

RECEIVED  
TOWN CLERK  
BELMONT, MA

2018 NOV 16 AM 11:50

CASE NO. 18-47

NOTICE OF PUBLIC HEARING BY THE  
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR 1 SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, December 3, 2018 at 7:00 PM in the Art Gallery, 3<sup>rd</sup> floor, Homer Municipal Building, 19 Moore St. to consider the application of HCR construction, Brian Powderly, agent, for One Special Permit under Section 4.2.2A of the Town of Belmont Zoning By-Law for the Board to reduce the required rear setback of a corner lot to not less than the side setback at 25 Greybirch Circle, located in a Single Residence A (SRA) Zoning District. Special Permit- 1.- The existing rear setback is 26.4' and the proposed is 30.0'.

ZONING BOARD OF APPEALS



Town of Belmont  
Zoning Board of Appeals

RECEIVED  
TOWN CLERK  
BELMONT, MA

2018 NOV 16 AM 11:52

**APPLICATION FOR A SPECIAL PERMIT**

Date: 10/28/18

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 25 Grey Birch circle 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 the

① Rear SET BACKS. Zoning requires 40' from rear lot line. Currently existing house is 26'4" and our proposed will increase the rear to 30'3" moving it closer to conforming of today standards.

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

Signature of Petitioner Brian Powderly  
Print Name Brian Powderly  
Address Po Box 436  
Nothing Lake, Ma 01865  
Daytime Telephone Number 978 663 0164



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

September 25, 2018

Brian Powderly  
HCR Construction  
P.O.Box 436  
Nutting Lake, MA 01865

REF 1 Denial to Construct a New Single Family Dwelling

Dear Mr. Powderly,

The Office of Community Development is in receipt of your building permit application for your proposal to construct a New Single Family Dwelling at 25 Greybirch Circle located in a Single Residence A 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 A (7) of the Zoning By-Law allows the reduction of rear setbacks for corner lots by Special Permits. The required rear setback of the new structure is 40.0'.

1. The existing rear setback is 26.4' and the proposed is 30.3'.

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 One (1) Special Permit from the Zoning Board of Appeals to reduce the rear setback of the new structure to no less than a side setback at 15.0'. 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,

  
Glenn R. Clancy, P.E.  
Inspector of Buildings

MEETING ART (C)  
WED 10<sup>th</sup> - 10AM

# HCR CONSTRUCTION, INC.

November 1, 2018

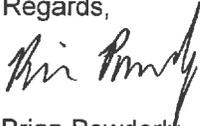
Town of Belmont  
19 Moore Street  
Belmont, MA 02478

Re: 25 Greybirch Circle

Dear Town of Belmont:

I am writing in regards to the special permit/variance for the property located at 25 Greybirch Circle. The current house on the property is non-conforming to the setbacks set. We are hoping to build a new home and are submitting plans to make this house more conforming to todays standards. Please feel free to contact me with any questions in regards to this matter.

Regards,



Brian Powderly  
President



PO BOX 436  
NUTTING LAKE,  
MA 01865

PHONE	978-663-0164
FAX	978-663-6519
EMAIL	<a href="mailto:brian@powderlyandsons.com">brian@powderlyandsons.com</a>



## Zoning Compliance Check List (Registered Land Surveyor)

*Francis J. McDonald*

Property Address: 25 GREYBIRCH CIRCLE

Zone: SR-A

Surveyor Signature and Stamp: \_\_\_\_\_

Date: 3/5/2018

	REQUIRED	EXISTING	PROPOSED
Lot Area	25,000 SF	13,228 SF	13,228 SF
Lot Frontage	125 FT.	192.62 FT.	192.62 FT.
Floor Area Ratio	N/A	N/A	N/A
Lot Coverage	20% MAX	19.4%	18%
Open Space	50% MIN	76%	73%
Front Setback	30 FT.	26.5 FT.	30.3 FT.
Side Setback	15 FT.	10.8 FT.	15.3 FT.
Side Setback	N/A	N/A	N/A
Rear Setback	40 FT.	26.4 FT.	30.3 FT.
Building Height	36 FT. MAX	13.7 FT.	25.4 FT.
Stories	2 1/2 MAX	1	2 1/2 MAX
1/2 Story Calculation			
<i>Basement</i>			

<b>NOTES:</b>

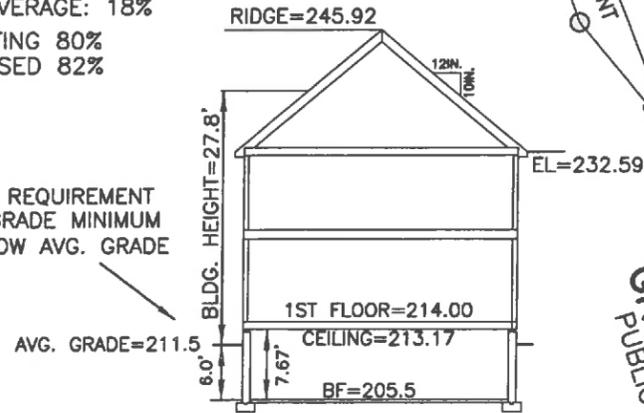
**NOTES:**

1. SITE LOCATION: PARCEL I.D. 69-28-0.  
25 GREYBIRCH CIRCLE BELMONT, MA  
OWNERS: HCR CONSTRUCTION, INC.  
572 BOSTON RD. BILLERICA, MA
2. SEE SPECIAL PERMIT GRANTED 6/2/1987  
CASE NO. 87-22.
3. ZONING: SINGLE RESIDENCE A  
MINIMUM DWELLING SETBACK REQUIREMENTS:

	REQ.	EXIST.	PROP.
FRONT=30FT	26.5'	30.3'	
SIDE=15FT	10.8'	15.3'	
REAR=40FT	26.4'	30.3'	

MAXIMUM LOT COVERAGE: 20%  
PROPOSED LOT COVERAGE: 18%  
OPEN SPACE: EXISTING 80%  
PROPOSED 82%

CELLAR CLEAR HEIGHT REQUIREMENT  
60% BELOW AVERAGE GRADE MINIMUM  
6.0/7.67 = 78% BELOW AVG. GRADE



**PLOT PLAN OF LAND**

I CERTIFY THAT THE EXISTING BUILDINGS AND/OR STRUCTURES ON THIS PLAN ARE LOCATED AS SHOWN. NO DETERMINATION OF ZONING COMPLIANCE IS MADE OR INTENDED.

