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**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

ZBA Case No.: 18-22
Applicant: Joseph DeStefano d/b/a 495-505 Trapelo Road LLC
Property Address: 495-505 Trapelo Road 60863-503

Date of Public Hearing: June 18, 2018



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Members Sitting: Nicholas A. Iannuzzi, Jr., Chair
Tino Lichauco, Member
Andrew Plunkett, Member
Craig White, Member
Phil Ruggerio, Associate Member
Casey Williams, Associate Member
Blake Currier, Associate Member

Members Voting: Nicholas A. Iannuzzi, Jr., Chair
Tino Lichauco, Member
Andrew Plunkett, Member
Craig White, Member
Phil Ruggerio, Associate Member

Introduction

This matter came before the Board of Appeals (“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, Joseph DeStefano d/b/a 495-505 trapelo Road LLC (“Applicant”), seeks One (1) Special Permit from the Board under Section 3.3 of the By-Law to construct a Mixed-Use Building at 495-505 Trapelo Road (“Property”) located in a Local Business I (LBI) Zoning District.

Proposal

The Applicant proposes to demolish the existing one story structure located at 495-505 Trapelo Road and replaces with a three story mixed use building. Commercial use on first floor and 10 residential units on the 2nd and 3rd floors. The building will have an elevator to service the residential floors.

The Applicant Joseph DeStefano with his surveyor, Cliff Rober with Rober Survey presented the proposal at a duly noticed public hearing on June 18, 2018. The proposed are set forth on plans which were not dated or stamped by an architect and a plot plan dated May 1, 2018.

They also submitted a letter in support of the project signed by 23 individuals.

Parking calculations and a layout plan were submitted during the hearing which showed some of the required parking spaces would be on the adjacent lot at 29 and 43 White Street, currently owned by the same developer, the Applicant Mr. Joseph DeStefano.

The Board determined that there was no necessity for a Traffic Impact Study for this project. 4 abutters spoke in favor of the project, no one spoke in opposition.

Decision

The By-Law provides that the Board may issue a Special Permit under section 3.3 of the By-Law to construct a 3 story Mixed-Use Building provided that at a minimum the first floor is to be reserved for commercial use and that the residential use comply with §6.10 Inclusionary Housing in a Local Business I (LBI) Zoning District, if it determines that the proposal’s benefits to the Town will outweigh any adverse effects for the Town or the vicinity.

The Board deliberated on June 18, 2018. The Board concluded that the proposed structure was in harmony with the intent of the By-law and is considered an improvement to the existing conditions. The Board was concerned by the failure to provide stamped and dated architectural drawings, stamped parking calculations and layout plans, landscaping plans, site lighting plans and trash collection management plan.

Accordingly, **upon motion duly made and seconded, the Board voted 5-0 to grant the requested One (1) Special Permit to construct a Mixed-Use building subject to the following conditions.**

Conditions:

1. The Applicant will submit stamped architectural and structural drawings in compliance with all zoning and building code regulations with the Building Permit application.
2. Parking calculations and a layout plan prepared and stamped by a registered land surveyor will be submitted with the Building Permit application.
3. A concept landscaping plan will be submitted as a condition of this approval.
4. A concept site lighting plan (in compliance with §5.4.3 of the By-Law) will be submitted as a condition of this approval.
5. A trash management plan will be submitted as part of this approval.

For the Board,

Date: July 24, 2018

Ara Yogurtian
Assistant Director
Office of Community Development

CERTIFICATION

I, Ellen O’Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on July 27, 2018, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with five (5) conditions.

August 24, 2018

Ellen O’Brien Cushman, Town Clerk
Belmont, MA