

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

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BELMONT, MA

Case No. 22-23

Applicants: Rebecca and Amanda Forsythe

Property: 50 Cross Street

Date of Public Hearing: October 3, 2022

Members Sitting: Nicholas Iannuzzi Jr., Chair  
Demetrios (Jim) Zarkadas, Vice Chair  
Andrew Kelley  
Teresa MacNutt  
Casey Williams  
Elliot Daniels, Associate Member

Members Voting: Nicholas Iannuzzi Jr., Chair  
Demetrios (Jim) Zarkadas, Vice Chair  
Andrew Kelley  
Teresa MacNutt  
Casey Williams

2022 NOV 23 PM 2:21

**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 Applicants, Rebecca and Amanda Forsythe ("Applicant"), requests one (1) SPECIAL PERMIT under Section 1.5 of the Zoning By-Laws to construct a sunroom at 50 Cross Street located in a Single Residence C (SRC) Zoning District. The Special Permit is in connection with §4.2 of the Zoning Bylaws, which allows for a maximum lot coverage of 25%. In connection with this, the Applicant sought the following special permit:

1. The existing lot coverage is 26.7% and the proposed is 25.8%.

The Board held a duly noticed hearing on the application on October 3, 2022.

**Proposal**

The applicant proposes to replace the existing wooden deck with a sunroom.

The Applicant submitted to the board architectural drawings completed by Brady Build Sunrooms dated July 19, 2022; a proposed plot plan completed by Edward J. Farrell, Professional Land Surveyor, dated July 18, 2022; a Zoning Compliance Check List completed by Edward J. Farrell, Professional Land Surveyor, dated July 18, 2022; existing conditions photographs, and three letters of support from neighbors.

Kevin Kieler, Chief Designer from Brady Built Sunrooms, made the presentation to the Board on behalf of the applicant. Mr. Kieler stressed that replacing the existing rear deck with the proposed sunroom would reduce the nonconforming lot coverage. The Board observed that the proposed addition is not substantially more detrimental to the neighborhood.

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At the meeting, no one from the public spoke in favor or opposition to the proposed sunroom.

**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."

During deliberations the board discussed the applicant's request for One (1) Special Permit and found that the proposed sunroom is not substantially more detrimental to the neighborhood and that the construction of the proposed alteration is in keeping with the character of the neighborhood in which the property is located.

**Accordingly, upon motion duly made by Casey Williams and seconded by Nicholas Iannuzzi, the Board voted 5-0 to grant the Applicant the requested Special Permit.**

For the Board,

Dated: November 22, 2022



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Gabriel S. Distler,  
Staff Planner  
Office of Community Development