

27-N



2015 00003863

Bk: 64777 Pg: 85 Doc: DECIS
Page: 1 of 4 01/09/2015 01:32 PM

#222-14(2)

CITY OF NEWTON

IN BOARD OF ALDERMEN

December 15, 2014

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 to EXTEND A NONCONFORMING STRUCTURE to allow construction of an attached garage and first and second floor living areas, thereby exceeding the maximum allowed Floor Area Ratio, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

RECEIVED
2014 DEC 18
CITY OF NEWTON

1. The proposed FAR of .54, where .48 is the maximum allowed by right and .42 is existing, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. The existing structure is a two-story single-family dwelling on a lot consisting of 4,501 square feet with a gross floor area of 1,902 square feet (.42 FAR). The proposed addition of 880 square feet, which represents a net increase of 541 square feet, will increase the gross floor area to 2,447 square feet (.54 FAR). (§30-15 Table A, §30-15(u)(2))
2. The site is an appropriate location for the expanded dwelling that will continue to be used as a single-family residence, which is an allowed use in the Single Residence 3 district. (§30-24(d)(1))
3. The proposed addition to the residence will not adversely affect the surrounding neighborhood, as the amount of open space exceeds the minimum required by the Newton Zoning Ordinance. (§30-24(d)(2))
4. The proposed addition, including the expanded driveway, will not create a nuisance or serious hazard to vehicles or pedestrians in the surrounding neighborhood. (§30-24(d)(3))

PETITION NUMBER:

#222-14(2)

Deed reference 62335-396

PETITIONER:

Denise & Peter Staubach

LOCATION:

29 Wedgewood Road, West Newton, on land known as SBL 31, 20, 14 containing approximately 4,501 sq. ft. of land.

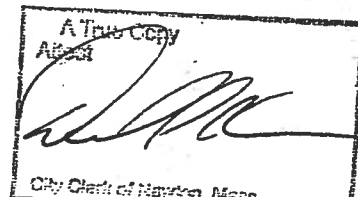
OWNER:

Denise & Peter Staubach

ADDRESS OF OWNER:

29 Wedgewood Road

Denise Staubach
29 Wedgewood Rd
Newton, Ma.



Newton, MA 02465

TO BE USED FOR: Single-Family Dwelling


CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §30-15(u) and 30-15 Table A to increase Floor Area Ratio from .42 to .54, where .48 is the maximum allowed by right.

ZONING: Single Residence 3 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. An existing conditions site plan, titled "Plan of Land in Newton, MA - 29 Wedgewood Road Existing Conditions," prepared, signed, and stamped by Bruce Bradford, Professional Land Surveyor, and dated August 11, 2014.
 - b. A proposed addition plan, titled "Plan of Land in Newton, MA - 29 Wedgewood Road Proposed Addition," prepared, signed, and stamped by Bruce Bradford, Professional Land Surveyor, and dated September 15, 2014.
 - c. An architectural plan set, titled "Renovation and Alterations to the Staubach Residence at 29 Wedgewood Road, Newton, Massachusetts, 02465," prepared by Malcom Mackenzie, Architect, and dated April 25, 2014 and revised on October 6, 2014. The plans do not bear the signature or stamp of the architect. The plan set consists of three (3) sheets as follows:
 - i. Floor Plans, Roof Plan, and Site Plan, sheet 1;
 - ii. Sections, sheet 2; and
 - iii. Elevations, sheet 3.
 - d. A Landscaping Plan for 29 Wedgewood Road, prepared by the petitioner. The plan does not bear the signature or stamp of a professional landscape architect and is not dated.
2. That no Building Permit shall be issued until the Demolition Delay applied to the project by the Newton Historical Commission expires on January 23, 2015.
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 board 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 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 Department of Planning and Development that confirms the building permit plans are consistent with plans approved in Condition #1.

A True Copy
and

City Clerk of Newton, Mass.

4. No Final Inspection and/or Occupancy Permit for the portion of the building 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 Director of Planning and Development, Commissioner of Inspectional Services and City Engineer, final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.
 - c. Filed with the City Clerk and the Inspectional Services Department a statement by the Director of Planning and Development approving final location, number and type of plant materials, and fencing.
5. Notwithstanding the provisions of Condition #3 above, the Commissioner of Inspectional Services may issue one or more certificates of temporary occupancy for all or portions of the building prior to installation of final landscaping providing that the petitioner shall first have filed a bond, letter of credit, cash or other security in the form satisfactory to the Director of Planning and Development in an amount not less than 100% of the value of the aforementioned remaining landscaping to secure installation of such landscaping.

Under Suspension of Rules
Readings Waived and Approved
24 yeas 0 nays

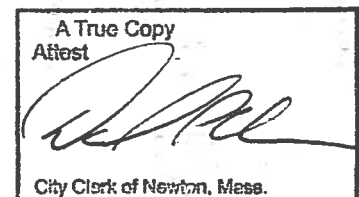
The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on December 18, 2014. The undersigned further certifies 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

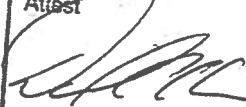
I, David A. Olson, as the Clerk of the Board of Aldermen and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the Office of the City Clerk on 12/15 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

A True Copy
Attest

City Clerk of Newton, Mass.