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#224-22

75 Pleasant Street

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

May 2, 2022

RECEIVED

2022 MAY 31 AM 9:28

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 allow two attached garages with more than 700 square feet of total garage area as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

- The specific site is an appropriate location for the two attached garages with more than 700 square feet of total garage area because there is only one garage per street frontage. (§7.3.3.C.1)
- The two attached garages with more than 700 square feet of total garage area will not adversely affect the neighborhood because the project complies with all other dimensional standards of the SR-2 zoning district. (§7.3.3.C.2)
- The two attached garages with more than 700 square feet of total garage area will not create a nuisance or serious hazard to vehicles or pedestrians because there is only one garage per street frontage. (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved because the driveways are only ten feet wide. (§7.3.3.C.4)

75 Pleasant Street, Newton
Book 75560, Page 63

PETITION NUMBER:

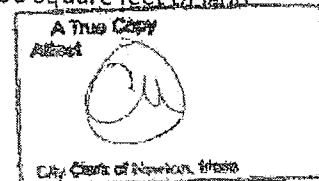
#224-22

PETITIONER:

Albert Kim and Jennifer Ho, Trustees

LOCATION:

75 Pleasant Street, on land known as Section 64, Block 30,
Lot 11, containing approximately 23,536 square feet of land



OWNER: Albert Kim and Jennifer Ho Revocable Inter Vivos Trust

ADDRESS OF OWNER: 75 Pleasant Street
Newton, MA 02459

TO BE USED FOR: Single Family Dwelling with two attached garages

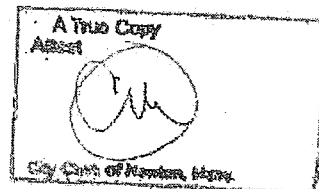
CONSTRUCTION: Wood frame

EXPLANATORY NOTES: To allow two attached garages with total garage area of more than 700 square feet (§3.4.4.E.1, §3.4.4.H.1 and §7.3.3)

ZONING: Single Residence 2 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. Site Plan showing proposed conditions at 75 Pleasant Street, signed and stamped by Bruce Bradford, Professional Land Surveyor, and Michael S. Kosmo, Professional Engineer dated July 19, 2021
 - b. Architectural Plans, "Segal Residence", prepared by Flavin Architects, dated December 3, 2021, consisting of three (3) sheets:
 - i. Proposed Lower Level Floor Plan, A1.00
 - ii. Exterior Elevations, A2.00
 - iii. Exterior Elevations, A2.01
2. Prior to the issuance of any building permit, the petitioner shall provide a final site plan for review and approval by the Department of Planning and Development.
3. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
 - a. Recorded a certified copy of this board 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 board 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.



- 4. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioner has:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by an architect or land surveyor certifying compliance with Condition #1 as well as the as-built floor area ratio of the structure.
 - 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 professional land surveyor.

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

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 May 4, 2022. 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:



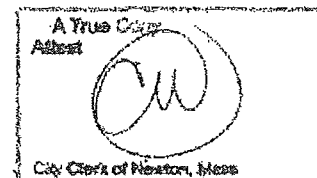
(SGD) CAROL MOORE, City Clerk
 Clerk of the City Council

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 May 4, 2022 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

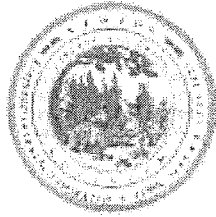
ATTEST:



(SGD) CAROL MOORE, City Clerk
 Clerk of the City Council



May 26, 2022



NewGov - Newton, MA

Jennifer Breslouf commented on Public Hearing Notice for Special Permit Application #SP-22-66

"Please note: A public hearing has been scheduled before the Land Use Committee of the Newton City Council for this petition on Tuesday, June 7, 2022. The meeting will begin at 7:00 pm and may be attended either virtually or in-person. Please check for the location of the meeting on the Land Use Committee Agenda at the following link: <https://www.newtonma.gov/government/city-clerk/city-council/friday-packet>. The agenda will be posted on June 3, 2022.

