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TOWN CLERK  
BELMONT, MA

CASE NO. 19-18

2019 MAY -2 PM 3: 39

NOTICE OF PUBLIC HEARING BY THE  
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR 2 SPECIAL PERMITS

1. Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday May 13, 2019 at 7:00 PM in the Art Gallery, 3<sup>rd</sup> floor, Homer Municipal Building, 19 Moore St., to consider the application of Susan Pergamo at 43 Pine Street located in a Single Residence C (SRC) Zoning District for Two Special Permits under Section 1.5 of the Zoning Bylaw to construct a second floor deck. Special Permits -1.- §4.2.2 of the Zoning By-Law allows a maximum lot coverage of 25%. The existing lot coverage is 30.9% and the proposed is 32.9%. 2.- §4.2.2 of the By-Law requires a minimum rear setback of 29.1', the existing rear setback is 25.5' and the proposed is 22.1'.

ZONING BOARD OF APPEALS



Town of Belmont  
Zoning Board of Appeals

RECEIVED  
TOWN CLERK  
BELMONT, MA

2019 MAY -2 PM 3:40

**APPLICATION FOR A SPECIAL PERMIT**

Date: 4-9-19

Zoning Board of Appeals  
Homer Municipal Building  
19 Moore Street  
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Laws of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 43 Pine Street Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for construct a second floor deck

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner

Susan Pergamo [Signature]

Print Name

Susan & James Pergamo

Address

43 Pine St  
Belmont, MA

Daytime Telephone Number

617-680-0099



OFFICE OF COMMUNITY DEVELOPMENT  
TOWN OF BELMONT

19 Moore Street  
Homer Municipal Building  
Belmont, Massachusetts 02478-0900

Telephone: (617) 993-2650 Fax: (617) 993-2651

Building Division  
(617) 993-2664  
Engineering Division  
(617) 993-2665  
Planning Division  
(617) 993-2666

April 5, 2019

Susan Pergamo  
43 Pine Street  
Belmont, MA 02478

RE: Denial to Construct a Second Floor Deck

Dear Ms. Pergamo,

The Office of Community Development is in receipt of your building permit application for your proposal to construct a second story deck at 43 Pine Street located in a Single Residence C Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 4.2.2 of the Zoning By-Law Dimensional Regulations allow a maximum lot coverage of 25% and requires a minimum rear setback of 29.1' (30% depth of lot less than 100') in your district.

1. The existing lot coverage is 30.9% and the proposed is 32.9%.
2. The existing rear setback is 25.5' and the proposed is 22.1'.

You may alter your plans to conform to the current Town of Belmont Zoning By-Law and resubmit a building permit application, or you may request two (2) Special Permits from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development to schedule an appointment with Ara Yogurtian, Assistant Director, at (617) 993-2650 in order to begin the process.

Sincerely,  
On Behalf of  
Glenn R. Clancy, P.E.  
Inspector of Buildings

Ara Yogurtian  
Assistant Director  
Office of Community Development

April 8, 2019

Dear Board Members,

Jim and I are life-long residents of Belmont. I have lived at 41-43 Pine Street all my life. I married Jim in 1989 and I moved downstairs. Jim and I raised our boys while living on the 1<sup>st</sup> floor of the house and we enjoyed countless hours in the back yard, playing with the kids and eating on the yard patio, located right outside the first floor. In 2017 we moved upstairs to 43 Pine Street. We quickly realized that instead of 3 stairs to the outside, we had 22 stairs and it was no longer feasible to use the outdoor area for any summer gatherings.

There is a two family home on either side of us. In fact, all three homes were originally built by brothers wanting to live near each other. Both of these homes have similar back decks (photos attached) that we are proposing to build.

We would like to construct a deck off the second floor of our home at 43 Pine Street. We are requesting to build a deck half the size of those located on either side of our home. We would like it to accommodate a table for four adults with some room to move around.

