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CITY CLERK
NEWTON, MA. 02459

#226-23
70 Suffolk Road

CITY OF NEWTON

IN CITY COUNCIL

July 10, 2023

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow a second attached garage and total garage area exceeding 700 square feet and a dormer width exceeding 50% of the width of the wall next below, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. The specific site is an appropriate location for an expanded single-family dwelling as designed with the proposed second attached garage, garage area in excess of 700 square feet, and a dormer with a width that exceeds 50% of that of the wall next below given the size of the property and the proposed modifications will be located at the rear of the dwelling and would have limited no or visibility from adjacent public rights-of-way and/or residential properties. (§7.3.3.C.1)
2. The expanded single-family dwelling as designed with the proposed second attached garage, garage area in excess of 700 square feet, and a dormer with a width that exceeds 50% of that of the wall next below as developed and operated will not adversely affect the neighborhood given the size of the property and as the neighborhood has other similarly sized and designed dwellings, and the modifications would be located on the rear of the dwelling and will have limited no or visibility from adjacent public rights-of-way and/or residential properties. (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

PETITION NUMBER: #226-23

PETITIONER: Frank and Kyra van den Bosch

LOCATION: 70 Suffolk Road, Ward 7, Chestnut Hill, on land known as Section 63 Block 16 Lot 07, containing approximately 151,183 sq. ft. of land

OWNER: Frank and Kyra van den Bosch

ADDRESS OF OWNER: 70 Suffolk Road
Newton, MA 02467

TO BE USED FOR: Single-family dwelling

EXPLANATORY NOTES: Special permit as per §7.3.3 to allow a second attached garage and total garage area exceeding 700 square feet (§3.4.4.E.1, §3.4.4.H) and allow a dormer exceeding 50% of the wall next below (§1.5.4.G.2.b)

ZONING: Single Residence 1 district

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this Special Permit/Site Plan Approval shall be located and constructed consistent with the following plans:
 - a. A site plan entitled "proposed Site Pan, #70 Suffolk Road in Newton, Mass, Middlesex County," prepared by Metrowest Engineering, Inc., dated January 23, 2023, as revised through January 26, 2023, signed and stamped by Robert A. Gemma, Professional Land Surveyor and Registered Professional Engineer, on January 30, 2023.
 - b. A set of architectural plans entitled "70 Suffolk Road, City of Newton | Special Permit Application," prepared by Catalano, dated March 8, 2023, consisting of the following sheets:
 - i. Main House: North (Front) Elevation
 - ii. Main House: East & West Elevations
 - iii. Main House: South Elevation
2. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.

3. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the petitioner has:
 - a. Filed with the building permit record statements by a registered architect, professional land surveyor, or professional engineer, certifying compliance with Condition #1, including the as built FAR.
 - b. Submitted final as-built survey plans in digital format, stamped and signed by a professional land surveyor or professional engineer, as applicable.

Under Suspension of Rules

Readings Waived and Extension of Time Approved

21 yeas 0 nays 3 absent (Councilors Danberg, Gentile, and Kalis)

The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on July 12, 2023. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:

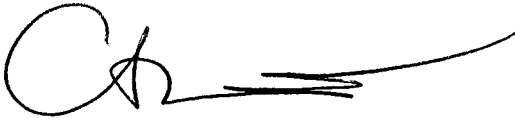


(SGD) CAROL MOORE

Clerk of the City Council

I, Carol Moore, as the Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on July 12, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:

A handwritten signature in black ink, appearing to be 'Carol Moore', with a long, sweeping horizontal stroke extending to the right.

(SGD) CAROL MOORE

Clerk of the City Council