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2022 MAY -4 AM 8:09

#224-22

75 Pleasant Street

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

May 2, 2022

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)

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 Elebations, 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