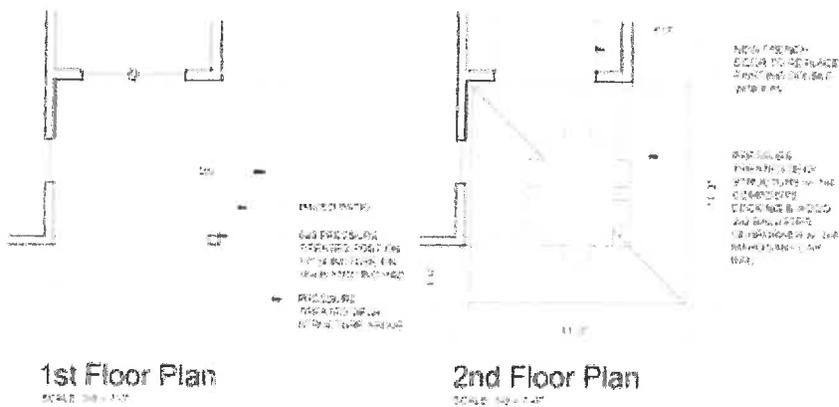
Our two family home was built in 1920. Our building is in a single residence zoning district surrounded by, including ours, 2 families. When zoning changed in this district the allowed 30% lot overage was reduced to 25% as a single residence district.

Our proposed deck remains in harmony with the character of the neighborhood. We and our neighbors feel that it would not be more detrimental to the neighborhood than what exists currently.

I thank you for your consideration.

