

# 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

January 3, 2023

Sue and Alon Manela 50 Bartlett Avenue Belmont, MA 02478

RE: Denial of proposed alteration to building ridge line

Dear Mr. and Mrs. Manela,

The Office of Community Development is in receipt of your building permit application for your proposed alteration of building ridge line at 50 Bartlett Avenue located in a General Residence Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 1.5.4A allows extensions and alterations of non-conforming structures in the GR zoning district by a Special Permit from the Zoning Board of Appeals. In addition, §4.2 of the Zoning By-Law Dimensional Regulations requires a minimum building height of two and a half (2-1/2) stories, a maximum lot coverage of 30%, and minimum open space 40%, and 10.0'.

- 1. The proposed changes to the structure are allowed by a Special Permit.
- The existing structure is three and a half (3-12) stories. The lowest level of the dwelling
  is a basement (52.34% of the foundation walls are below grade) and is considered a story.
  The existing structure and proposed alteration to buildings ridge line are at a three and a
  half (3-1/2) story level.
- 3. The existing and proposed lot coverage is 34.0%
- The existing and proposed open space is 36.9%
- 5. The existing and proposed left side setback is 7.9'.
- 6. The existing and proposed right side setback is 6.9'.

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 Six (6) Special Permits 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 in order to begin the process.

Sincerely,

Glenn R. Clancy, P.E.



# Town of Belmont Zoning Board of Appeals

# **APPLICATION FOR A SPECIAL PERMIT**

Date: 1/11/23

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 50 Bathert Ade 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 proposed alteration to building   |
| ridge line  |
|   |
| on the ground that the same will be in harmony with the general purpose and intent of   |
| said Zoning By-Law.   |
| Signature of Petitioner   |
| Print Name Alon 3 Sue Manela  |
| Address 50 Bastlett Ave   |
| Belmont MA 02478  |
| Daytime Telephone Number (443) 414 17+2   |

### **Belmont Special Permit Application Statement 50 Bartlett Ave**

Alon and Sue Manela of 50 Bartlett Ave seek six special permits to alter an existing non-conforming structure in the GR district. The proposed alterations maintain existing non-conforming conditions including: story count, lot coverage, open space, left and right side setbacks.

The proposed alteration involves replacing the existing 8:12 pitch roof with a new 9:12 pitch roof and adding two gable dormers. The new pitch increases the height of the structure from 30.1' to 31.7' (still below the allowed 33') in order to raise the peak of the ceiling to 8'-4" and allow for a 3' wide portion of the hallway with ceiling height that meets the code requirements. The roof alterations increase the gross SF of the attic (>6'H) by 297 sf.

The proposed alteration does not impact the footprint of the house, therefore the existing 34% lot coverage and 36.9% open space remain unchanged. The basement is 52.34% below grade and therefore considered a story, triggering a need for the special permit for story count to make changes to the existing attic space.

The proposed 8' wide left side dormer is necessary to achieve head height above the stair in order to meet building code requirements. It aligns directly above the existing wall which is at 7.9' from the left side property line. The 14'-2" wide right side dormer allows the homeowners to add another room as well as additional light. It aligns directly above the existing wall which is at 6.9' from the right side property line.

Many of the two family homes on Bartlett, including the immediate abutters on both sides and directly across the street, already have roof lines and dormers similar to what is proposed. Therefore, the proposed alteration **does not pose any substantial detriment** to the neighborhood and **does not nullify or substantially derogate** the intent of the bylaw.

# **Zoning Compliance Check List**

Properties Located within the GR Districts
(To be Completed by a Registered Land Surveyor)

| Property Address: 50-52 BANTLETT NVE. |                |
|---------------------------------------|----------------|
| Surveyor Signature and Stamp          | Date: 12/12/12 |

