

**TOWN OF BELMONT  
PLANNING BOARD**

2026 FEB 10 PM 1:47

**CASE NO.** 26-02

**APPLICANTS/OWNERS:** Two By Two Realty, LLC, Clark Freiner, owner

**PROPERTY:** 41R Holt Street

**DATE OF PUBLIC HEARING** January 20, 2026

**MEMBERS SITTING:** Thayer Donham (Chair)  
Renee Guo  
Andrew Osborn  
Dan Barry

**VOTING MEMBERS:** Thayer Donham (Chair)  
Renee Guo  
Andrew Osborn  
Dan Barry

This matter came before the Planning Board ("Board") of the Town of Belmont ("Town") acting as 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 Applicant, Two By Two Realty, LLC, Clark Freiner, owner, requests a Special Permit and Design and Site Plan approval to construct a Two-Family Dwelling at 41R Holt Street located in a General Residence zoning district. §1.5.4-A-(3) and §6D-2 of the Zoning By-Law allow a new two family dwelling in the General Residence Zoning District by a Special Permit and Design and Site Plan Review Approval by the Planning Board.

**Proposal:**

The Applicant proposes to construct a two family dwelling at 41R Holt Street located in a General Residence (GR) zoning district.

**Public Hearing**

**Submissions to the Board:**

- a. Application for Special Permit dated December 10, 2025.
- b. Application for Design and Site Plan Approval dated December 10, 2025.
- c. Project Narrative, dated December 18, 2025
- d. Construction Documents, dated October 30, 2025.
- e. Certified Plot Plan and zoning compliance checklist, dated November 14, 2025.

On January 20, 2026 the Board held duly noticed hearing on this case.

Mr. Freiner, the applicant, made the presentation to the Board. The proposed project is to construct a new 2 family dwelling, townhouse style. Mr. Freiner said that the proposed construction has a similar design to other projects in the Waverley area, meets setback requirements and will be landscaped. He added that he had met with abutting neighbors who were generally supportive. The lot is 17,500

Case No. 26-02  
Address: 41R Holt Street

square feet and crosses over the town line to the Town of Watertown, the side setback is 28.4' to the Belmont side and 63.6' to the Watertown side with 10' requirement in each case. The rear setback is 24.5' with 20' minimum required. The front setback is 123.5' with 20' minimum required. Open space is 68%, lot coverage is 17.3%, 30% allowed.

After the presentation, Board members begun to make comments on the project and ask questions for clarification.

Ms. Guo said that the proposed construction appears to be in harmony with other structures in the neighborhood.

Mr. Osborn inquired whether all requirements had been met with the Town of Watertown. Mr. Freiner responded that there are no such requirements as the proposed construction will not cross the Town of Watertown line and added that no approval is needed from the DPW for the curb cut, which is located in Watertown as it is pre-existing.

At this time, the meeting was opened for public comments.

Mr. Barrett, 33 Holt Street said that the footprint of the proposed construction needs to be reduced. He inquired about power infrastructure, stormwater management, fencing, and requested a shadow study, he claimed the proposed construction would cast a shadow over his garden. He also requested an environmental study as the property had previously had a commercial use. Mr. Yogurtian said that a stormwater management plan is required by the Town. Mr. Freiner said that power would come from Belmont Light. Mr. Yogurtian said that there is no precedent for a shade study and that there is no likelihood that the proposed construction would cast a shadow from approximately 80 feet away. Regarding the environmental inquiry, Mr. Freiner will check his records as it was thought that his mortgage lender would have performed this review. Unnamed speaker said that it is typically the lender who makes the request.

Greg Mislick, 35 Holt Street inquired about what recourse would be available to him if his basement would take water as a result of the proposed construction. Mr. Yogurtian suggested that he takes pictures of his dry basement to document his baseline and meet with Mr. Freiner. Mr. Freiner responded that he is consulting with an engineer and added that there will be a 6' privacy fence around the patio area and plantings which grow up to 12'.

Dan Harrington said that he is representing his mother-in-law Ann Kneeland who is opposed to the proposed construction due to frontage concerns. Mr. Yogurtian said that if this was a new subdivision, it would not be considered a buildable lot, however, because it had a building, it is considered a buildable lot. He added that frontage starts at the street and meets requirements. Mr. Harrington said that he is losing privacy as the proposed construction will have 13 windows which face his property. It was said that there will be a 6' privacy fence.

Chair Ms. Donham said that construction could take place Monday to Saturday from 7:00 a.m. to 8 p.m. On Sundays, noise greater than 45 decibels is not allowed and pounding noise is only allowed up to 95 decibels.

There was a discussion about the driveway. Ms. Donham said that the driveway must be 15' in width. Mr. Freiner said that he has a letter from the Belmont Fire Department which he will submit.

Ms. Donham suggested notifying neighbors of what to expect to maintain positive relationships.

Teresa Mislick said that, due to the proposed construction, she will no longer be able to see the sunset and that the proposed construction will cast shade across her yard and another neighbor's yard.

Georgia Darviris, 31 Holt Street said that she is concerned about the size of the proposed construction and added that it is not harmonious with the neighborhood, she added that the site of the proposed construction previously had an industrial use and that sampling needs to be done to change to a residential use, she is concerned about water coming into her basement and contaminating her organic garden, she feels pushed to the side. Ms. Donham said that change is difficult and that the Planning Board appreciates her comments.

Eugeni Pieck Burchard said that she represents the Burchard family at 42 Burnham Street. Ms. Burchard said that an almost identical proposal was made in 2021 and had been rejected. It was determined that the 2021 application had been withdrawn, not rejected.

Case No. 26-02  
Address: 41R Holt Street

Susanne Croy, Town Meeting member, Precinct 6 and member of the Warrant Committee said that Mr. Freiner had met all of the requirements and that she is supportive of his application.

With no further public comment, this portion of the meeting was closed.

Mr. Freiner said that he does not plan to raise the ground elevation.

Ms. Donham said that the setbacks of the proposed construction are sufficient to negate the need for a shade study. Ms. Guo said that a tool, like Google Earth, could be used to research expected shade changes as the neighbors are concerned about this. Mr. Ryan said that shade should not be a problem and, because it was raised as a primary issue of opposition, that Mr. Freiner could have his architect do a shade study to resolve the open question. Mr. Freiner agreed to this.

### **Deliberation and Decision**

After the close of the public hearing, the Board deliberated on the Applicant's request for a Special Permit and Design and Site Plan Approval to construct a two-family dwelling at 41R Holt Street located in a General Residence (GR) zoning district. The Board found that the proposed was in keeping with the intent of the By-Law, it was not detrimental to the neighborhood and it was in keeping with the character of other structures in the vicinity with the following condition:

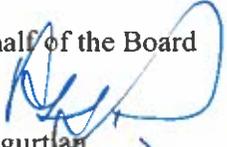
The applicant will provide shade impact study to the Board for review at their scheduled next meeting.

On January 30<sup>th</sup>, the applicant, Mr. Freiner, submitted for the Board's review the shadow study. On February 3, 2026, the Board found that the shadow resulting from this new construction will not have any impact on any of the abutting structures.

Accordingly, **upon motion duly made by Ms. Thayer Donham and seconded by Mr. Dan Barry, the Board voted 4 in favor and 0 in opposition to grant the Special Permit and DSPR approval as requested.**

On Behalf of the Board

Date: February 10, 2026

  
Ara Yogurtlan  
Inspector of Building  
Planning and Building Department