

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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CASE NO. 22-30

APPLICANT: Ryan Casillo

PROPERTY: 44 Palfrey Road

DATE OF PUBLIC HEARING: November 7, 2022

MEMBERS SSITTING: Nick Iannuzzi, Chair
Jim Zarkadas, Vice Chair
Casey Williams
Andrew Kelley
David Stiff, Associate Member

MEMBERS VOTING: Nick Iannuzzi, Chair
Jim Zarkadas, Vice Chair
Casey Williams
Andrew Kelley
David Stiff, Associate Member

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 Zoning By-Law of the Town of Belmont, Massachusetts (the “By-Law”) and Chapter 40A of the Massachusetts General Law (the “Zoning Act”). The applicant, Ryan Casillo, (“Applicant”) seeks One (1) Special Permits under Section §1.5 of the Zoning By-Law to construct an enclosure around an existing first-story front porch at 44 Palfrey located in a Single Residence C (SRC) Zoning District. The Applicant sought the following special permits:

1. Under §4.2.2 of the Bylaw requires a minimum front setback of 25.0’, the existing front setback is 24.7’ and proposed front setback is 21.5’.

Proposal

The Board held a duly noticed hearing on the application on November 7, 2022. The Applicant had submitted for the Board’s review architectural drawings prepared by Ron Bourque, a plot plan dated August 18, 2022 prepared by Hancock Survey Associates, a zoning compliance check list dated October 4, 2022 prepared by Jason A. Ellis, basement calculations dated May 20, 2019 prepared by Jason A. Ellis, and photos of the property and nearby properties with similar enclosed entranceways. No letters of support or opposition were submitted to the Board.

The applicant, Ryan Casillo, made the presentation to the Board. Mr. Casillo explained his proposal to construction an enclosure around the existing open front porch and that he did not plan to enlarge the footprint or change the height of the existing porch. The Applicant stated that the addition

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will not be detrimental to the neighborhood since the addition will be constructed with materials that match the existing house and the design is consistent with enclosed porches of other houses in the neighborhood.

At the hearing no member of the public spoke in support or opposition to 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 enclosure is not more detrimental to the neighborhood and is in keeping with the character of other houses in the vicinity.

Accordingly, upon motion duly made by David Stiff and seconded by Casey Williams, the Board voted 5-0 to grant the Applicant the Special Permits as requested.

Dated: January 3, 2023



Gabriel S. Distler
Staff Planner
Office of Community Development