I CERTIFY THE LOT IS NOT AND THE BUILDINGS ARE NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.I.R.M. FLOOD INSURANCE MAPS DATED: DATE: 6/4/2010

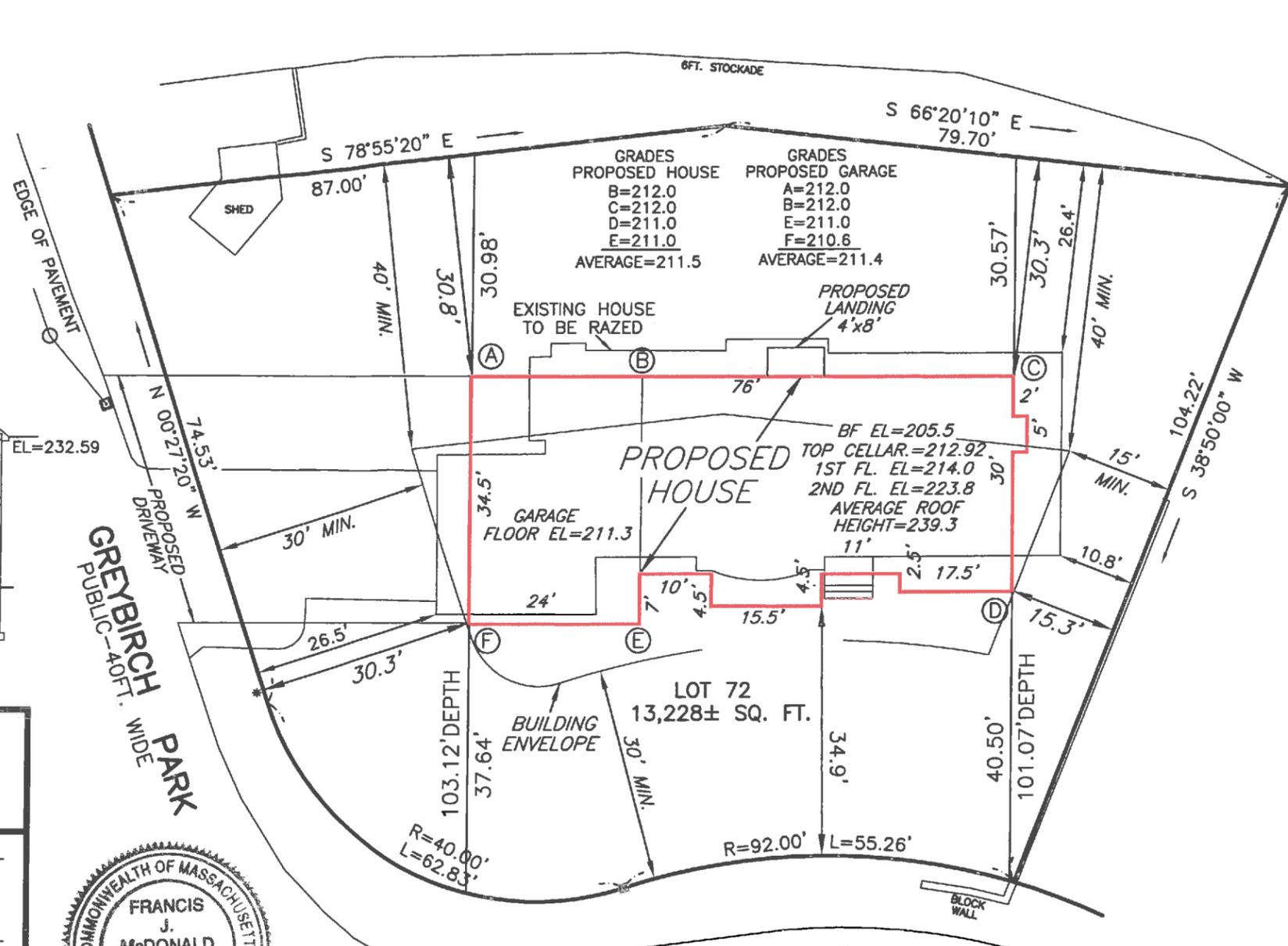
MAP 69 PARCEL 28-0 SCALE 1"=20'  
LEGAL REF. BOOK 1508 PAGE 100  
PLAN REF. L.C. 16511A  
ADDRESS 25 GREYBIRCH CIRCLE BELMONT, MASSACHUSETTS  
APPLICANT HCR CONSTRUCTION INC.  
DATE 8/3/2018 JOB NO. 4436

Dresser, Williams & Way, Inc.  
572 BOSTON RD. UNIT 5 BILLERICA, MA  
TELEPHONE NO. (978) 663-5410 FAX NO. (978) 663-8658  
Professional Engineers & Land Surveyors

