL R-VALUE: 13/17.
 - FLOOR R-VALUE: 30 (OR INSULATION SUFFICIENT TO FILL THE FRAMING CAVITY; R-19 MIN).
 - BASEMENT WALL R-VALUE: 15 CONT/OR 19 CAVITY.
 - SLAB R-VALUE/DEPTH: 10; 2 FT.
 - CRAWL SPACE WALL R-VALUE: 15/19.
- ALL PLUMBING TO BE SEPARATED FROM CRAWLSPACE BY MIN R30 INSULATION.
- SEAL SUBFLOOR, INCLUDING HOLES FOR WIRING AND PLUMBING WITH FOAM INSULATION PRIOR TO INSTALLING FLOOR INSULATION.
- ALL INSTALLED INSULATION SHALL BE LABELED; OR THE INSTALLED R-VALUES PROVIDED. BLOWN INSULATION MARKED EVERY 300 SF.
- ALL INSULATION TO BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
- ENVELOPE AIR LEAKAGE: AIR BARRIER AND THERMAL BARRIER INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

MATERIALS & SYSTEMS GENERAL NOTES:

- ALL SITE DESIGN, INCLUDING GRADING, DRIVEWAY, PATHS, PATIO, AND PLANTINGS BY OTHERS (NIC).
- ALL STRUCTURAL DESIGN AND DRAWINGS, INCLUDING FOUNDATION AND FLOOR & ROOF FRAMING PLANS TO BE PROVIDED BY OWNER'S STRUCTURAL ENGINEER (NIC).
- MECHANICAL (HVAC), ELECTRICAL, AND PLUMBING SYSTEMS DESIGN BY OTHERS (NIC). SYSTEMS AND EQUIPMENT SELECTED BY OTHERS (NIC).
- ROOFING:
3:12 TO 12:12 SLOPE ROOFS:
STANDING SEAM METAL ROOF SYSTEM TO BE APPROVED BY OWNER. INSTALL 2 LAYERS OF ICE & WATER SHIELD OVER NEW ROOF SHEATHING AS REQUIRED BY CODE. DO NOT INSTALL ICE & WATER SHIELD OVER ENTIRE ROOF IF SPRAY-ON INSULATION IS INSTALLED IN BETWEEN ROOF RAFTERS; INSTALL 2 LAYERS OF 30# FELT INSTEAD.
LOW SLOPE ROOFS:
EPDM ROOF SYSTEM
ALTERNATE: MINERAL SURFACED ROLL ROOFING SYSTEM.

COMPLY WITH ALL RESIDENTIAL BUILDING CODE CHAPTER 9 REQUIREMENTS.
- INSTALL SNOW BARS AND/OR SNOW GUARDS AT NEW ROOF TO PREVENT FALLING SNOW/ICE. TYPE, NUMBER, AND SIZE TO BE APPROVED BY OWNER.

- ALL KITCHEN CABINETS & COUNTERTOPS, BATHROOM VANITIES, PLUMBING FIXTURES, ELECTRICAL/LIGHTING FIXTURES AND EQUIPMENT, AND APPLIANCES TO BE SELECTED BY OWNER.
- EXTERIOR STAIRS: PT FRAMING; COMPOSITE DECKING; COMPOSITE TRIM.
- EXTERIOR RAILINGS: WOOD/METAL/SS. GUARDRAILS: 42" AFF, UNO; STAIR HANDRAILS: 34" VERT FROM NOSING.
- INSTALL FULL HEIGHT SOUND BATTS IN ALL INTERIOR PARTITIONS SEPARATING ROOMS. SOUND ATTENUATION BATTS IN FLOOR FRAMING AT OWNER'S OPTION.
- ALL EXTERIOR GLAZING TO BE CLEAR, INSULATED GLASS, UNO. ALL DOORS & WINDOWS SHALL HAVE SAFETY GLASS AT CODE REQUIRED LOCATIONS.
- PROVIDE TEMPERED GLASS AT ALL FOLLOWING LOCATIONS:
 - ANY DOOR HAVING GLAZED LITE(S).
 - ANY WINDOW OR GLAZED LITE BEHIND A DOOR SWING.
 - ANY GLAZED UNITS NEAR A POSSIBLE SLIP AND FALL SITUATION.
 - ANY GLAZING WITHIN 36"(HORIZONTALLY) OF WALKING SURFACES.
 - ANY GLASS IN A TUB OR SHOWER.
 - ANY GLASS CLOSER THAN 18" TO THE FLOOR.
 - ANY GLASS ALONG A STAIRWAY.
- BEDROOMS TO HAVE WINDOWS WITH OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING. (DOUBLE HUNG WINDOWS MIN NET CLEAR OPENING OF 3.3 SF; MIN NET CLEAR OPENING DIMENSIONS SHALL BE 20" BY 24" IN EITHER DIRECTION).
- ALL 2ND FLOOR & ATTIC WINDOWS TO PROVIDE WINDOW FALL PROTECTION COMPLYING WITH MA RESIDENTIAL CODE SECTION R312.2.
- WALL SIDING: TYPE A & TYPE B TO BE SELECTED BY OWNER.
- INTERIOR DOORS: TYPE, FINISH AND COLOR TO BE SELECTED BY OWNER.
- EXTERIOR DOORS: DOOR, DOOR FRAME AND GLAZING PERFORMANCE TO MEET ENERGY CODE REQUIREMENTS. FULLY WEATHERSTRIPPED. DOOR TYPES, FINISHES AND COLORS TO BE SELECTED BY OWNER.
- WINDOWS: WINDOWS AND GLAZING PERFORMANCE TO MEET CODE REQUIREMENTS. TYPES, FINISHES AND COLORS TO BE SELECTED BY OWNER.
- USE PRESSURE TREATED LUMBER WHEREVER WOOD IS IN CONTACT WITH MASONRY OR CONCRETE.