| Per §4.2 of the Zoning By-Laws               |                      |           |            |           |
|--|----------------------|-----------|------------|-----------|
|  |                      | REQUIRED  | EXISTING   | PROPOSED  |
| Lot Area (s                                  | q. ft.)              | 5,000 SF. | 3,8775F.   | 3,8775.4. |
| Lot Frontag                                  | e (feet)             | 56'       | 90'        | 40'       |
| Lot Area/U                                   | nit (sq. ft./d.u.)   | 3,560 SF. | 1,750 r.F. | 1,7305.F. |
| Lot Covera                                   | ge (% of lot)        | 30%       | 34%        | 34%       |
| Open Spac                                    | e (% of lot)         | 40%       | 36,9%      | 36.9%     |
|  | > Front              | 13.751    | 11.6'      | 18.61     |
| Setbacks: (feet)                             | > Side/Side          | 10' 10'   | 7.91 7.9   | 6.9' 6.9' |
| (1001)                                       | > Rear               | 19,79'    | 26.51      | 30.8'     |
| Building                                     | > Feet               | 33'       | 30.1'      | 31.7'     |
| Height:                                      | > Stories            | 21/2      | 3/2        | 31/2      |
| 1/2 Story                                    | > Perimeter          |           |            |           |
| (feet)                                       | > Area               |           |            |           |
| (Per §1.4)                                   | > Length             |           |            |           |
| Per §6D of the Zoning By-Laws                |                      |           |            |           |
| A. A. C. |                      | REQUIRED  | EXISTING   | PROPOSED  |
| Front  | > Face Street        | 1         | 1          | 1         |
| Doors:                                       | > Setback            |           |            |           |
| Curb Cu                                      | t                    | 1         | 1          | 1         |
| 10/40  | > Front Yard         |           |            |           |
| HVAC:  | ➤ Side/Rear Setbacks |           | J. ALT     | H OF MASS |

SUBMIT CALCULATIONS for all of the requirements listed above on asseparate piece of paper(s) to verify how they were calculated

February 4, 2018

## 8Weymouth, MA 02191

## landsurv23@gmail.com

781-812-0457

50-52 Bartlett Avenue

Belmont, MA 02478

There are four segments of foundation walls. They are 6.70' tall.

| SEGMENT | LENGTH | TOTAL FACE  | BELOW GRADE |
|---------|--------|-------------|-------------|
| A       | 25.2'  | 168.84 S.F. | 85.43 S.F.  |
| В       | 42.6'  | 285.42 S.F. | 135.04 S.F. |
| С       | 25.2'  | 168.84 S.F  | 91.22 S.F.  |
| D       | 42.6'  | 265.42 S.F. | 164.01 S.F. |
|         |        |             |             |
| TOTALS  |        | 908.52 S.F. | 475.70 S.F. |

475.70/908.52=.5234

The foundation walls are 52.34% below grade.

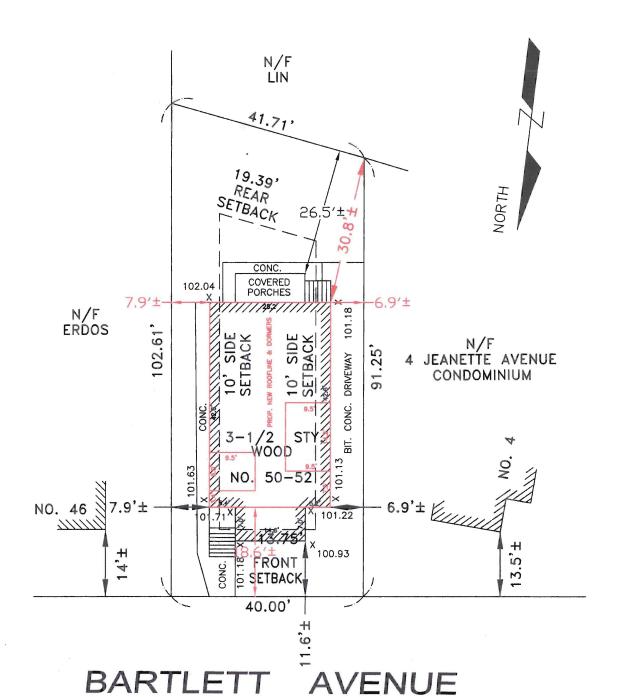
Douglas L.
JOHNSTON
NO. 47879

TO THE STREET OF MASSACRES

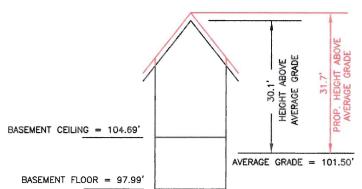
DOUGLAS L.
JOHNSTON
NO. 47879

PO-32 BOMILET NO BELLIONT, MA SEG "A" 25 2.70 PAGE 104.69 Wow W 101.13 101.63 101.78 Broom 1 6.70 25.43 3.39 85.43 = ,5060 97.99 25.2 50.60% BELOW SEG B 285 AT FOLK 109.69 102.13 101.13 101.16 x 3.19 912 de 6.70 3,17 135.04 2.4731 97.99 85.40 42.6' 47.31% BELOW quade

