



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: March 30, 2023

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 160-162 Beech Street, 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 Belmont.

Seeking a special permit to increase the nonconforming open space to allow for the construction of a new driveway and curb cut

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 Paul Fountas

Address 160 BEECH ST., LLC
c/o MCR - Suite 207,
1400 E. Oakland Park Blvd.
Oakland Park, FL 33334-4400

Daytime Telephone Number 954-565-2239

160 – 162 Beech Street

For approximately a year, our neighbor to the right side of us at 164 Beech Street has constructed a chain link fence that blocks our access to the garage in the rear of our house.

It's quite a dilemma for my tenants to fend for themselves. The only parking available to them is on the illegal street during the overnight hours. So the answer is to utilize the left side of the house for access to the garage.

Several neighbors signed support for us using the left side of the house, including our immediate neighbor to the left of us at 158.

The left side of the house has two rows of pavers the width of a tire, enabling the tenants to reach the garage, and the green space will remain as is.

160 Beech St. will still be consistent and conforming with all the similar homes in the neighborhood.

Please allow a special permit to grant us the right to have the driveway on the left side of the house with a curb cut.

I appreciate your consideration,

Paul Fountas



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

March 23, 2023

Paul Fountas
160-162 Beech Street
Belmont, MA 02478

RE: Denial to construct new driveway

Dear Mr. Fountas,

The Office of Community Development is in receipt of your building permit application for your proposal to construct a new driveway at 160 Beech Street located in a General Residence Zoning District.

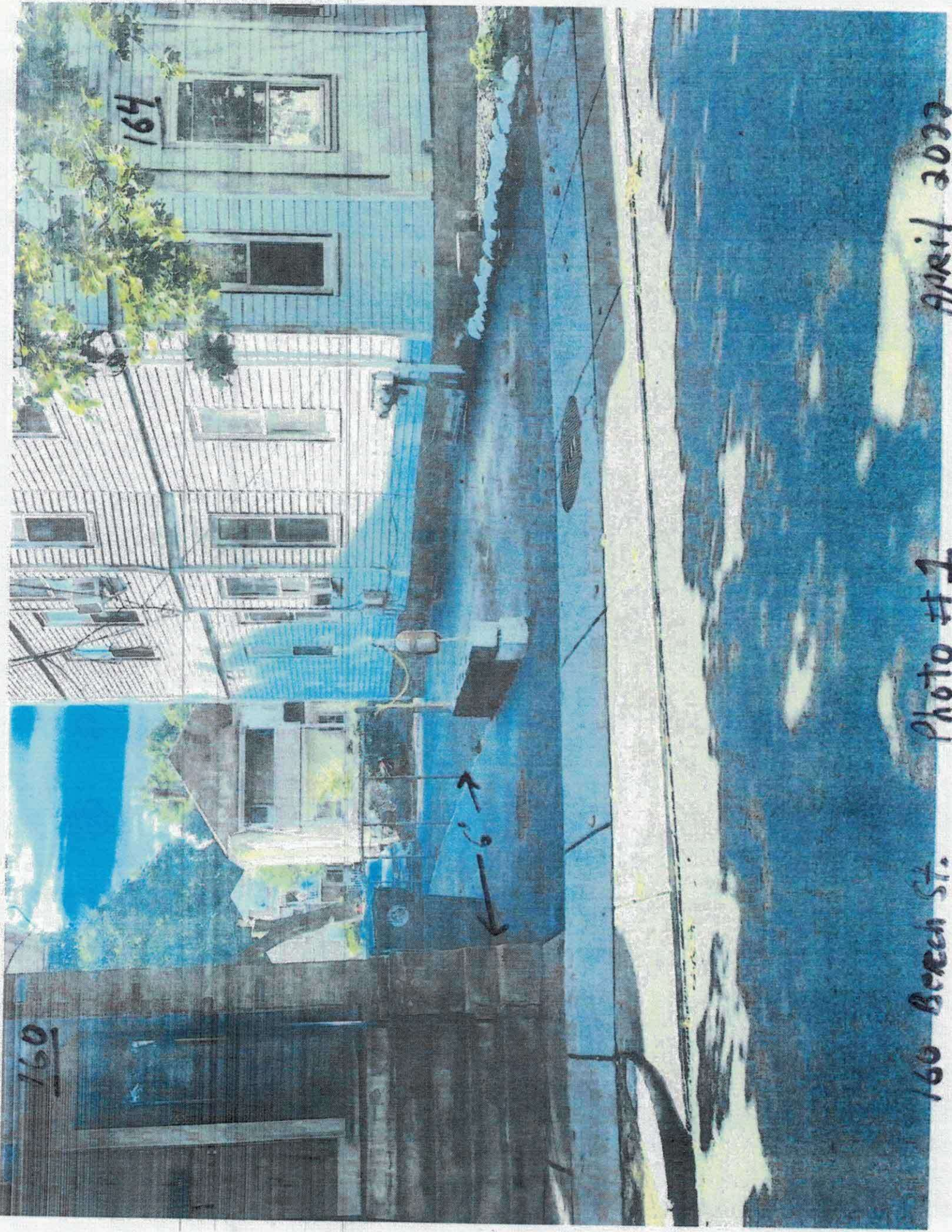
Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 4.2 of the Zoning By-Law Dimensional Regulations requires a minimum open space of 40.0%.

