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TOWN CLERK
BELMONT, MA

CASE NO. 23-24

2023 AUG 16 AM 10:00

NOTICE OF PUBLIC HEARING BY THE
ZONING BOARD OF APPEALS

ON APPLICATION FOR TWO SPECIAL PERMITS

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, September 11, 2023 at 7:00 PM by a hybrid public hearing at the Art Gallery on the third floor of the Homer Building, 19 Moore Street, and by remote access through the Zoom app. to consider the application of Venkata Sabbiseti, for TWO Special Permits under section 1.5.4A of the By-Law to construct a one-story addition and new third story deck located at 37-39 Chestnut Street located in General Residence (GR) Zoning District. Special Permits: (1) §1.5.4A of the By-Law allows alteration and expansion in the GR district by a Special Permits granted by the Board of Appeals. (2) §4.2.2 of the By-Law allows for a maximum 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 reconstructed deck would be located at a three (3) story level.

ZONING BOARD OF APPEALS



OFFICE OF COMMUNITY DEVELOPMENT
TOWN OF BELMONT
19 Moore Street
Homer Municipal Building
Belmont, Massachusetts 02478-0900

Telephone: (617) 993-2650 Fax: (617) 993-2651

Building Division
(617) 993-2664
Engineering Division
(617) 993-2665
Planning Division
(617) 993-2666

August 7, 2023

Venkata Subbasetti
37-39 Chestnut Street
Belmont, MA 02478

RE: Denial to Construct a One-Story Addition & Deck at Two-Family Home

Dear Venkata,

The Office of Community Development is in receipt of your building permit application for the construction of One-Story Addition & Deck at 37-39 Chestnut Street located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the Town of Belmont Zoning By-Law. More specifically, Section 1.5.4 A of the By-Law allows a pre-existing non-conforming structure in the General Residence (GR) Zoning District to be extended or altered via a Special Permit by the Zoning Board of Appeals. Section 4.2.2 of the Zoning By-Law Dimensional Regulations allows a maximum building height of two and a half (2-1/2) stories.

1. The proposed changes to the structure are allowed by a Special Permit.
2. The existing structure is three and a half (3-1/2) stories. The lowest level of the dwelling is a basement (45.1% of the foundation walls are below grade) and is considered a story. The proposed rear deck is located at the third (3) story level.

You may alter your plans to conform to the current Town of Belmont Zoning By-Law and resubmit a building permit application, or you may request one (1) Special Permit from the **Zoning Board of Appeals**. If you choose this option, please contact the Office of Community Development to schedule an appointment with **Gabriel S. Distler**, Staff Planner, at (617) 993-2666 or gdistler@belmont-ma.gov in order to begin the process.

Sincerely,

Glenn R. Clancy, P.E.
Inspector of Buildings



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: 07/24/2023

Zoning Board of Appeals
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Laws of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 37-39 Chestnut Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for _____

a one story front addition and a
two story rear addition

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner S. S. Sabbisetti

Print Name Venkata Sabbisetti

Address 37-39 Chestnut St
Belmont

Daytime Telephone Number 318-348-6858

Belmont ZBA

Special Permit Narrative Statement

37-39 Chestnut Street

Venkata Sabbiseti of 37-39 Chestnut Street seeks two special permits to maintain an existing 3 ½ story count and to alter a nonconforming structure in the GR district.

The proposed alterations include rebuilding the two story rear enclosed porches so that this space can be better integrated into the living space for both units, incorporating two rear decks to improve the connection to the back yard and provide egress, and adding a small front expansion to the first floor living room.

For the first floor unit, the enclosed rear porch would become a sunroom open to the kitchen with a door leading out to a deck. The new sunroom would be 108 sf larger than the current enclosed porch. The proposed deck would be 8' x 11' and would have steps down to grade. Also on the first floor, the front living room would be expanded to align with the existing front porch, increasing the livable area by 59 sf and providing a much more functional living space. All of these proposed changes meet zoning regulations.

For the second floor unit, the enclosed porch would become 1' deeper in order to align with the space below. This translates to an additional 15 sf across the back. The proposed second floor deck would be 10'-2" x 11', directly above the deck below, and with a set of stairs on the side of the structure. This proposed change conforms to setbacks, however because the basement counts as a story, this additional 15 sf is considered an alteration to the third story of the structure.

The roof heights are, and will remain, well below the 33' allowed. The current height of the main roof is 25.13' to the midpoint, and that roof will not change. The current height of the rear enclosed porch roof is only 20'-4" to the midpoint, and that will not change.

Venkata has shared these plans with and received support from neighbors. We will be providing a signed petition demonstrating neighborhood support.

In summary, the overall effect will remain in harmony with the architecture and scale of the neighborhood. The proposed design is in keeping with the intent of Town Meeting and the Planning Board Special permit criteria (Section 1.5.4.B) and is not substantially detrimental to the neighborhood.

Thank you for your consideration on this matter.

Photos of 37-39 Chestnut Street



Right side Elevation



Rear Elevation

Zoning Compliance Check List

(Registered Land Surveyor)

Property Address: 37-39 CHESTNUT STREET

Zone: GR

Surveyor Signature and Stamp: Patrick Roseingrave

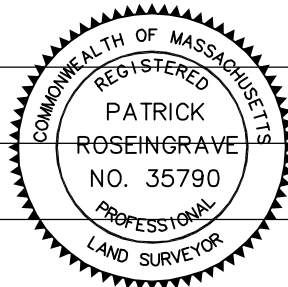
Date: 08/04/2023

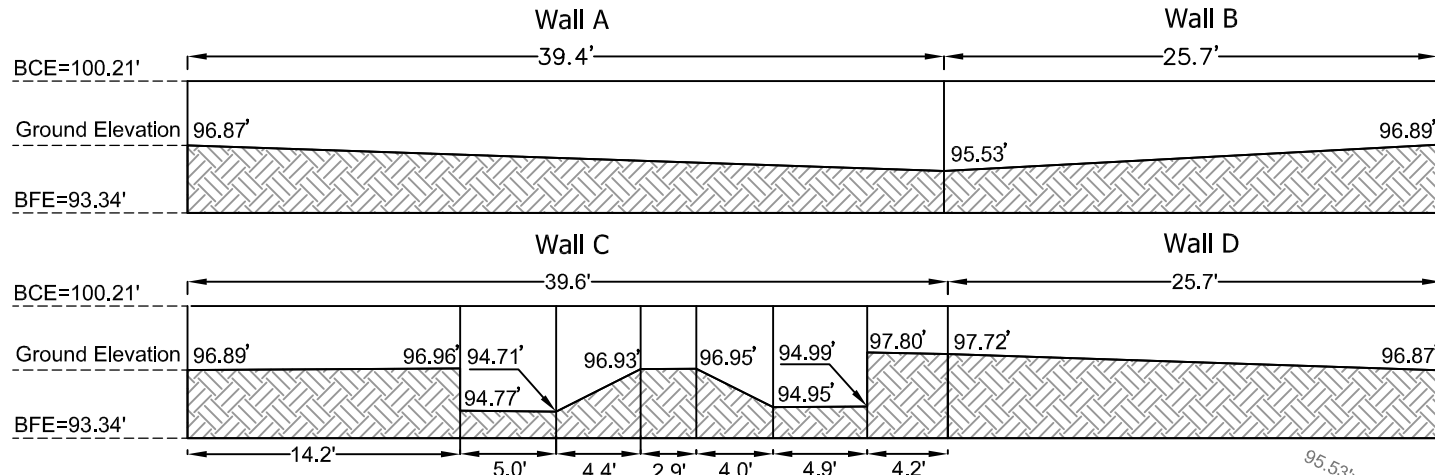
	REQUIRED	EXISTING	PROPOSED
Lot Area	MIN. 7,000 S.F.	5,624 S.F.	N/A
Lot Frontage	MIN. 70'	55'	N/A
Floor Area Ratio	N/A	N/A	N/A
Lot Coverage	MAX. 30%	24.0% (1,347 Sq.Ft)	28.5% (1,602 S.F.)
Open Space	MIN. 40%	57.8% (3,252 S.F.)	54.7% (3,077 S.F.)
Front Setback	MIN 12.0'	14.3'	14.2'
Side Setback	MIN 10'	6.6'	10.4'
Side Setback	MIN 10'	20.3'	10.7'
Rear Setback	MIN 20'	34.4'	28.9'
Building Height	MAX. 33'	25.13'	25.13'
Stories	MAX. 2.5	3.5	3.5
$\frac{1}{2}$ Story Calculation			

