

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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CASE NO. 25-18

APPLICANT: Connor Maguire and Krista Muzzioli

PROPERTY: 17 Hurley Street

DATE OF PUBLIC HEARING: June 2, 2025

MEMBERS SITTING: Casey Williams, Chair
Teressa MacNutt
David Stiff
Daniel Barry
Alexandra Danahy, Associate Member

MEMBERS VOTING: Casey Williams, Chair
Teressa MacNutt
David Stiff
Daniel Barry
Alexandra Danahy, Associate Member

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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 Applicants, Connor Maguire and Krista Muzzioli request two Special Permits under Section 4.2 of the Zoning By-Law to construct an addition at 17 Hurley Street located in Single Residence C zoning district. §4.2.2 of the zoning By-law requires a minimum side setback of 10’, the existing and proposed east side setback is 9.2’, and the existing and proposed west side setback is 9.6’.

At the May 6, 2025 Planning Board meeting, it was determined that the Planning Board will hear the Special Permit requests under section 1.5.4C of the By-Law and the Board of Appeals will hear additional special permit requests under section 4.2 of the By-Law.

Proposal

The Applicants propose to construct an addition at 17 Hurley Street located in a Single Residence C (SRC) zoning district. Special Permits: §4.2.2 of the zoning By-law requires a minimum side setback of 10’, the existing and proposed east side setback is 9.2’, and the existing and proposed west side setback is 9.6’.

Public Hearing

Submissions to the Board:

- a. Application for Special Permit dated March 1, 2025.
- b. Project Narrative and pictures of other structures in the neighborhood.
- c. Construction Documents, dated March 29, 2025
- d. Zoning Compliance Check List, March 13, 2025.
- e. Certified Plot Plan, dated December 12, 2024.

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On June 2, 2025 the Board held duly noticed hearing on this case.

The applicants made their presentation to the Board, they have been life-long residents of the Town of Belmont and need space for their growing family. Renderings of the proposed construction were shared online.

The existing structure has less side setbacks than currently allowed by the By-Law, the proposed is a second floor addition, built on the same footprint of the existing and the non-conforming setbacks will remain the same.

The applicants have spoken to all of their neighbors including the direct abutters and all were in support of their project. The applicants sent letters to their neighbors before the notification card was sent in the mail by the Planning Board, and have shared their plans.

There being no other questions by Board members, the meeting was opened to public comments.

At the meeting, no one spoke in support or in opposition to the proposed addition.

The public comments portion of the hearing was closed.

Deliberation and 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 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 addition will not be detrimental to the neighborhood and is in keeping with the character of the neighborhood.

Accordingly, upon motion duly made by Ms. Casey Williams and seconded by Daniel Barry, the Board voted 5-0 to grant the Applicants the Special Permit as requested.

For the Board:

Dated: June 4, 2025



Ara Yogurtian
Inspector of Buildings
Office of Planning and Building