

DATE: November 17, 2023
TIME: 9:12 AM

**TOWN OF BELMONT
ZONING BOARD OF APPEALS
MEETING MINUTES
October 2, 2023**

Present: Casey Williams, Chair; Andrew Kelley, Vice Chair, Elliot Daniels; Daniel Barry; Alexandra Danahy; David Stiff

Absent: Teresa MacNutt

Staff: Gabriel Distler, Staff Planner, Offices of Community Development

The Belmont Zoning Board of Appeals held this hybrid public hearing at the Art Gallery on the third floor of the Homer Building, 19 Moore Street, and by remote access through Zoom as permitted by the Massachusetts Act Relative to Extending Certain State of Emergency Accommodations, that became effective July 16, 2022. Update 3/30/23: The State has extended authorization for virtual public meetings through March 31, 2025.

This meeting recording has been posted to the Belmont Media Center webpage.

1. CALL TO ORDER 7:00 PM

2. CONTINUED CASES

a) CASE NO 23-24 TWO SPECIAL PERMITS 37-39 Chestnut Street – Venkata Sabbiseti

The applicant requests Two Special Permits under Section 1.5.4A of the By-Law to construct a one-story addition and new third-story deck located at 37-39 Chestnut Street located in a General Residence (GR) Zoning District. Special Permits: 1.- §1.5.4A of the By-Law allows alteration and expansion in the GR district by a Special Permits granted by the Board of Appeals. 2.- §4.2.2 of the ByLaw allows for a maximum building height of two and a half (2-1/2) stories. The existing structure is three and a half (3-1/2) stories since the lowest level of the dwelling is a basement (45.1% of the foundation walls are below grade) and is considered a story. The proposed deck would be located at a three (3) story level.

Diane Miller, Miller Design, Architect, presented the addition of a roof structure over the rear egress for the second-floor unit. It was a trellis-like structure to provide protection from the elements and the railing was now solid for additional protection.

Mr. Daniels noted that the trellis would still allow snow and rain to enter. He said that in the past, porches were required to be enclosed.

Ms. Miller noted that enclosing the space would add gross floor area and the Zoning Board would no longer review the project. Ms. Miller suggested they could make the roof a solid structure to better protect the stairs from the elements.

Ms. Williams noted that the Board received a letter of opposition from the across-the-street neighbor who felt that they did not receive enough information. Ms. Miller had not yet seen a copy of this letter.

Ms. Williams opened the meeting for public comment. Mr. Distler asked Zoom attendees for comments. There were no public comments.

Ms. Danahey asked for a visual of the roof to better understand how it would work in terms of the snow and ice melt.

Venkata Sabbiseti, Applicant, noted that he spoke with the neighbor, and he assured that he would set up a dumpster.

Ms. Miller offered other design solutions for protecting the stairs from snow and ice. Mr. Distler said that he would check with Mr. Yogurtian, Assistant Director of the Planning & Building Department, to ask if an added screen would be an acceptable solution.

Ms. Williams asked the Applicant to meet with the neighbor who wrote the letter of opposition to clear things up with them. Also, for the Applicant to touch base with the other neighbors who felt that they did not receive enough information.

MOTION to continue (date to be determined) was made by Ms. Williams and seconded by Mr. Kelley. Motion passed.

YES votes-
Casey Williams
Andrew Kelley
Elliot Daniels
David Stiff
Daniel Barry

3. NEW PUBLIC HEARINGS

a) CASE NO 23-25 TWO SPECIAL PERMITS 200 Beech Street – Austin and Monica Kim

The applicant requests Two Special Permits under Section 1.5 of the By-Law to construct dormers at 200 Beech Street located in a General Residential (GR) Zoning District. Special Permit: 1.- §4.2.2 of the By-Law allows for a maximum building height of two and a half (2-1/2) stories. The existing structure is three and a half (3-1/2) stories since the lowest level of the dwelling is a basement

(47.15% of the foundation walls are below grade) as is considered a story. The proposed dormers are located at a three-and-a-half (3-1/2) story level. 2.- requires a minimum side setback of 10.0', the existing side setback is 1.6' and the proposed side setback is 2.0'.

Mr. Miller, Miller Design, noted that the house was damaged by a fire and they would like to add a dormer to the home during the rebuilding process. This would allow them to add a bedroom. The new dormer will comply with half-story zoning requirements and the rebuilt roof will maintain the same ridge height. He noted that the project would be a good fit for the neighborhood, and they have received support from the neighbors.

Ms. Williams opened the meeting for public comment.

Dan Eldridge, 206 Beech Street, spoke in support of the project.

**MOTION to approve was made by Mr. Stiff and seconded by Mr. Kelley
Motion passed.**

YES votes-
Casey Williams
Andrew Kelley
Elliot Daniels
David Stiff
Daniel Barry

b) CASE NO 23-26 THREE SPECIAL PERMITS 81 Statler Road – Sarah Felton

The applicant requests Three Special Permits under Section 1.5 of the By-Law to construct a second and third-story rear addition at 81 Statler Road located in a Single Residence C (SR-C) Zoning District. Special Permits: 1.- §4.2.2 of the By-Law allows for a maximum building height of two and a half (2-1/2) stories. The existing structure is three and a half (3-1/2) stories since the lowest level of the dwelling is a basement (46.175% of the foundation walls are below grade) as is considered a story. The existing bedroom and proposed addition are located at a third (3) story level. 2.- requires a minimum side setback of 10.0', the existing left-side setback (when facing the structure from the street) is 8.3' and the proposed left-side setback is 9.5'. 3.- requires a minimum side setback of 10.0', the existing right-side setback (when facing the structure from the street) is 7.9' and the proposed right-side setback is 8.0'.

Ms. Miller, Miller Design, came before the Board to present the plans for the rear addition. She noted that Ms. Felton would like to have more room for her growing family. They would like to expand the existing kitchen and extend one

of the bedrooms upstairs. Ms. Miller noted this project was in harmony with the neighborhood and they received support from the neighbors.

Ms. Ralston, an abutter, came before the Board and spoke in support of the project.

MOTION to approve was made by Ms. Williams and seconded by Mr. Kelley. Motion passed.

YES votes-
Casey Williams
Andrew Kelley
Elliot Daniels
David Stiff
Alexandra Danahy

c) CASE NO 23-27 TWO SPECIAL PERMITS
71 Country Club Lane – Sarah and Scott Boyle

The applicant requests Two Special Permits under Section 1.5 of the By-Law to construct a second story and cellar expansion at 71 Country Club Lane located in a Single Residence A (SR-A) Zoning District. Special Permits: 1.- §4.2 of the By-Law allows for a maximum lot coverage of 20.0%, the existing lot coverage is 23.0% and the proposed lot coverage is 22.5%. 2.- requires a minimum rear setback of 40.0', the existing rear setback is 33.3' and the proposed rear setback is 36.1'. File Date: August 29, 2023

Ms. Danahy recused herself from this portion of the hearing.

Sarah and Scott Boyle, Applicants, came before the Board and noted that they were planning to have a home that could be easily navigated by a Homeowner with MS. They have support from the abutting neighbors on the side of the home that will be changing.

Aimee Hsieh, 41 Country Club Lane. spoke in support of the project.

MOTION to approve was made by Ms. Williams and seconded by Mr. Kelley. Motion passed.

YES votes-
Casey Williams
Andrew Kelley
Elliot Daniels
David Stiff
Daniel Barry

3. Rescheduling November ZBA Meeting: The November 6, 2023 public hearing conflicts with Fall Town Meeting.

Ms. Danahy returned to the meeting.

The next Zoning Board of Appeal's regular meeting will be held on Thursday, November 16, 2023.

4. Discuss policy relating to the submission of letters/petitions

Ms. Williams noted that having a notice on the website stating letters must be received a week prior to the hearing and the Zoning Board of Appeals could not take extemporaneous documents during the hearing. Mr. Distler will type up a draft that states the policy for review by the Zoning Board of Appeals.

5. MINUTES: Review and approve August 21st, 2023 and September 11th, 2023 public hearing meeting minutes.

MOTION to approve the meeting minutes as amended for August 21st, 2023 was made by Ms. Williams and seconded by Mr. Kelley. Motion passed.

YES votes-
Casey Williams
Andrew Kelley

Elliot Daniels
David Stiff

MOTION to approve the meeting minutes for September 11th, 2023 was made by Ms. Williams and seconded by Ms. Danahy. Motion passed.

YES votes-
Casey Williams
Andrew Kelley
Elliot Daniels
Alexandra Danahy

6. Adjourn 8:15 PM

The next Zoning Board of Appeals meeting will be held on Thursday, November 16, 2023.