NOTES:

FRONT SETBACK CALCS:

$$(9.4+14.5)/2 = 12.0'$$





UNEXPOSED FOUNDATION WALLS AREA CALCULATIONS:

Wall A = $[(96.87' - 93.34') + (95.53' - 93.34')] / 2 \times 39.4' = 112.68 \text{ Sq.Ft.}$

Wall B = $[(95.53' - 93.34') + (96.89' - 93.34')] / 2 \times 25.7' = 73.76 \text{ Sq.Ft.}$

Wall C = $[(96.89' - 93.34') + (96.96' - 93.34')] / 2 \times 14.2'$

+ $[(94.77' - 93.34') + (94.71' - 93.34')] / 2 \times 5.0'$

+ $[(94.71' - 93.34') + (96.93' - 93.34')] / 2 \times 4.4'$

+ $[(96.93' - 93.34') + (96.95' - 93.34')] / 2 \times 2.9'$

+ $[(96.95' - 93.34') + (94.95' - 93.34')] / 2 \times 4.0'$

+ $[(94.95' - 93.34') + (94.99' - 93.34')] / 2 \times 4.9'$

+ $[(97.80' - 93.34') + (97.72' - 93.34')] / 2 \times 4.2' = 116.25 \text{ Sq.Ft.}$

Wall D = $[(97.72' - 93.34') + (96.87' - 93.34')] / 2 \times 25.7' = 101.64 \text{ Sq.Ft.}$

Total Area of unexposed foundation wall =

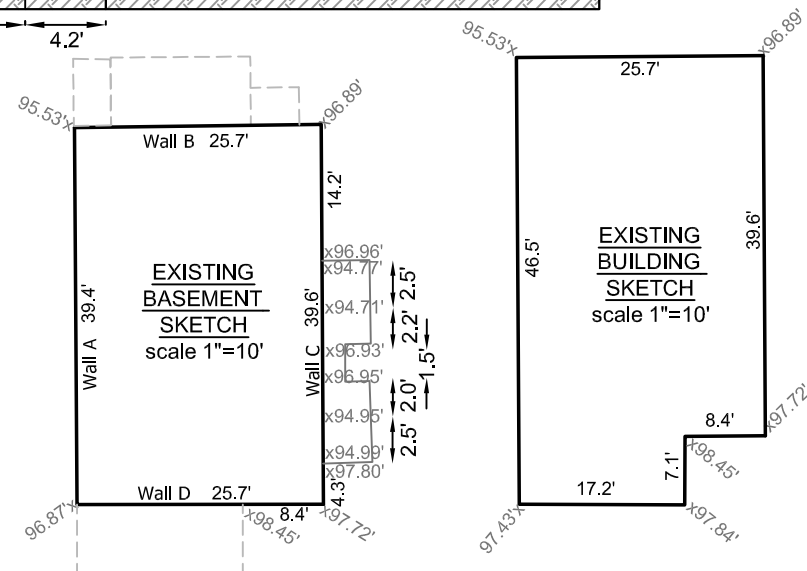
$112.68 \text{ Sq.Ft} + 73.76 \text{ Sq.Ft} + 116.25 \text{ Sq.Ft} + 101.64 \text{ Sq.Ft} = 404.33 \text{ Sq.Ft.}$

Total Area of basement walls = $(100.21' - 93.34') \times 130.4' = 895.85 \text{ Sq.Ft.}$

Unexposed Foundation Walls Area/ Total Basement Walls Area = 45.1%

EXISTING AVERAGE GRADE=

$[(97.43' + 97.84') / 2 \times 17.2' + (97.43' + 97.84') / 2 \times 7.1' + (97.43' + 97.84') / 2 \times 8.4'$
 $+ (97.43' + 97.84') / 2 \times 39.6' + (97.43' + 97.84') / 2 \times (7.3' + 7.2') + (97.43' + 97.84') / 2 \times 14.6'$
 $+ (97.43' + 97.84') / 2 \times (7.1' + 3.8') + (97.43' + 97.84') / 2 \times 46.8']$
 $(17.2' + 7.1' + 8.4' + 39.6' + 7.3' + 7.2' + 14.6' + 7.1' + 3.8' + 46.5') = \underline{96.88'}$



Calculation Sheet
 37-39 Chestnut Street
 Belmont, MA 02478



10 Andrew Square, Suite 201B
 South Boston, MA 02127
 Tel. 857-544-3061
www.land-mapping.com

GENERAL NOTES:

1. CONTRACTOR TO OBTAIN AND PAY FOR ALL PERMITS REQUIRED TO PERFORM THE WORK.
2. COORDINATE AND BE RESPONSIBLE FOR THE PROTECTION OF PERSONS AND PROPERTY FOR THE DURATION OF CONSTRUCTION AS REQUIRED BY AGENCIES AND AUTHORITIES HAVING JURISDICTION.
3. DO NOT DAMAGE BUILDING ELEMENTS AND IMPROVEMENTS INDICATED TO REMAIN.
4. DO NOT INTERRUPT UTILITIES WITHOUT THE WRITTEN PERMISSION OF THE OWNER.
5. REMOVE SALVAGE AND DEBRIS FROM THE SITE AS IT ACCUMULATES. DO NOT STORE, SELL, BURN OR OTHERWISE DISPOSE OF THE DEBRIS ON THE SITE. KEEP ALL PAVEMENTS AND AREAS ADJACENT TO AND LEADING FROM THE SITE CLEAN AND FREE OF MUD, DIRT, AND DEBRIS AT ALL TIMES. ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
6. SORT DEBRIS FOR RECYCLING TO THE EXTENT POSSIBLE. REMOVE OR ARRANGE FOR THE TRANSPORT OF SORTED MATERIALS SCHEDULED TO BE RECYCLED TO APPROPRIATE OFF-SITE FACILITIES EQUIPPED FOR THE RECYCLING OF SPECIFIC MATERIALS. PROVIDE CONTAINERIZED DUMPSTERS FOR THE SORTING OF DEMO WASTES.
7. CEASE OPERATIONS IF PUBLIC SAFETY OR REMAINING STRUCTURES ARE ENDANGERED. PERFORM TEMPORARILY CORRECTIVE MEASURES UNTIL OPERATIONS CAN BE CONTINUED PROPERLY.
8. ALL INTERIOR DIMENSIONS ARE FROM FACE OF GWB TO FACE OF GWB UNLESS SPECIFICALLY NOTED OTHERWISE. DO NOT SCALE DRAWINGS.
9. HVAC CONTRACTOR TO MODIFY EXISTING MECHANICAL SYSTEM AS NEEDED TO SUPPORT THE ADDITION AND THE NEW LAYOUT. CONTRACTOR TO COORDINATE SPECIFICS WITH OWNER.
10. CONTRACTOR TO UPGRADE ELECTRICAL PANEL, PROVIDE ALL WIRING AND OUTLETS AS NEEDED TO MEET CODE. COORDINATE THE LOCATION OF NEW ELECTRICAL OUTLETS TO MEET CODE, AND SUBMIT SWITCHING LOCATIONS TO OWNER / ARCHITECT FOR APPROVAL.
11. PAINT AND/OR STAIN ALL EXTERIOR SIDING, DOORS, WINDOWS, AND TRIM AND INTERIOR SURFACES PER OWNERS DIRECTION.
12. ALL INTERIOR WOOD TRIM AND WOOD BASE TO BE SELECTED BY OWNER.
13. ALL FLOOR TILE, APPLIANCES, PLUMBING FIXTURES AND LIGHT FIXTURES TO BE FURNISHED BY OWNER, INSTALLED BY CONTRACTOR.
14. ALL INTERIOR WALLS TO BE 2X4 CONSTRUCTION AND EXTERIOR WALLS TO BE 2X6 CONSTRUCTION, UNLESS NOTED OTHERWISE.
15. R13 BATT INSULATION TO BE PROVIDED IN ALL INTERIOR BEDROOM AND BATHROOM WALLS. R25 BATT INSULATION TO BE PROVIDED IN ALL INTERIOR BEDROOM AND BATHROOM FLOORS.
16. CONTRACTOR TO SPRAY APPLY ICYNENE INSULATION FORMULA, APPLIED TO A THICKNESS ADEQUATE TO ACHIEVE SPECIFIED R VALUES. ALL FOUNDATION SILL PLATES AND FLOOR / WALL JUNCTION PLATES TO BE CAULKED TO AVOID AIR LEAKAGE. ALL ROUGH OPENINGS FOR EXTERIOR DOORS AND WINDOWS TO BE SIZED TO FURNISH A MINIMUM 1/2" SPACE AROUND THE PERIMETER OF FRAME TO PERMIT INSTALLATION OF FOAM INSULATION. ALL JOINTS BETWEEN EXTERIOR FRAMING MEMBERS TO BE CAULKED TO AVOID AIR LEAKAGE. CEILING VAPOR BARRIER TO BE CAULKED AND STAPLED TO THE TOP PLATES OF INTERIOR PARTITIONS AND TO THE LOWER TOP PLATES OF EXTERIOR WALLS. ROOF ASSEMBLY TO BE NON-VENTED (NO SOFFIT OR RIDGE VENTS) PER MFGR SPECS FOR ICYNENE INSULATION SYSTEM, ROOF INSULATION TO BE CLASS II VAPOR PERMEANCE TO MEET CODE. BUILDING TO BE MECHANICALLY VENTED. ALL VERTICAL WIRING FOR ELECTRIC, CABLE, TELEPHONE, SECURITY, ETC. SHALL BE SECURED TO THE INSIDE OF STUDS EVERY 3'-0" AND 1 1/2" FROM THE GWB SURFACE FOR ALL RUNS. CEILING OUTLETS SHALL BE INSTALLED USING VAPOR BARRIER PANS/ BOXES WHICH ARE CAULKED WITH ACOUSTICAL CAULKING MATERIAL PRIOR TO THE INSTALLATION OF THE ATTIC INSULATION.
17. ALL MATERIALS, SYSTEMS AND ASSEMBLIES TO BE INSTALLED IN ACCORDANCE WITH LOCAL CODES AND WITH MANUFACTURER SPECIFICATIONS.

ZBA APPROVAL
JULY 24, 2023

FRONT AND REAR EXPANSIONS

ENERGY AUDIT:

REFERENCE CH 11 - ENERGY EFFICIENCY 2015 INTERNATIONAL RESIDENTIAL CODE W/ MASS AMENDMENTS.

PRESCRIPTIVE OPTION FOR RESIDENTIAL ADDITION (401.3):

1. RENOVATION TO COMPLY WITH ENERGY STAR QUALIFIED HOMES THERMAL BYPASS INSPECTION CHECKLIST. INSULATION VALUES AS FOLLOWS: R49 ROOF R-VALUE, R20 WALL R-VALUE, R15/19 BASEMENT / CRAWL SPACE WALL R-VALUE.
2. RENOVATION TO COMPLY WITH ENERGY STAR PROGRAM REQUIREMENTS FOR RESIDENTIAL WINDOWS, DOORS, AND SKYLIGHTS - VERSION 5.0. ALL NEW WINDOW GLAZING TO BE .30 U FACTOR AND SKYLIGHTS TO BE .55 U-FACTOR.
3. HEATING / COOLING DUCTS TO BE SEALED AND TESTED TO MEET REQUIREMENTS OF 401.3.

PROJECT INFORMATION:

BELMONT ZONING GR:

REQUIRED:

MAX 30% LOT COVERAGE
MIN 40% OPEN SPACE

FRONT YARD SETBACK: AVERAGE
REAR YARD SETBACK: 20'-0"
SIDE YARD SETBACK: 10'-0"

MAX HEIGHT: 2 1/2 STORIES,
33' TO MIDPOINT

NEW GROSS AREA = 290 SF
290 < 300 THEREFORE NO PLANNING BOARD
APPROVAL NEEDED

DRAWING LIST

- A1 COVER SHEET
- A2 EXISTING BASEMENT FLOOR PLAN
- A3 NEW BASEMENT FLOOR PLAN
- A4 EXISTING FIRST FLOOR PLAN
- A5 NEW FIRST FLOOR PLAN
- A6 EXISTING SECOND FLOOR PLAN
- A7 NEW SECOND FLOOR PLAN
- A8 EXISTING EXTERIOR ELEVATIONS
- A9 NEW EXTERIOR ELEVATIONS

LIGHTING LEGEND

- RECESSED LED CAN LIGHT - AS SELECTED BY OWNER
- CEILING MOUNTED PENDANT - AS SELECTED BY OWNER
- CEILING MOUNTED DOME LIGHT - AS SELECTED BY OWNER
- WALL MOUNTED SCONCES AS SELECTED BY OWNER
- CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER
- S.D.

SMOKE DETECTOR - NOTE ALL NEW AND EXISTING SMOKES TO BE HARD-WIRED PER CODE
- S/CO

HARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR
- DATA CONNECTION
- TELEPHONE / DATA CONNECTION
- ELECTRIC OUTLET (SPECIFIC LOCATIONS ONLY - ALL OUTLETS AS REQUIRED BY CODE ARE NOT SHOWN ON PLANS)

SYMBOL LEGEND

- WALL TO BE DEMOLISHED
- EXISTING WALL TO REMAIN
- NEW WALL
- 1
A10

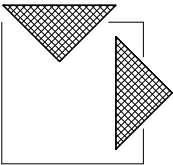
INTERIOR ELEVATION
- 2
A12

SECTION
- 5

DOOR TAG
- B

WINDOW TAG

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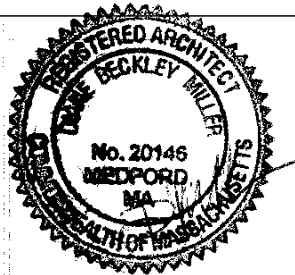


80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date: Issued for:

8/5/22	SCHEMATIC DESIGN
1/10/23	PROGRESS
7/24/23	ZBA APPROVAL

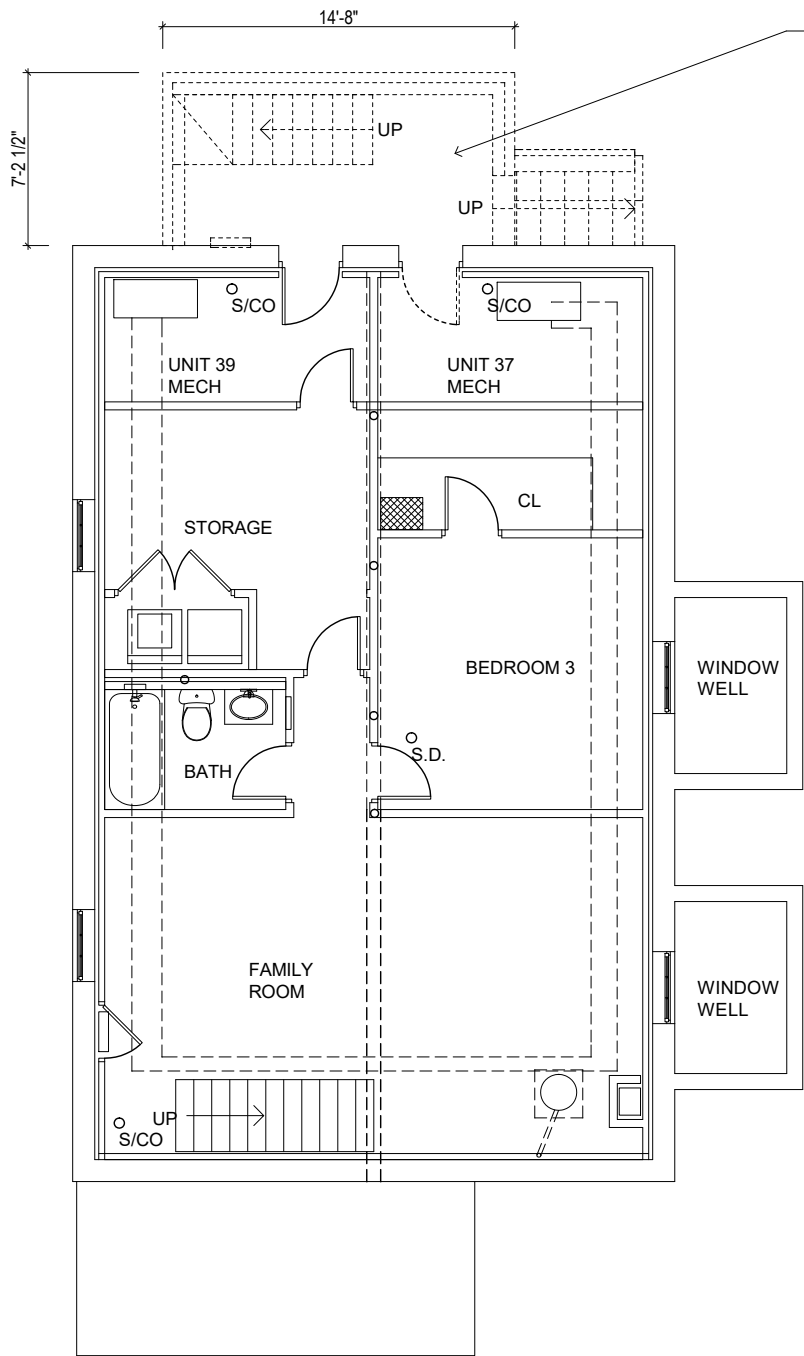


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39 CHESTNUT STREET
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COVER SHEET

Sheet
Number:

A1

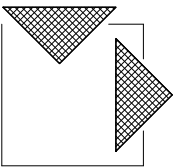


DASHED LINES INDICATE EXISTING WALLS, WINDOWS, DOORS AND FEATURES TO BE REMOVED - CONTRACTOR TO BRACE AND SHORE PRIOR TO REMOVAL OF ANY LOAD-BEARING ELEMENTS, TYP

1 PLAN
1/8" = 1'-0"



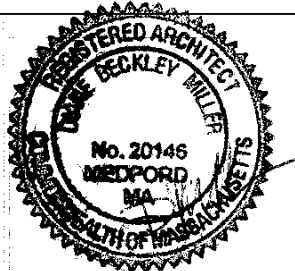
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DESIGN LLC



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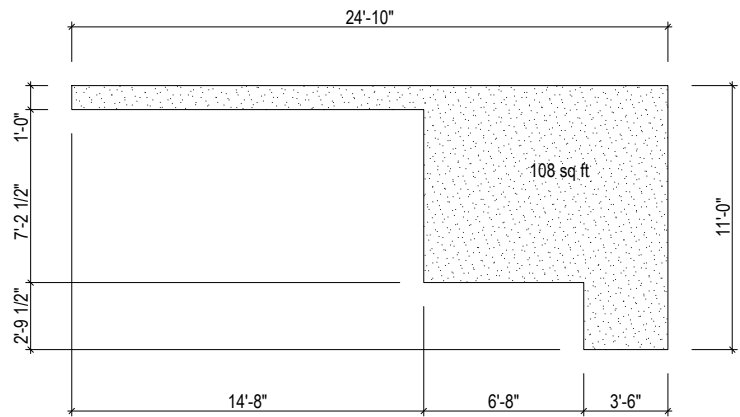


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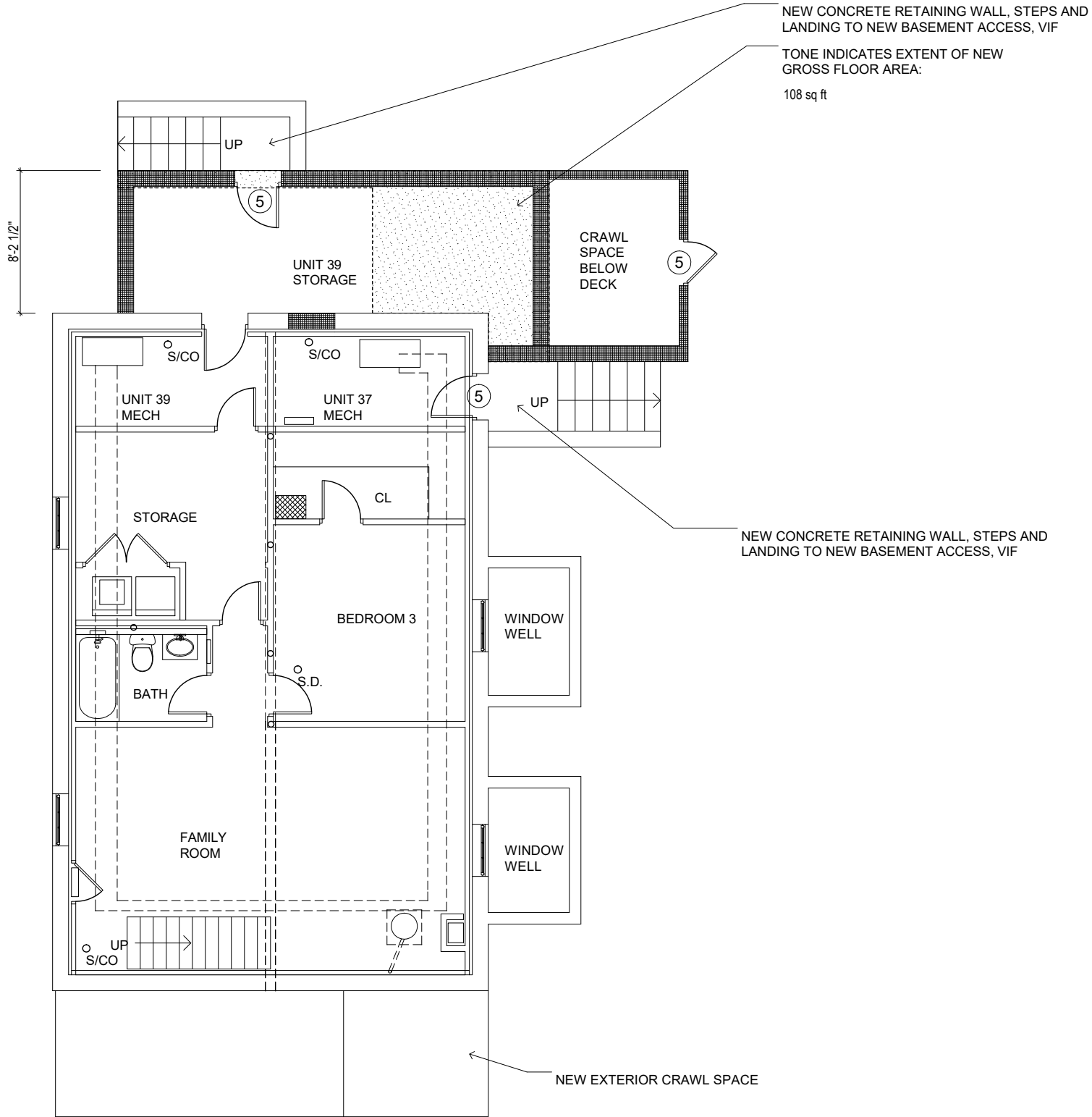
EXISTING
BASEMENT PLAN

