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TOWN OF BELMONT
ZONING BOARD OF APPEALS

2022 OCT 17 PM 5:08

Case No. 22-27

Applicant: David G. Vail

Property: 334-336 Trapelo Road

70698 - 194

Date of Public Hearing: October 3rd, 2022

Members Sitting: Nick Iannuzzi, Chairman
 Jim Zarkadas
 Casey Williams
 Andrew Kelley
 Teresa McNutt
 Elliot Daniels, Associate Member



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Bk: 81334 Pg: 320 Doc: DECIS

Page: 1 of 2 03/16/2023 01:12 PM

Members voting: Nick Iannuzzi, Chairman
 Jim Zarkadas
 Casey Williams
 Andrew Kelley
 Teresa McNutt

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 Applicants David G. Vail ("Applicant") requests One (1) Special Permit under Section 3.3 of the Zoning By-Laws to convert an existing office space to a residential unit at 334-336 Trapelo Road, located in a Local Business III Zoning District.

The Board held a duly noticed hearing on the application on October 3rd, 2022.

Proposal

The applicant presented his plans to convert the commercial space back to its original use which was a residential apartment. The previous owner used the space for commercial purposes as part of his optometrist practice until he retired. The space was always set up as an apartment and the current owner will not need to make any modifications to the unit. The applicant believes the request will not hurt the neighborhood in any way.

Case # 22-27

Address: 334-336 Trapelo Road

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."

Based on the foregoing factors, the Board determined that the applicant's proposal did not have any adverse effects to the Town or the neighborhood and that the proposed request will be in harmony with the neighborhood and general purpose and intent of the By-law.

Accordingly, upon motion duly made by Jim Zarkadas and seconded by Nick Iannuzzi, and upon a roll call vote by Chairman Iannuzzi the Board voted 5-0 to grant the Applicant's application for One (1) Special Permit.

For the Board,

Dated: October 13, 2022

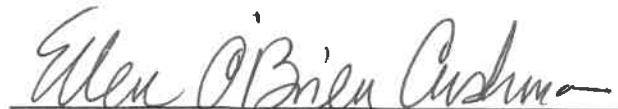


Gabriel S. Distler
Staff Planner
Office of Community Development

CERTIFICATION

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on October 17, 2022, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions.

March 16, 2023



Ellen O'Brien Cushman, Town Clerk
Belmont, MA