

**ZONING BOARD OF APPEALS
MEETING MINUTES
November 2, 2015**

RECEIVED
TOWN CLERK
BELMONT, MA

2015 DEC -8 PM 3:46

Present: Eric Smith, Chair; Faustino Lichauco; Craig White; Jim Zarkadas; John McManus
(Associate Member); Phil Ruggiero (Associate Member);

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 November 2, 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 15-26, 63 Underwood Street, Maria Rita Patti – Special Permit

Maria Rita Patti reported that she is seeking a Special Permit to operate a Child Care, Large Family, however her application indicated Family Day Care Home. She currently has only 6 children, but would like to apply for an application for 10.

Chair Smith suggested she withdraw without prejudice and re-file for the appropriate application that allows for a large family daycare permit.

MOTION to withdraw the application without prejudice is made by Jim Zarkadas and seconded by Tino Lichauco. Motion passed.

Case 15-27, 69 Oak Ave., Margaret Dunn – Special Permit

Diane Miller, architect for the applicant, reported:

- The applicants would like to add a screened in porch (10 x 12 feet) and a deck (10 x 13).
- The addition will not be detrimental to the neighborhood.
- Neighbors and the abutters have signed a letter of support.

Faustino Lichauco asked if any plans were made to compensate for the loss of storm water drainage?

Diane Miller responded that plans had not been made because this didn't seem to be an issue, and she suggested that if the Board had a concern, they should condition that they submit a storm water mitigation plan.

The Board discussed how small changes made in a neighborhood might affect storm water drainage

insignificantly at first, but may come to have a significant impact as the more and more relatively small changes add up, eventually becoming detrimental to a neighborhood.

?? Someone in the audience spoke (she didn't identify herself) stated that she was concerned about flooding in a neighborhood and about steps taken to mitigate that.

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

Case 15-28, 56 Lantern Road, Christine Saidnawey – Special Permit

Christine Saidnawey, applicant stated that she did not realize she had to re-apply for a Special permit when she moved to her current location from her previous home. She is seeking a Special Permit to operate a Family day care home. She stated the hours of operation would be from 7:45 am to 5:00 pm

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

Case 15-29, 137 Chilton Street, Nitin Sonawane – Two Special Permits (Tino recused himself from this case)

Nitin Sonawane reported that the addition would be in proportion with the house.

Craig White urged the applicant to submit dated a full set of plans.

?? Someone in the audience spoke (she didn't identify herself) spoke again and expressed concerns about flooding and the need for a plan to mitigate that.

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

Case 15-30, 29 Woods Road, Naomi MacLead– Two Special Permits

Arthur MacLead reported that he wanted to raise the existing deck and expand the kitchen within the same footprint, and then add a smaller deck. The neighbors are in support of this addition.

Faustino Lichauco asked if any plans were made to compensate for the loss of storm water drainage?

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

Deliberations and Vote:

Case 15-27, 69 Oak Ave., Margaret Dunn – Special Permit

The Board discussed whether or not the increase to the non-conformity would be more detrimental to the neighborhood.

Ara Yogurtian commented that he did not feel it was within the purview of the Board to determine storm water drainage issues and felt that better guidance was needed regarding storm water conditions.

MOTION was made by Eric Smith to determine in the event that the Board approved the project, would they condition storm water drainage? A yes vote says the Board should condition it, and a no vote means it should not be a condition. The Motion was seconded by Craig White. VOTE: 1-favor,

4-no votes. Motion fails. The condition will not be added.

MOTION to approve relief is made by Craig White and seconded by Jim Zarkadas. Motion passed.

Case 15-28, 56 Lantern Road, Christine Saidnawey – Special Permit

MOTION to approve relief is made by Craig White and seconded by Jim Zarkadas with the following conditions. Motion passed.

Conditions:

- 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.
- That the applicant have fire detectors in the day care.
- The hours of operation will be from 7:45 am to 5:00 pm.

Case 15-29, 137 Chilton Street, Nitin Sonawane – Two Special Permits (Tino recuses himself from voting)

MOTION to approve relief is made by Eric Smith and seconded by John McManus. Motion passed.

Case 15-30, 29 Woods Road, Naomi MacLead– Two Special Permits

MOTION to approve relief is made by Jim Zarkadas and seconded by Craig White. Motion passed.

MOTION TO ADJOURN was made by Craig White and seconded by Jim Zarkadas.

8:15 pm

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