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**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

2017 AUG -1 PM 2:31

Case No. 17-14

Applicant: Paul Poirier ✓

Property: 159 Slade Street

Date of Public Hearing: June 19, 2017

Members Sitting: Eric Smith, Chair
Nicholas A. Iannuzzi, Jr.
Jim Zarkadas
Philip Ruggiero, Associate Member
Andrew Plunkett, Associate Member

Members Voting: Eric Smith, Chair
Nicholas Iannuzzi
Jim Zarkadas
Philip Ruggiero, Associate Member
Andrew Plunkett, Associate Member



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Introduction

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") Acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicant, Paul Poirier ("Applicant"), seeks three (3) Special Permit under Section 1.5 of the Belmont Zoning-By- to construct a Second Floor Addition and a Dormer on the Third Floor. 1.- Maximum allowed lot coverage is 25%, existing is 26.8% and the proposed is 28.8%. 2. - Required minimum side setback is 10'-0", existing and proposed are 4.2'. 3. - Required minimum front setback is 25.0', existing is 9.6' and the proposed is 15.7' at 159 Slade Street located in a Single Residence C Zoning District.

Proposal

The Applicant proposes to construct a Three Story Addition. The Zoning Bylaws allow a maximum of 2-1/2 stories. The proposal is set forth on plans, including elevations dated 12/21/16, a plot plan dated February 6, 2017 and a Zoning Compliance Checklist dated April 21, 2017. The Applicant presented the proposal at the duly noticed public hearing of the Board on June 19, 2017. The Applicant described the proposal. The Applicant provided a petition of the neighbors in support of the application. One neighbor spoke in support of the project. No one spoke in opposition.

Decision

The By-Law provides that the Board may issue a Special Permit to reconstruct, extend, alter, or change a nonconforming structure "only if it determines that such reconstruction, extension, alternation, or change does not increase the nonconforming nature of said structure or create a new nonconformity and shall not

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be substantially more detrimental than the existing nonconforming structure to the neighborhood and that it shall be in keeping with the character of the neighborhood in which it is located." By-Law § 1.5.3.

The Board deliberated on June 19, 2017. The Board found that the proposed addition does not increase the nonconforming nature of the structure or create a new nonconformity. The proposed addition will be consistent in style with the existing house. In the circumstances, the Board concluded that the proposed addition is not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed addition is in keeping with the character of the neighborhood in which it is located.

Accordingly, upon motion duly made and seconded, the Board voted 5-0 to grant the requested three (3) Special Permits for the proposed additions as requested and shown on the plans submitted to the Board.

For the Board

Date:

8/1/2017


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 August 1, 2017, and further I certify that no appeal has been filed with regard to the granting of said three (3) Special Permits with zero (0) conditions, and as shown on the plans submitted to the Board.

August 29, 2017


Ellen O'Brien Cushman

Ellen O'Brien Cushman, Town Clerk
Belmont, MA

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.

AUG 29 2017

COMMONWEALTH OF MASSACHUSETTS.
MIDDLESEX S.S. _____
SOUTH DIST. REGISTRY OF DEEDS
CAMBRIDGE, MA

I HEREBY CERTIFY THE FOREGOING
IS A TRUE COPY OF A PAPER
RECORDED IN BOOK 69843

PAGE 30

Alvin A. Christie
REGISTER

Official Receipt for Recording in:

Middlesex South Registry of Deeds
208 Cambridge St.
Cambridge, Massachusetts 02141

Issued To:
PAUL POIRIER
159 SLADE ST
BELMONT MA

Recording Fees

Document Description	Number	Book/Page	Recording Amount
DEEDS	00158291	69843 30	\$75.00
			\$75.00

Collected Amounts

Payment Type	Amount
Check 101	\$75.00
\$75.00	

Total Received: \$75.00
Less Total Recordings: \$75.00
Change Due: \$.00

Thank You
MARIA C. CURTATONE - Register of Deeds

By: Linda B

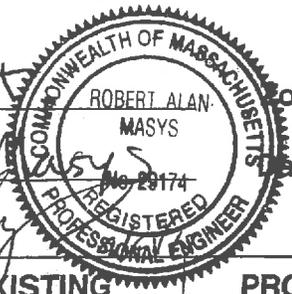
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Zoning Compliance Check List

(Registered Land Surveyor)

Property Address: 159 Slade St Zone: Sw. Res. C

Surveyor Signature and Stamp: Robert A. Masys Date: 4/21/17



	REQUIRED	EXISTING	PROPOSED
Lot Area	9,000	5100	5100
Lot Frontage	1	60	60
Floor Area Ratio	N/A		
Lot Coverage	25%	26.8%	28.8%
Open Space	50%	62.4%	60.6%
Front Setback	25	9.6	9.6
Side Setback	10	4.2	4.2
Side Setback	10	28.9'	28.9
Rear Setback	30'	34.7	30.1
Building Height		24.83	24.83
Stories	2	2	2
1/2 Story Calculation			

NOTES:
