

#288-16
25 Stiles Terrace

CITY OF NEWTON
IN CITY COUNCIL

October 17, 2016

RECEIVED
Newton City Council
2016 OCT 19 PM 12:55
DAVID A. OLSON, 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 increase the floor area ratio (FAR) from .39 to .52, where .42 is the maximum allowed by right as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Marc Laredo:

1. The proposed increase in FAR from .39 to .52, where .42 is the maximum allowed by right is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood (§3.1.9.A.2 and §7.3.3) because
 - a. The proposed garage will be setback from the street mitigating its effect on the streetscape; and
 - b. The proposed garage will be in keeping with the architectural style of the existing dwelling.

PETITION NUMBER: #288-16

PETITIONER: Alexander Sheyner

LOCATION: 25 Stiles Terrace, on land known as Section 65, Block 04, Lot 10, containing approximately 8,563 square feet of land

OWNER: Alexandre Sheyner

ADDRESS OF OWNER: 25 Stiles Terrace
Newton, MA 02460

TO BE USED FOR: Detached Garage

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9.A.2 and §7.3.3 to increase exceed the FAR

ZONING: Single Residence 2 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. Proposed Plot Plan, 25 Stiles Terrace, signed and stamped by Peter J. Nolan, Professional Land Surveyor, dated 5/10/2016 Revised 8/9/2016
 - b. Garage Plan and Elevations, 25 Stiles Terrace, signed and stamped by Richard A. Volkin, Professional Engineer, dated 8/10/2016
 - c. Landscape Plan, signed and stamped by James K. Emmanuel, Landscape Architect, dated 10/10/2016
2. The half story in the garage shall be used for storage purposes only, and not be habitable space.
3. 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 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. 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. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
 - e. Submitted a final Construction Management Plan (CMP) to the Commissioner of Inspectional Services, the Director of Urban Forestry, the Engineering Division of Public Works, the Director of the Department of Planning and Development, the Newton Fire Department and Newton Police Department, which plan should include at a minimum:
 - i. Efforts to mitigate any effects from construction on Hammond Pond Reservation.
 - ii. Hours of construction.
 - iii. Site control, including dust, dirt, debris, noise and traffic.
4. 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 Commissioner of Inspectional Services, and the Department of Planning and Development, a statement by a registered architect or land surveyor certifying compliance with Condition #1, including the as-built FAR of the structure.
- b. 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.
- c. 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.
- d. Installed the landscaping in accordance with the approved landscape plan.

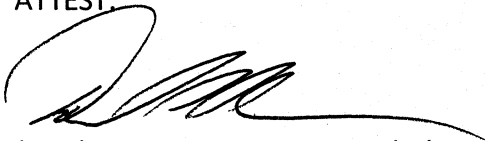
Under Suspension of Rules

Readings Waived and Approved

22 yeas 0 nays 2 absent (Councilors Gentile and Sangiolo)

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 October 19, 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:

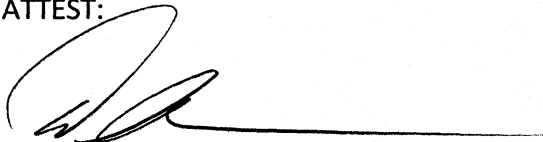


(SGD) DAVID A. OLSON, City Clerk

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 Newton City Council in the Office of the City Clerk on 10/19 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