



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: 1/13/2023

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 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 _____

See Attached:

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

Address

Daytime Telephone Number

Paul Fountas
PAUL FOUNTAS
160 Beech St.
BELMONT, MA 02478
954-565-2239

Date: December 21, 2022
From: Paul Fountas, 160 Beech Street, LLC.
Re: Request for Curb Cut

Request

I am requesting your consideration in granting a special permit for a curb cut for 160-162 Beech Street, a two-apartment building with a two-car garage in the rear. A curb cut will enable the residents to drive their vehicles safely to the garage at the back of the property.

History

We purchased the property 25 years ago and understood that the right-side driveway of our house provided shared access to the rear garage. This understanding and cooperation existed for years before we purchased the home and until recently.

Problem

In the spring of 2022, the property owner to the right (164 Beech Street) erected a chain link fence down the middle of the paved driveway on the right side of our house. (See photo 1). The fence placement enables his tenants enough width to drive to the rear of the property but makes it too narrow for our tenants. Without access to the rear garage, the tenants have no off-street parking available, and this has presented a hardship for the two families in residence. They face citations for on-street parking. In addition, there is no access for emergency fire or medical vehicles to reach the back of the house.

Resolution

A gravel area at the rear covers about one-third of the left side of the property, but this has not and will not change.

We hoped to give access to the rear by utilizing the front area of the left side of the house and thus to enable access to the two-car garage in the rear. We laid two narrow rows of pavers (about the width of a tire) on the top left grassy side, so the vehicles have a solid footing to drive on to reach the garage in all climate conditions. The grassy area remains on each side and in the middle of the row of pavers. (See photo 2)

Request

Your consideration for a curb cut to rectify this hardship situation is appreciated. Please let me know if you have questions.