Letters of support from Abutters and Neighbors



From: Matt Ottmer <mottmer@gmail.com>
Sent: Friday, May 20, 2022 2:32 PM
To: Lisa Hines <lisahines58@msn.com>
Cc: meganmclean@verizon.net
Subject: Re: Public Hearing Notice for Special Permit Application #SP-22-66 - 128 Gibbs Street

Hi Lisa & Ed,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street, and the proposed construction of an approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

Matt Ottmer & Megan McLean
112 Gibbs St
Newton, MA 02459

From: Barbara Joseph <bnjoseph2000@gmail.com>
Sent: Friday, May 20, 2022 10:05 AM
To: Lisa Hines <lisahines58@msn.com>
Cc: afjoseph@gmail.com
Subject: Public hearing

Hello Ed & Lisa,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street, and the proposed construction of a approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

Barbara & Andrew Joseph
35 Everett Street

Barbara Joseph 617.851.7873
Sent from my iPhone. Please excuse typos.

From: xtyl@comcast.net <xtyl@comcast.net>
Sent: Thursday, May 19, 2022 5:27 PM
To: 'Lisa Hines' <lisahines58@msn.com>
Subject: RE: Public Hearing Notice for Special Permit Application #SP-22-66 - 128 Gibbs Street

Hello Ed & Lisa,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street, and the proposed construction of a approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

Jane Starkman
Thomas N. Margulis

105 Gibbs Street
Newton Centre, MA 02459

From: Lea Ben-Akiva <lea.benakiva@gmail.com>
Sent: Thursday, May 26, 2022 8:41:51 AM
To: Lisa Hines <lisahines58@msn.com>
Cc: Ari Stern <astern29@gmail.com>
Subject: We support!

Hello Ed & Lisa,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street and the proposed construction of a approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

Lea and Ari Stern
136 Gibbs Street
Newton, MA 02459

From: Philip Keehn <keehn@brandeis.edu>
Sent: Thursday, May 19, 2022 5:12:07 PM
To: lisahines58@msn.com <lisahines58@msn.com>
Subject: Re: Fwd: Public Hearing Notice for Special Permit Application #SP-22-66 - 128 Gibbs Street

Hello Ed & Lisa,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street, and the proposed construction of a approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

*Lillian and Philip Keehn
121 Gibbs Street
Newton*

PS WE HOPE YOUR PROJECT IS SUCCESSFUL AND WISH YOU WELL WITH YOUR ADDITION.

From: Pamela Bromberg <pamela.bromberg@simmons.edu>
Sent: Thursday, May 19, 2022 4:37 PM
To: Lisa Hines <lisahines58@msn.com>
Cc: Pamela Bromberg <bromberg@simmons.edu>; lbromberg <lbromberg@mccarter.com>
Subject: Bromberg approval of Special Permit Application #SP-22-66 128 Gibbs Street

Dear Ed and Lisa,

We are writing to give you our support for your application to create an accessory apartment at 128 Gibbs Street and for the proposed construction of an approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

Best regards,
Pam and Lee Bromberg
129 Gibbs Street
Newton Centre, MA 02459

Pamela Bromberg
Professor of English
Simmons College

From: Rachel Goldstein <rgoldstein2000@gmail.com>
Sent: Monday, May 23, 2022 9:36:36 AM
To: Lisa Hines <lisahines58@msn.com>
Subject: Re: FW: Public Hearing Notice for Special Permit Application #SP-22-66 - 128 Gibbs Street

Hello Ed & Lisa,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street, and the proposed construction of a approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

*Rachel and Allan Goldstein
133 Gibbs St
Newton, MA 02459*

From: Nancy Olin <nancyolin@ren.com>
Sent: Wednesday, May 25, 2022 3:44 PM
To: Lisa Hines <lisahines58@msn.com>
Subject: Re: Public Hearing Notice for Special Permit Application #SP-22-66 - 128 Gibbs Street

Hello Ed & Lisa,

We would like to go on record that we support your application to create an accessory apartment at 128 Gibbs Street, and the proposed construction of a approximate 7' x 14' addition to provide the required egress. The proposed addition is consistent with the neighborhood architecture and we have no objections to the structure as proposed.

*Nancy Olin and Steve Steinberg
144 Gibbs St
Newton, MA 02459*

Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

Document Number	: 79227
Document Type	: DECIS
Recorded Date	: May 26, 2022
Recorded Time	: 12:24:19 PM
Recorded Book and Page	: 80184 / 361
Number of Pages(including cover sheet)	: 4
Receipt Number	: 2818066
Recording Fee	: \$105.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com