

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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2025 MAY 12 AM 9: 32

CASE NO. 25-16

APPLICANT: Haciet Kaliszczak

PROPERTY: 50 Chilton Street

DATE OF PUBLIC HEARING: May 8, 2025

MEMBERS SITTING: Casey Williams, Chair
Elliot Daniels, Vice Chair
Teresa MacNutt
David Stiff
Daniel Barry
Alexandra Danahy, Associate Member

MEMBERS VOTING: Elliot Daniels
Teresa MacNutt
David Stiff
Daniel Barry
Alexandra Danahy, Associate Member

Introduction

This matter came before the Board of Appeals (“Board”) of the Town of Belmont (“Town”) acting as Variance and 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, Haciet Kaliszczak requests two Special Permits under Section 4.2 of the Zoning By-Law to construct a deck at 50 Chilton Street located in Single Residence C zoning district. Section 4.2 of the Zoning By-law, allows a maximum lot coverage of 25%, and requires a minimum side setback is 10.0’.

- (1) The existing lot coverage is 25.39% and the proposed is 27.0%.
- (2) The existing side setback is 8.6’ and the proposed is 8.5’.

Proposal

The Board held a duly noticed hearing on the application on May 8, 2025. The Applicant’s proposal includes a floor plan and current and proposed elevations of the back of the house.

Haciet Kaliszczak attended the hearing in person. He presented his case to the Board. He explained that the goal of the project is to expand the deck for the applicant’s family to use the deck as an outdoor dining area. There were no comments expressed from neighbors about this project. (There was one concern from a member of the public about stormwater runoff; however, not specific to this case).

Decision

MGL 40A §6 provides in pertinent part: “Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by

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the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.”

The Board found that the proposed deck will not be detrimental to the neighborhood and is in keeping with the character of the neighborhood.

Accordingly, upon motion duly made by Daniel Barry and seconded by Alexandra Danahy the Board voted 5-0 to grant the Applicant the Special Permit.

For the Board:

Dated: May 12, 2025



Ara Yogurtian
Inspector of Buildings
Office of Community Development