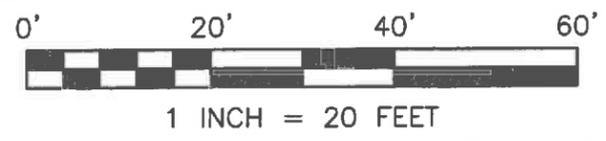


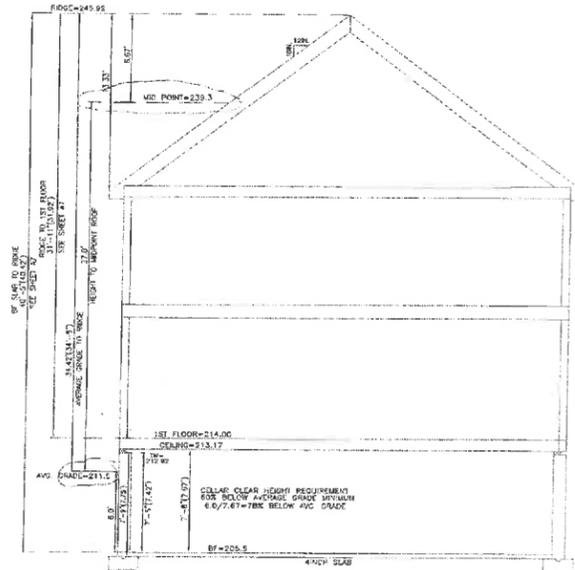
*Francis J. McDonald*

P.L.S.



GREYBIRCH CIRCLE  
PUBLIC-40FT. WIDE





PROPOSED HOUSE  
MAIN BUILDING SECTION

## NOTES

1. THESE PLANS ARE DRAWN AS REQUIRED FOR CONSTRUCTION BY AN EXPERIENCED, LICENCED GENERAL CONTRACTOR. THIS PROJECT DOES NOT FALL UNDER THE PROVISIONS OF CONTROLLED CONSTRUCTION. THEREFORE, THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH ALL CURRENT CODES AND LOCAL ORDINANCES. FURTHERMORE, THE CONTRACTOR AND NOT THE ARCHITECT IS RESPONSIBLE FOR ALL CONSTRUCTION MEANS AND METHODS.
2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS INCLUDING ROUGH OPENINGS PRIOR TO PROCEEDING WITH WORK.
3. THE CONTRACTOR SHALL PROVIDE SEPERATE ENGINEERED DESIGN BY A REGISTERED PROFESSIONAL FOR ALL ENGINEERED ELEMENTS AND SPECIAL CONSTRUCTION.
4. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE ALL TEMPORARY SHORING AND SUPPORT, INCLUDING ENGINEERED DESIGN OF THE SAME WHERE REQUIRED.

## SINGLE FAMILY RESIDENCE

### LIVING SPACE SQUARE FOOTAGE (FINISHED):

1ST FLOOR:	1546 SQ. FT.
2ND FLOOR:	2288 SQ. FT.
ATTIC LEVEL:	0 SQ. FT.
LOWER LEVEL:	0 SQ. FT.
<b>TOTAL:</b>	<b>3834 SQ. FT.</b>



FRONT ELEVATION

1/4" = 1'-0"

David E. Capaldo, AIA

Architect

BOSTON MA 02152

(617) 909-6711

DRAWN: D.C.  
CHECKED: D.C.  
SCALE: 1/4"  
DATE: -2/12/18

Drawing Number

A-1

### GENERAL NOTES

CONCRETE SLAB NOT TO EXCEED 30'-0" IN ANY DIRECTION WITHOUT MIN. 1" DEEP CONTROL JOINT UNLESS W.W.M. IS INSTALLED

VERIFY WINDOW OPENING WITH WINDOW MANUFACTURER

ALL CONCRETE TO BE 3000PSI @ 28 DAYS U.N.O.

### CONSTRUCTION NOTES

**SILL ANCHORAGE:**

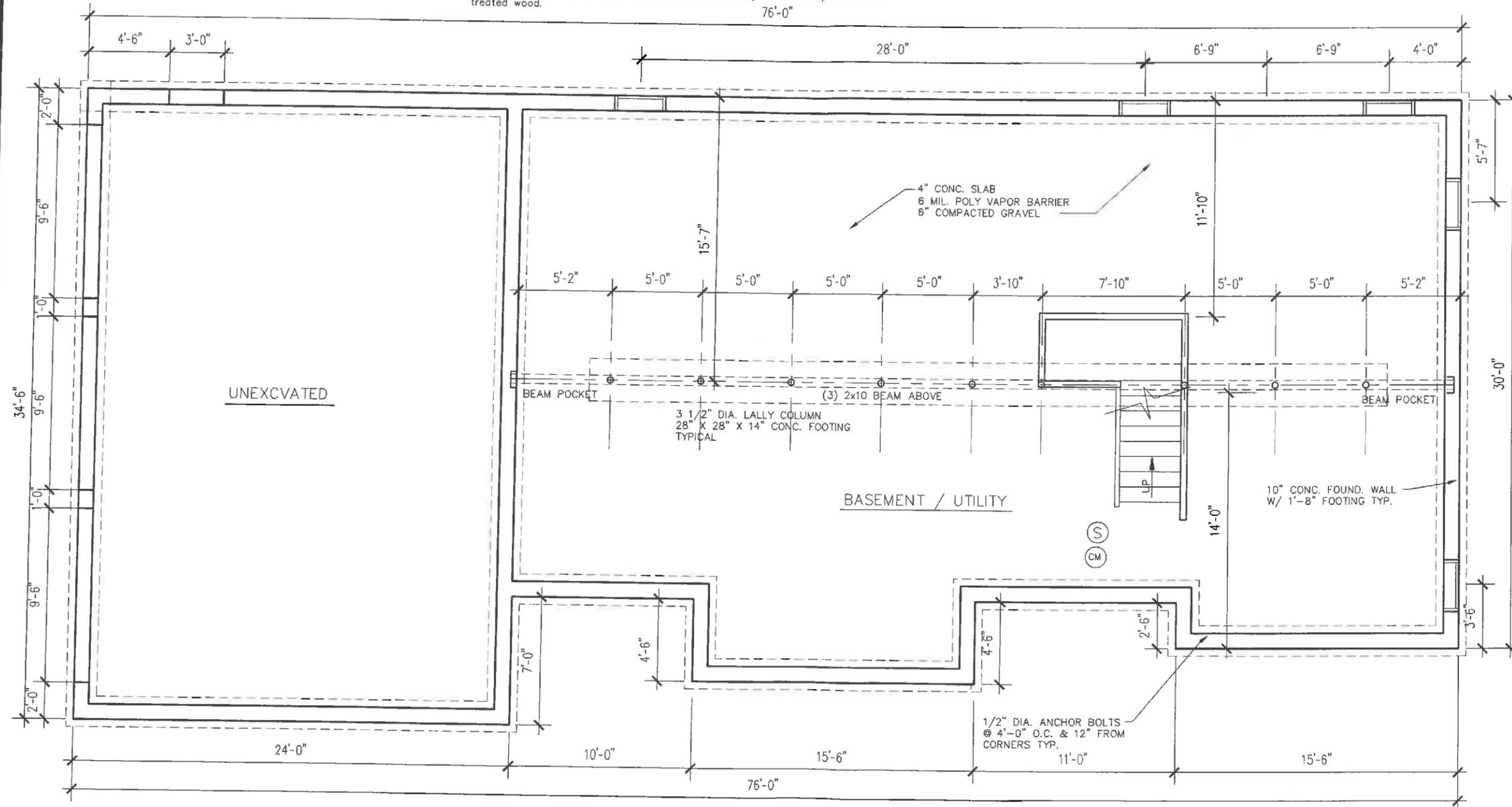
The sill plate shall be anchored to the foundation with 1/2" dia. bolts placed four feet on center and not more than 12 inches from the corners. Bolts shall extend a minimum of 8 inches into concrete.

