

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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2022 DEC -7 AM 9:35

**CASE NO.** 22-18

**APPLICANT:** Mollica Manandhar

**PROPERTY:** 32 George Street

**DATE OF PUBLIC HEARING:** September 12, 2022

**MEMBERS SITTING:** Nick Iannuzzi, Chairman  
Casey Williams  
Andrew Kelley  
Elliot Daniels, Associate Member  
David Stiff, Associate Member

**MEMBERS VOTING:** Nick Iannuzzi, Chairman  
Casey Williams  
Andrew Kelley  
Elliot Daniels, Associate Member  
David Stiff, Associate Member

**Introduction**

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicant, Mollica Manandhar ("Applicant"), requests One (1) Special Permit under Section 1.5 of the Zoning By-Laws to construct a two-story rear addition at 32 George Street located in Single Residence C (SRC) Zoning District. Special Permits: §4.2.2A-7 of the Zoning By-Law allows the reduction of a rear setback of corner lots to not less than the requirement of a side setback by a Special Permit granted by the Board of Appeals, taking into consideration the configuration of the lot and the effect upon the neighboring property. The existing rear setback of the principal structure is 32.4' and the proposed rear setback is 10.1' from the addition.

**Proposal**

The Board held a duly noticed hearing on the application on September 12, 2022. The applicant had submitted for the Board's review architectural drawings dated April 25, 2022 prepared by Miller Design LLC, a plot plan dated June 30, 2022, zoning checklist dated June 28, 2022. Also submitted to the Board's review was one petition of support with 10 signatures, one email of support, and one letter in opposition to the project.

Architect Diane Miller made the presentation to the Board. She explained that the existing detached garage will be demolished, a new attached garage will be constructed on the west side of the existing dwelling and a bedroom with a bathroom will be added above the new garage.

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The new garage will be at grade level with the existing basement, the first floor will be roughly 16" above the existing garage to allow for proper headroom in the garage and will be connected to the existing living room on the first floor with a ramp.

This project is to allow the parents of the owner, who have limited mobility to move into this new bedroom. The neighbor on the west side of the property had requested that the proposed windows on the west side of this bedroom be eliminated, for privacy. Mrs. Miller explained that the construction plans will reflect this change.

At the meeting three neighbors spoke in favor of the project, no one spoke in opposition to the 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 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."

The Board found that the proposed addition is not more detrimental to the neighborhood than the existing and is in keeping with the character of other houses in the vicinity.

**Accordingly, upon motion duly made by Chair Nicholas Iannuzzi and seconded by Casey Williams, the Board voted 5-0 to grant the Applicant the Special Permit as requested.**

For the Board:

Dated: December 7, 2022



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Gabriel Distler  
Staff Planner  
Office of Community Development