SU-SL PHILIUMI BELLIONT, MA SEG 40" 25.70 FOR 104.69 102.04 171,13 107.61 25,2 prope 6.70 91,22 900 3.62 91,22 = .5403 168.84 97.99 25,2' 59.03% BELOW grade SEGD" X 6.70 POLE 104.69 285.42 10204 102.63 18401 grale 101.84 6.30' 3.85 785.42 5446 NO. 47879 94.99 T12/12/22 57.46% 42,6 BELOW grate



LOT AREA = 3,877 S.F.±
EXISTING BUILDING = 1,318 S.F.±
EXISTING PAVEMENT + WALK = 1,128 S.F.±
PROPOSED ADDITION = 211 S.F.±
EXISTING LOT COVERAGE = 34.0%
PROPOSED LOT COVERAGE = 34.0%
EXISTING OPEN SPACE = 36.9%
PROPOSED OPEN SPACE = 36.9%



### NOTES

- SEE DEED RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN LAND COURT CERTIFICATE 231829
- 2. SEE PLAN RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS AS LAND COURT PLAN 467-A.
- 3. SUBJECT PARCEL IS LOCATED IN ZONE GR.
- 4. SUBJECT PARCEL IS LOCATED IN FLOOD ZONE X AS SHOWN ON PANEL 25017C0418E WITH AN EFFECTIVE DATE OF JUNE 4, 2010.
- DATE OF JUNE 4, 2010.

  5. NO PUBLIC SHADE TREE IS LOCATED WITHIN THE LIMITS OF THE PROPERTY FRONTAGE OF THE SUBJECT PROPERTY.
- 6. FRONT SETBACK: 14.0+13.5=27.5; 27.5/2=13.75; FRONT SETBACK=13.75

LAND SURVEYORISTER

OHNSTON

MAL LAND

DATE



( IN FEET )
1 inch = 20 ft.

CERTIFIED PLOT PLAN IN BELMONT, MA

SCALE: 1" = 20' DECEMBER 7, 2022

DLJ GEOMATICS
PROFESSIONAL LAND SURVEYING
276 NORTH STREET
WEYMOUTH, MA 02191
(781) 812-0457

50-52 BARTLETT AV BELMONT.dwg

#### 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.

# DESIGN DEVELOPMENT NOVEMBER 10, 2022

#### **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, R30 FLOOR 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 ADN 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 AND 33' TO MIDPOINT

EXISTING ATTIC GROSS SF (>6'H) = 175 SF PROPOSED ATTIC GROSS SF (>6'H) = 472 SF NEW GROSS SF = 472-175=297 SF 297 SF < 300 SF THEREFORE NO PB APPROVAL NEEDED

### DRAWING LIST

1 COVER SHEET

EXISTING BASEMENT PLAN EXISTING FIRST FLOOR PLAN

A4 FXISTING SECOND FLOOR PLAN

A5 NEW SECOND FLOOR PLAN

A6 EXISTING ATTIC PLAN

A7 NEW ATTIC FLOOR PLAN
A8 ATTIC AREA CALCS & ROOF PLAN

A9 EXISTING ELEVATIONS

A10 NEW 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 CO

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

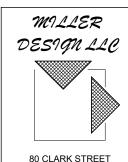
INTERIOR ELEVATION



SECTION

5 DOOR TAG

B) WINDOW TAG



BELMONT, MA 02478

Architect: Miller Design LLC 80 Clark Street Belmont MA 02478

617-993-3157

 Date:
 Issued for:

