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Newton City Clerk

#64-18

361 Wolcott Street

2018 MAR 21 PM 4: 25

CITY OF NEWTON

David A. Olson, CMC
Newton, MA 02459

IN CITY COUNCIL

February 20, 2018

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2018 FEB 22 PM 2: 38
David A. Olson, CMC
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 construct an accessory structure containing an accessory apartment, as recommended by the Land Use Committee for the reasons given by the Committee, through its Vice Chairman, Councilor Richard A. Lipof:

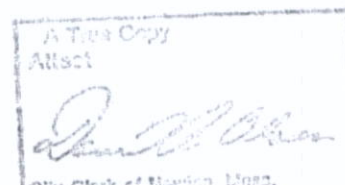
1. The site is an appropriate location for an accessory structure containing an accessory apartment. (§7.3.3.C.1)
2. The proposed accessory structure containing an accessory apartment will not adversely affect the neighborhood as it will be set back from the adjacent public way and abutting properties. (§7.3.3.C.2)
3. The structure as proposed will not be a nuisance or create a serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The proposed accessory structure containing an accessory apartment is in keeping with the architectural integrity of the principal dwelling and character of the neighborhood. (§6.7.1.E.3)
6. The proposed accessory apartment will help to diversify Newton's housing stock consistent with Newton's Comprehensive Plan.

PETITION NUMBER: #64-18

PETITIONER: Peter Green

LOCATION: 361 Wolcott Street, Ward 4, on land known as Section 44, Block 29, Lot 26, containing approximately 18,200 square feet of land

Peter Green
361 Wolcott Street
Auburndale MA 02466



OWNER: Peter Green - deed 19866-353

ADDRESS OF OWNER: 361 Walcott Street
Newton, MA

TO BE USED FOR: Detached accessory structure with an accessory apartment

CONSTRUCTION: Wood-framed


EXPLANATORY NOTES: Special permit per §7.3 to allow an accessory apartment in a detached accessory structure (§6.7.1.E.)

ZONING: Single-Residence 3

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. A site plan entitled "Plan of Land in Newton, MA, 361 Wolcott Street, Proposed Addition," prepared by Everett M. Brooks Co., signed and stamped by Bruce Bradford, Professional Land Surveyor, dated October 5, 2017.
 - b. A set of architectural drawings, titled "Brynie/Green Residence, 361 Wolcott Street, Newton, Proposed Cottage/Accessory Apt.," prepared by Synnott Architects, Inc., signed and stamped by Izabella A. Synnott, Registered Architect, dated December 11, 2017:
 - i. Exterior Elevations;
 - ii. Cross Section;
 - iii. Roof Plan;
 - iv. Ground Floor Plan.
2. The accessory apartment may not be held in separate ownership from the principal structure/dwelling unit.
3. The owner of the principal structure/dwelling unit shall occupy either said principal structure/dwelling unit or the accessory apartment and shall file an annual affidavit with the Commissioner of Inspectional Services attesting to this fact prior to July 1 of every year.
4. In the event ownership of the subject property changes, the new owner(s) shall notify the Commissioner of the Inspectional Services Department at which time the Commissioner shall conduct a determination of compliance with this decision and all applicable codes.
5. 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 Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.

A True Copy
Attest



City Clerk of Newton, Mass.

- b. Filed a copy of such recorded Order with the City Clerk, the Department of Inspectional Services, the Assessing Department and the Department of Planning and Development.
 - c. Submitted to the Director of the Department of Planning and Development the proposed accessory structure's exterior finish material for review and approval.
 - d. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
6. No Final Inspection/Occupancy Permit for the use covered by 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 Department of Inspectional Services, and the Department of Planning and Development a final as-built survey plan in paper and digital format.
 - c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division certifying that the final site construction details have been constructed to the standards of the City of Newton Engineering Division.


Under Suspension of Rules

Readings Waived and Approved

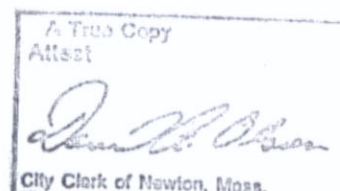
19 yeas 0 nays 5 absent (Councilors Baker, Brousal-Glaser, Ciccone, Kalis, and Schwartz)

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 February 22, 2018. 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
acting Clerk of the City Council

I, David A. Olson, 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 2/22/18 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:

Shawna Sullivan
(SGD) DAVID A. OLSON, City Clerk
acting Clerk of the Council

A True Copy
Attest
David A. Olson
City Clerk of Newton, Mass.

MAR 21 2018

COMMONWEALTH OF MASSACHUSETTS.
MIDDLESEX S.S. _____
SOUTH DIST. REGISTRY OF DEEDS
CAMBRIDGE, MA

I HEREBY CERTIFY THE FOREGOING
IS A TRUE COPY OF A PAPER 70758
RECORDED IN BOOK _____

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Alma P. Crotone
REGISTER