

**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

RECEIVED  
TOWN CLERK  
BELMONT, MA

**CASE NO.** 23-24

**APPLICANTS** Venkata Sabbiseti

**PROPERTY** 37-39 Chestnut Street

**DATE OF PUBLIC HEARING** September 11, 2023  
October 2, 2023  
December 4, 2023

2023 DEC 12 AM 10: 57

**MEMBERS SITTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
Theresa MacNutt  
Elliot Daniels  
David Stiff  
Alexandra Danahy, Associate Member  
Daniel Barry, Associate Member

**MEMBERS VOTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
Elliot Daniels  
Daniel Barry, Associate Member  
Alexandra Danahy, Associate Member

**Introduction**

This matter came before the Board of Appeals (the “Board”) of the Town of Belmont (the “Town”) acting as 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 applicant, Venkata Sabbiseti (the “Applicant”) sought two (2) Special Permits under Section 1.54A of the Zoning Bylaw to construct an addition in a property located in General Residence (GR) Zoning District. Special Permits:

1. §1.5.4A of the Zoning Bylaws allows alteration and expansion in the GR district by a Special Permit granted by the Board of Appeals;
2. §4.2.2 of the Zoning Bylaws allows for a maximum height building height of two and a half (2-1/2) stories. The existing structure is three and a half (3-1/2) stories since the lowest level of the dwelling is a basement (45.1% of the foundation walls are below grade) and is considered a story. The addition would be located at a three (3) story level.

**Proposal**

The Board held a duly noticed hearing on the application on September 11, 2023. At this hearing the Board voted to continue the case to a later hearing date. The case was continued to the October 2, 2023 at which time it was further continued. The Board did not review the case at the November 16, 2023 hearing, though the board did vote to continue the case once more to the December 4, 2023 hearing. The Board members who voted to approve Two (2) Special Permits at the December 4, 2023 hearing were also in attendance for the September 11, 2023 and October 2, 2023 hearings when this case was also reviewed.

The Applicant submitted for the Board’s review architectural drawings, dated August 5, 2022, September 22, 2023 and October 25, 2023 prepared by Miller Design LLC; plot plans, dated May 5, 2023, September 22, 2023 and October 25, 2023, prepared by surveyor Patrick Roseingrave; Zoning Compliance

Checklists, dated August 4, 2023, September 22, 2023 and October 25, 2023 prepared by surveyor Patrick Roseingrave; basement calculations as well as grade calculations prepared by surveyor Patrick Roseingrave; and photos of the house. A petition of support with six signatures from neighbors was submitted as part of this case with respect to the August 5, 2022 version of the architectural drawings, although one petitioner subsequently withdrew their support on September 22, 2023.

At the hearings, the Applicant’s architect, Diane Miller, presented the case at the September 11, 2023; October 2, 2023; and December 4, 2023 hearings. Ms. Miller described the structure as a two-family dwelling and stated that the Applicant lives with his family in the lower-level unit and rents out the upper-level unit. Ms. Miller further stated that the primary goal of the proposed renovation is to rebuild and expand an enclosed porch on the back of the house to align with a sun room expansion on the lower level.

No members of the public spoke in favor or opposition of the case at the September 11, 2023; October 2, 2023; and December 4, 2023 hearings.

**Decision**

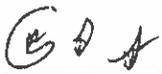
MGL 40A, §6 provides in pertinent part: “Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.”

The Board found that the proposed addition is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and that the proposed alterations are in keeping with the character of the neighborhood in which the property is located.

**Accordingly, upon motion duly made by Casey Williams, and seconded by Daniel Barry, the Board voted 5-0 to grant the Two (2) Special Permits as requested.**

For the Board,

Dated: December 12, 2023



---

Gabriel S. Distler,  
Staff Planner  
Office of Community Development