

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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**CASE NO.** 23-06

**APPLICANT** Sue Manela and Alon Manela

**PROPERTY** 50 Bartlett Avenue

**DATE OF PUBLIC HEARING** March 6, 2023

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

**MEMBERS VOTING** James Zarkadas, Vice Chair  
Teresa MacNutt  
Casey Williams  
Andrew Kelley  
Elliot Daniels, Associate Member

**Introduction**

This matter came before the Board of Appeals (the “Board”) of the Town of Belmont (the “Town”) acting as Special Permit Granting Authority under Zoning By-Law of the Town of Belmont, Massachusetts (the “By-Law”) and Chapter 40A of the Massachusetts General Law (the “Zoning Act”). The applicants, Sue Manela and Alon Manela, (“Applicants”) request Six (6) Special Permits under Section §1.5.4 of the Zoning By-Law to alter a building ridge line at 50 Bartlett Avenue located in a General Residence (GR) Zoning District. The Applicants sought the following special permit:

1. §1.5.3A of the By-Law allows alteration and expansion in the GR district by a Special Permits granted by the Board of Appeals.
2. §4.2 of the By-Law requires a minimum building height of two and a half (2-1/2) stories, the existing structure and proposed alteration to the buildings ridge line are at a three and a half (3-1/2) story level.
3. §4.2 of the allows for a maximum lot coverage of 30.0%, the existing and proposed lot coverage is 34.0%.
4. §4.2 requires a minimum open space of 40.0%, the existing and proposed open space is 36.9%.
5. §4.2 requires a minimum side setback of 10.0’, the existing and proposed left side setback is 7.9’.
6. §4.2 requires a minimum side back of 10.0’, the existing and proposed right setback is 6.9’.

## **Proposal**

The Board held a duly noticed hearing on the application on March 6, 2023. The Applicants submitted for the Board's review architectural drawings, dated November 10, 2022, prepared by architect Diane Miller of Miller Design, LLC; a plot plan, dated December 7, 2022, prepared by surveyor Douglas L. Johnston; a zoning compliance check list, dated December 12, 2022, prepared by surveyor Douglas L. Johnston; and basement/cellar calculations, dated December 12, 2022, prepared by surveyor Douglas L. Johnston. The Applicants also submitted a petition of support signed by sixteen neighbors.

Architect, Diane Miller, spoke on behalf of the Applicants. Ms. Miller stated that the Applicants are proposing to reconstruct the ridge line of the existing building's roof and thus increase the pitch of the roof. Ms. Miller explained that the Applicants plan to add a new dormer on each side of the house in order to allow for the construction on two additional bedrooms and a bathroom. Ms. Miller further explained that the existing pitch of the building's roof would not provide for adequate ceiling height for the proposed attic hallway, according to the building code. Thus, by increasing the pitch of the roof, the hallway's ceiling height would comply

At the hearing no one spoke in favor or in opposition to the application.

## **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 alteration of structure's ridgeline and the construction of the proposed dormer is not substantially more detrimental to the neighborhood than the existing non-confirming design of the structure. The Board further determined that the proposed alterations are in keeping with the character of the neighborhood in which the property is located.

**Accordingly, upon motion duly made by Teresa MacNutt and Casey Williams, the Board voted 5-0 to grant the Six (6) Special Permits as requested.**

For the Board,

Dated: May 23, 2023



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Gabriel S. Distler  
Staff Planner  
Planning Division  
Office of Community Development