1. The existing open space is 18.6% and the proposed open space is 20.5%.

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 **Gabriel S. Distler**, Staff Planner, at (617) 993-2666 or gdistler@belmont-ma.gov in order to begin the process.

Sincerely,

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



166 Birch St.

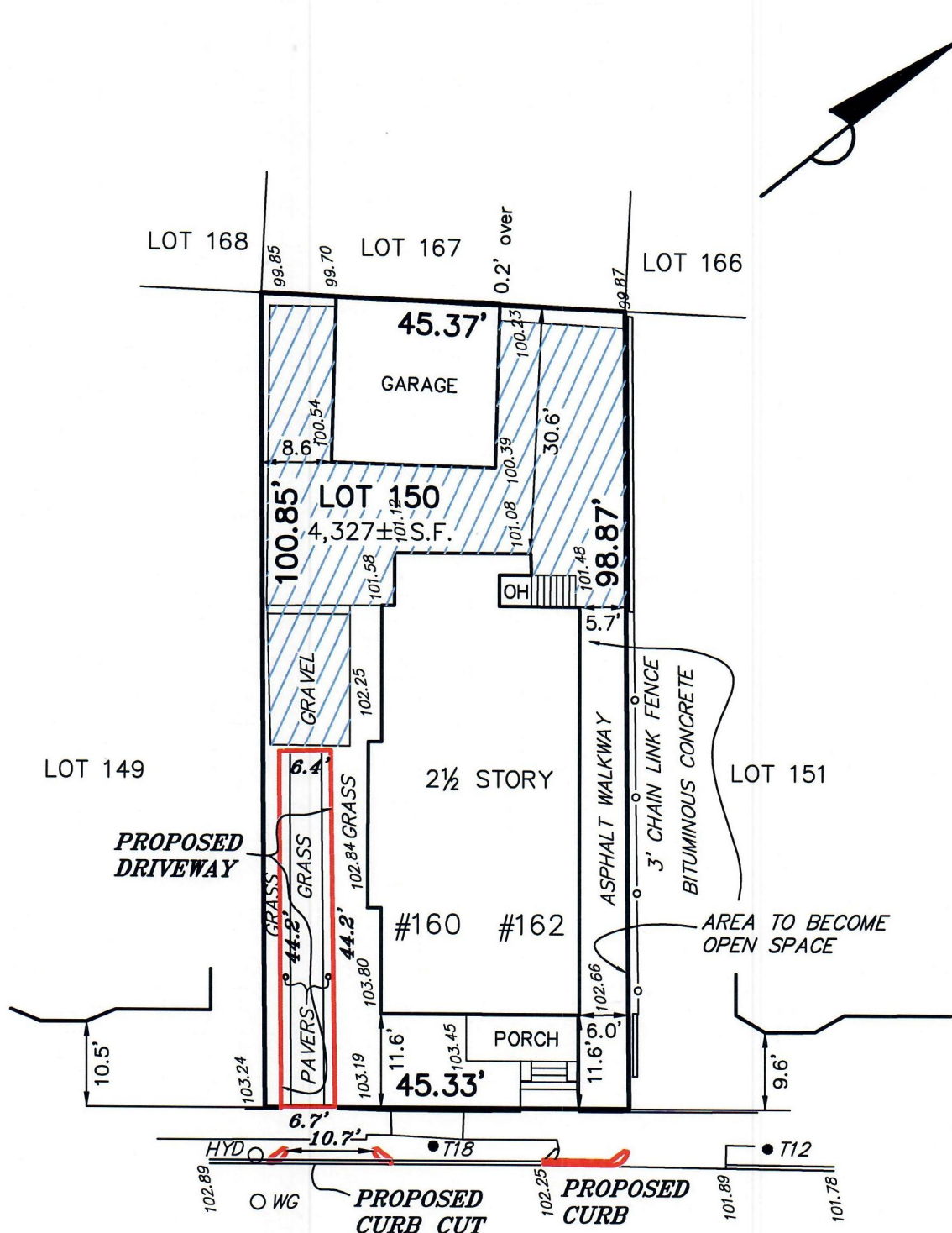
Photo #1

April 2022

160
Beach
St.



160 Beach St



BEECH STREET

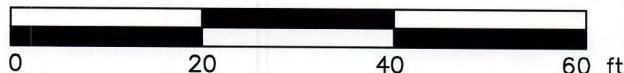
ZONING DISTRICT:	GR (GENERAL RESIDENCE)		
	REQ.	EXISTING	PROP.
FRONT SETBACK:	10.0'	11.6'	—
SIDE SETBACK:	10'	5.7'	—
REAR SETBACK:	20'	30.6'	—
MAXIMUM LOT COVERAGE:	30%	43.6%	—
MINIMUM OPEN SPACE:	40%	18.6%	20.5%
LOT FRONTAGE:		45.33'	
TOTAL LOT AREA: 4,327± S.F.			

THE PROPERTY IS NOT LOCATED
WITHIN WETLANDS AS SHOWN
ON THE TOWN OF BELMONT
WETLANDS ATLAS.