 8/2/21
 SCHEMATIC DESIGN

 6/30/22
 PROGRESS

11/10/22 DESIGN DEVELOPMENT

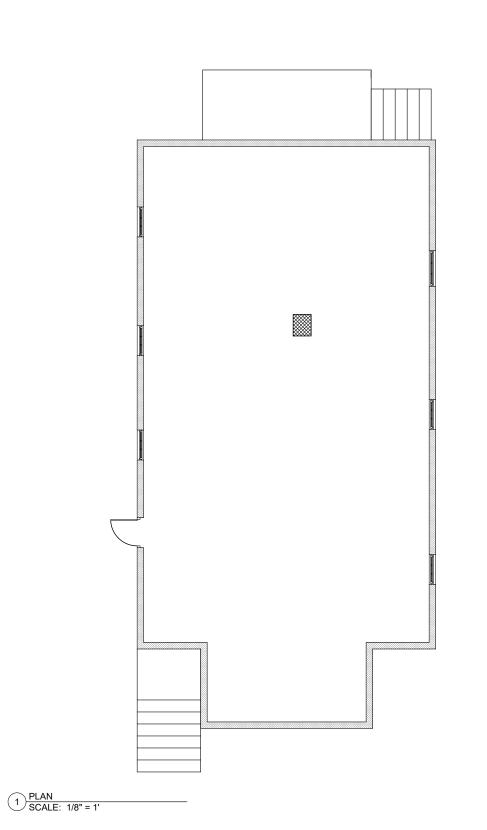
RECKLEY

No. 20146

MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

**COVER SHEET** 

Sheet





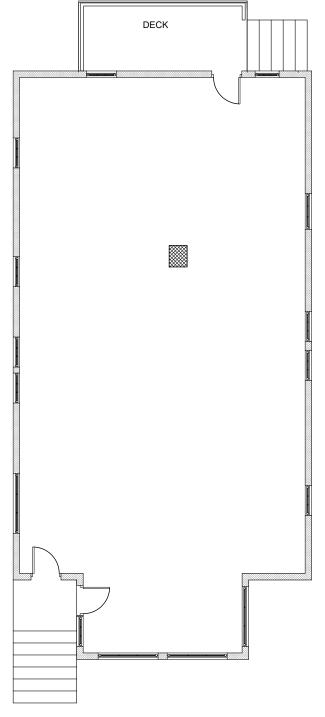
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| 11/10/22 | DESIGN DEVELOPMENT |



MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

EXISTING BASEMENT

Sheet



1 PLAN SCALE: 1/8" = 1'



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

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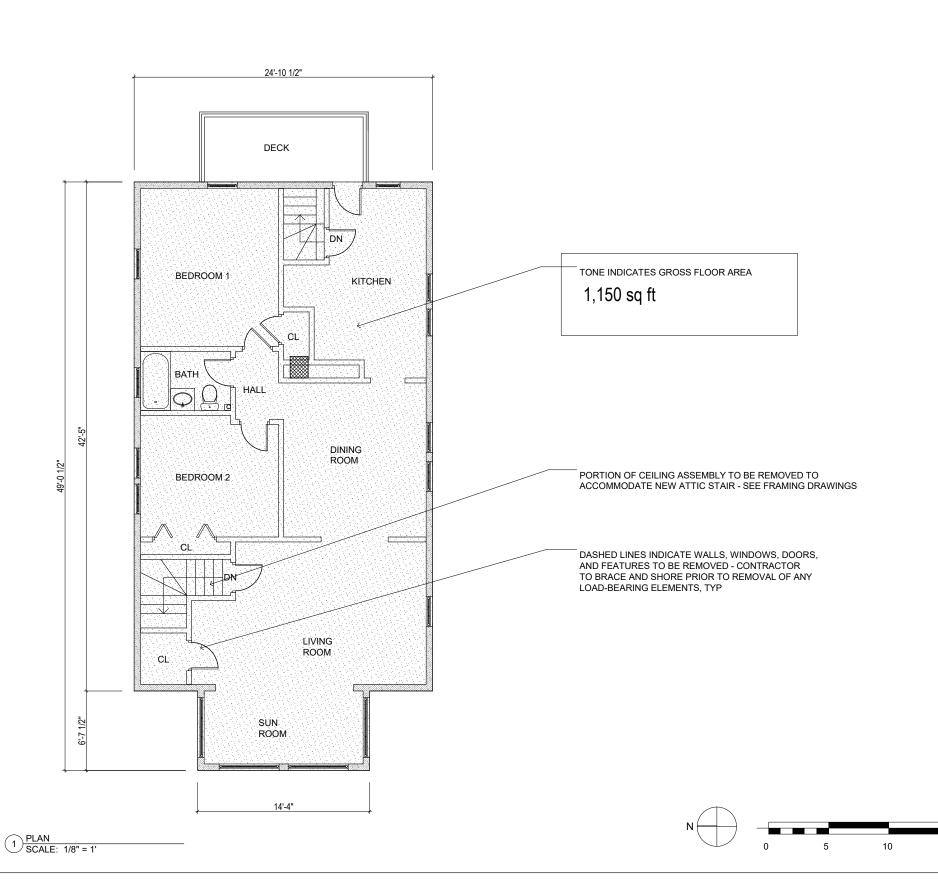
MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

