

DK 24843 PG 246

#187-94

THE COMMONWEALTH OF MASSACHUSETTS

NEWTON  
CITY

84

**BOARD OF ALDERMEN**

August 2, 19 94

**NOTICE OF VARIANCE**

**Conditional or Limited Variance or Special Permit**

(General Laws Chapter 40A, ~~Sections 23B and 23C~~ as amended)

SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE/STRUCTURE

Notice is hereby given that a ~~Conditional or Limited Variance or~~ Special Permit has been granted

To William F. Doherty and Barbara A. Doherty  
Owner or Petitioner

Address 15 Roberts Avenue

City Newtonville, Ward 2, on land known as Section 21, Block 33, Lot 10,

containing approximately 5,081 square feet of land.  
Identify Land Affected

by the City of Newton Board of Aldermen affecting the rights of the owner with respect to the use of premises ~~xxx~~ for a 12'x25' first-floor addition at

15 Roberts Avenue Newton  
Street City

the record title standing in the name of William F. Doherty

whose address is 15 Roberts Avenue Newton MA 02160  
Street City State

by a deed duly recorded in the County Registry of Deeds in Book 13055 Page 492  
Registry District of the Land Court

Certificate No. Book Page

The decision of said Board is on file with the papers in Decision or Case No. 187-94  
Dated July 11, 1994

in the office of the City Clerk of Newton

Signed this 2nd day of August 1994

Board of Aldermen

Cynthia S. Creem, ACTING President  
Board of Aldermen

Linda Finucane, Clerk  
Board of Aldermen

Linda Finucane, Acting Clerk

Received and entered with the Register of Deeds in the County of

Book Page

ATTEST

Register of Deeds

MSD 09/08/94 03:44:31 591 13:00

CITY OF NEWTON  
IN BOARD OF ALDERMEN

July 11, 1994

ORDERED:

That the Board, 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, the following SPECIAL PERMIT/SITE PLAN APPROVAL AND EXTENSION OF NONCONFORMING USE AND STRUCTURE is hereby granted, in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefore, through its Chairman, Alderman Susan M. Basham:

1. The Board finds that the proposed addition is not substantially more detrimental to then neighborhood than the existing residence and that the addition will enhance the neighborhood.
2. The Board finds that the addition allows the petitioner's family to stay in the house.

PETITION NUMBER: 187-94

PETITIONER: William F. and Barbara A. Doherty

LOCATION: 15 Roberts Avenue, Ward 2, Section 21, Block 33,  
Lot 10, containing approximately 5,081 sq. ft. of  
land.

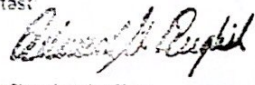
OWNER: William F. Doherty

ADDRESS OF OWNER: 15 Roberts Avenue  
Newtonville, MA 02160

TO BE USED FOR: 12' x 25' first floor addition

CONSTRUCTION: Wood frame

EXPLANATORY NOTE: Section 30-21 allows the Board of Aldermen to grant  
a Special Permit for an Extension of a Non-conforming  
Structure.

A True Copy  
Attest  
  
City Clerk of Newton, Mass

Land referred to is in a Multi-Residence 1 District.

Approved, subject to the following conditions:

1. That all buildings, parking areas, driveways, walkways, landscaping and other site features shall be located and constructed consistent with plans entitled "Plot Plan of Land Newton, Mass." dated April 30, 1994 by John F. Gilmore, R.L.S. and "Addition to Residence of Mr. & Mrs. Doherty, 15 Roberts Ave., Newton, Mass." dated 11/2/92 by Architecture Plus, Inc., submitted by the petitioner and filed herewith.

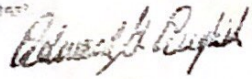
2. That no building permit shall be issued in pursuance of the SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE and STRUCTURE until:

a. The petitioner shall have recorded with the Registry of Deeds for the Southern District of Middlesex County a Certified copy of this Board Order granting this SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE/STRUCTURE with appropriate reference to the book and page of the recording 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 Inspectional Services Department and the Department of Planning and Development.

Under Suspension of Rules  
Readings Waived and Approved  
21 yeas 0 nays 2 absent (Ald. Mansfield and Robinson)  
1 excused (Ald. Concannon)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE/STRUCTURE is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on July 11, 1994. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE/STRUCTURE have been complied with and that all plans referred to in the decision have been filed with the Planning and Development Board and the City Clerk.

A True Copy  
Attest:  
  
City Clerk of Newton, Mass.

ATTEST:

*Rinda Finucane*  
~~(SGD) EDWARD G. ENGLISH, City Clerk~~  
*acting* Clerk of the Board of Aldermen

I, Edward G. English, as the Clerk of the Board of Aldermen 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 Board of Aldermen in the Office of the City Clerk on July 11, 1994 and that NO APPEAL to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

ATTEST *Rinda Finucane*  
~~EDWARD G. ENGLISH, City Clerk~~  
*acting*

A True Copy  
Attest:  
*Edward G. English*  
City Clerk of Newton, Mass.