

ISD 24



2019 00059693  
BK: 7267e Pg: 172 Doc: DECIS  
Page: 1 of 4 08/09/2019 11:10 AM

#338-18  
22 Beecher Place

CITY OF NEWTON

IN CITY COUNCIL

August 13, 2018

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 increase the Floor Area Ratio (FAR) from 0.48 to 0.49, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The expanded structure that would result from the proposed increase in floor area ratio (FAR) from 0.48 to 0.49, where 0.48 is the maximum allowed by-right will be consistent with and not in derogation of the size, scale and design of other structures in the neighborhood as it will be similar in regard to those characteristics of other structures in the surrounding area and conform to other relevant dimensional requirements; further, the additions will have limited visibility given their scale and distance from the adjacent public way and properties.

PETITION NUMBER: #338-18

PETITIONERS: 22 Beecher Place Realty Trust

LOCATION: 22 Beecher Place, on land known as Section 65, Block 8, Lot 28, containing approximately 10,114 square feet of land

OWNERS: Benjamin Bressel, Trustee  
22 Beecher Place Realty Trust  
68158-86

ADDRESS OF OWNER: 19 Holbrook Avenue  
Hull, MA

TO BE USED FOR: Two Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9 and §7.3, to exceed the maximum floor area ratio (FAR) allowed by-right

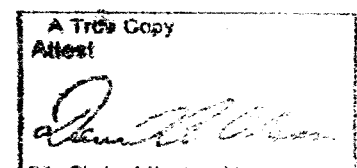
RECEIVED  
2018 AUG 15 10:08 AM  
CITY OF NEWTON

A True Copy  
Attest:  
*[Signature]*  
City Clerk of Newton, Massachusetts

ZONING: Multi Residence 1 (MR1) 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. A plan entitled "Site Development Plan for 22 Beecher Place, Map 65 Block 8 Parcel 28, Newton, Massachusetts 02459, Proposed Conditions" prepared by J.M. Grenier Associates Inc., dated October 20, 2017, stamped and signed by John M. Grenier, Registered Professional Engineer
  - b. A plan entitled "Certified Plot Plan Showing Existing and Proposed, 22 Beecher Place, Newton, Mass.," prepared by Field Resources, Inc., dated October 20, 2017, as revised through January 5, 2018, signed and stamped by Bradley J. Simonelli, Professional Land Surveyor
  - c. A set of plans for 22 Beecher Pl, Newton, MA 02459:
    - i. Calculation Areas for Areas Above 2<sup>nd</sup> Story, signed and stamped by John A. Wallen, Registered Professional Engineer on February 19, 2018
    - ii. Elevations (note: front, left, right and rear elevations), dated November 15, 2017, stamped and signed by John A. Wallen, Registered Professional Engineer January 30, 2018 (Page 1);
    - iii. First Floor Plan, dated November 6, 2017, stamped and signed by John A. Wallen, Registered Professional Engineer December 4, 2017 (Page 3A), as modified to include interior doors that render each unit's entry porch a vestibule;
    - iv. Found Elev Front Rear, dated December 29, 2017, stamped and signed by John A. Wallen, Registered Professional Engineer December 31, 2017 (Page 4);
    - v. Found Elev left and Right, dated December 29, 2017, stamped and signed by John A. Wallen, Registered Professional Engineer December 31, 2017 (Page 5);
  - d. A document entitled "Floor Area Ratio Worksheet, Property Address: 22 Beecher Place," signed and stamped by John A. Wallen, Registered Professional Engineer on May 17, 2018.
2. The front porches shall be constructed in accordance with the above referenced plans and used as an air lock to enhance the efficient of the structures.
3. 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.



- 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. 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.
  - d. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Newton Historical Commission approving the final plans.
  - e. 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 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 certifying compliance with Condition #1, including the floor area ratio (FAR) 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 licensed land surveyor.
  - c. Filed with the Clerk of the Council, the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.

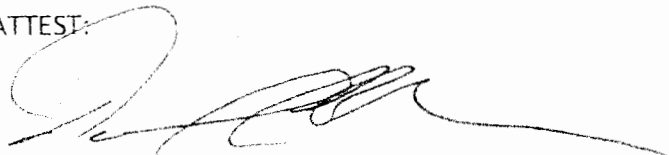
Under Suspension of Rules

Readings Waived and Approved

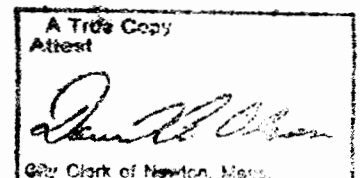
21 yeas 0 nays 3 absent (Councilors Cote, Krintzman, and Rice)

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 August 15, 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:

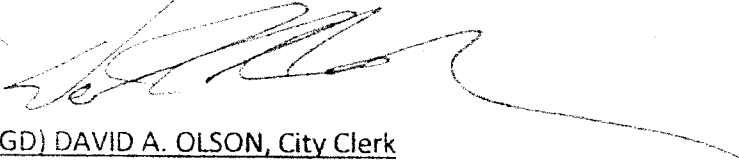


(SGD) DAVID A. OLSON, City Clerk  
Clerk of the City Council




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 7/10 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



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

A True Copy  
Attest  
  
City Clerk of Newton, Mass.

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

RECORDED IN BOOK 72575

PAGE 172

*William C. Chittenden*  
REGISTER