INTERIOR FINISHES GENERAL NOTES:

- SPECIFIC FINISHES AND COLORS TO BE SELECTED BY OWNER.
- FINISH AT WALLS & CEILINGS: 1/2" TYPE-X GYPSUM BOARD, SKIM COAT, PAINTED, UNO. GWB TO BE MR (MOISTURE RESISTANT) AT BATHROOMS, AND BASEMENT.

GENERAL NOTES:

- CONTRACTOR TO VERIFY ALL SITE EXISTING CONDITIONS PRIOR TO COMMENCING ANY WORK. OWNER TO INDICATE TREES TO BE RETAINED (AND PROTECTED AS NECESSARY).
- CONTRACTOR TO DETERMINE LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING ANY WORK.
- DIMENSIONS ARE FINISH DIMENSIONS, TYP, UNO.
- ALL EXISTING DIMENSIONS ARE +/-.
- LINES REPRESENTING GRADE IN BUILDING ELEVATIONS DRAWINGS ARE APPROXIMATE. VIF.
- ALL CONSTRUCTION MUST COMPLY WITH 9TH EDITION MA RESIDENTIAL BUILDING CODE AND ALL OTHER APPLICABLE BUILDING CODES.
- ALL OPENINGS TO HAVE STRUCTURAL LINTELS, UNO.
- ENTIRE BUILDING SHALL BE EQUIPPED WITH APPROVED HARD-WIRED SMOKE AND CO DETECTORS/SYSTEM AS REQUIRED BY CODE. THIS INCLUDES SMOKE DETECTOR IN EVERY BEDROOM; COMBINATION SMOKE/CO DETECTOR ON EVERY FLOOR AND WITHIN 10 FEET OF EVERY BEDROOM.
- BATHROOMS AND LAV TO HAVE MECHANICAL VENTILATION PER CODE.
- KITCHEN TO HAVE MECHANICAL EXHAUST ABOVE THE RANGE. COORDINATE EXHAUST CAPACITY AND MAKEUP AIR REQUIREMENTS WITH RANGE SELECTED (BY OTHERS).
- INSTALL FIRE BLOCKING AS REQUIRED BY CODE.
- PROVIDE METAL DRIP EDGE AT ALL ROOF EDGES, UNO.

ABBREVIATIONS:

AFF	ABOVE FINISH FLOOR
CLNG	CEILING
CLR	CLEAR
CNTR	COUNTER
CONC	CONCRETE
CPT	CARPET
DEMO	DEMOLISH, DEMOLITION
EQ	EQUAL
ELEC	ELECTRICAL
EXIST	EXISTING
EXT	EXTERIOR
FIN	FINISH
FL	FLOOR
GC	GENERAL CONTRACTOR
GWB	GYPSUM WALLBOARD
H	HIGH
INSUL	INSULATION
NIC	NOT IN CONTRACT
MX	MATCH EXISTING
OC	ON CENTER
PLWD	PLYWOOD
PT	PRESSURE TREATED (WOOD)
PTD	PAINTED
RO	ROUGH OPENING
SAB	SOUND ATTENUATION BATT
SIM	SIMILAR
SS	STAINLESS STEEL
STL	STEEL
STRUCT	STRUCTURAL, STRUCTURE
TYP	TYPICAL
T&G	TONGUE & GROOVE
UNO	UNLESS NOTED OTHERWISE
VIF	VERIFY IN FIELD

LIST OF DRAWINGS

ARCHITECTURAL:

G0-01	TITLE SHEET
A2-01	SITE PLAN, WALL SECTION & BASEMENT FLOOR PLAN
A2-02	1st & 2nd FLOOR PLANS
A2-03	ATTIC FLOOR PLAN & ROOF PLAN
A3-01	SOUTH & WEST BUILDING ELEVATIONS
A3-02	NORTH & EAST BUILDING ELEVATIONS
A3-03	BUILDING SECTIONS A-A & B-B

STRUCTURAL (NIC):
[BY ____]

S1-01	_____
S1-02	_____

3-2-2022
ISSUED FOR SPECIAL PERMIT
[NOT FOR CONSTRUCTION]