PREPARED FOR: 160 BEECH STREET LLC
CERT. 241114
ASSESSORS MAP 27 — PARCEL 9

PROPOSED PLOT PLAN
#160-162 BEECH STREET
IN
BELMONT, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 10/4/2022

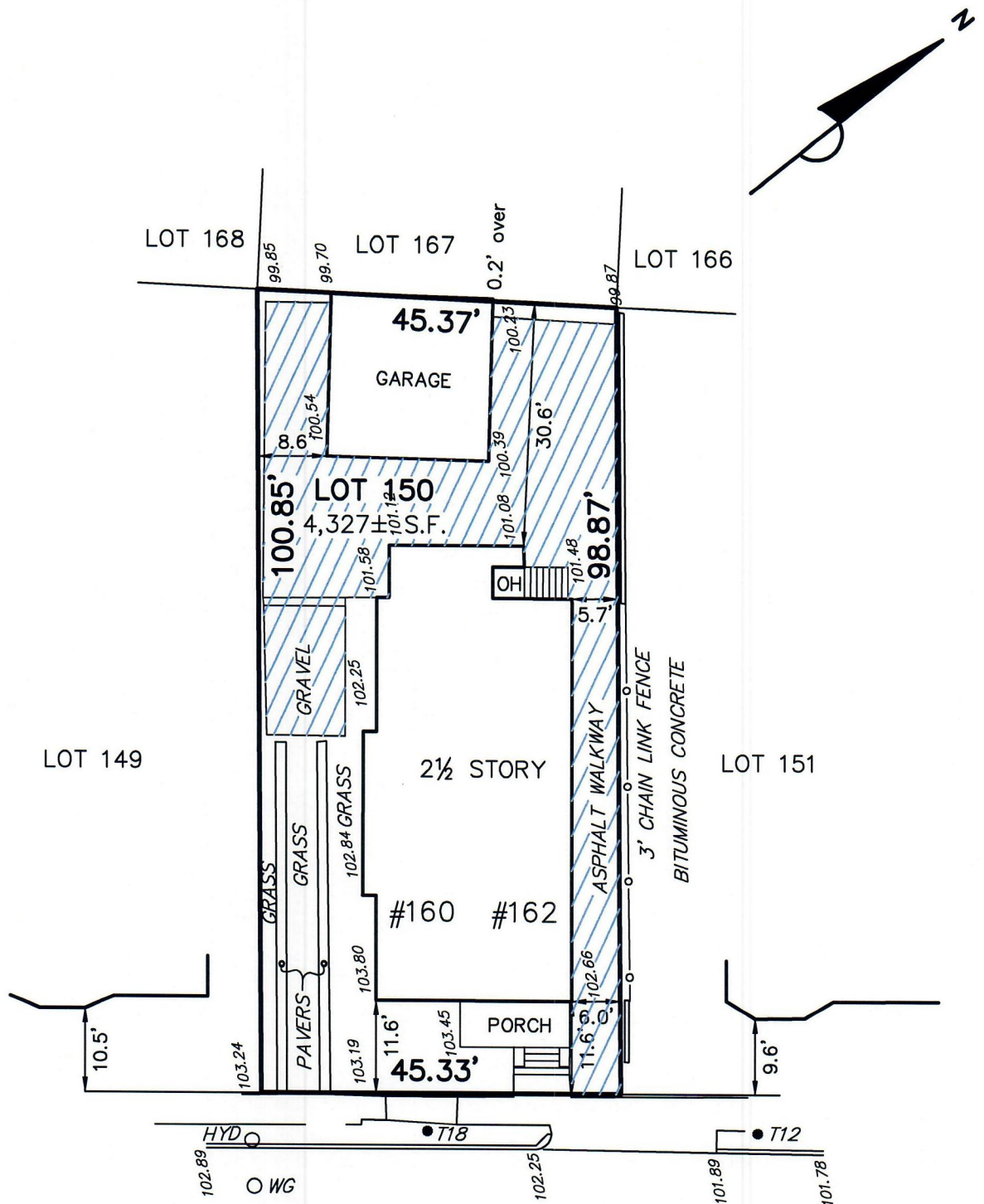


ROBER SURVEY
1072 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
DWG. NO. 7143PP3.DWG



SCOTT LYNCH, PLS

DATE



BEECH STREET

ZONING DISTRICT:	GR (GENERAL RESIDENCE)
FRONT SETBACK:	REQ. 10.0' EXISTING 11.6' PROP. —
SIDE SETBACK:	10' 5.7' —
REAR SETBACK:	20' 30.6' —
MAXIMUM LOT COVERAGE:	30% 43.6% —
MINIMUM OPEN SPACE:	40% 18.6% —
LOT FRONTAGE:	45.33' —

TOTAL LOT AREA: 4,327± S.F.



SCOTT LYNCH, PLS

DATE

THE PROPERTY IS NOT LOCATED
WITHIN WETLANDS AS SHOWN
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PREPARED FOR: 160 BEECH STREET LLC
CERT. 241114
ASSESSORS MAP 27 — PARCEL 9

EXISTING CONDITIONS PLAN
#160-162 BEECH STREET
IN
BELMONT, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 10/4/2022



ROBER SURVEY

1072 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533

DWG. NO. 7143EC1.DWG

To Whom It May Concern,

I am writing to express my support for Paul Fountas on the matter of moving the driveway at 162 Beech Street from the right to the left side of the house. As a tenant at 162 Beech Street, I can attest to the inconvenience and safety hazard of having to park on the street due to the inability to access the garage from the right side.

The construction of a fence by our next-door neighbor at 164 Beech Street has made it impossible to access the garage from the right side of the house. Moving the driveway to the left side will allow for easy and safe access to the garage without having to park on the street.

I understand that a special permit for a curb cut is required for the proposed driveway, and I am in full support of this request. The left side of the house will not be paved and the green space will remain the same, with only two rows of pavers the width of a tire serving as the access point to the garage.

I urge the town of Belmont to approve this request as it will greatly benefit the safety and convenience of the tenants at 162 Beech Street. Your consideration in this matter is greatly appreciated.

Sincerely,

Rishika Mini Thulasi

Rishika Mini Thulasi
[Co-tenant of 162 Beech Street]

March 21, 2023

William LeFevre
56 Creeley Road
Belmont, MA 02478

To Whom it may concern,

I support the curb cut at 160-162 Beech Street Belmont that moves the driveway and parking from the right side of the house to the left side. The owner and tenants are currently unable to use the parking at the residence or access the 2 garages in the back. The green space will be preserved with only pavers being used to access the garage and off-street parking.

Also, Belmont's overnight parking ban makes it very inconvenient for the family who currently lives downstairs. They have two small children and nowhere to park their car. During the day they can park on the opposite side of Beech Street but are forced to watch out for traffic each time they get in and out of their car. There are also several neighbors with the exact same driveway configuration up and down the street. The proposed driveway is consistent with the neighbor's lot alignment.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'William LeFevre', written in a cursive style.

William LeFevre

To whom it may concern,

I am writing to express my support in favour of Paul Fountas for the proposal to relocate the driveway at 160-162 Beech Street. I am a tenant at this address and have experienced problems with the current driveway location.

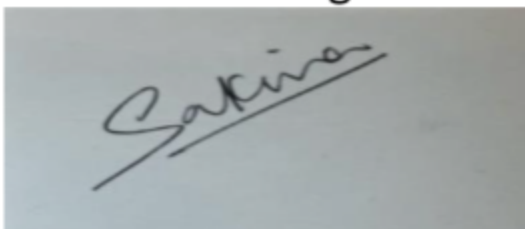
Due to a fence constructed by our neighbour at 164 Beech Street, we are unable to access our garage from the current driveway location. This has led to the inconvenience of street parking and safety concerns. I have family visiting me often and they have been forced to park their cars on the street which is very inconvenient and also poses a safety hazard.

Relocating the driveway to the left side of the house would solve this issue, while maintaining the green space. The new driveway would consist of two rows of pavers the width of a tire.

I fully support the application for a special permit and the approval of the left side of the house as a driveway. I believe this solution will not only benefit us, but the community as a whole.

Thank you for your time and consideration.

Sincerely,
Sakina Yusuf Beguwala

A rectangular box containing a handwritten signature in dark ink. The signature appears to be 'Sakina' written in a cursive, flowing style.

Date : 20th March 2023

Agenda: Driveway at 160-162 Beech Street

As a frequent visitor to the property at 160-162 Beech Street, I can clearly see the need and I support the allowance of a Driveway on the left side of this property.

Besides inconvenient, parking on the street can be dangerous. A driveway on the left side would make it safer for residents and visitors alike. It could also serve as access for an emergency vehicle should that need ever arise.

I am in support of this driveway.

Thank You

Name Nicholas Rizzuto Date Mar 18/2023

Address 14 Irving St

To whom this may concern

I am writing in support of having a driveway on the left side of 160-162 Beech Street, Belmont.

I live in the neighborhood and frequently walk past this property. I can see the need for this off- street parking. I believe it's necessary and proper to allow this driveway thus I am in total support of this idea.

I appreciate Belmont's Rules and Regulations regarding parking in town. Off-street parking is a good thing.

Thanks,

Name Kathleen Bogato

Address 30 HARRIS ST. Date 3-18-2023

To Whom it may concern

I think off street parking is a good idea. I am in support of allowing a driveway to exist on the left side of the property of 160-162 Beech Street in Belmont.

Thank You,

Name Susan Rockswold
Address 148 Beech St

Brendan Powers
152 Beech Street
Belmont, MA 02478

To: Belmont Zoning Board

I reside at 152 – 154 Beech Street which is one house away from 160 – 162. I drive and walk by 160 -162 frequently and noticed a fence had been constructed on the right side of their house leaving no access to their garage. Therefore, the tenants have to park on the street which is a safety hazard and a great inconvenience.

