

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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BELMONT, MA

CASE NO. 23-27

APPLICANTS Scott and Sarah Boyle

PROPERTY 71 Country Club Lane

DATE OF PUBLIC HEARING October 2, 2023

MEMBERS SITTING Casey Williams, Chair
Andrew Kelley, Vice Chair
Elliot Daniels
David Stiff
Alexandra Danahy, Associate Member
Daniel Barry, Associate Member

MEMBERS VOTING Casey Williams, Chair
Andrew Kelley, Vice Chair
Elliot Daniels
David Stiff
Daniel Barry, Associate Member

2023 DEC -4 PM 12:43

Introduction

This matter came before the Board of Appeals (the “Board”) of the Town of Belmont (the “Town”) acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts (the “By-Law”) and Chapter 40A of the Massachusetts General Law (the “Zoning Act”). The applicants, Scott and Sarah Boyle (the “Applicants”) sought two (2) Special Permits under Section 1.5 of the Zoning Bylaw to construct a second story and cellar expansion in a property located in a Single Residence A (SR-A) Zoning District. Special Permit:

1. §4.2 of the Zoning Bylaws allows for a maximum lot coverage of 20.0%. The existing lot coverage is 22.4% and the proposed lot coverage is 22.5%;
2. §4.2 of the Zoning Bylaws requires a minimum rear setback of 40.0’. The existing rear setback is 33.3’ and the proposed rear setback is 36.1’.

Proposal

The Board held a duly noticed hearing on the application on October 2, 2023. The Applicants submitted for the Board’s review architectural drawings, dated August 24, 2023, prepared by YGS Design & Development LLC; a plot plan, dated December 28, 2022, prepared by surveyor Scott C. Lynch; a Zoning Checklist, dated December 28, 2022, prepared by surveyor Scott C. Lynch; ceiling height and basement/cellar calculations as well as grade calculations, dated January 9, 2023; and photos and of the house and the houses neighboring it. One petition of support, signed by twelve (12) neighbors, was submitted by the Applicant.

The Applicants describe that the existing house is a ranch. The applicants state that the primary goal of the proposed renovation is to eliminate stairs and widen doorways to eliminate or reduce mobility impediments. The Applicants add that the proposed renovation will also

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Address: 59 Selwyn Road

create space and rooms that will make the family more comfortable. The Applicants note that their proposed design reduces the non-compliance of the current footprint and is consistent with the neighborhood, which has become a mix of single-story ranches and renovated/rebuilt two-story houses.

At the hearing Aimee Hsieh, of 41 Country Club Lane, spoke in support of the application.

Decision

MGL 40A §6 provides in pertinent part: “Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.”

The Board found that the proposed addition is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and that the proposed alterations are in keeping with the character of the neighborhood in which the property is located.

Accordingly, upon motion duly made by Casey Williams, and seconded by Andrew Kelley, the Board voted 5-0 to grant the Two (2) Special Permits as requested.

For the Board,

Dated: December 4, 2023



Gabriel S. Distler,
Staff Planner
Office of Community Development