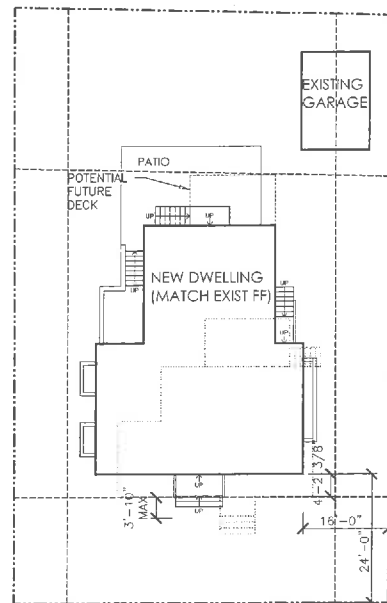
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New Residence at
261 Orchard St
261 Orchard Street Belmont, MA 02478

TITLE SHEET

11-10-2021
G0-01

ALVAREZ DESIGN LLC
ARCHITECTURE
14 Linden Avenue
Belmont, MA 02478



CONCEPTUAL SITE PLAN [FOR INFORMATION ONLY]

SCALE: 1/16" = 1'-0"

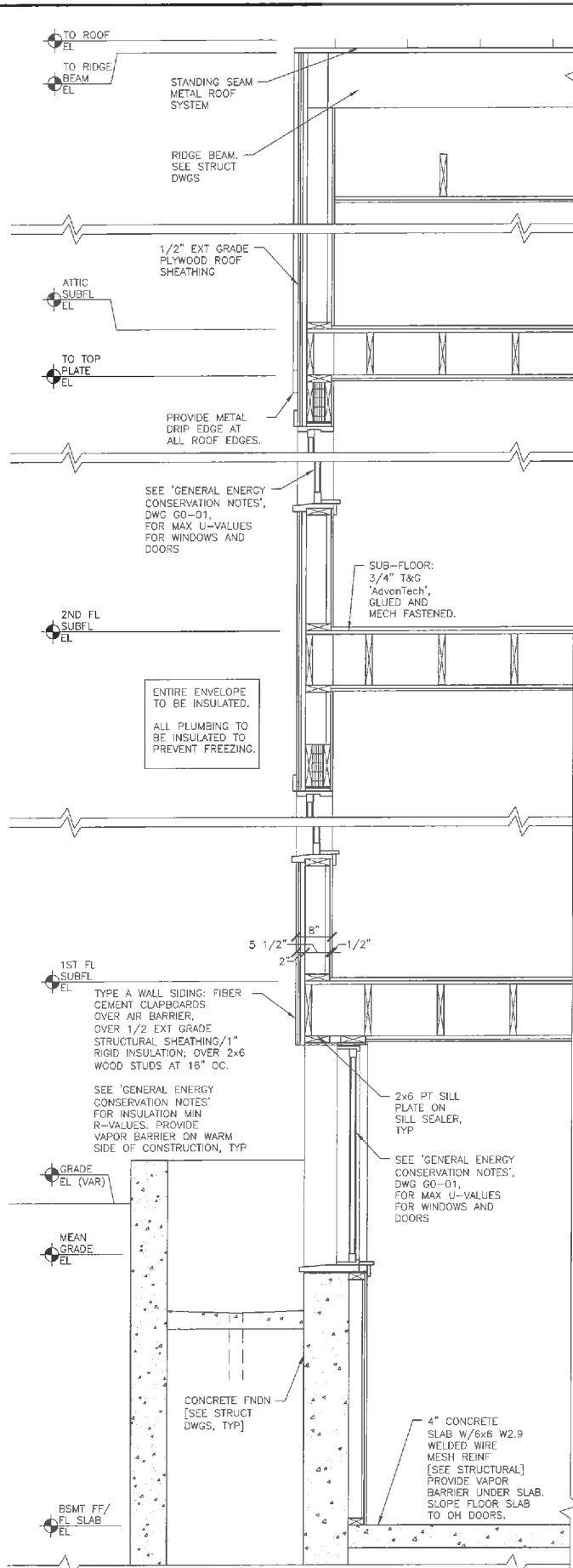
NOTE:
THIS SITE DRAWING IS FOR INFORMATION ONLY.
FOR ALL SITE CONDITIONS AND DIMENSIONS
REFER TO SURVEY PLAN BY MEDFORD
ENGINEERING & SURVEY.

PROPOSED RESIDENCE FLOOR AREA (GROSS SQUARE FEET)

Attic: 594 GSF
2nd Fl: 1,477 GSF
1st Fl: 1,477 GSF
BSMT: 1,448 GSF
Total: 4,996 GSF