**GIRDER ENDS:**

The ends of wood girders entering exterior masonry or concrete shall be provided with a 1/2" min. air space on top, sides, and end unless naturally durable or preservative treated wood is used.

**SLEEPERS AND SILLS**

Sleepers and sills on a concrete or masonry slab which is in direct contact with the earth shall be of approved naturally durable or preservative treated wood.



### FOUNDATION PLAN

1/4" = 1'-0"

DRAWN:  
CHECKED:  
SCALE: 1/4"=1'-0"  
DATE:

Drawing Number

**A-2**

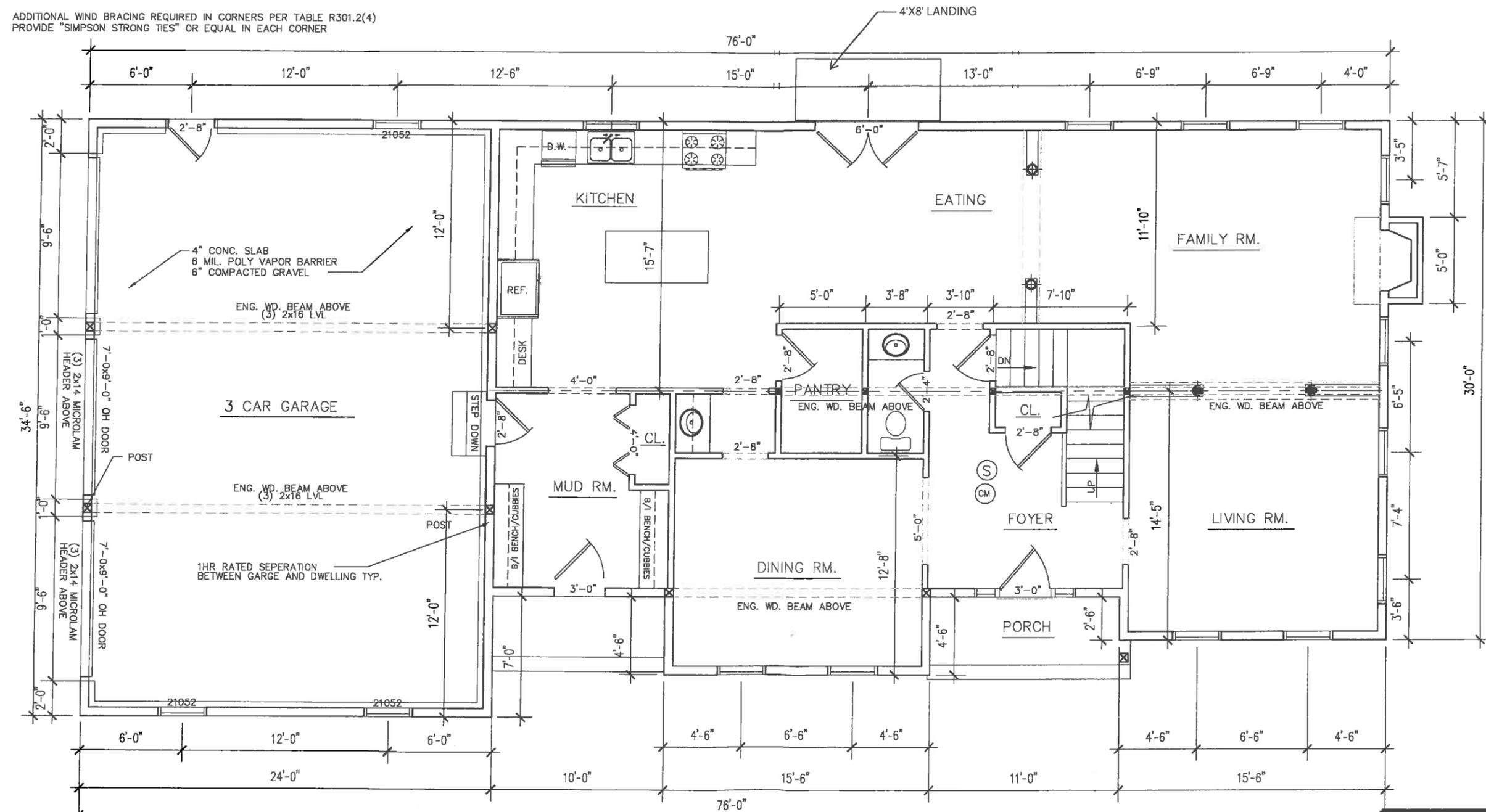
