

CITY OF NEWTON

IN BOARD OF ALDERMEN

March 17, 2014

RECEIVED
NEWTON CITY CLERK
2014 MAR 19 PM 5:11
David A. Olson, Clerk
Newton, MA 02459

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 construct an expansion of the existing 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:

1. The proposed Floor Area Ratio of .43, where .39 is the maximum allowed by right and .28 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 9,483 square feet with a gross floor area of 2,564 square feet (.28 FAR). The proposed additions of 1,423 square feet will increase the gross floor area to 3,987 square feet (.43 FAR). (§30-15 Table A, §30-15(u))
2. The site is an appropriate location for the proposed additions to the garage (tandem parking) and first and second floor living areas as the level of open space with the proposed additions will meet or exceed the minimum required by the Newton Zoning Ordinance. (§30-24(d)(1))

PETITION NUMBER: #42-14

PETITIONER: Heather & Allen Sussman

LOCATION: 58 Ferncroft Road, on land known as SBL 53, 8, 3, containing approximately 9,483 sq. ft. of land.

OWNER: Allen & Heather Sussman

ADDRESS OF OWNER: 58 Ferncroft Road
Newton, MA 02468

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

BK 48867
Pg 191

A True Copy
Attest
David A. Olson
City Clerk of Newton, Mass.

EXPLANATORY NOTES: §30-15(u) and 30-15 Table A to increase Floor Area Ratio from .28 to .43, where .39 is the maximum allowed by right.


ZONING: Single 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:

- a. Proposed Addition Plot Plan, prepared, signed and stamped by Verne T. Porter Jr, Professional Land Surveyor, dated January 8, 2014 and revised on March 4, 2014, sheet 1.1.
- b. Area Plan, prepared, signed and stamped by Verne T. Porter Jr, Professional Land Surveyor, dated January 8, 2014.
- c. Architectural Plan Set, prepared, signed and stamped by Peter Sachs, Registered Architect, dated December 27, 2013, consisting of six (6) sheets as follows:
 - i. Cover Page, sheet 1
 - ii. First Floor Plan, sheet 2
 - iii. Second Floor Plan, 3
 - iv. Front Elevation, sheet 4
 - v. North and South Side Elevation, sheet 5
 - vi. Site Plan, sheet 6
- d. FAR Calculations Architectural Plan Set, prepared, signed and stamped by Peter Sachs, Registered Architect, dated December 27, 2013, consisting of six (6) sheets as follows:
 - i. Cover Page, sheet EX.1
 - ii. Basement Plan, sheet EX.2
 - iii. First Floor Plan, EX.3
 - iv. First Floor Plan, sheet EX.4
 - v. Second Floor Plan, sheet EX.5
 - vi. Second Floor Plan, sheet EX.6
 - vii. Roof Plan, sheet EX.7
 - viii. Front Elevation, sheet EX.8
 - ix. Drive Side Elevation, sheet EX.9
 - x. Rear Elevation, sheet EX.10
 - xi. Side Elevation, sheet EX.11
- e. A Landscape Plan, prepared and stamped by Paul Maue, Registered Landscape Architect at Paul Maue Associates, dated March 3, 2014.

2. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:


 Attest
 Dan H. Olson
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- 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 Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. 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 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 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.
4. 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

21 yeas 0 nays 3 absent (Aldermen Albright, Rice, and Sangiolo)


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 March 19, 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 Official Copy of the
Attest

City Clerk of Newton, Mass.

City Clerk on 3/19 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.