I noticed there hasn't been a curb cut for months that would allow the tenants to use the left side of the house as the access point to reach their garage. I feel that the Town of Belmont should grant a special permit for a curb cut and approve the left side of the house a driveway, I am in full support.

Brandan Powers

(Signature)

Date

03-20-23

160 – 162 Beech Street

As my neighbor living at 156 Beech Street, I'm asking for your support to move the driveway at 160 -162 Beech Street from the right to the left side of the house. This is because 164 Beech Street (our next door neighbor on right side) has constructed a fence making it impossible to access the garage. I am not paving the left side of the house so the green space will still be what currently exists. There are 2 rows of pavers the width of a tire that will be the access point to the garage.

Right now, the tenants have to park on the street which is a safety hazard and a great inconvenience. I am asking the town of Belmont for a special permit for a curb cut and to approve the left side of the house as a driveway.

Again, I ask for your support.

Thank you,

Paul Fountas



156 Beech Street is in support of the driveway and curb cut.

Signed



(Sonia Singh)

Date

20 March 2023

Next Door Owner

Yan Luo & Tingting Fang
160 Beech Street
Belmont, MA 02478

To whom it may concern,

As tenants residing at 160 Beech Street, we are kindly requesting your support in moving the driveway at 160-162 Beech Street from the right to the left side of the house. The fence built by our next-door neighbor at 164 Beech Street on the right side has made it impossible for us to access our garage.

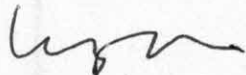
As a result, we are forced to park on the opposite side of the street, which presents a significant safety hazard and inconvenience for us. In particular, it is dangerous for us to carry our two little kids across the street every day to go to school.

Therefore, we are asking the town of Belmont for a special permit for a curb cut and to approve the left side of the house as a driveway.

Your consideration is greatly appreciated.

Best regards,
Yan Luo & Tingting Fang

Signed:



Date: 3/19/2023



To Whom it may concern,

As a tenant residing at 162 Beech Street, I am writing to express in support of Paul Fountas for the proposed driveway relocation at 160-162 Beech Street from the right side to the left side of the house.

I fully support the need for this request, as our next-door neighbor at 164 Beech Street has constructed a fence that has made it impossible to access the garage from the right side of the house. I have family and friends who visit me often and are currently forced to park on the street, which is a safety hazard and a great inconvenience.

I am pleased to note that the proposed left-side driveway will not result in any significant changes to the existing green space. Rather, there will be two rows of pavers, each the width of a tire, which will serve as the access point to the garage.

I urge the town of Belmont to grant a special permit for a curb cut and to approve the proposed left-side driveway at 160-162 Beech Street. This will not only address the current parking issue but also enhance the safety and convenience of all residents in the area.

Thank you for your time and consideration.

Sincerely,

Jelita John

Jelita Ann John

[03/20/2023]

TO WHOMSOEVER IT MAY CONCERN

I am writing to express my support for the proposed driveway relocation at 160-162 Beech Street. As a tenant living at this address, I have experienced first-hand difficulties caused by the current driveway location. My family and friends frequently visit me and they find it a bit difficult for parking.

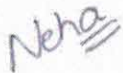
Our next-door neighbour at 164 Beech Street has constructed a fence that makes it impossible for us to access our garage from the current driveway location. This has forced us to park on the street, which is not only inconvenient but also poses a safety hazard.

Moving the driveway to the left side of the house would solve this problem and provide us with safe and convenient access to our garage. I understand that the left side of the house will not be paved, and the green space will remain the same. There will only be two rows of pavers the width of a tire that will serve as the access point to the garage.

I am in full support of the application for a special permit for a curb cut and to approve the left side of the house as a driveway. I believe this solution will benefit not only the tenants of 160-162 Beech Street but also the community as a whole.

Thank you for your consideration.

Sincerely,

A handwritten signature in purple ink that reads "Neha" with a double underline.

Neha P Makhija

162 Beech Street