

TOWN OF BELMONT  
Zoning BOARD OF APPEALS 2017 OCT -5 PM 12:49

**CASE NO.** 17-24

**APPLICANT:** Yekaterina Pitts

**PROPERTY:** 72 Townsend Road,  
Belmont, MA

**DATES OF PUBLIC HEARING:** October 2, 2017

**MEMBERS SITTING:** Nick Iannuzzi (Chairman)  
Faustino Lichauco  
Craig White  
Andrew Plunkett  
Phil Ruggerio (Associate Member)

**MEMBERS VOTING:** Nick Iannuzzi (Chairman)  
Faustino Lichauco  
Craig White  
Andrew Plunkett  
Phil Ruggerio (Associate Member)

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 sought a Special Permit to construct front yard parking in connection with expanding an existing parking space to be able to accommodate two cars parked abreast. The lot extends between Townsend Road and Cushing Avenue. Prior to certain renovations, a driveway existed from Cushing Avenue.

The reasons offered include increased security by being able to fence off the Cushing Avenue side of the lot, the creation of a backyard, convenience of snow-removal, and the medical condition of one resident.

Considerable neighborhood opposition was expressed. Reasons offered at the hearing included the increased traffic on a narrow street, a significant disturbance to the aesthetic appearance of the street, the impracticability of the proposed reconfiguration, and the presence of alternative parking.

After some deliberation, the Board observed that the terms of 5.1.3(b)(1) lists three requirements that must be met before a special permit for front-yard parking can be

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granted. At least one of these, namely the lack of "feasible alternatives for providing necessary parking," is not met. As pointed out at the hearing, access from Cushing Avenue was entirely feasible, and in fact had been in existence for some time. Although such parking may perhaps not be considered optimal, a sub-optimal solution is not an unfeasible one.

Regrettably, the zoning bylaw does not list special medical conditions as one of the factors that can be considered in granting a Special Permit for front-yard parking.

Accordingly, **upon motion duly made and seconded, the Board voted 5-0 to deny the Special Permit.**

For the Board:

Dated: October 5, 2017

  
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Ara Yogurtian  
Assistant Director  
Office of Community Development

Any appeal from this decision must be made pursuant to Ch.40A, S.17, MGL, and must be filed within 20 days after the filing of such notice in the office of the Town Clerk.