# GENERAL NOTES

ALL INTERIOR PARTITIONS TO BE 2x4 WOOD STUDS @ 16" O.C. WITH 1/2" GYP. WALL BOARD EACH SIDE UNLESS NOTED OTHERWISE

VERIFY WINDOW OPENINGS WITH WINDOW MANUFACTURER

VERIFY DOOR OPENINGS WITH DOOR MANUFACTURER

ADDITIONAL WIND BRACING REQUIRED IN CORNERS PER TABLE R301.2(4) PROVIDE "SIMPSON STRONG TIES" OR EQUAL IN EACH CORNER



FIRST FLOOR PLAN

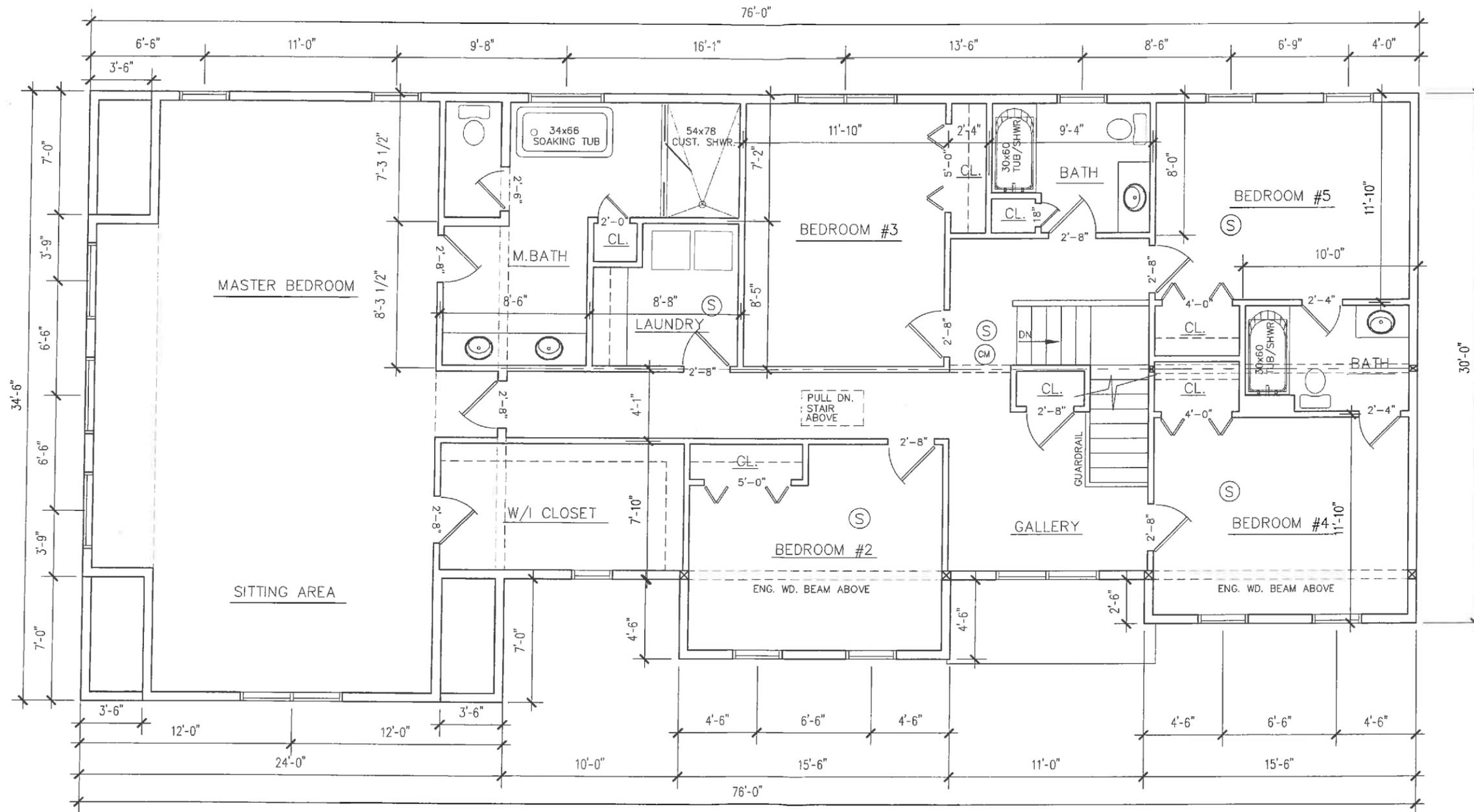
1546 s.f.

1/4" = 1'-0"

DRAWN:  
CHECKED:  
SCALE: 1/4"=1'-0"  
DATE:

Drawing Number

A-3



SECOND FLOOR PLAN

2288 s.f.

