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Middlesex South Registry of Deeds  
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TOWN CLERK  
BELMONT, MATOWN OF BELMONT  
ZONING BOARD OF APPEALS

2021 AUG 18 PM 2:46

Case No. 21-21

Applicant: Daniell G. Stevens

Property: 3 Chestnut Street Marginal Reference Book 46483, Page 136

Date of Public Hearing: July 19, 2021

Members Sitting: Nick Iannuzzi, Chairman  
Casey Williams  
Andrew Kelley  
Teresa MacNutt  
Elliot Daniels, Associate Member  
William Fick, Associate Member

Members Voting: Nick Iannuzzi, Chairman  
Casey Williams  
Andrew Kelley  
Teresa MacNutt  
Elliot Daniels, Associate Member

**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 Daniell Stevens (the "Applicant"), seeks One (1) Special Permit under Section 1.5.4A of the Belmont Zoning-By- Laws to raise the ridge of the roof to construct two dormers at 3 Chestnut Street located in a General Residence (GR) zoning district. §1.5.4A of the By-Law allows any alterations or expansions in the GR district by a Special Permit granted by the Board of Appeals.

The Board held a duly noticed hearing on the application on July 19, 2021.

**Proposal**

The Applicant proposes to raise the ridge of the roof, add two gable dormers on each end of the hip roof and add two shed dormers. The proposed alterations and expansions will add two bedrooms and a bathroom in the attic space.

The applicant submitted to the Board's review plans prepared by Faith Baum Architects dated June 2, 2021, a plot plan and zoning checklist dated October 19, 2020 and a letters of support from nine neighbors.

At the meeting no one spoke in favor or in opposition to the proposed project.

Case No. 21-21  
Property: 3 Chestnut Street

**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 or by the special permit granting authority designated 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."

In the present case, the Board did not find the proposed alterations to the roof and the new dormers to be substantially more detrimental. The Board found that the proposed does not increase the nonconforming nature of the structure or create a new nonconformity. The proposed alterations will be consistent in style with the existing house. The Board concluded that the proposed are not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed is in keeping with the character of the neighborhood in which it is located.

**Accordingly, upon motion duly made by Teresa MacNutt and seconded by Casey Williams, the Board voted 5-0 to grant the requested One (1) special permit for the proposed additions as requested.**

For the Board,

Date: August 18, 2021

18 A-2

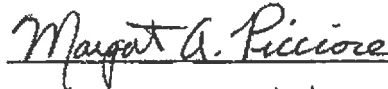


Ara Yogurtian  
Assistant Director  
Office of Community Development

**CERTIFICATION**

I, Margaret A. Piccione, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on August 18, 2021, 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.

September 8, 2021



Asst.  
Margaret A. Piccione, 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.