

CITY OF NEWTON

IN CITY COUNCIL

March 5, 2018

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 allow a dormer wider than 50% of the exterior wall below, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The site is an appropriate location for a single-family dwelling with a dormer wider than 50% of the exterior wall below because dormers are a common architectural feature in the neighborhood and the dormer, as proposed, will not affect the dimensional standards of an old lot in the Multi-Residence 1 zone. (§7.3.3.C.1)
2. The structure with the dormer will not adversely affect the neighborhood because the dormer is located on the rear façade not visible from the street. (§7.3.3.C.2)
3. The structure with the dormer will not be a nuisance or create a serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles associated with a single-family residential use. (§7.3.3.C.4)

PETITION NUMBER: #18-18

PETITIONER: Diego and Nina Tebaldi

LOCATION: 165 Harvard Street, Ward 2, Newtonville, on land known as Section 13, Block 08, Lot 10, containing approximately 8,793 square feet of land

OWNER: Diego and Nina Tebaldi

ADDRESS OF OWNER: 165 Harvard Street
Newton, MA 02460

TO BE USED FOR:	Dormer wider than 50% of the exterior wall below
CONSTRUCTION:	Wood Frame
EXPLANATORY NOTES:	§1.5.4.G.2, §1.5.4.G.2.b to allow a dormer wider than 50% of the exterior wall below
ZONING:	Multi-Residence 1

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. A plan of land entitled "165 Harvard Street Newton, Massachusetts", signed and stamped by Wade T. Putnam, Professional Land Surveyor, dated August 8, 2012.
 - b. A set of architectural drawings, prepared by I.S. Hernandez Services, Inc., dated May 30, 2017, consisting of the following three (3) sheets:
 - i. Sheet A-1: Cover Sheet
 - ii. Sheet A-2: Existing and Proposed Floor Plans
 - iii. Sheet A-3: Proposed Framing Plans
2. Prior to the issuance of a building permit, the petitioner shall receive a final inspection for the 2.5-story addition known as Permit # 12110758 in the Inspectional Services Department.
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 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 Order with the City Clerk, the Department of Inspectional Services, the Assessing Department 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/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 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 Department of Inspectional Services, and the Department of Planning and Development a final as-built survey plan in paper and digital format.