Paul Fountas
160 Beech Street, LLC
954-565-2239

Attachment: Photo 1, Photo 2



April 2022

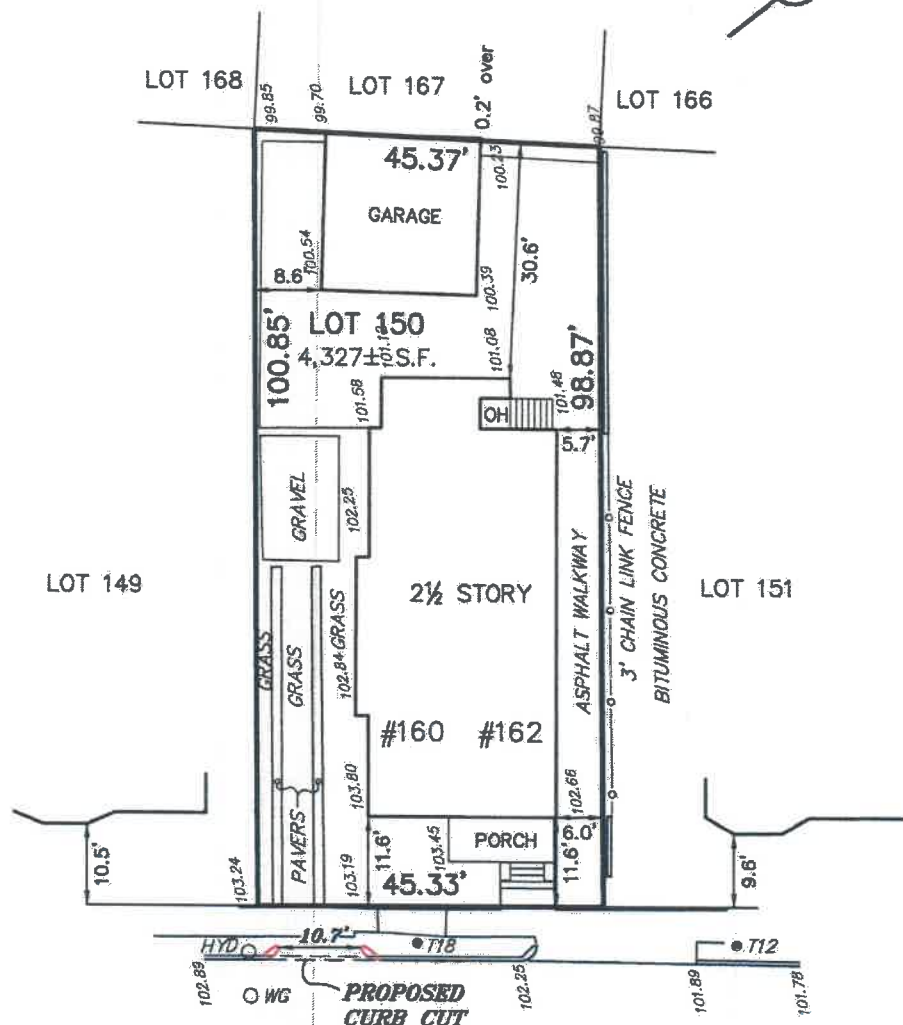
Photo #1

160 Beach St.

160
Beach
Ct.



160 Beach Ct



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%	22.7%	—
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



SCOTT LYNCH, PLS

DATE

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. 7143PP1.DWG

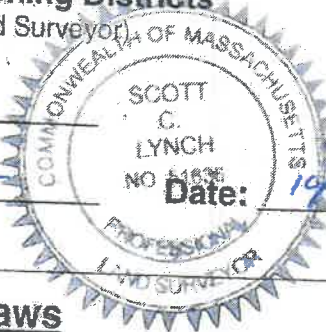
Zoning Compliance Check List

Properties Located within the GR Zoning Districts

(To be Completed by a Registered Land Surveyor)

Property Address: 160-162 Beed St.

Surveyor Signature and Stamp: Scott C. Lynch



Date: 10/4/2022

Per §4.2 of the Zoning By-Laws

	REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)	7,000	4327	
Lot Frontage (feet)	70	45.33	
Lot Area/Unit (sq. ft./d.u.)	3500		
Lot Coverage (% of lot)	30%	43.6%	
Open Space (% of lot)	40%	22.7%	
Setbacks: (feet)	➤ Front	10	11.6'
	➤ Side/Side	10 10	5.7 12.9'
	➤ Rear	20	30.6
Building Height:	➤ Feet	33	
	➤ Stories		
1/2 Story (feet) (Per §1.4)	➤ Perimeter		
	➤ Area		
	➤ Length		

Per §6D of the Zoning By-Laws

	REQUIRED	EXISTING	PROPOSED
Front Doors:	➤ Face Street		
	➤ Setback		
Curb Cut			
HVAC:	➤ Front Yard		
	➤ Side/Rear Setbacks		

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



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

November 17, 2022

160 Beech Street LLC
165 Clifton Street
Belmont, MA 02478

 COPY

RE: Driveway Permit Application – 160 Beech Street

Dear Sir or Madam:

I am in receipt of your application to construct a new driveway at 160 Beech Street. Additional information is required before a permit can be issued.

The Certified Plot Plan must be updated. All current notes stating “Area no longer to be used for driveway purposes” must be changed to indicate that these areas will be restored to open space as defined in the Belmont Zoning Bylaw. The bylaw defines open space as:

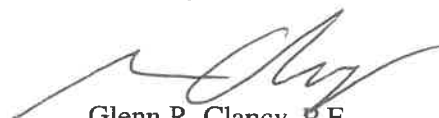
Open Space - An open area on a lot, unbuilt on, containing landscape materials, pedestrian walks, patios, recreational facilities, but excluding driveways and parking spaces.

The required percentage of Open Space for your property is 40%. The calculation of Open Space as presented by your Registered Land Surveyor indicates a current percentage of 22.4% and a proposed percentage of 51.1%. The areas no longer to be used for driveway purposes must be restored to open space, as defined, in order for the calculated open space to be 51.1%. Otherwise, the new driveway is increasing the non-conforming nature of the property and approval will require a Special Permit from the Zoning Board of Appeals.

In addition, a barrier that prevents a motorist from pulling into the lot beyond the rear limit of the proposed driveway is required. This will ensure that the open space restored beyond the end of the driveway does not become an area for parking.

Please modify your plot plan to reflect the items above. If you feel aggrieved by these requirements you may appeal my interpretation of the bylaw to the Zoning Board of Appeals. Staff Planner Gabriel Distler, 617-993-2669 can provide further information if you so desire.

Sincerely,



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

Cc: Gabriel Distler, Staff Planner