

Alan E. Taylor & Darlene M. Bojrab  
12 Cochituate Road  
Newton Highlands, MA 02461

RECEIVED  
2022 JAN 25 PM 3:17

CITY CLERK  
NEWTON, MA. 02459

25 January 2022

Councilor Richard Lipof,  
Chair, Land Use Committee  
Newton City Council  
1000 Commonwealth, Avenue  
Newton, MA 02459

Re: 12 Cochituate Road: Board Order #55-21  
Extension of Special Permit

Dear Councilor Lipof,

On March 15, 2021, the City Council granted a Special Permit for the above-referenced property, our home. The City Clerk certified the Decision, noting that all appeals had been exhausted. The Decision and certification were then recorded in the Registry of Deeds on 19 January 2022.

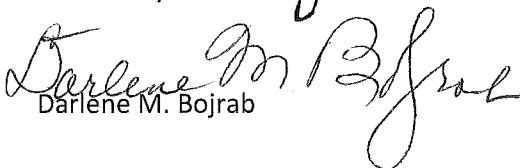
I request an extension of time in which to exercise this Special Permit until 15 March 2023. This request is being made pursuant to Section 7.3.2.E of the zoning ordinance, which provides that "[t]he City Council may extend the period of time granted under this subsection for good cause, whether or not such period of time shall have expired, without the necessity of a further public hearing thereon".

The reason for this request and basis for the good "cause" is the protracted effort to secure a building over the past year of upheaval supply chain and labor scarcity. We are in negotiations now with a qualified builder who projects construction some time this fall. Thank you for your attention to this matter.

Sincerely,



Alan E. Taylor



Darlene M. Bojrab

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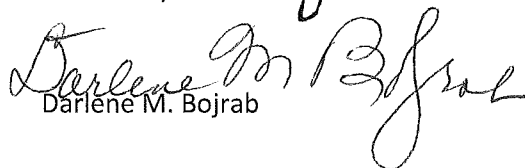
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Sincerely,



Alan E. Taylor



Darlene M. Bojrab

Sp granted

hasn't gotten Building Permit yet

Wants an extension (at least 1 year - 2)

In process of getting this recorded

#55-21

12 Cochituate Road

CITY OF NEWTON

IN CITY COUNCIL

March 15, 2021

RECEIVED  
2021 MAR 17 AM 11:00  
CITY CLERK  
NEWTON, MA 02459

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 further extend the nonconforming floor area ratio (FAR) from 0.48 to 0.52 where 0.42 is the maximum allowed by right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed expanded structure with a floor area ratio of 0.52, where 0.48 exists and 0.42 is the maximum allowed by right, would be consistent with and not in derogation of the size, scale and design of other structures in the neighborhood given the locations of the additional floor area above existing living space and on the rear of the attic level and because the height of the dwelling would not be increased. (§3.1.9)
2. The extension of the dwelling's nonconforming floor area ratio of from 0.48 to 0.52, where 0.42 is the maximum allowed by right, would not be substantially more detrimental than the existing nonconforming floor area ratio to the neighborhood given the locations of the additional floor area above existing living space and on the rear of the attic level. (§7.8.2.C.2)

PETITION NUMBER: #55-21

PETITIONER(S): Alan E. Taylor

LOCATION: 12 Cochituate Road, Ward 6, Newton, on land known as Section 54 Block 31 Lot 2, containing approximately 7,650 sq. ft. of land

OWNER(S): Alan E. Taylor

ADDRESS OF OWNER(S): 12 Cochituate Road  
Newton, MA 02461

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit per §7.3.3 to further extend nonconforming FAR (§3.1.3; §3.1.9; §7.8.2.C.2)

ZONING: Single Residence 2 (SR2) 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:
  - a. A site plan entitled "12 Cochituate Road, Newton, MA, Certified Plot Plan," prepared by Ron Natoli, P.L.S., signed and stamped by Ronald J. Natoli, Professional Land Surveyor, dated January 24, 2008, as revised through September 4, 2020.
  - b. A set of plans entitled "Proposed Add'n & Revovat'ns, 12 Cochituate Road, Newton Highlands, MA, prepared by Alan E. Taylor Associates, signed and stamped by Alan E. Taylor, Registered Architect, dated November 11, 2020:
    - i. Basement & Roof Plans (A1)
    - ii. 1<sup>st</sup> & 2nd Floor Plans (A2)
    - iii. Elevations (A3)
    - iv. Elevations (A4)
    - v. Sections (A5)
  - c. A document entitled "Floor Area Ratio Worksheet, 12 Cochituate Road, Newton Highlands indicating a proposed "Total gross floor area" of 3,698 square feet (*please note: this number is incorrect- it should read 3,968 square feet*) and a proposed "FAR" (floor area ratio) of 0.52, signed and stamped by Alan E. Taylor, Registered Architect.
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
  - a. Recorded a certified copy of this order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:

- a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect and certifying compliance with Condition #1, including the as built FAR.
- b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services, final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.

Under Suspension of Rules  
Readings Waived and Approved  
21 Yeas 0 Nays 2 Vacancies 1 Absent (Councilor Norton)

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 March 17, 2021. 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) NADIA KHAN  
Acting Clerk of the Council

I, David A. Olson, 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 March 17, 2021 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) NADIA KHAN  
Acting Clerk of the Council