1/4" = 1'-0"

DRAWN:  
CHECKED:  
SCALE:  
DATE: 3/1/14

Drawing Number

A-4

ADDITIONAL WIND BRACING REQUIRED IN CORNERS PER TABLE R301.2(4)  
PROVIDE "SIMPSON STRONG TIES" OR EQUAL IN EACH CORNER



REAR ELEVATION

1/4" = 1'-0"

DRAWN:  
CHECKED:  
SCALE:  
DATE: 3/1/14

Drawing Number

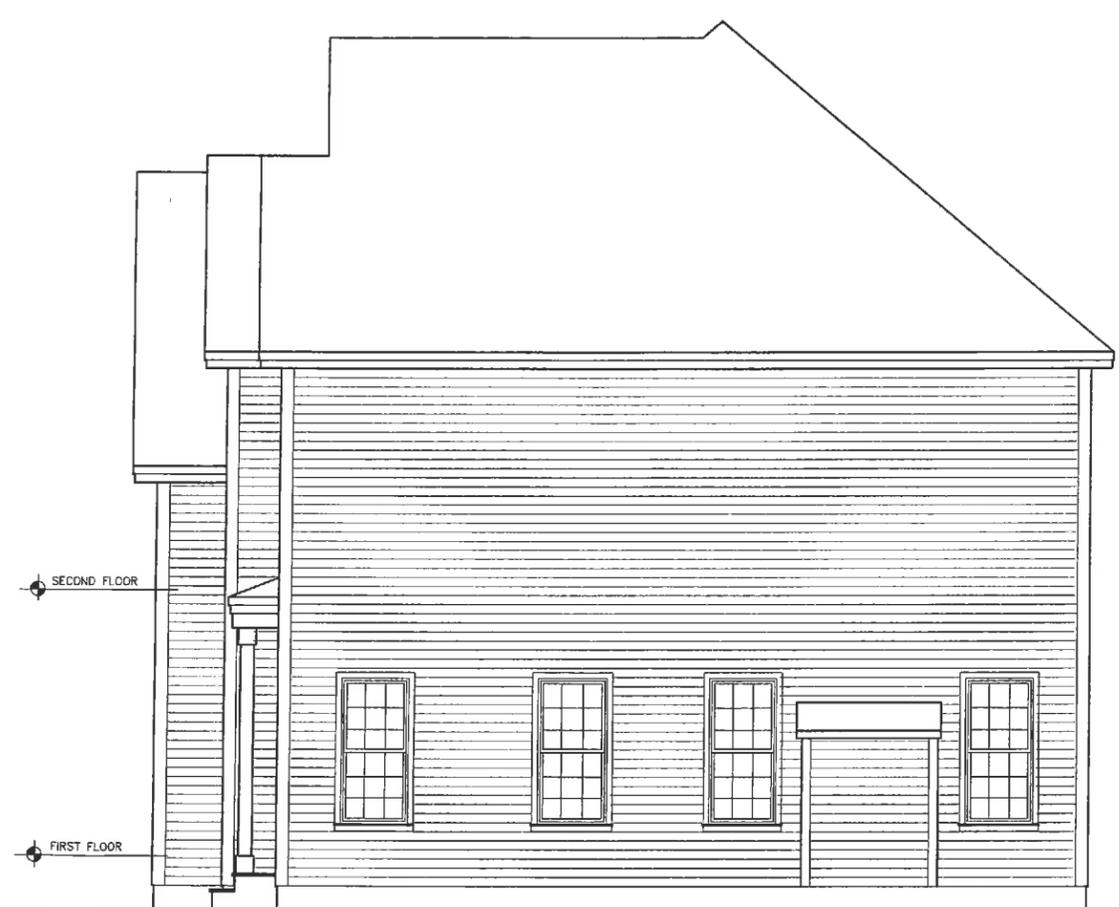
A-5



SECOND FLOOR  
FIRST FLOOR  
GARAGE

LEFT SIDE ELEVATION

1/4" = 1'-0"