EXISTING FIRST FLOOR

Sheet

A3

0 5





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| 8/2/21  | SCHEMATIC DESIGN |
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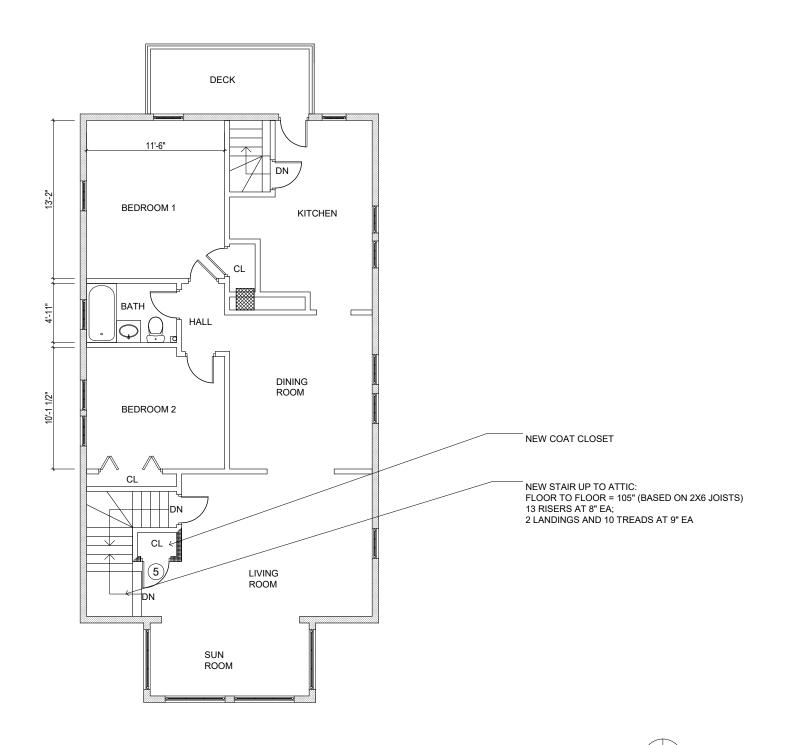




MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

EXISTING SECOND FLOOR

Sheet Number:





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| 11/10/22 | DESIGN DEVELOPMENT |



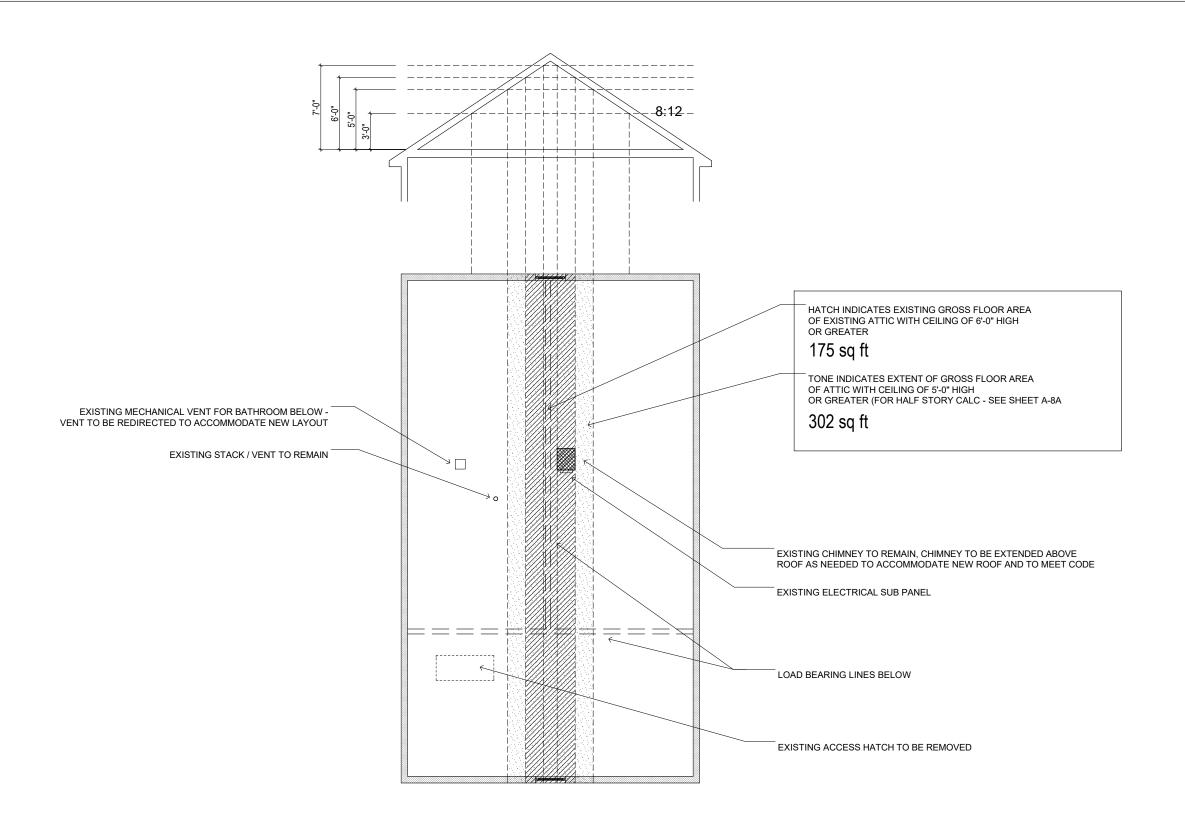
MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