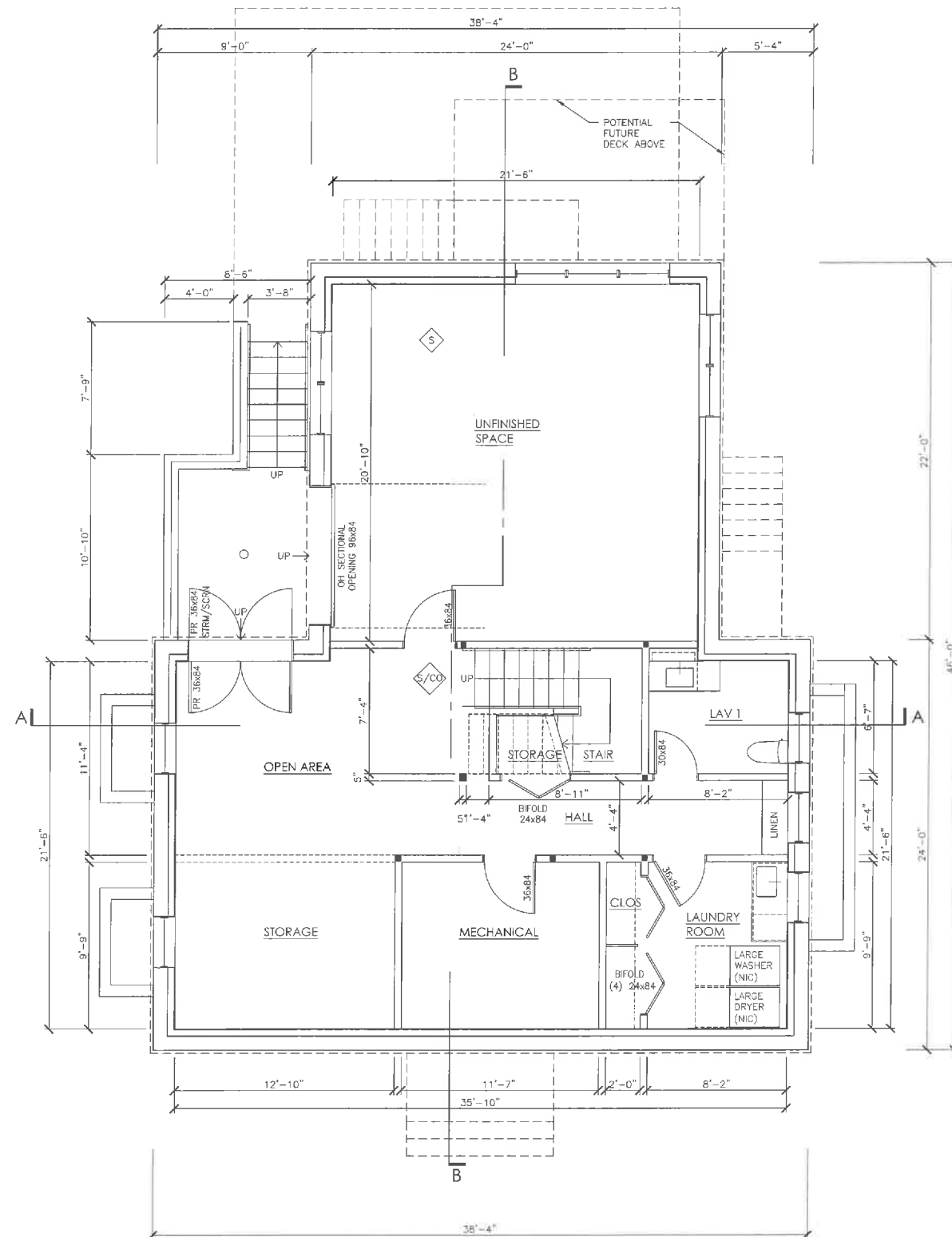


0' 8' 16'



TYPICAL WALL SECTION

SCALE: 3/4" = 1'-0"
0' 4" 12" 16"



BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"



0' 2' 4'

3-2-2022
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261 Orchard Street Belmont, MA 02478



