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21-14

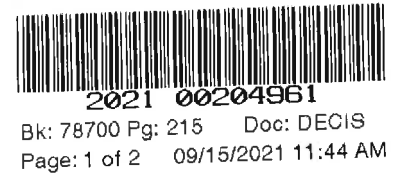
**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

RECEIVED  
TOWN CLERK  
BELMONT, MA

**CASE NO.** 21-14  
**APPLICANT:** Gabriel Vellante  
*and owner*  
**PROPERTY:** 183-185 Beech Street

2021 JUN 28 PM 6:04

**DATE OF PUBLIC HEARING:** May 17, 2021  
Continued: June 21, 2021



**MEMBERS SITTING:** Nick Iannuzzi, Chairman  
Jim Zarkadas, Vice Chair  
Casey Williams  
Andrew Kelley  
Teresa MacNutt  
William Fick, Associate Member  
Elliot Daniels, Associate Member

\* See Notice of Voluntary  
Withdrawal recorded in  
Book 78666, Page 75  
for title information

**MEMBERS VOTING:** Nick Iannuzzi, Chairman  
Jim Zarkadas, Vice Chair  
Casey Williams  
Andrew Kelley  
William Fick

**Introduction**

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicant, Gabriel Vellante ("Applicant"), requests Five (5) Special Permits under Section 1.5 of the Zoning By-Laws to construct a two story rear addition to replace an existing two story porch and a rear staircase from the second story to replace an existing non-complying interior second means of egress set of stairs, at 183-185 Beech Street located in a General Residence (GR) Zoning District.

The Special Permits requested are as follows:

1. §1.5.4 of the By-Law allows any alterations or expansions in the GR district by a Special Permit granted by the Board of Appeals.
2. §4.2 of the By-Law allows two and a half story structures. The existing structure is three and a half story, the lower level of the structure is a basement (60.12% of the foundation walls are exposed) and is considered a story. The proposed is a three (3) story addition.
3. §4.2 of the B-Law allows maximum Lot Coverage of 30% in the GR district. The existing lot coverage is 42.2% and the proposed is 42.7%.
4. §4.2 of the By-Law requires a minimum Open Space of 40%. The existing Open Space is 34.9% and the proposed is 34.5%.
5. §4.2 of the By-Law requires a minimum side setback of ten feet (10.0'). The existing side setback is 6.94' and the proposed is 8.4'.

The Board held a duly noticed hearing on the application on May 17, 2021 and continued on June 21, 2021. The applicant had submitted for the Board's review architectural drawings dated February 2021, a plot plan and zoning checklist dated February 15, 2021. Prior to the meeting, by an email attachment, the applicant had submitted to the Board signatures of 19 neighbors in support of the application.

At the meeting, no one spoke in support or in opposition to the application.

*Babigian Law  
15 School Street  
Watertown, MA 02472*

### **Proposal**

The applicant proposes to construct a two story addition with a crawl space to add a new bathroom and a mudroom on each of the floors, also to install a new external staircase which will replace an existing interior second means of egress staircase which is narrow and does not comply with the current building code requirements.

At the meeting, Board members raised concerns about the unenclosed emergency egress staircase; that it is vulnerable to severe weather conditions and is considered unsafe. The Board suggested Mr. Vellante revise the proposal, enclose the staircase and return to the Board with a new design. On May 17, 2021 the Board voted 5-0 to continue the case until the next meeting, scheduled on June 21, 2021.

On May 20, 2021, the applicant submitted to the Board's review supplemental revised plans showing an enclosed staircase.

### **Conclusion**

On June 21, 2021 the Board deliberated on the Applicant's request for five (5) Special Permits under Section 1.5 of the By-Law to construct a two story addition and a staircase at 183-185 Beech Street located in General Residence (GR) Zoning District. The Board found that the proposed addition is not more detrimental to the neighborhood than the existing and is in keeping with the character of other houses in the vicinity.

Accordingly, **upon motion duly made by Nicholas Iannuzzi and seconded by Jim Zarkadas, the Board voted 5-0 to grant the Applicant the Five (5) Special Permits as requested.**

For the Board:

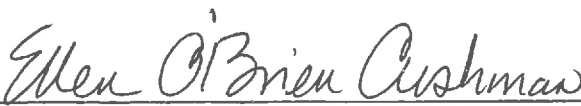
Dated: June 28, 2021



Ara Yogurtian  
Assistant Director  
Office of Community Development

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on June 28, 2021, and further I certify that no appeal has been filed with regard to the granting of said five (5) Special Permits with zero (0) conditions.

September 2, 2021

  
Ellen O'Brien Cushman, Town Clerk  
Belmont, MA