NEW SECOND FLOOR

Sheet Number:

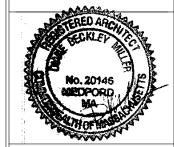
**A5** 

1 PLAN SCALE: 1/8" = 1'





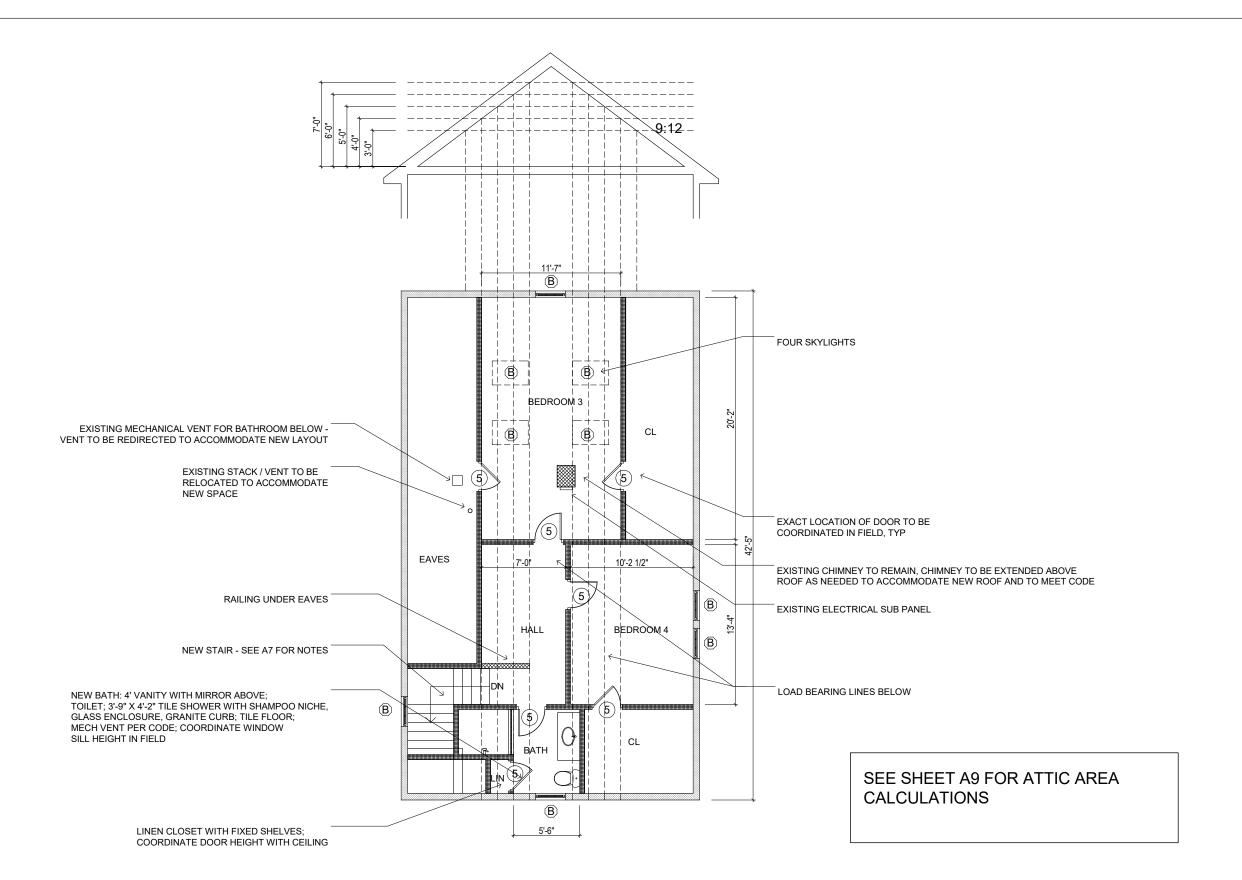
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|   | 11/10/22 | DESIGN DEVELOPMENT |



MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

EXISTING ATTIC

Sheet





| Date:    | Issued for:        |
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| 6/30/22  | PROGRESS           |
| 11/10/22 | DESIGN DEVELOPMENT |



MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

NEW ATTIC

Sheet Number:

**A7** 

1 PLAN SCALE: 1/8" = 1' 0 5 10 15

### HALF STORY AREA CALCULATIONS:

ALLOWABLE: AREA WITH CEILING HEIGHT OF 5' OR GREATER CAN BE NO MORE THAN 60% OF SECOND FLOOR AREA

SECOND FLOOR AREA = 1150 SF 60% OF 1150 = 690 SF MAX ACTUAL: 555 SF, CONFORMING (PROPOSED AREA W/ CEILING HEIGHT OF 5' OR GREATER IS DESIGNATED BY TONE)

### HALF STORY PERIMETER CALCULATIONS:

SECOND FLOOR PERIMETER = 147'-10" LF

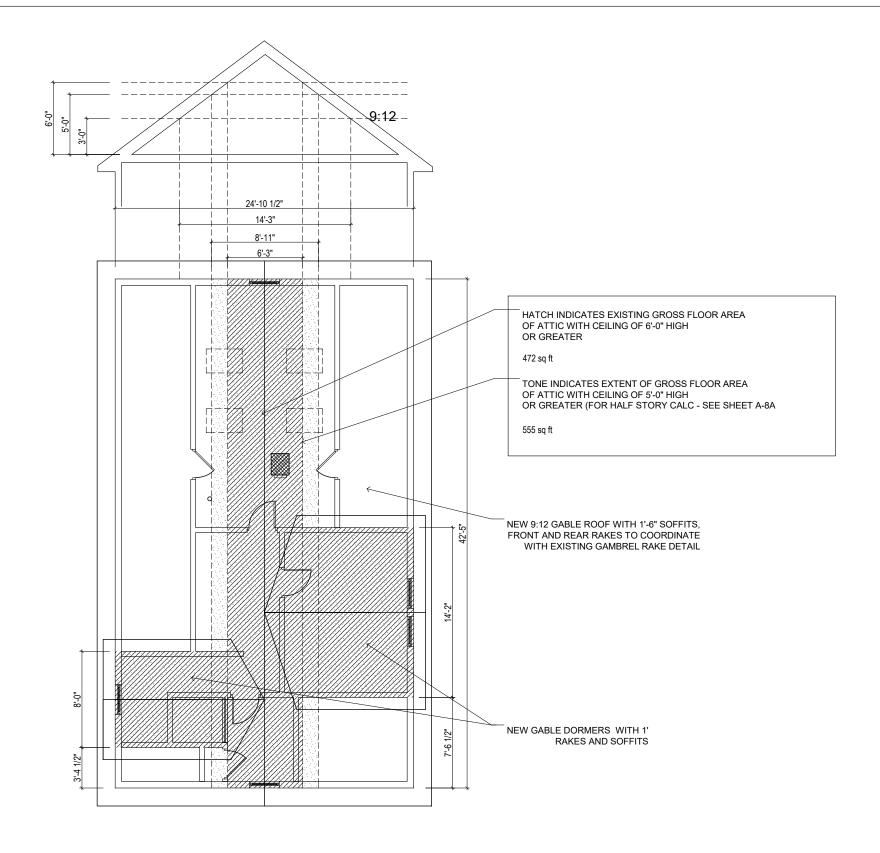
ALLOWABLE: MAX 73'-11" W/ RAFTER BOTTOMS AT 3' OR GREATER (BASED ON 50% OF 147'-10" PERIMETER).

