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2015 00079368

Bk: 65441 Pg: 143 Doc: DECIS  
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#62-15

CITY OF NEWTON

IN BOARD OF ALDERMEN

April 21, 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 to allow an accessory apartment in an existing detached structure accessory to a single-family dwelling, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The site is an appropriate location for an accessory apartment, as it meets the requirements of the Newton Zoning Ordinance. (§30-24(d)(1))
2. The proposed accessory apartment will not adversely affect the neighborhood, as the structure already exists and the increase of one unit will have a minimal impact on the neighborhood. (§30-24(d)(2))
3. There will be no nuisance or serious hazard to vehicles or pedestrians, as there is adequate parking on the site. (§30-24(d)(3))

PETITION NUMBER: #62-15

PETITIONER: Ann Louise Wolf

LOCATION: 133 Waban Avenue, Ward 5, on land known as BBL containing approx. 33,030 sq. ft. of land

OWNER: Ann Louise Wolf

ADDRESS OF OWNER: 133 Waban Avenue  
Newton, MA 02468

TO BE USED FOR: Accessory Apartment

EXPLANATORY NOTES: §30-8(d)(2), to create an approximately 540 square foot accessory apartment in a detached structure on a lot with a single-family dwelling.

RECEIVED  
NEWTON CITY CLERK  
2015 APR 27 PM 11:29  
DAVID S. OLSON, CLERK  
NEWTON, MA 02459

RECEIVED  
NEWTON CITY CLERK  
2015 MAR 29 PM 12:13  
DAVID S. OLSON, CLERK  
NEWTON, MA 02459

A True Copy  
Attest  
  
City Clerk of Newton, Mass.

ZONING: Single Residence 2

Approved subject to the following conditions:

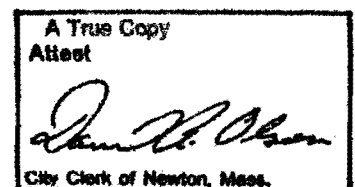
1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this Special Permit/Site Plan Approval shall be located and constructed consistent with:
  - a. Existing Site Plan, prepared by Everett M Brooks Co., signed and stamped by Bruce Bradford, Professional Land Surveyor, dated February 5, 2015.
  - b. Floor Plans and Elevations, prepared by Daphne Petri Architect, dated January 22, 2015.
2. The accessory apartment may not be held in separate ownership from the principal structure/dwelling unit.
3. The owner of the single-family dwelling shall occupy either the main dwelling unit or the accessory apartment, and the owner shall file an annual affidavit with the Commissioner of Inspectional Services attesting to this fact prior to July 1 of every year.
4. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
  - 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.
5. No Final Inspection/Occupancy Permit for 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 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

20 yeas 0 nays 4 absent (Aldermen Baker, Gentile, Hess-Mahan, and Laredo)

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 April 27, 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 4/27 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

