

**TOWN OF BELMONT
PLANNING BOARD**

2021 FEB -5 AM 9: 59

CASE NO. 20-11

APPLICANT: Paul Riegle and Laura Miyakawa

PROPERTY: 1 Broad Street

DATE OF PUBLIC HEARING: October 20, 2020
Continued: November 5, 2020, November 17, 2020
December 1, 2020, December 15, 2020

MEMBERS SITTING/ Steve Pinkerton, Chairman
Thayer Donham
Ed Starzec
Renee Guo
Matt Lowrie
Karl Haglund

MEMBERS VOTING: Steve Pinkerton, Chairman
Thayer Donham
Ed Starzec
Matt Lowrie
Karl Haglund

Introduction

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 Applicants, Paul Riegle and Laura Miyakawa, request Two (2) Special Permits under Section 1.5 of the Zoning By-Law to to maintain the number of stories and to increase the size of their home by more than 30% of the gross floor area in order to construct an addition on the rear of the existing house at 1 Broad Street, located in a Single Residence C (SRC) zoning district.

Proposal

The Applicants propose to add 1,096 square feet to their existing house and renovate the basement. The total square footage of the house including the addition will be approximately 2,500 square feet. The goal of the proposed alterations and addition with the installation of solar panels on the roof was to create a net zero dwelling. The additions will include an expansion of the kitchen and the living room on the first floor and a new bedroom with a bathroom on the second floor.

The two Special Permits requested from the Board were as follows:

1. The By-Law allows two and a half story structures. The existing is three and a half story structure, the lowest level of the structure (covered only 15.6%) is a basement and considered as a story.
2. §1.5.4C of the By-Law allows expansions of structures, 30% or more in the Single residence C district by a Special permit granted by the Planning Board.

Submissions to the Board:

- 1) Application Submission:
 - a. Application for Special Permit, dated September 21, 2020;
 - b. A copy of the denial letter, dated May 29, 2020
 - c. Project Narrative – 1 Broad Street, prepared by Maryann Thompson Architects
 - d. Construction Documents, dated September 22, 2020:
 1. Pictures and maps of the neighborhood (1 through 6)
 2. Neighborhood support (7,8);
 3. Existing and proposed floor plans and elevations (9 through 21)
 4. Landscaping Plans (22 through 38);
 5. TLA, FAR and half story calculations (39 through 41)
 6. Exterior Palette and vignettes (42 through 50);
 - e. Zoning Compliance Check List, dated September 17, 2020;
 - f. Certified Plot Plan, dated March 19, 2020;
- 2) Revised Documentation:
 - a. New Elevations (A11), dated November 5, 2020;
 - b. New Floor plans, dated November 5, 2020

Public Hearing

The Board held a duly noticed public hearing on the application on October 20, 2020. An abutter expressed opposition to the proposed project, his comments waere that the proposed was out of character with the colonial style buildings in the neighborhood, in his opinion the proposed looked like a California style house attached to a colonial. Two other neighbors were generally in support of the design but were in agreement that a smaller and a better integrated design would have been preferred.

Deliberation and Decision

During several continued meetings, the size of the expansion, the height of the addition and the character of the proposed addition were revised.

On December 15, 2020, the Board deliberated on the Applicants' request for two Special Permits under Section 1.5 of the Zoning By-Law to alter a nonconforming structure (nonconforming number of stories) in order to construct a rear addition (addition greater than 30% of existing gross floor area) at 1 Broad Street in a Single Residence C Zoning District. Four (4) of five (5) Board members found that the proposed addition will not be substantially more detrimental to the neighborhood than the existing homes and that it will be in keeping with the character of the neighborhood. The addition will not increase any of the existing

nonconformities and has been designed to reflect the surrounding neighborhood. Neighbors have not expressed any objections to the proposed final revisions.

Accordingly, upon motion duly made and seconded, **the Board voted 4-1 to GRANT the Applicants' request for TWO SPECIAL PERMITS to CONSTRUCT A REAR ADDITON AT 1 BROAD STREET subject to the following CONDITIONS:**

General:

1. This approval is based upon the submitted and revised plans identified above. No modifications, except as provided in the conditions listed below, may be made without the approval of the Board, or a determination in writing by the Building Inspector that the modification is so minor that the approval of the Board is not required.
2. A revised plot plan must be submitted to the Office of Community Development with a new building permit application.
3. An as-built plan shall be submitted to the Office of Community Development prior to the issuance of a Certificate of Occupancy.

Landscaping:

1. Landscaping shall be maintained as approved. Every effort must be made to save the existing Norway maple tree on the property, otherwise to be replaced with a similar kind.
2. A French drain will be installed to alleviate the flooding concerns.

Submitted on Behalf of the Planning Board,

Ara Yogurtian

Dated: February 4, 2021



Assistant Director
Office of Community Development