

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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Case No. 22-15

Applicant: Lalig Musserian

Property: 3-5 Williston Road

Date of Public Hearing: July 11, 2022

Members Sitting: Nicholas A. Iannuzzi, Jr. Chairman
James Zarkadas, Vice Chairman
Casey Williams
Andrew Kelley
Teresa MacNutt
Elliot Daniels, Associate Member
David Stiff, Associate Member

Members Voting: Nicholas A. Iannuzzi, Jr. Chairman
Demetrios James Zarkadas, Vice Chairman
Teresa MacNutt
Casey Williams
Andrew Kelley

Introduction

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") Acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicant Lalig Musserian ("Applicant"), seek One (1) Special Permit under §3.3 of the Belmont Zoning-By- Laws to convert an office space at 3-5 Williston Road located in a Single Residence A zoning district to a residential unit.

Residential units in LBI district are allowed by Special Permits granted by the Board of Appeals.

The Board held a duly noticed hearing on the application on July 11, 2022.

Proposal

The applicant proposes to convert an existing office space in a mixed-use structure to a one-bedroom apartment. Currently, the structure has a commercial retail space, a residential 2 bedroom apartment and a rear unit used as an office space. For the Board's review, architectural drawings were submitted prepared by Nor Design, dated April 5, 2022.

The Board held a duly notice hearing on July 11, 2022.

Both the owner, Lalig Musserian and the Architect, Norman Kherlop made the presentation and answered questions. They explained that currently there are 4 parking spaces and as the By-Law requires at a minimum 2 spaces for the 2 bedroom and one space for the 1 bedroom, the requirements for parking spaces were satisfied.

Case No. 22-15

Address: 3-5 Williston Road

At the hearing, no one spoke in favor of or in opposition to the proposed change of use.

Decision

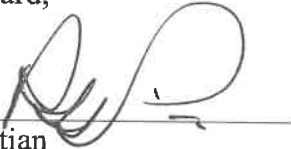
MGL 40A §6 provides in pertinent part: "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood."

In the present case, the Board did not find the proposed change of use of one of the spaces to be substantially more detrimental to the neighborhood.

Accordingly, upon motion duly made by Chairman Nicholas Iannuzzi and seconded by Jim Zarkadas, and upon roll call vote by Vice Chairman Zarkadas the Board voted 5-0 to grant the One (1) special permit as requested.

For the Board,

Date: November 28, 2022



Ara Yogurtian
Assistant Director
Office of Community Development