

#37-17  
8 Hazelwood Road  
RECEIVED  
Newton City Clerk  
2017 APR -5 PM 4: 47  
DAVID A. OLSON, CMIC  
Newton, MA 02459

CITY OF NEWTON  
IN CITY COUNCIL

April 3, 2017

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 further decrease a nonconforming front setback to 6.75 feet, where 21.8 feet is the minimum allowed by right, and further increase the nonconforming floor area ratio from .54 to .61, where .50 is the maximum allowed as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Marc Laredo:

1. The proposed reduction in the nonconforming front setback is not substantially more detrimental than the existing setback is to the neighborhood because the stairs are an existing architectural feature which do not add square footage to the structure. (§3.1.4 and §7.8.2.C.2).
2. The proposed increase in the nonconforming floor area ratio is not substantially more detrimental than the existing floor area ratio is to the neighborhood because the addition will only add 347 square feet of habitable space to the dwelling. (§3.1.9 and §7.8.2.C.2).

PETITION NUMBER: #37-17

PETITIONER: Joel and Margherita Robbins

LOCATION: 8 Hazelwood Road, on land known as Section 44, Block 03, Lot 30, containing approximately 4,750 square feet of land

OWNER: Joel and Margherita Robbins

ADDRESS OF OWNER: 8 Hazelwood Road  
Newton, MA 02465

TO BE USED FOR:	Single-Family Dwelling
CONSTRUCTION:	Wood frame
EXPLANATORY NOTES:	§3.1.4 and §7.8.2.C.2 to further extend a nonconforming front setback and §3.1.9 and §7.8.2.C.2 to further increase the nonconforming floor area ratio
ZONING:	Single Residence 3 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, signed and stamped by Richard J. Meade Jr., Professional Land Surveyor, dated March 16, 2017
  - b. Architectural Plans, entitled "The Robbins Residence at 8 Hazelwood Road, Newton, MA", consisting of five sheets:
    - i. Sheet A1 Proposed Elevations
    - ii. Sheet A2 Proposed Floor Plans
    - iii. Sheet A3 Typical Section & Details
    - iv. Sheet A4 Existing Elevations
    - v. Sheet A5 Height Calculations
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. 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. 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 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 and 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 an architect and licensed land surveyor including the as built floor area ratio of the structure.

Under Suspension of Rules  
Readings Waived and Approved  
24 years 0 days

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 5, 2017. 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.

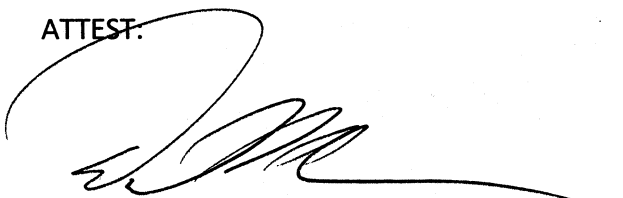
ATTEST:



(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 4/5 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