

RECEIVED
TOWN CLERK
BELMONT, MA**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

2022 AUG -4 AM 9:30

Case No. 22-13

Applicant: Bradley Noyes and Emily Pinny

Property: 32 Chester Road

Date of Public Hearing: July 11, 2022

Members Sitting:

Nicholas A. Iannuzzi, Jr. Chairman
Demetrios (Jim) Zarkadas, Vice Chair
Casey Williams
Andrew Kelley
Teresa MacNutt
Elliot Daniels, Associate Member
David Stiff, Associate Member

Members Voting:

Demetrios (Jim) Zarkadas, Vice Chair
Andrew Kelley
Teresa MacNutt
Casey Williams
Elliot Daniels, Associate Member

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 Bradley Noyes and Emily Pinney ("Applicant"), seeks Five (5) Special Permits under §1.5 of the Belmont Zoning-By- Laws to enlarge the front entry hall, construct a two-story front porch and enlarge a second-story rear porch at 32 Chester Road located in a General Residence (GR) zoning district.

1. §1.5.4 of the Zoning By-Law allows extension or alteration to non-conforming structures in the GR zoning district by Special Permit from the Zoning Board of Appeals.
2. §4.2 of the Zoning By-Law Dimensional Regulations require a maximum lot coverage of 30%. - The existing lot coverage is 39.2% and proposed lot coverage is 39.2%.
3. §4.2 of the Zoning By-Law Dimensional Regulations require a minimum side setback of 10'. - The existing side setback is 4.2' and the proposed side setback is 4.2'.

4. §4.2 of the Zoning By-Law Dimensional Regulations require a minimum front setback of 10.3'. - The existing front setback is 9.3' and the proposed front setback is 9.3'.
 5. 4.2 of the Zoning By-Law Dimensional Regulations require a minimum rear setback of 17.8'. - The existing front setback is 17.8' and the proposed front setback is 17.8'.
- The Board held a duly noticed hearing on the application on July 11, 2022 May 5, 2022.

Proposal

The applicant proposes to reconstruct the front and rear porches on the footprints of the existing porches to improve structural safety and enhance functionality. The reconstructed front porch would be built to have a roof above the second-story porch while the reconstructed second-story rear porch would be enlarged to match the footprint of the first-story rear porch. The applicant proposes to expand the front vestibule by one foot to provide for more clearance space for the front door.

The applicant submitted for the Board's review plans prepared by Mary McKee Design dated April 12, 2022; a plot plan prepared by Bruce Bradford dated March 16, 2022; and zoning checklist prepared by Bruce Bradford dated May 6, 2022.

The applicant also submitted four letters from neighbors in support of the project.

The applicant Bradley Noyes and Emily Pinney made the presentation to the Board. Mr. Noyes explained that the majority of houses in their neighborhood have roofs above second-story front porches, thus the proposed project will make the house conform more to the neighborhood while also enhancing structural integrity. Mr. Noyes also noted the proposal to expand the second-story rear porch to match the coverage of the first-story rear porch and his plan to expand the vestibule to ease entering and exiting through the front door. Ms. Pinny stated that the porches have been designed to match the architectural style of the house.

No one from the public spoke in favor or opposition to the proposed addition.

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 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 reconstruction of the front porch, rear porch, or extension of the existing vestibule to be to be substantially more detrimental. The proposed reconstruction will improve the structural integrity of the building and enhance the property.

Case No. 22-13
Property: 32 Chester Road

Accordingly, upon motion duly made by Elliot Daniels and seconded by Jim Zarkadas, and upon roll call vote by Vice Chairman Zarkadas the Members Voting voted 5-0 to grant the Five (5) special permits as requested.

For the Board,

Date: August 3, 2022



Gabriel S. Distler
Staff Planner
Office of Community Development