SITE PLAN,
WALL SECTION &
BASEMENT FLOOR PLAN

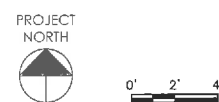
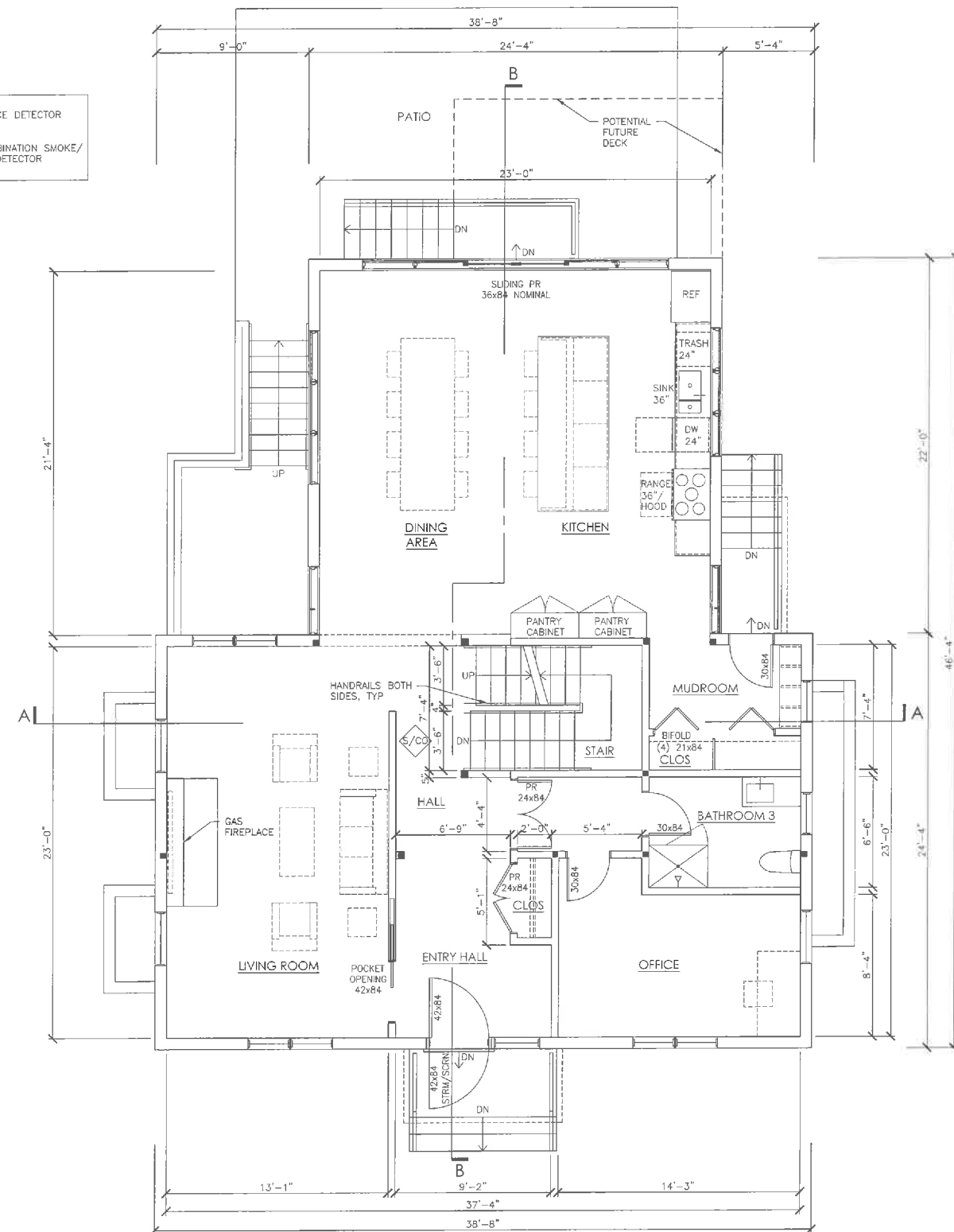
11-10-2021


A2-01

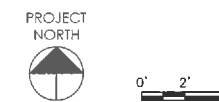
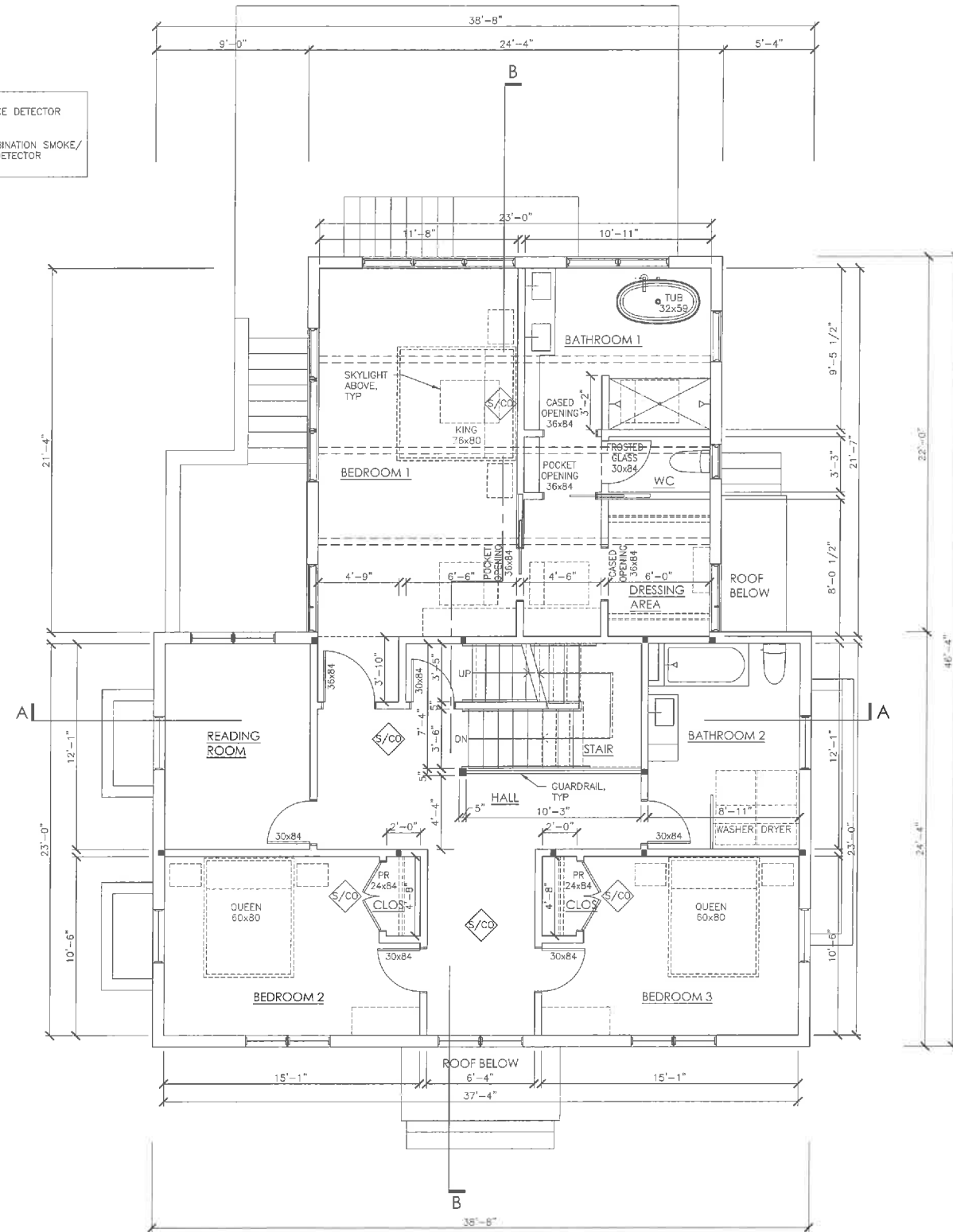
ALVAREZ DESIGN LLC
ARCHITECTURE

14 Linden Avenue
Belmont, MA 02478

 SMOKE DETECTOR
 COMBINATION SMOKE/CO DETECTOR



 SMOKE DETECTOR
 COMBINATION SMOKE/CO DETECTOR



3-2-2022
 ISSUED FOR SPECIAL PERMIT
 [NOT FOR CONSTRUCTION]

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New Residence at
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 261 Orchard Street Belmont, MA 02478

1st & 2nd FLOOR PLANS

11-10-2021
 A2-02

ALVAREZ DESIGN LLC
 ARCHITECTURE
 14 Linden Avenue
 Belmont, MA 02478



**SOUTH
BUILDING ELEVATION**
SCALE: 1/4" = 1'-0"



**WEST
BUILDING ELEVATION**
SCALE: 1/4" = 1'-0"

3-2-2022
ISSUED FOR SPECIAL PERMIT
[NOT FOR CONSTRUCTION]

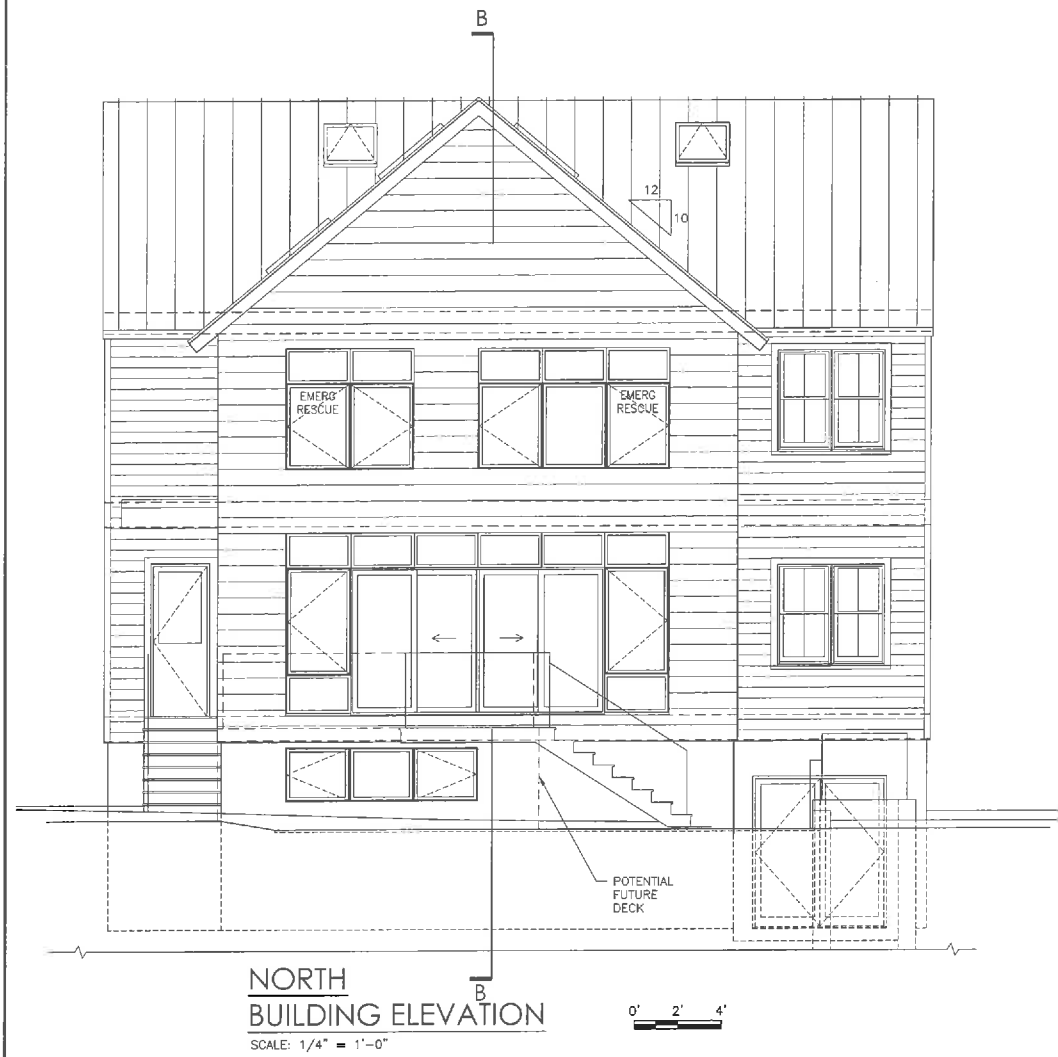
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New Residence at
261 Orchard St
261 Orchard Street Belmont, MA 02478

