

#176-18
133 Park Street

CITY OF NEWTON

IN CITY COUNCIL

April 17, 2018

RECEIVED
Newton City Clerk
2018 APR 19 PM 3:37
David A. Olson, CMC
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 exceed the floor area ratio from .34 to .48, where .37 is the maximum by right as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed increase in floor area ratio from .34 to .48, where .37 is the maximum allowed by right is consistent with and not in derogation of the size, scale, or design of other structures in the neighborhood because the addition is appropriately designed to match the existing historic structure and is located in the rear of the dwelling (§3.1.9 and §7.3.3).

PETITION NUMBER: #176-18

PETITIONER: Rachanee and Sean Nelson

LOCATION: 133 Park Street, on land known as Section 72, Block 50, Lot 23, containing approximately 10,615 square feet of land

OWNER: Rachanee and Sean Nelson

ADDRESS OF OWNER: 133 Park Street
Newton, MA 02458

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9 and §7.3.3 to exceed the floor area ratio

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. Site Plan entitled "Plan Showing Proposed Addition 133 Park Street" signed and stamped by Dennis B. O'Brien, Professional Land Surveyor, dated April 6, 2018.
 - b. Architectural Plans, prepared by Sovereign Design Associates, signed by Mahmood Azizi, Professional Civil Engineer, entitled "The Nelson's Family Addition and Remodel Project", dated February 2, 2018, consisting of the following ten (10) sheets:
 - i. Existing and Proposed Renderings (A001)
 - ii. FAR Calculation (A002)
 - iii. Existing Layout Conditions – Foundation and First Floor (A004)
 - iv. Existing Layout Conditions – Second Floor and Attic (A005)
 - v. Proposed Conditions Layout – Foundation and First Floor (A006)
 - vi. Proposed Conditions Layout – Second Floor and Attic (A007)
 - vii. Existing Elevations (A008)
 - viii. Proposed Elevations (A009)
 - ix. Exterior Material Specifications per Historical Commission's Approval (A019)
 - x. Exterior Material Specifications per Historical Commission's Approval (A020)
2. Prior to the issuance of any building permit, the petitioner shall provide a final site plan for review and approval by the Department of Planning and Development, Engineering Division of Public Works, and Fire Department.
3. Prior to the issuance of any building permit and subject to the review and approval of the Engineering Division of Public Works, the petitioner shall prepare and abide by a stormwater management plan that improves the current condition of stormwater drainage and prevents stormwater drainage onto neighboring properties.
4. 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. 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, as 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.
5. 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 an architect or land surveyor certifying compliance with Condition #1.
 - 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.

Under Suspension of Rules

Readings Waived and Approved

20 yeas 0 nays 4 absent (Councilors Auchincloss, Lipof, Norton, and Schwartz)

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 April 19, 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 2/19/18 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



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