SECOND FLOOR  
FIRST FLOOR

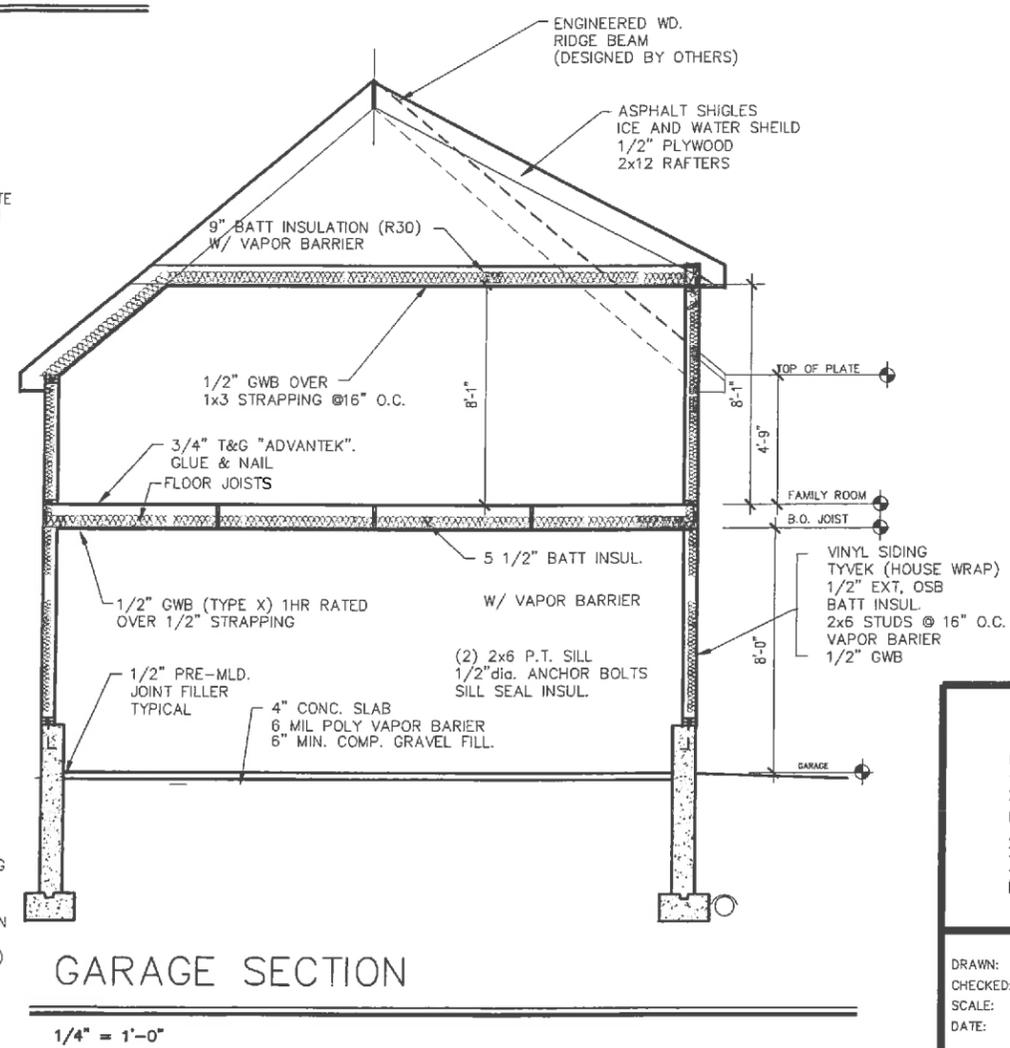
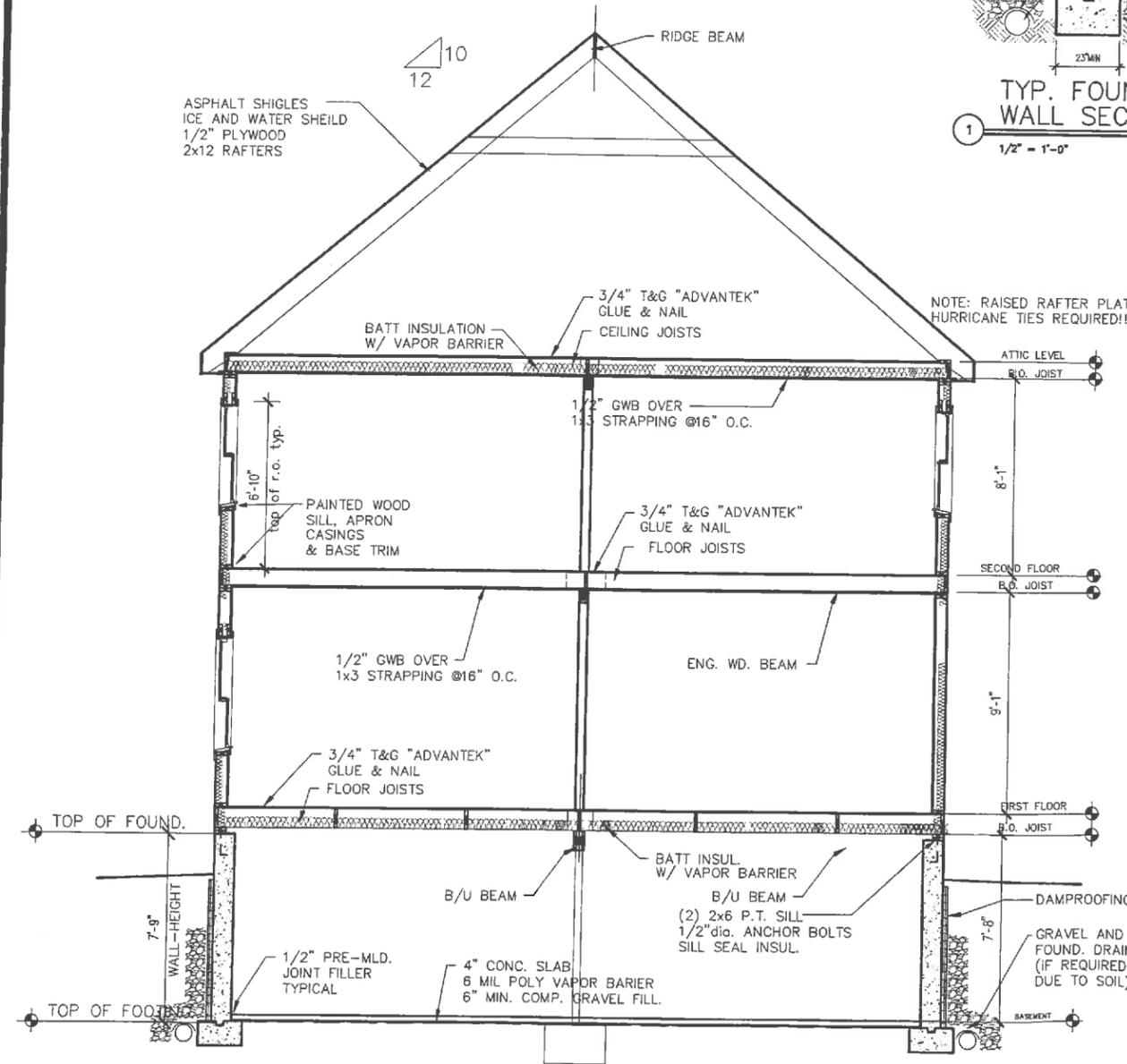
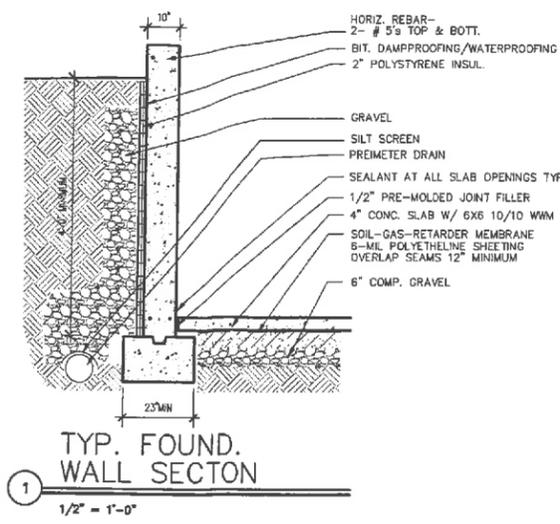
RIGHT SIDE ELEVATION