Sheet
Number:

A2



POLYGON REPRESENTS EXTENT OF NEW GROSS SF



1 PLAN
1/8" = 1'-0"

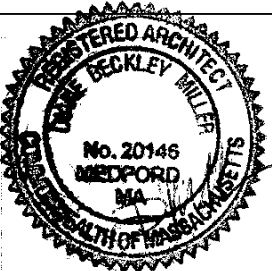
**MILLER
DESIGN LLC**



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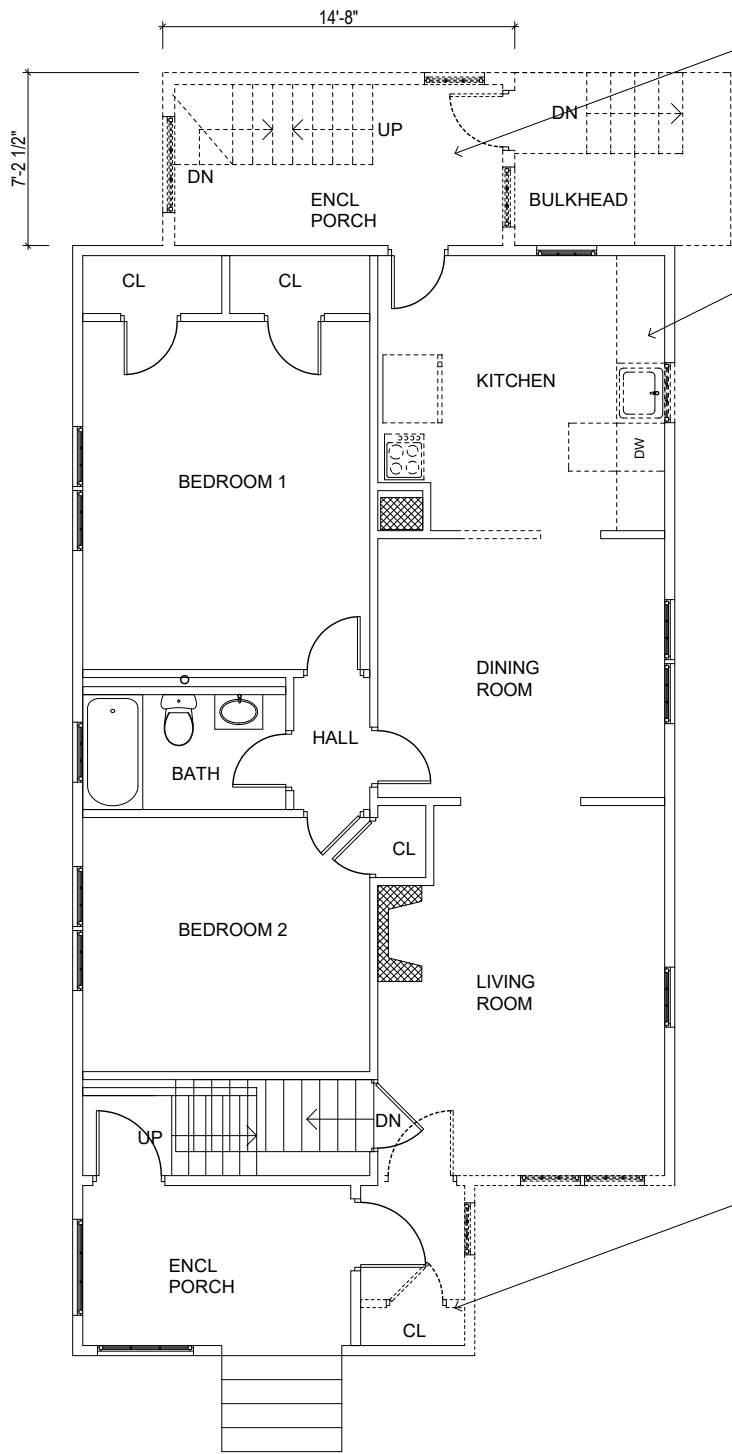


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39 CHESTNUT STREET
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NEW
BASEMENT PLAN

Sheet
Number:

A3



DASHED LINES INDICATE EXISTING WALLS, WINDOWS, DOORS AND FEATURES TO BE REMOVED - CONTRACTOR TO BRACE AND SHORE PRIOR TO REMOVAL OF ANY LOAD-BEARING ELEMENTS, TYP

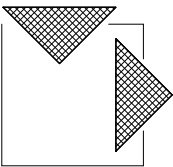
KITCHEN FIXTURES AND FINISHES TO BE REMOVED

DASHED LINES INDICATE EXISTING WALLS, WINDOWS, DOORS AND FEATURES TO BE REMOVED - CONTRACTOR TO BRACE AND SHORE PRIOR TO REMOVAL OF ANY LOAD-BEARING ELEMENTS, TYP

1 PLAN
1/8" = 1'-0"



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DESIGN LLC



80 CLARK STREET
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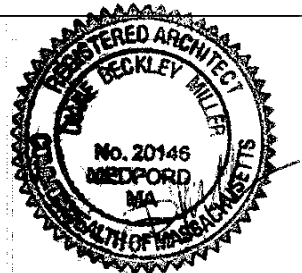
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8/5/22 SCHEMATIC DESIGN

1/10/23 PROGRESS

7/24/23 ZBA APPROVAL

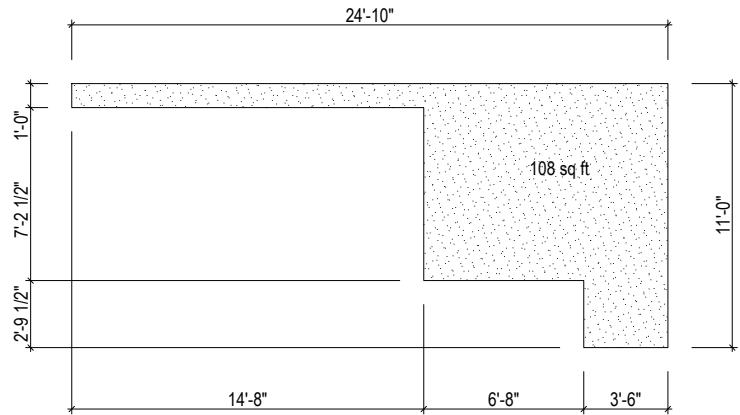


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39 CHESTNUT STREET
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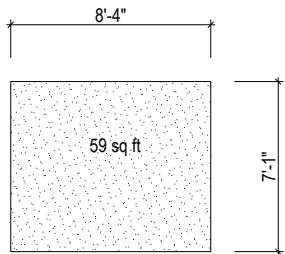
EXISTING FIRST
FLOOR PLAN

Sheet
Number:

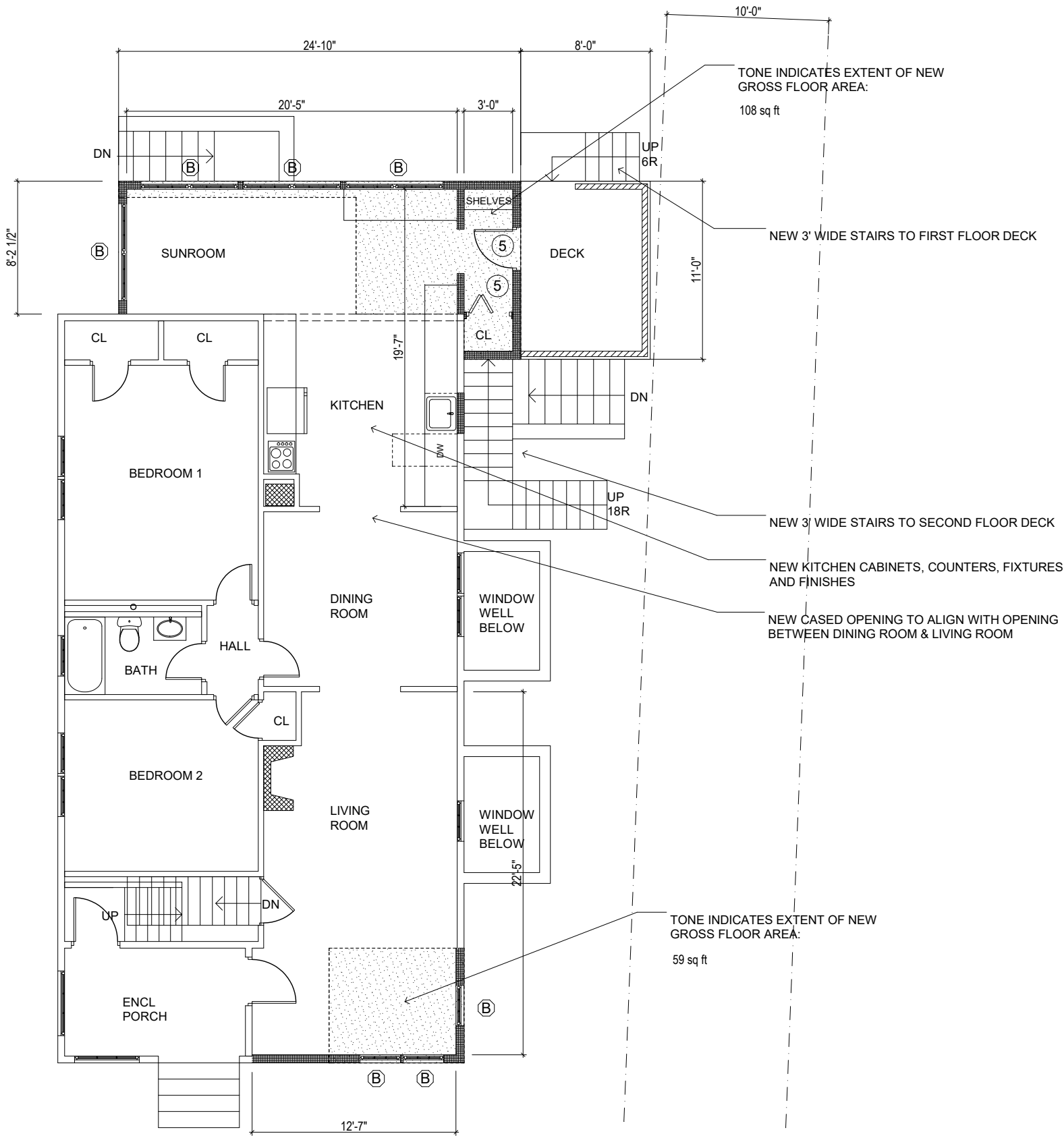
A4



POLYGON REPRESENTS EXTENT OF NEW GROSS SF



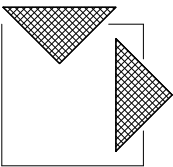
POLYGON REPRESENTS EXTENT OF NEW GROSS SF



1 PLAN
1/8" = 1'-0"



MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

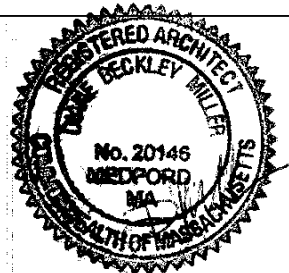
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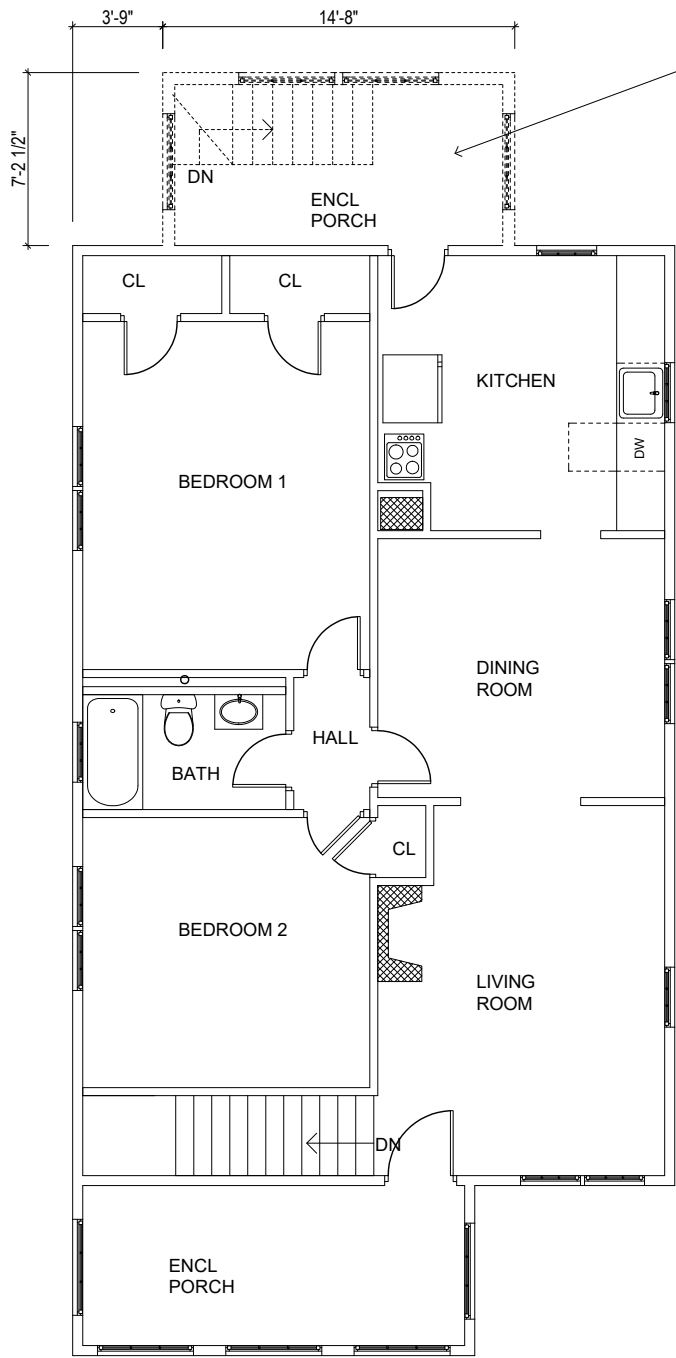


SABBISSETTI RESIDENCE
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NEW FIRST
FLOOR PLAN

Sheet
Number:

A5

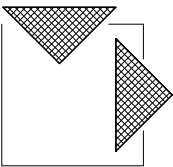


DASHED LINES INDICATE EXISTING WALLS, WINDOWS, DOORS AND FEATURES TO BE REMOVED - CONTRACTOR TO BRACE AND SHORE PRIOR TO REMOVAL OF ANY LOAD-BEARING ELEMENTS, TYP

1 PLAN
1/8" = 1'-0"



MILLER
DESIGN LLC



80 CLARK STREET
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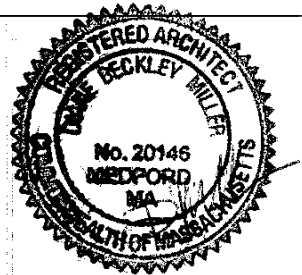
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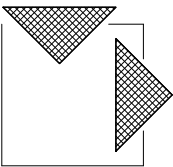
SABBISSETTI RESIDENCE
39 CHESTNUT STREET
BELMONT MA 02478

EXISTING SECOND
FLOOR PLAN

Sheet
Number:

A6

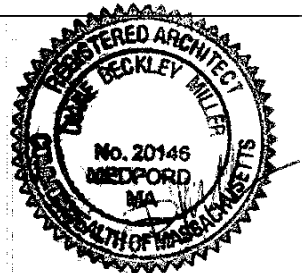
MILLER
DESIGN LLC



80 CLARK STREET
BELMONT, MA 02478

Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
617-993-3157

Date:	Issued for:
8/5/22	SCHEMATIC DESIGN
1/10/23	PROGRESS
7/24/23	ZBA APPROVAL

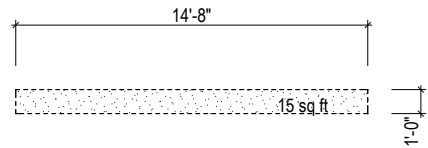


SABBISSETTI RESIDENCE
39 CHESTNUT STREET
BELMONT MA 02478

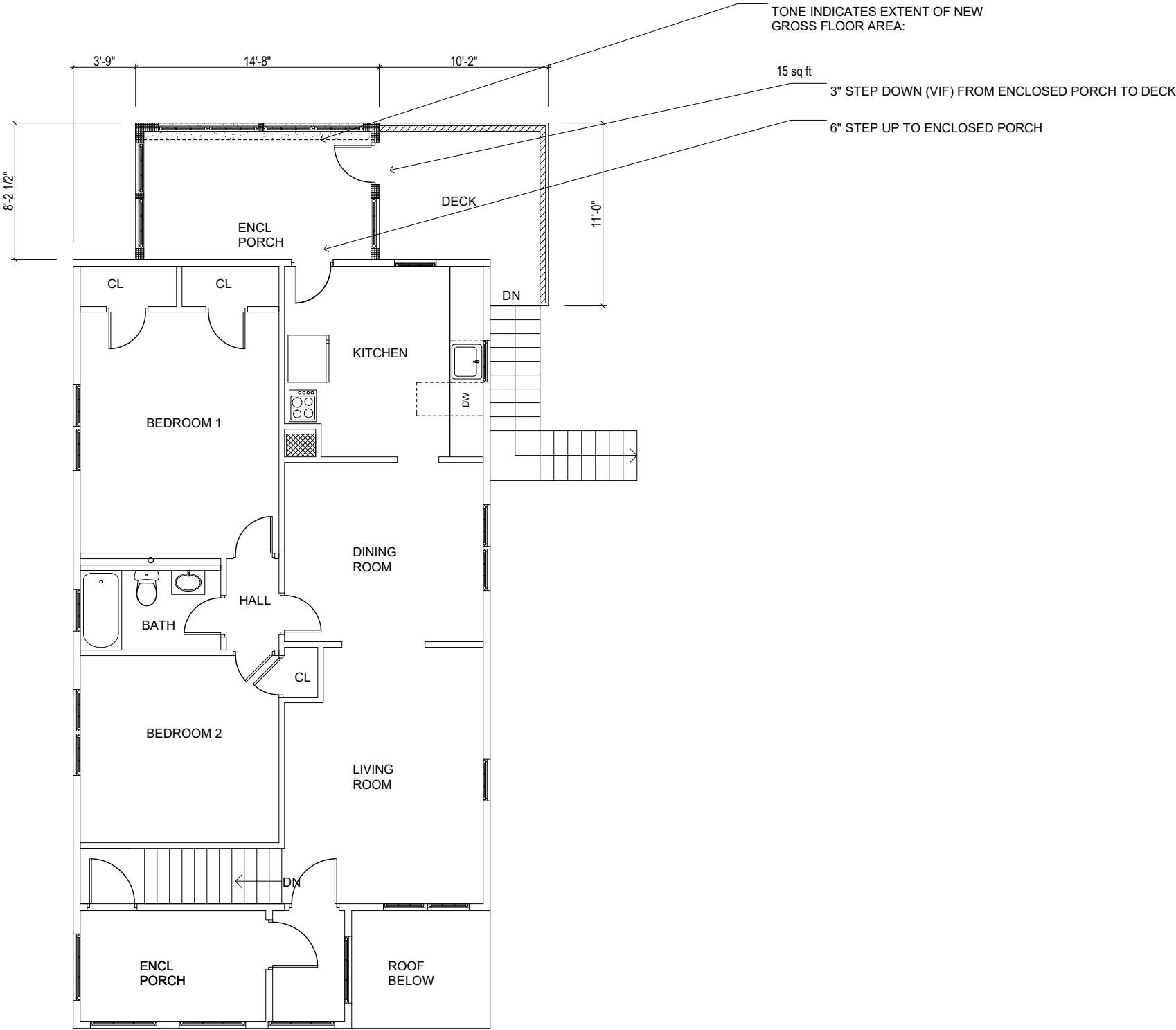
NEW SECOND
FLOOR PLAN

Sheet
Number:

A7

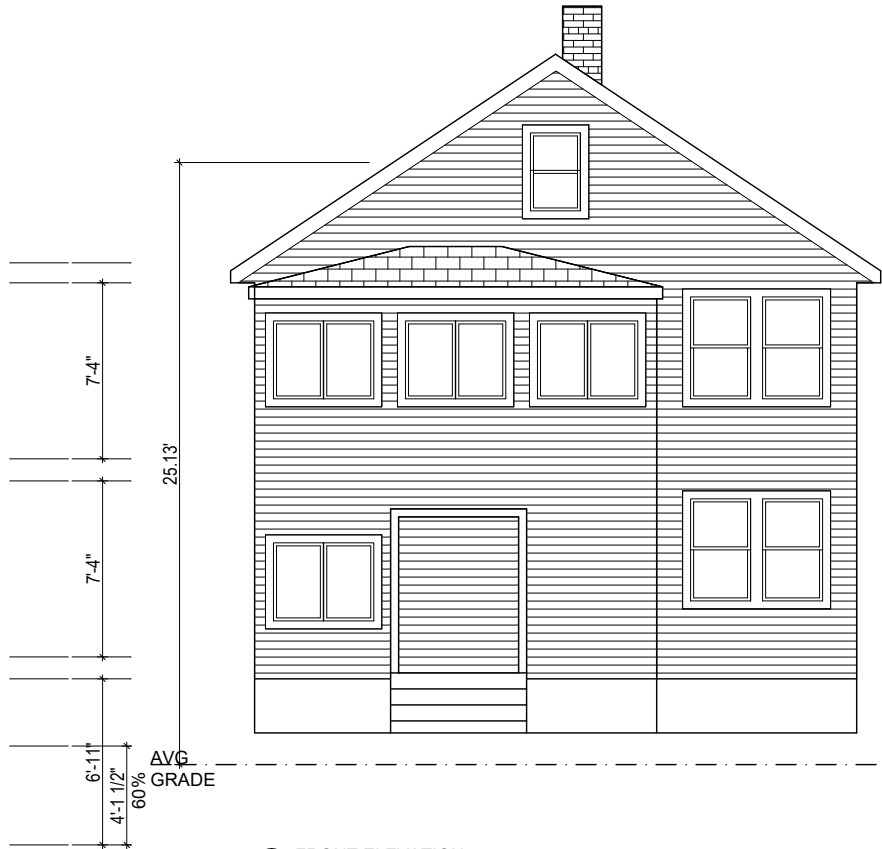


POLYGON REPRESENTS EXTENT
OF NEW GROSS SF



1 PLAN
1/8" = 1'-0"

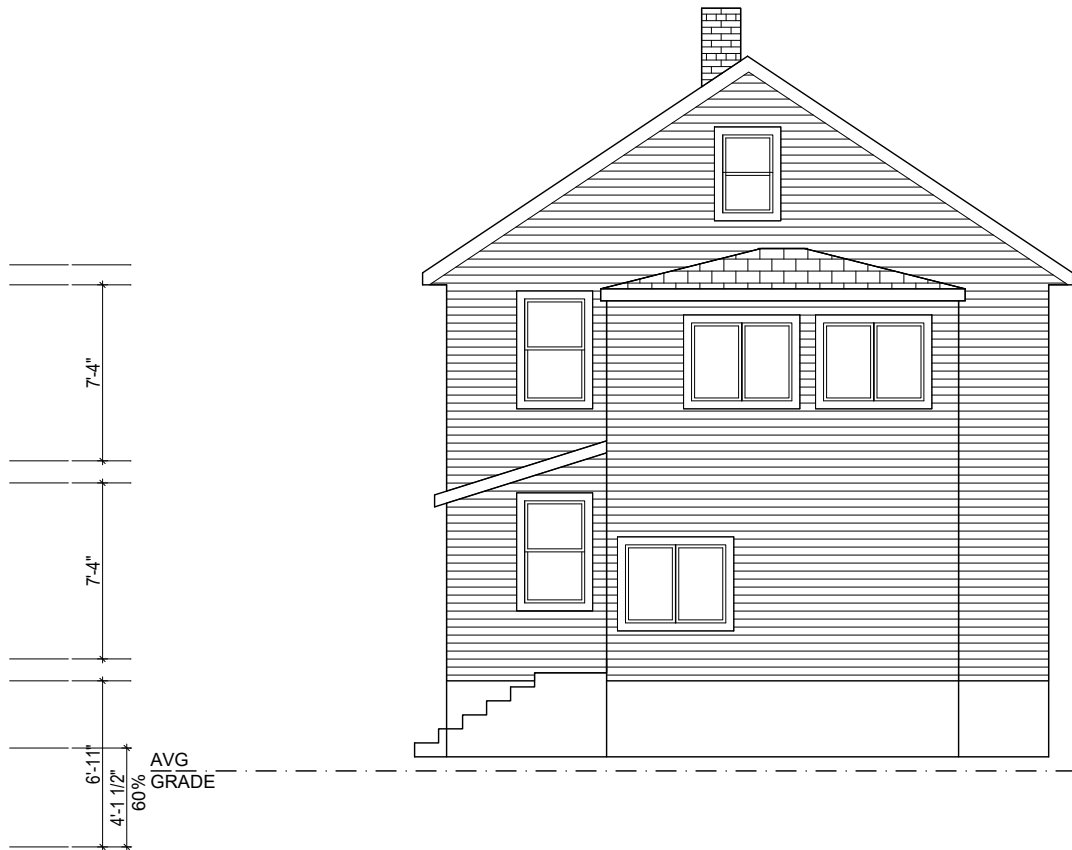




1 FRONT ELEVATION
1/8" = 1'-0"



2 RIGHT SIDE ELEVATION
1/8" = 1'-0"

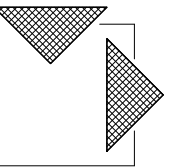


3 REAR ELEVATION
1/8" = 1'-0"



4 LEFT SIDE ELEVATION
1/8" = 1'-0"

MILLER
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80 CLARK STREET
BELMONT, MA 02478

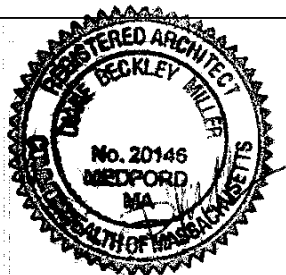
Architect:
Miller Design LLC
80 Clark Street
Belmont MA 02478
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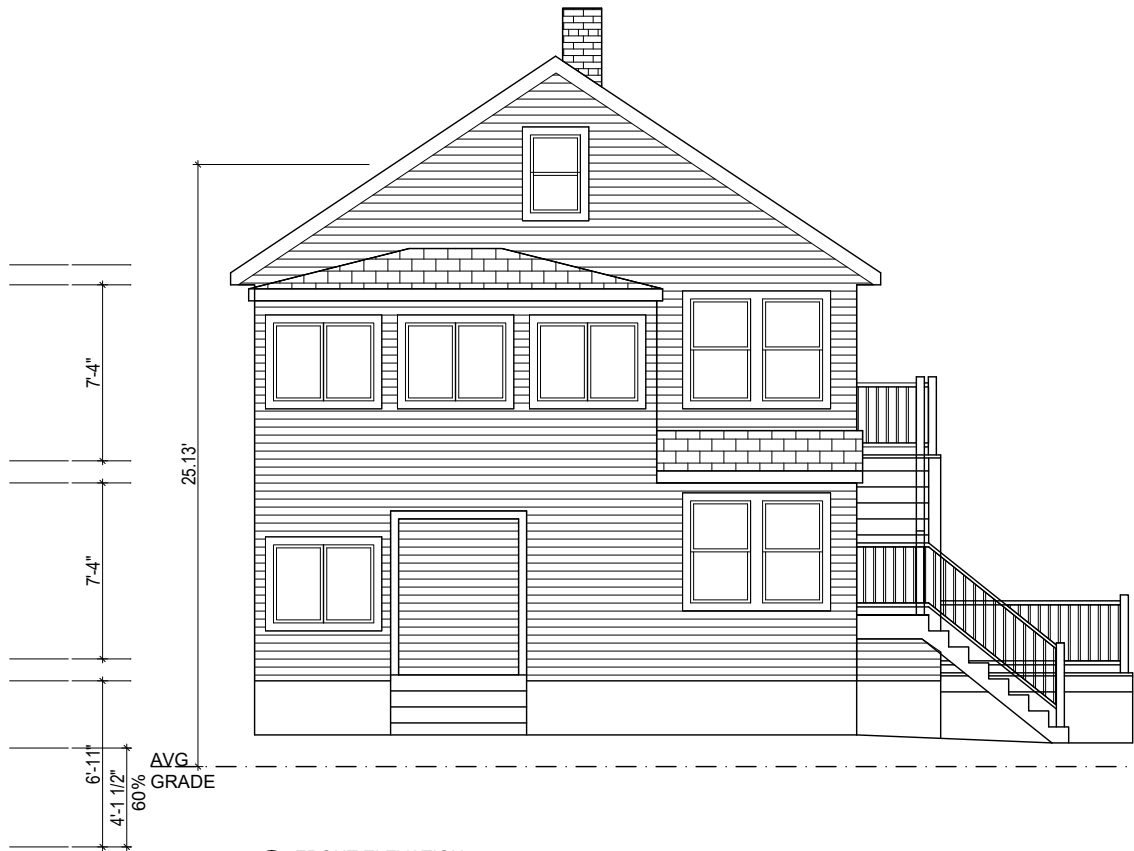


SABBISSETTI RESIDENCE
39 CHESTNUT STREET
BELMONT MA 02478

EXISTING
ELEVATIONS

Sheet
Number:

A8



1 FRONT ELEVATION
1/8" = 1'-0"



2 RIGHT SIDE ELEVATION
1/8" = 1'-0"

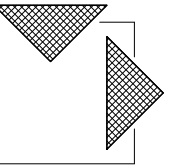


3 REAR ELEVATION
1/8" = 1'-0"



4 LEFT SIDE ELEVATION
1/8" = 1'-0"

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80 CLARK STREET
BELMONT, MA 02478

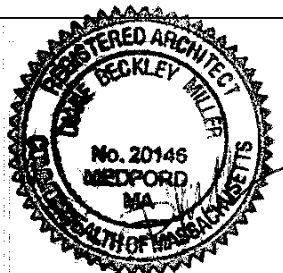
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NEW
ELEVATIONS

Sheet
Number:

A9