

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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<b>CASE NO.</b>	23-33
<b>APPLICANTS</b>	Koushik Chakrabarty and Swati Bhattacharya
<b>PROPERTY</b>	115 Lexington Street
<b>DATE OF PUBLIC HEARING</b>	December 4, 2023
<b>MEMBERS SITTING</b>	Casey Williams, Chair Andrew Kelley, Vice Chair Elliot Daniels David Stiff Teresa McNutt Alexandra Danahy, Associate Member Dan Barry, Associate Member
<b>MEMBERS VOTING</b>	Casey Williams, Chair Andrew Kelley, Vice Chair Elliot Daniels Alexandra Danahy, Associate Member Dan Barry, 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 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, Koushik Chakrabarty and Swati Bhattacharya (the "Applicants") sought one (1) Special Permits under Section 1.5.4A of the Zoning Bylaw to enclose an existing front porch on a property located in a General Residence (GR) Zoning District. Special Permit:

1. §1.5.4A of the Zoning Bylaws allows for the alteration of a nonconforming structure provide such alteration is not substantially more detrimental to the neighborhood than the existing nonconforming structure.

**Proposal**

The Board held a duly noticed hearing on the application on December 4, 2023. The Applicants submitted for the Board's review an estimate from Palacio General Construction, Inc. dated May 12, 2023, a plot plan, dated July 19, 2023, prepared by surveyor Richard J. Meade, Jr.; a Zoning Checklist dated July 13, 2023, prepared by surveyor Richard J. Meade, Jr.; and photographs of the existing front porch. The Applicants said they had discussed this project with their neighbors and that no one opposed this plan.

No one spoke in opposition to the application.

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**Decision**

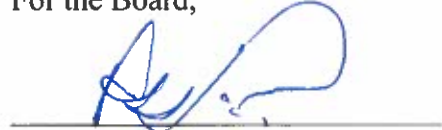
MGL 40A §6 provides in pertinent part: "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration 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 Andrew Kelley, and seconded by Casey Williams, the Board voted 5-0 to grant the One (1) Special Permit as requested.**

For the Board,

Dated: December 27, 2023



Ara Yogurtian  
Inspector of Buildings  
Planning and Building Department