1/4" = 1'-0"

DRAWN:  
CHECKED:  
SCALE:  
DATE: 3/1/14

Drawing Number

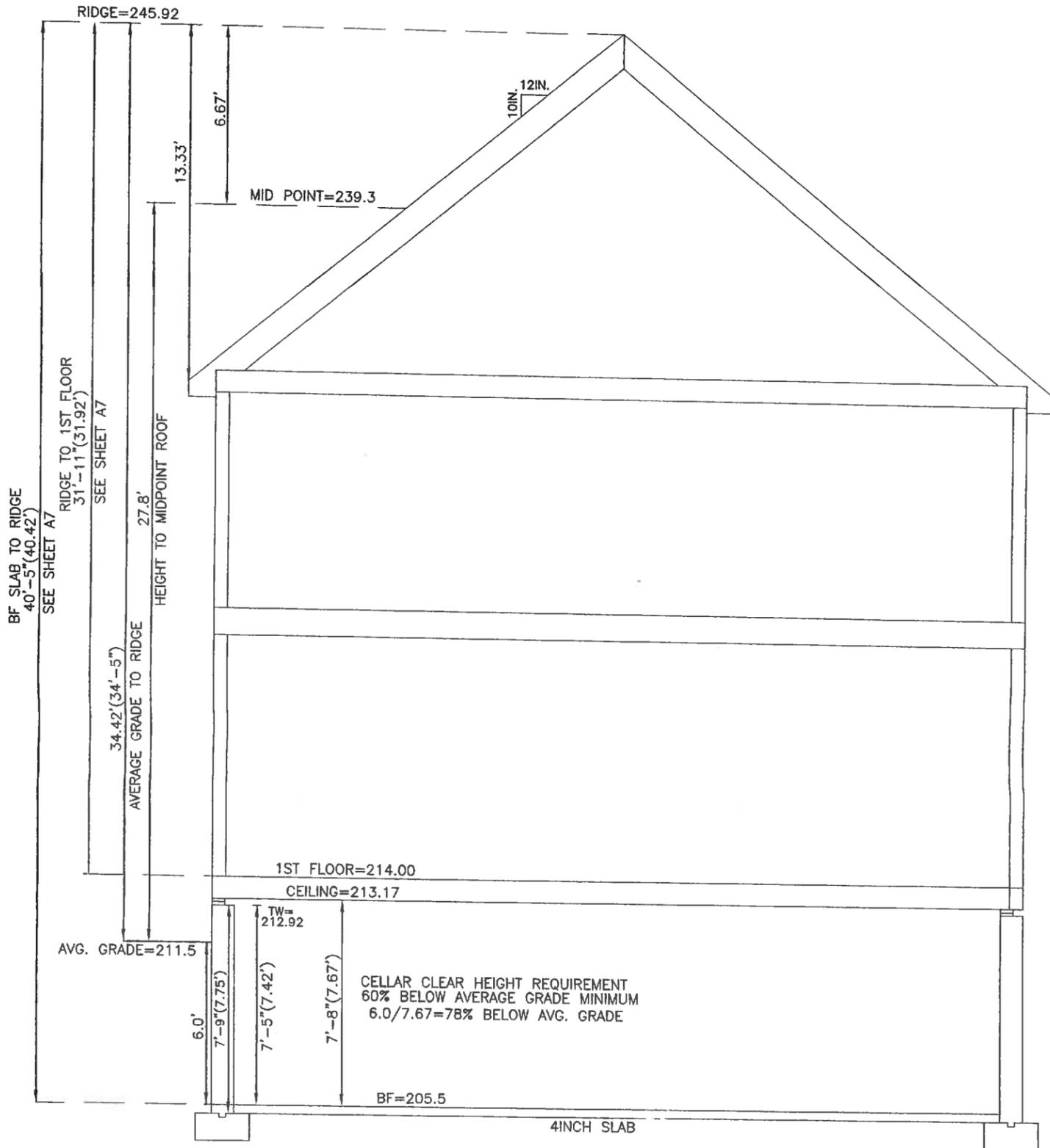
A-6



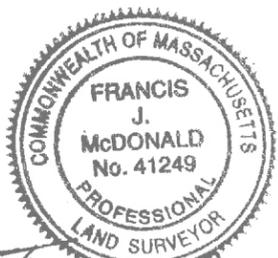
BUILDING SECTIONS

DRAWN:  
CHECKED:  
SCALE: 1/4"=1'-0"  
DATE:

Drawing Number  
A-7



PROPOSED HOUSE  
MAIN BUILDING SECTION



*Francis J. McDonald*  
P.L.S.

SUPPLEMENTAL INFORMATION  
25 GREYBIRCH CIRCLE  
BELMONT, MASSACHUSETTS

Plan C

MAP 69 PARCEL 28-0 SCALE 1"=5'  
ADDRESS 25 GREYBIRCH CIRCLE BELMONT, MA  
APPLICANT HCR CONSTRUCTION, INC.  
DATE 6/4/2018 JOB NO. 4436

Dresser, Williams & Way, Inc.  
572 BOSTON RD. UNIT 5 BILLERICA, MA  
TELEPHONE NO. (978) 663-5410 FAX NO. (978) 663-8658  
*Professional Engineers & Land Surveyors*