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#80-24
161 Pine Ridge Road

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

April 1, 2024

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 for retaining walls over four feet, for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The site in the SR2 zone is an appropriate location for retaining walls in excess of four feet within the front setback given the topography of the properties on the northwest side of Pine Ridge Road with front yards that slope upwards. (§7.3.3.C.1)
2. The retaining walls do not adversely affect the neighborhood as they support additional landscaping with trees and ground cover. Additionally, properties on the northwest side of Pine Ridge Road have upwards sloping front yards with similar topography and grading. (§7.3.3.C.2)
3. The series of retaining walls in excess of four feet within the front setback are no nuisance or serious hazard to vehicles or pedestrians as they do not affect the site circulation. (§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: #80-24

PETITIONER: Jonathan Bristol

LOCATION: 161 Pine Ridge Road, Ward 5, Waban, on land known as
Section 53 Block 28 Lot 08, containing approximately
22,500 sq. ft. of land

OWNER: Jonathan Bristol

ADDRESS OF OWNER: 161 Pine Ridge Road

Waban, MA 02468

TO BE USED FOR: Single-family dwelling

RELIEF GRANTED: Special Permit per §5.4.2.B to allow a series of retaining walls exceeding four feet within a setback

ZONING: Single Residence 2

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:
 - a. Plot Plan prepared by VTP Associates dated January 16, 2023
2. 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 for the portion of the project for which occupancy is requested and the Petitioner has:
 - a. Filed with the building permit record statements by a registered architect (or professional engineer) and a professional land surveyor (or professional engineer) certifying compliance with Condition #1.
 - b. Submitted final as-built survey plans in digital format, stamped and signed by a professional land surveyor or professional engineer, as applicable.
 - c. Obtained sign off from the Engineering Division of Public Works after submission of required documentation, by either a landscape architect or engineer of record that designed the walls, confirming that the walls were installed as they were designed, certifying the stability and the structural soundness, and confirming compliance with the Stormwater Ordinance of the as-built retaining walls.

Under Suspension of Rules
Readings Waived and Approved
22 yeas 0 nays 2 absent (Councilors Krintzman and Micley)

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 April 3, 2024. 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 *CASSIDY FLYNK*
Clerk of the City Council *DEPUTY*

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 April 3, 2024 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:


(SGD) CAROL MOORE
Clerk of the City Council