

23
G Michael Peirce
60 Walnut St, R4
Wellesley, MA
02481

#123-15

CITY OF NEWTON
IN BOARD OF ALDERMEN

July 13, 2015

ORDERED:

That the Board, 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 and EXTENSION OF A NONCONFORMING STRUCTURE to allow three dwelling units and an office use and maintain the existing parking facilities, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

Bk 48 232 Pg 527

1. The proposed three dwelling units and office use, are not substantially more detrimental than the existing nonconforming use is to the neighborhood. (§30-21(b))
2. Literal compliance with the certain design requirements of the Newton Zoning Ordinance for parking facilities is impracticable due to the narrow shape of the lot. (§30-19(b))
3. The site is an appropriate location for the proposed three dwelling units and office space, as the site is located in a dense neighborhood proximate to Nonantum's village center. §30-24(d)(1))
4. The proposed three dwelling units and the office use will not adversely affect the neighborhood, as the subject property is abutted by commercial uses and a municipal parking lot and has adequate parking, and the addition of one unit will have a minimal impact on the amount of traffic generated by the site. (§30-24(d)(2))
5. There is no serious nuisance or hazard to vehicles or pedestrians and the petitioners are not proposing any changes to the existing site conditions. (§30-24(d)(3))
6. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§30-24(d)(4))

PETITION NUMBER: #123-15

PETITIONER: 111-113 Adams Street, LLC / Otto Mariano

LOCATION: 111-113 Adams Street, on land known as Section 14, Block 8, Lot 4, containing approx. 8,225 square feet of land

OWNER: 111-113 Adams Street, LLC

RECEIVED
Newton City Clerk
2015 JUL 20 PM 12:33
David A. O'Connell
Newton, MA 02459

RECEIVED
Newton City Clerk
2015 AUG 17 AM 11:02
David A. O'Connell
Newton, MA 02459

Property address: 111-113 Adams St, Newton MA

A True Copy
Attest
John W. O'Connell
City Clerk of Newton, Mass.

ADDRESS OF OWNER: 172 Edinboro Street
Newton, MA 02460

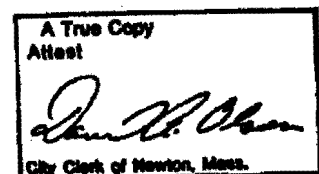
TO BE USED FOR: Three dwelling units and an office space

EXPLANATORY NOTES: §30-21(b), to extend a nonconforming two-family use in a Manufacturing district; §30-19(h)(1) and §30-19(m), to locate parking in a setback; §30-19(h)(2) and §30-19(m), to waive the minimum dimensional requirements for parking stalls; §30-19(3)(a) and §30-19(m), to waive aisle width for two-way traffic; §30-19(h)(4)(a) and §30-19(m), to waive the minimum entrance drive width; §30-19(i) and §30-19(m), to waive screening requirements for parking lots greater than five stalls; and §30-19(j)(1) and §30-19(m), to waive the lighting requirements for parking lots greater than five stalls.

ZONING: Manufacturing 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, prepared by VTP Associates Inc., signed, and stamped by Joseph R. Porter, Professional Land Surveyor, dated September 16, 2014 and revised June 8, 2015.
 - b. Floor Plans, prepared by VTP Associates, dated November 7, 2014,
 - c. Floor Plans, prepare by David P. Morton, dated March 15, 2015, consisting of the following two (2) sheets:
 - i. Sheet 1 – First Floor Plan; and
 - ii. Sheet 2 – Second Floor Plan.
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 Board Order for the approved Special Permit/Site Plan Approval 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.
3. No Final Inspection/Occupancy Permit for 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 or engineer certifying compliance with Condition #1.
- b. Submitted to the Commissioner of Inspectional Services and City Engineer, and the Department of Planning and Development, 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 3 absent (Aldermen Ciccone, Lipof, and Sangiolo)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen 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 July 20, 2015. 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) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen

I, David A. Olson, 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 7/20 and that NO APPEAL to said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen

