

CITY OF NEWTON
IN CITY COUNCIL

January 19, 2016

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NEWTON CITY OF
2016 JAN 21 AM 11:14
DAVID A. ORSON, CLERK
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 EXTEND a NONCONFORMING STRUCTURE by constructing a pitched roof half story on top of an existing two-family dwelling, which will vertically increase the structure within the nonconforming side and rear setbacks, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Marc Laredo:

1. The proposed attic addition to the existing two-family dwelling, which increases the bulk and mass of the structure within the already nonconforming side and rear setbacks, will not be substantially more detrimental than the existing nonconforming structure is to the surrounding residential neighborhood. (§7.8.2.C.2)
2. The site is an appropriate location for the construction of a pitched roof, which will vertically extend the existing flat roofed structure, as the addition has been designed to be visually consistent with the character of the surrounding buildings. (§7.3.3.C.1)
3. The proposed attic addition will not adversely affect the neighborhood, as the footprint of the structure is not changing. (§7.3.3.C.2)

PETITION NUMBER: #349-15

APPLICANT(S): Gregory Keshishyan

LOCATION: 28 Beecher Place, Newton Centre, on land known as Section 65, Block 8, Lot 30, and containing approximately 5,574 square feet of land.

OWNER: Beecher Trust

ADDRESS OF OWNER: 28 Beecher Place
Newton, MA 02459

TO BE USED FOR: Pitched Roof/Attic Addition
EXPLANATORY NOTES: §3.2 and §7.8.2.C.2, to vertically extend a two-family dwelling which is nonconforming due to the side and rear setbacks.

ZONING: Multi-Residence 1 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 the plan entitled:
 - a. Site Plan, titled "Certified Plot Plan Showing Proposed Conditions at 28 Beecher Place, Newton, MA", prepared by Boston Survey, Inc., and dated December 8, 2015.
 - b. Architectural plan set, titled "28 Beecher Place, Newton MA", prepared, signed, and stamped by Richard A. Volkin, professional engineer, dated June 12, 2015. This plan set contains the following three (3) plans:
 - i. Proposed Floor Plans (sheet 2 of 4);
 - ii. Proposed Elevations (sheet 2 of 2); and
 - iii. Proposed Floor Plans (sheet 1 of 2).
2. The building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the applicant 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. 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 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 a registered architect and registered engineer certifying compliance with Condition #1.
 - b. Obtained a written statement from the Planning Department that confirms the addition has been constructed consistent with plans approved in Condition #1.

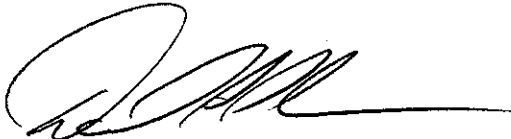
Under Suspension of Rules

Readings Waived and Approved

20 yeas 0 nays 4 absent Councilor Baker, Gentile, Norton and Sangiolo)

The undersigned hereby certifies that the foregoing copy of the decision of the 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 January 21, 2016 . 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 City Council in the Office of the City Clerk on 1/21 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 City Council