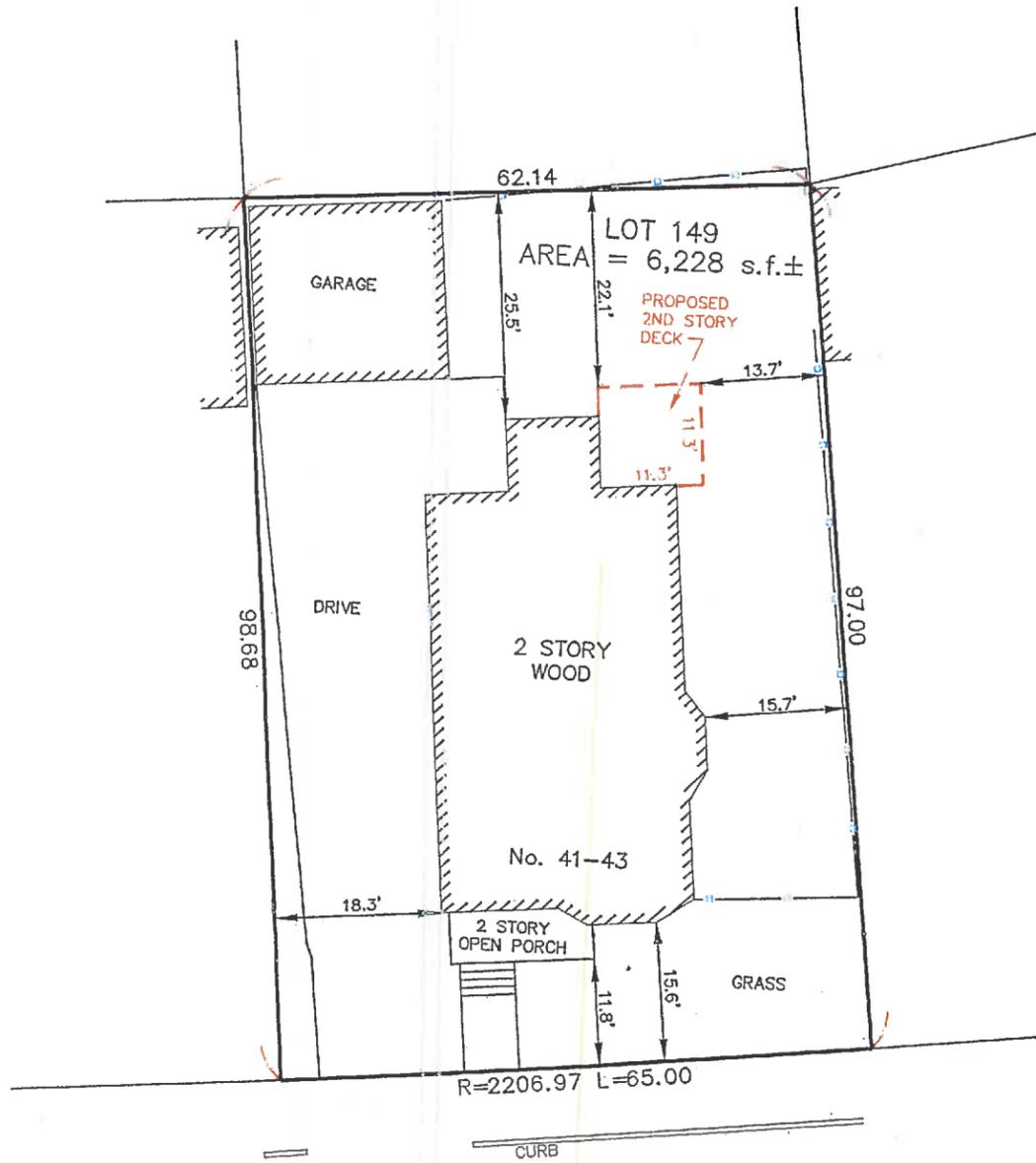
Susan Pergamo

From: Susan Pergamo susan.pergamo@verizon.net  
Subject: 05.13.18 - Deck Plans.pdf  
Date: Jul 20, 2018 at 1:04:41 PM  
To: Susan Pergamo susan.pergamo@verizon.net



Sent from my iPhone

PREPARED BY:  
 MEDFORD ENGINEERING & SURVEY  
 ANGELO B. VENEZIANO ASSOCIATES  
 15 HALL ST. MEDFORD, MA. 02155  
 781-396-4466 fax: 781-396-8052



PINE STREET

ZONED SR-C

ZONING REQUIREMENT	EXISTING	PROPOSED
*FRONT: 25'	11.6'	NO CHANGE
SIDE: 10'	18.3'	18.3'
SIDE: 10'	15.7'	13.7'
**REAR: 29.1'	25.5'	22.1'
MAX. LOT COV.: 25%	29.5%	29.9%
MIN. OPEN SPACE: 50%	48.2%	47.8%

\* AVERAGE OF ABUTTING DWELLING SETBACKS MAY BE REQUIRED  
 \*\* 30% OF LOT DEPTH

THE PROPERTY IS NOT LOCATED IN AN ESTABLISHED FLOOD HAZARD ZONE ACCORDING TO THE F.I.R.M. OF BELMONT.

RICHARD J. MEDE, JR. - P.L.S.

06/21/2018

DATE:



OWNER:	SUSAN & ANDREW PERGAMO, LIZ PIZZI
HOUSE NO.:	41-43
LOC.:	LOT NO.: 149
APP. NO.:	
DATE:	JUNE 21, 2018
SCALE:	1" = 20'

# Zoning Compliance Check List

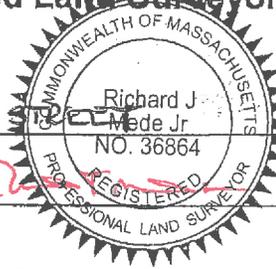
(Registered Land Surveyor)

Property Address: 41-43 PINE STREET

Zone: SR-C

Surveyor Signature and Stamp: 

Date: 07/30/2018



	REQUIRED	EXISTING	PROPOSED
Lot Area	9,000 SF	6,228 s.f.	6,228 SF
Lot Frontage	75 FEET	65.0 FEET	65.0 FEET
Floor Area Ratio	—	—	—
Lot Coverage	25% MAX	30.9 %	32.9 %
Open Space	50% MIN	46.7 %	44.7 %
Front Setback	25 FEET	11.6 FEET	11.6 FEET
Side Setback	10 FEET	18.3 FEET	18.3 FEET
Side Setback	10 FEET	15.7 FEET	13.7 FEET
Rear Setback	* 29.1 FEET	25.5 FEET	22.1 FEET
Building Height	30 FEET	—	—
Stories	2 1/2	—	—
1/2 Story Calculation			
* 30% of DEPTH			

NOTES:

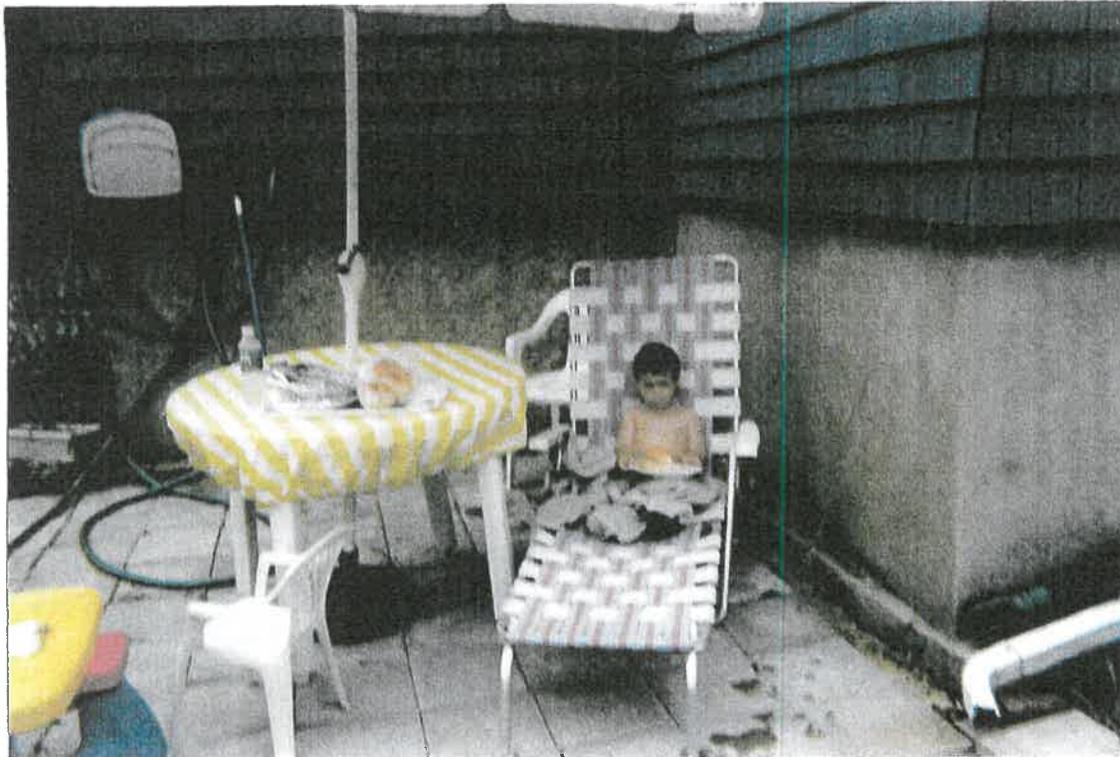
**James Pergamo**

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**From:** James Pergamo <jpergamo5077@gmail.com>  
**Sent:** Sunday, December 09, 2018 11:18 AM  
**To:** James Pergamo



**41-43 Pine Street Belmont – Front of home**



**Patio 41-43 Pine Street – Back of home**

**James Pergamo**

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**From:** James Pergamo <jpergamo5077@gmail.com>  
**Sent:** Sunday, December 09, 2018 11:17 AM  
**To:** James Pergamo



**43 Pine Street 2<sup>nd</sup> Floor Proposed Area for Deck**

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**James Pergamo**

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**From:** James Pergamo <jpergamo5077@gmail.com>  
**Sent:** Sunday, December 09, 2018 11:16 AM  
**To:** James Pergamo



**47-49 Pine Street Back Deck**

## James Pergamo

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**From:** James Pergamo <jpergamo5077@gmail.com>  
**Sent:** Sunday, December 09, 2018 11:16 AM  
**To:** James Pergamo



**37 Pine Street Back Deck**



- Town-Owned Buildings
- McLean Buildings
- BUILDINGS
- Parcels
- Town Boundary
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Charles\_poly
- Charles\_arc
- Abutting Town Labels
- Abutting Towns
- Roads
  - Major Road, Collect
  - Minor Road, Arterial



\* 2 family homes zoned AS 2 family  
 "x" are neighbors with decks. Our blue area home - same size a footprint no deck. will not change the look of the area.

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 04/04/2019 at 03:49 PM