

**ZONING BOARD OF APPEALS
MEETING MINUTES
September 14, 2015**

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Present: Eric Smith, Chair; Faustino Lichauco; John McManus; Craig White; Nicolas Iannuzzi;
Jim Zarkadas

Staff: Ara Yogurtian, Liaison to the Office of Community Development

7:00 p.m. Meeting called to order

Chair Eric Smith welcomed everyone to the September 14, 2015 meeting of the Zoning Board of Appeals, introduced all the members of the Board, and then proceeded to give a brief outline of the process. He encouraged audience participation before the committee's deliberations at the end of the meeting, as well as encouraging the submission of relevant documents and other materials necessary to support each case. Associate Members are encouraged to sit in on the cases, as they may be called in to substitute for regular members in a vote. He stated that whenever possible, the Board tries to deliberate and present a decision the same evening that the case is heard, and invited audience members to stay until the end of the Open Hearing. He also stated that the Board has reviewed all submitted materials and reminded the audience that there was no need to repeat information already given.

Case 15-16, 119 Channing Road – Scott and Jocelyn Rossi, continued from July 13, 2015.

Scott Rossi, applicant, reports:

- The variance that was initially requested was for the deck, but the deck has been removed from the plans.
- Two feet have been taken off the back of the garage, and it is now 11 feet 6 inches, and as a result the variance for lot coverage is not needed.
- The neighbors are in support of this project.

No one else spoke. The Board took the matter under advisement.

Case 15-19, 20 Poplar Street –Claus and Barbara Becker – Three Special Permits to construct a rear deck.

Diane Miller, architect for the applicants, stated that the project before the Board is a small one. They are proposing to connect the deck and the driveway in order to provide easier and quicker access to the deck. She reported: that the existing rear setback is 15.3 feet, while the applicant is proposing a setback of 16.9 feet; and that there is a 6 foot high stockade fence that is not visible from the side of the property.

She further reported that some of the neighbors have signed a letter of support.

Tian Jun Zhou, owner of 55 Horne Road, spoke in opposition to the plans due to privacy issues.

Tino Lichauco wanted to know if the stockade fence extended around the corner of the property, and the applicant said that it did.

John McManus asked the owner of 55 Horne Road if the property was on an incline and was lower in the back, and if she was in the house whether or not she could see over the fence. She responded that she could.

No one else spoke. The Board took the matter under advisement.

Case 15-20, 32 Dean Street, Giane O'Connell – Special Permit, family Day Care Home.

Giane O'Connell, applicant stated that she is seeking a Special Permit to operate a bi-lingual (Portuguese/English) family daycare. She reported:

- There will be flexible drop-offs, and the care would be a few hours at a time, not constant specified time on a daily basis during the hours from 8:00 am – 5:30 pm.
- There will be a six child maximum, infants to 12 years old.
- The environment is clean and they live on a safe and quiet street.
- As soon as she receives her CPR and First Aid approval, she can submit her application to EEC.
- The yard is fenced in.

Chair Smith stated the following to the applicant:

- The Special Permit is not transferrable and valid only for as long as the applicant has a current license from EEC.
- Staggered drop-offs are encouraged.
- You must have fire detectors in the day care, and file your license with the town.

Case 15-21, 29-31 Flett Road, Jian Jun Chen and Xiu Lan Liang – Variance

John Chen, applicant's architect presented that the applicant is seeking to demolish his garage and rebuild using the same footprint, but with the addition of a roof deck and a bridge connecting the new garage with the principal building.

No one else spoke. The Board took the matter under advisement.

Case 15-22, 12 Benjamin Road, Catherine M. Umina – Special Permit to operate a day care

Catherine Umina reported:

She has her license already.

The daycare would be run out of the basement of her home, and will operate between 7:30 am and 6:00 pm.

Chair Smith stated the following to the applicant:

- The Special Permit is not transferrable and valid only for as long as the applicant has a current license from EEC.
- Staggered drop-offs are encouraged.
- You must have fire detectors in the day care, and file your license with the town.
- There will be no more than 6 children attending.
- You have to get certification from the Fire Department.

Nick Iannuzzi added that the applicant would have to fence in her back yard.

The Board briefly discussed the type of lock the applicant should have on the door to the entrance of the daycare.

Ms. Sweet, a neighbor, spoke in favor of the applicant, but was concerned about the high amount of traffic in the area and that there was a privacy issue.

Christina Sweet was concerned that there was a lot of heavy traffic at the corner of Beech and Benjamin. She wanted assurance that no additional street parking spaces would be taken away from the tenants who lived in the area.

No one else spoke. The Board took the matter under advisement.

Case 15-23, 140 Concord Ave., Bruce Margosian and Anne Hopkins – Special Permit

Anne Hopkins, applicant, reported that the porch needs replacing because it is rotting and the kitchen needs an upgrade.

Andy Rojas, architect for the applicants reported:

- They are well within the lot coverage.
- There is an 18.3 foot set back.
- The plans are consistent with the character of the neighborhood.

No one else spoke. The Board took the matter under advisement.

Deliberations and Vote:

Case 15-16, 119 Channing Road – Scott and Jocelyn Rossi

MOTION to approve the Site Plan as amended was made by Jim Zarkadis and seconded by Craig White. Motion passed.

Case 15-19, 20 Poplar Street –Claus and Barbara Becker – Three Special Permits

MOTION to approve the Special Permit was made by Jim Zarkadis and seconded by Motion passed.

Case 15-20, 32 Dean Street, Giane O’Connell – Special Permit

MOTION to approve the Special Permit with conditions was made by Nick Iannuzzi and seconded by Jim Zarkadis. Motion passed.

Case 15-21, 131 Flett Road, Jian Jun Chen and Xiu Lan Liang – Variance

MOTION to deny the Variance application was made by Nick Iannuzzi and seconded by Jim Zarkadis. Motion passed and the application is denied.

Case 15-22, 12 Benjamin Road, Catherine M. Umina – Special Permit to operate a day care

MOTION to approve the Special Permit with conditions made by Eric Smith and seconded by Nick Iannuzzi. Motion passed.

Case 15-23, 140 Concord Ave., Bruce Margosian and Anne Hopkins – Special Permit

MOTION to approve the Special Permit was made by Jim Zarkadis and seconded by Nick Iannuzzi. Motion passed.

Adjourn: 8:30 pm

The next meeting of the Zoning Board of Appeals will be October 5, 2015, at 7:00 pm in the Art Gallery.