**SOUTH & WEST
BUILDING ELEVATIONS**

11-10-2021
A3-01

ALVAREZ DESIGN LLC
ARCHITECTURE
14 Linden Avenue
Belmont, MA 02478



3-2-2022
ISSUED FOR SPECIAL PERMIT
[NOT FOR CONSTRUCTION]

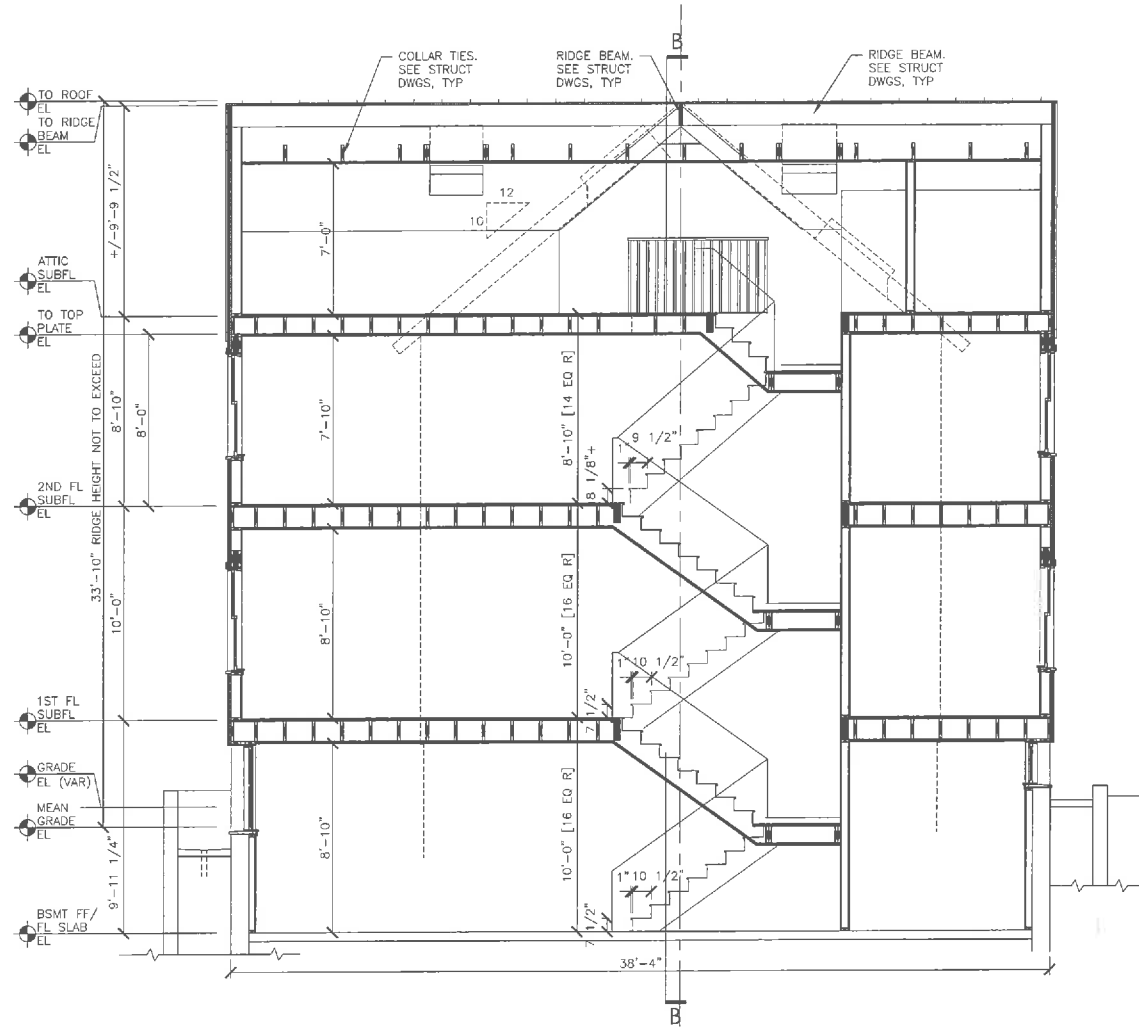
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NORTH & EAST
BUILDING ELEVATIONS

