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**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

2018 FEB 12 PM 12:24

Case No. 18-42

Applicant: Catherine and Edward Ricci

Property: 22-24 Frederick Street

Date of Public Hearing: November 5, 2018

Members Sitting: Nicholas A. Iannuzzi, Jr. Chairman  
Jim Zarkadas  
Craig White  
Andrew Plunkett  
Phil Ruggiero  
Blake Currier, Associate member  
Casey Williams, Associate member

Members Voting: Jim Zarkadas  
Craig White  
Andrew Plunkett  
Phil Ruggiero  
Blake Currier, Associate member

*Catherine Ricci*  
*Edward Ricci*  
*James T. Ricci Trust*

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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 of Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicants, Catherine and Edward Ricci (the "Applicants"), seek one (1) Special Permit under Section 1.5 of the Belmont Zoning-By-Law to construct a Dormer, allowed number of stories is 2.5, existing and proposed are 3.5 stories at 22-24 Frederick Street (the "Property") located in a General Residence (GR) Zoning District.

**Proposal**

The Applicants propose to construct a dormer. The lowest level of the Property is a Basement (the foundation walls are 56.2% exposed) and is considered a story. The proposed dormer will be within the existing footprint of the house. It will include a bathroom, a sitting area and will raise the headroom of the existing stairs to make it in compliance with the current Building Code regulations. The proposal is set forth on plans, including elevations submitted with the application, a plot plan and a zoning checklist dated September 26, 2018.

The Board held a duly noticed hearing on the application on November 5, 2018. The Applicants, Catherine and Edward Ricci presented the proposal to the Board and submitted letters of supports with 16 signatures. The applicants have acquired this property as an investment and will make substantial renovation to the dwelling in addition to the proposed dormer expansion. No one spoke in opposition.



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*VA*

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Property: 22-24 Frederick Street

**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 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 November 5, 2018. 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 one (1) Special Permit for the proposed dormer as requested and shown on the plans submitted to the Board.**

For the Board,

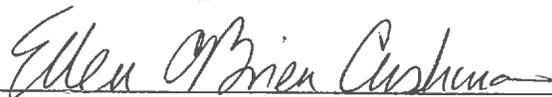
Date: February 12, 2019

  
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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 February 12, 2019, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions.

March 5, 2019

  
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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.