ACTUAL: 14'-3" + 14'-3" + 8'-0" + 14'-2" = 50'-8", CONFORMING

### DORMER LENGTH CALCULATIONS:

ALLOWABLE: 31'-9 1/2" MAX PER ROOF SIDE (75% OF 42'-5")

ACTUAL: 18'-0" AND 14'-2", CONFORMING

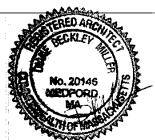




80 CLARK STREET BELMONT, MA 02478

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

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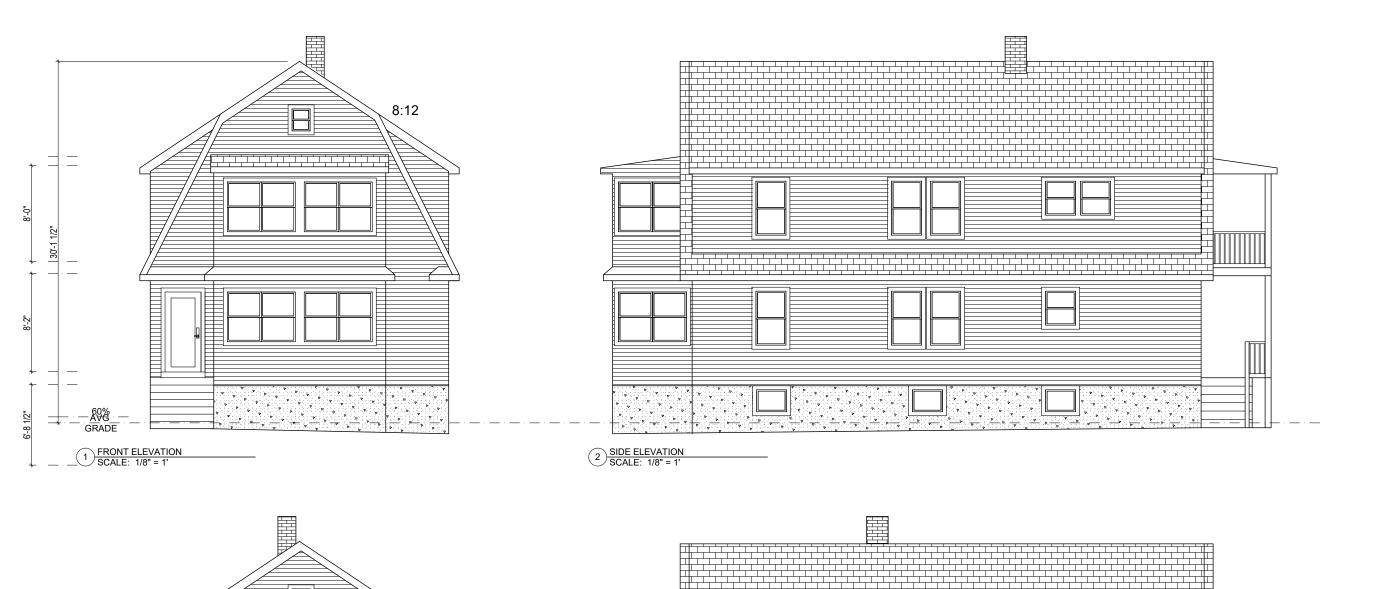
MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

ATTIC CALCS AND ROOF PLAN

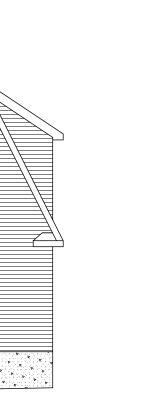
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**A8** 

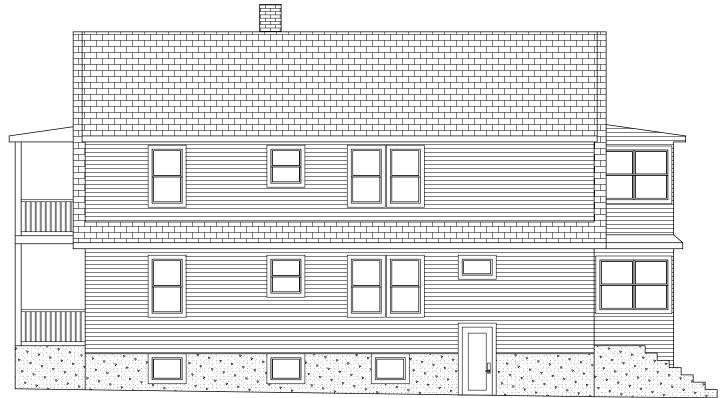
1 PLAN SCALE: 1/8" = 1' 0 5 10 15



SIDE ELEVATION
SCALE: 1/8" = 1'



3 REAR ELEVATION SCALE: 1/8" = 1'





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

|  | Date:    | Issued for:        |
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MANELA RESIDENCE 50 BARTLETT AVE BELMONT MA 02478

EXISTING ELEVATIONS

Sheet Number:

