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2022 MAY -4 AM 8:09

#225-22

54 Goddard Street

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

May 2, 2022

ORDERED:

That the 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 a SPECIAL PERMIT/SITE PLAN APPROVAL to extend a nonconforming front setback, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. The proposed extension of the existing front setback nonconformity will not be substantially more detrimental than the existing nonconforming use to the neighborhood as the front setback of the proposed garage addition will not be less than that of the existing structure. (§3.1.3; §7.8.2.C.2)

PETITION NUMBER: #225-22

PETITIONER: Dan Miller and Linda Green

LOCATION: 54 Goddard Street, Section 83, Block 34 Lot 7, containing approximately 2,596 square feet of land

OWNER: Dan Miller and Linda Green

ADDRESS OF OWNER: 54 Goddard Street
Newton, MA

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood Frame

EXPLANATORY NOTES: Special Permit per §7.3.3 to extend a nonconforming front setback (§3.1.3, §7.8.2.C.2)

ZONING: Single Residence 3 (SR3)

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 the following plans:
 - a. a site plan entitled "Plan of Land in Newton, MA, Proposed Site Plan, 54 Goddard Street, Proposed Additions," dated December 15, 2021, as revised through January 27, 2022, prepared by Everett M. Brooks Co., stamped and signed by Bruce Bradford, Professional Land Surveyor on January 27, 2022
 - b. a set of architectural drawings entitled "Miller Green Addition, 54 Goddard Road, Newton, MA 02445," prepared by Entasis Architects, dated January 24, 2022, stamped and signed and stamped by Jay Walter, Registered Architect, consisting of the following sheets:
 - i. First Floor Plan (A1)
 - ii. Front/Street Elevation, Building Section (A2)
 - iii. Side & Rear Elevation (A3)
 - c. A document entitled "Floor Area Worksheet- 54 Goddard Street," indicating a proposed total gross floor area of 3,656 square feet, signed and stamped by Jay Walter, Registered Architect
2. 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 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. Provided a final Site Plan for review and approval by the Department of Planning and Development, Engineering Division of Public Works and Fire Department.
 - d. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - e. 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 and/or Occupancy Permit for the buildings 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 a registered architect certifying compliance with Condition #1.

- b. Filed with the Clerk of the Council, the Department of Inspectional Services and the Department of Planning and Development a statement from the Engineering Division of the Department of Public Works certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.
- c. 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 absent (Councilors Noel and Grossman) 1 recused (Councilor Crossley)

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