

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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**CASE NO.** 23-18

**APPLICANTS** Jacqueline MacCallum and Virginia Blake

**PROPERTY** 211 Slade Street

**DATE OF PUBLIC HEARING** July 10, 2023

**MEMBERS SITTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
Teresa McNutt  
Elliot Daniels  
David Stiff

**MEMBERS VOTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
Teresa McNutt  
Elliot Daniels  
David Stiff

**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 the 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, Jacqueline MacCallum and Virginia Blake (the “Applicants”) sought one (1) Special Permit under Section 1.5 of the Zoning Bylaw to reconstruct a rear deck of a property located in a Single Residence C Zoning District. Special Permit,

1. §4.2 of the By-Law allows a maximum lot coverage of 25.0%, the existing lot coverage is 26.4% and the proposed lot coverage is 27.8%.

**Proposal**

The Board held a duly noticed hearing on the application on July 10, 2023. The Applicants submitted for the Board’s review drawings for the new deck; a certified plot plan, dated July 18, 2022, prepared by surveyor Scott C. Lynch; a Zoning Checklist, dated July 18, 2022, prepared by surveyor Scott C. Lynch; and photos and drawings of the house. Four letters of support were submitted as part of this case, including letters from both side abutters and the rear abutter. No letters of opposition were submitted.

At the hearing, the Applicants stated that they proposed to replace the existing rear deck with a new rear deck on a new footprint. The Applicants further explained that the proposed rear deck would be shifted toward the backyard and away from their driveway and away their neighbor’s backyard.

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At the hearing no one other than the Applicant spoke in support 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 addition is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and 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 David Stiff, and seconded by Casey Williams, the Board voted 5-0 to grant the One (1) Special Permit as requested.**

For the Board,

Dated: October 5, 2023



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Gabriel S. Distler,  
Staff Planner  
Office of Community Development