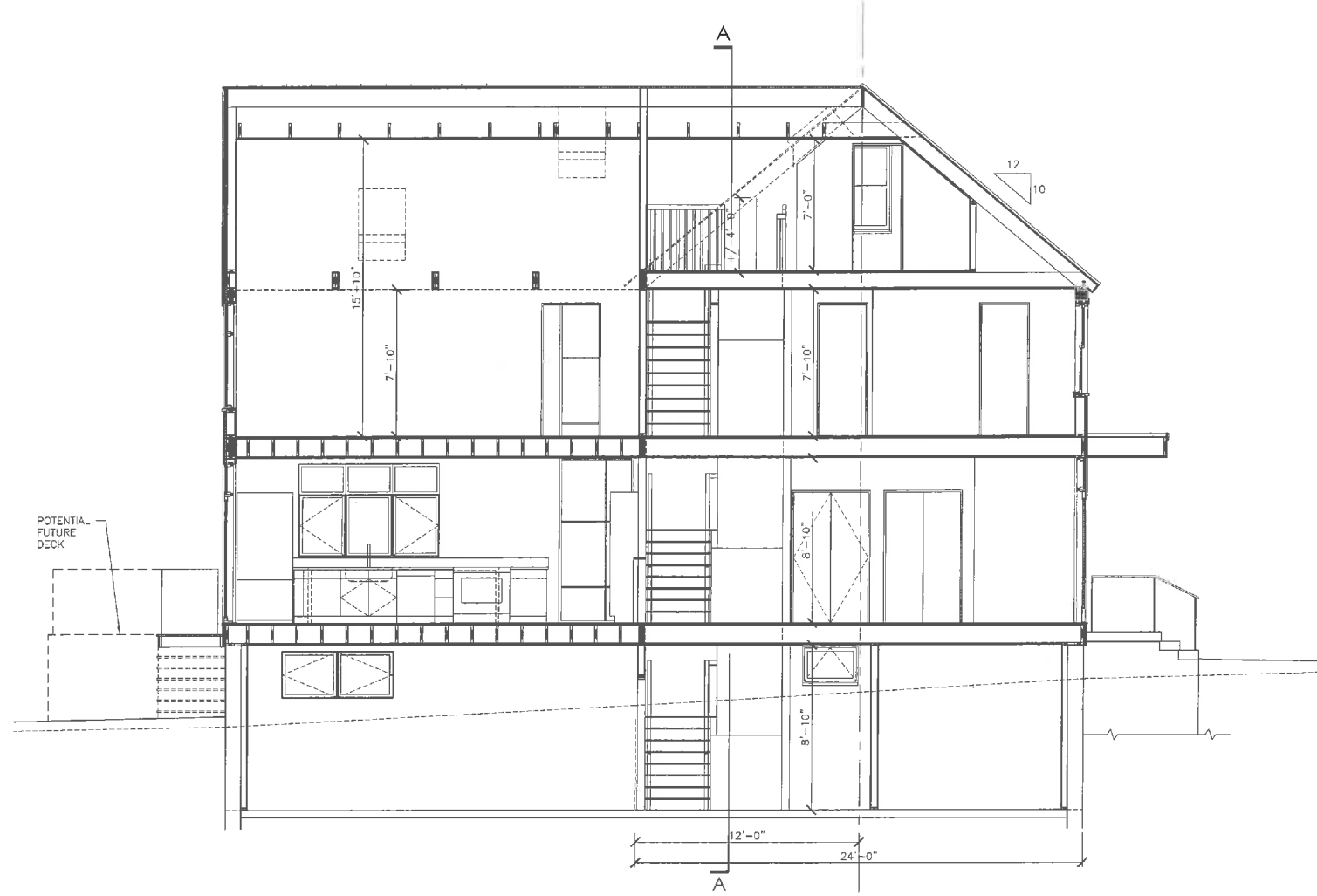
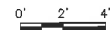
11-10-2021
A3-02

ALVAREZ DESIGN LLC
ARCHITECTURE
14 Linden Avenue
Belmont, MA 02478



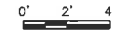
**BUILDING SECTION A-A
(LOOKING NORTH)**

SCALE: 1/4" = 1'-0"



**BUILDING SECTION B-B
(LOOKING EAST)**

SCALE: 1/4" = 1'-0"



3-2-2022
ISSUED FOR SPECIAL PERMIT
[NOT FOR CONSTRUCTION]

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**New Residence at
261 Orchard St
261 Orchard Street Belmont, MA 02478**

**BUILDING SECTIONS
A-A & B-B**

11-10-2021

A3-03

**ALVAREZ DESIGN LLC
ARCHITECTURE**

14 Linden Avenue
Belmont, MA 02478