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#326-24
107-109 Elliot Street

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

CITY COUNCIL

September 16, 2024

ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action 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, hereby grants a Two (2) YEAR EXTENSION OF TIME IN WHICH TO EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL #227-23 granted on July 10, 2023, to July 10, 2026.

PETITION NUMBER: #227-23

PETITIONER: 107-109 Elliot Street LLC

LOCATION: 107-109 Elliot Street, Ward 5, Newton Highlands, on land known as Section 51 Block 20 Lot 21, containing approximately 12,189 sq. ft. of land

OWNER: 107-109 Elliot Street LLC

ADDRESS OF OWNER: 39 Orchard Ave
Waban, MA 02468

TO BE USED FOR: Construction of four residential units with a nonconforming front setback, reduced width of parking stalls, a restricted end stall, and a retaining wall over four feet within a setback

RELIEF GRANTED: Special Permit per §7.3: to allow to allow a multifamily dwelling (§3.4.1), alter a nonconforming front setback (§3.2.6 and §7.8.2.C.2), reduced parking stall widths §5.1.8.B.1 and §5.1.13), a restricted end stall (§5.1.8.B.1 and §5.1.13), and a retaining wall greater than four feet in height within a setback (§5.4.2)

ZONING: Multi Residence 2 District

1. No building permit shall be issued in pursuance of Special Permit/Site Plan Approval #227-23 until:

- a. The Petitioner shall have recorded with the Registry of Deeds for the Southern District of Middlesex County a certified copy of this Council Order granting this one-year extension of time to July 10, 2026 with the appropriate reference to the book and page of the Petitioner's title deed or notice of lease endorsed thereon.
- b. A certified copy of such recorded notice shall have been filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.

Under Suspension of Rules

Readings Waived and Two-year Extension of Time Approved

19 Yeas, 0 Nays, 5 Absent (Councilors Bixby, Farrell, Humphrey, Lobovits, and Lipof)

The undersigned hereby certifies that the foregoing copy of the decision of the City Council granting TWO-YEAR EXTENSION OF TIME to July 10, 2026, IN WHICH TO EXERCISE SPECIAL PERMIT/SITE PLAN APPROVAL #227-23 is a true accurate copy of said decision.

ATTEST:


(SGD) CAROL MOORE

Clerk of the City Council

Acting