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David A. Olson, CMC
Newton, MA 02459



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Bk: 00040 Pg: 28 Cert#: 01045
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#260-14

CITY OF NEWTON

IN BOARD OF ALDERMEN

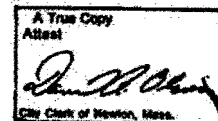
December 1, 2014

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 allow four parking stalls in the front setback, two of which will be undersized nine-foot-by-eighteen-foot tandem parking stalls in the side setback, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The location of the proposed parking stalls in the front and side setback, and the reduction in the length of the parking stalls by one foot, are appropriate because literal compliance with the parking requirements of the Zoning Ordinance is impracticable due to the size of the lot and the location of the existing structure on the lot. (§30-19(g)(1) and (2), §30-19(m), §30-24(d)(1)).
2. The proposed parking stalls will not adversely affect the neighborhood. The site is the last property on a dead end private way, and the proposed parking stalls will not be adjacent to other residential properties. (§30-24(d)(2))
3. There will be no nuisance or serious hazard to vehicles or pedestrians. (§30-24(d)(3)).

PETITION NUMBER: #260-14
PETITIONER: Henry J. Delicata
LOCATION: 358-360 Nevada Street, on land known as SBL 14, 16, 44, containing approximately 7,140 square feet of land.
OWNER: Nevada Realty Trust, Denise S. Delicata, Trustee
ADDRESS OF OWNER: 358 Nevada Street,
Newton, MA 02460
TO BE USED FOR: Two-Family Dwelling
CONSTRUCTION: Pavers



01045-40-24

EXPLANATORY NOTES: §30-19(g)(1), §30-19(m) allow four parking stalls in the front setback, two of which will be in the side setback as well; §30-19(g)(2), §30-19(m) to allow undersized parking stalls of nine feet by eighteen feet.

ZONING: Multi Residence 1 District

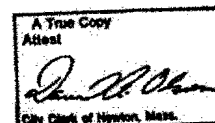
Approved subject to the following conditions:

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. Condominium Site Plan, prepared by Boston Survey, Inc., dated June 13, 2014, signed and stamped by George C. Collins, Professional Land Surveyor, on March 3, 2014.
2. The grade of the tandem parking stalls shall slope down towards the rear of the site, such that stormwater runoff flows away from the private way and the adjacent park.
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. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
4. No Final Inspection for the portion of the site covered by this Special Permit/Site Plan approval shall be issued until the petitioner has:
 - a. 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.

Under Suspension of Rules
Readings Waived and Approved
22 yeas 0 nays 2 absent (Aldermen Ciccone and Harney)

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 3, 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:



David A. Olson
(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 12/3 and that NO APPEAL to said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:

David A. Olson
(SGD) DAVID A. OLSON, City Clerk
Clerk of the Board of Aldermen



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Southern Middlesex Land Court
Registry District

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Dat Apr 16 2015 at 03:30P

Document Fee 75.00

Receipts Total: \$75.00

NOTED ON: CERT C 1045 BK 00040 PG 28

ALSO NOTED ON:

Andrew J. Kodets 617-501-7825
NAME ao william shurt TEL #130
STREET ADDRESS no. Wesley MA 02481
CITY OR TOWN ZIP