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#307-13

David A. Olson, CMC
Newton, MA 02459

CITY OF NEWTON
IN BOARD OF ALDERMEN

October 21, 2013

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2013 OCT 24 PM 1:40
David A. Olson, CMC
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 to extend a nonconforming structure exceeding the maximum allowed Floor Area Ratio as recommended by the Land Use Committee for the reasons given by the Committee through its Acting Chairman Alderman Mitchell L. Fischman:

1. The proposed Floor Area Ratio of .38 where .34 is the maximum allowed by right and .37 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 2½-story residence with a detached garage on a lot of 12,000 square feet with a gross floor area of 4,472 square feet (.37 FAR), including the garage. The proposed addition of 130 square feet to the garage will increase the gross floor area by 1% to 4,602 square feet (.38 FAR) and will increase the garage to 462 square feet.
2. The proposed 462 square foot garage will not be substantially more detrimental to the neighborhood than the existing 332 square foot garage.
3. The relocation of the garage on the site will improve the site by increasing the setback from the rear property line by approximately ten feet.

PETITION NUMBER: #307-13 40227-369

PETITIONER: Chuck Weitz and Isabel Chin ~~Chiu~~ AKA MARIA Isabel Chiu
AKA Charles J Weitz

LOCATION: 71 Montvale Road, Section 61, Block 5, Lot 22, containing approximately 12,000 sq. ft. of land

OWNER: Chuck Weitz and Isabel Chin

ADDRESS OF OWNER: 71 Montvale Road
Newton, MA 02459

A True Copy
Attest

City Clerk of Newton, Mass.

TO BE USED FOR: Single-family Dwelling

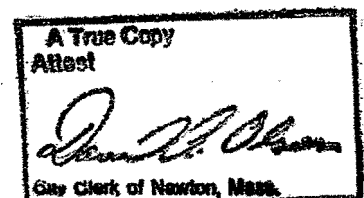
CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Section 30-21(b), to extend a nonconforming structure; 30-15(u), 30-15 Table A to increase Floor Area Ratio from .37 to .38 where .34 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 Site Plan, Signed and Stamped by Phillip H Bakalohuk, Registered Architect, Dated August 29, 2012.
 - b. FAR Calculations, Signed and Stamped by Phillip H Bakalohuk, Registered Architect, Dated August 29, 2012.
 - c. Proposed Garage Plan, Signed and Stamped by Phillip H Bakalohuk, Registered Architect, Dated August 29, 2012.
 - d. Proposed Garage Elevations, Signed and Stamped by Phillip H Bakalohuk, Registered Architect, Dated August 29, 2012.
2. 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.
3. No 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.



Under Suspension of Rules
Readings Waived and Approved
21 yeas 0 nays 2 absent (Aldermen Salvucci and Sangiolo) 1 vacancy


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 October 24, 2013. 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.

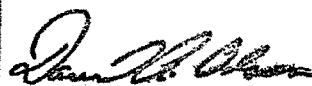
ATTEST:


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 Office of the City Clerk on 10/31 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.

Official Receipt for Recording in:

Middlesex South Registry of Deeds
208 Cambridge St.

Cambridge, Massachusetts 02141

Issued To:
CHUCK WEITZ

Recording Fees

Document Description	Number	Book/Page	Recording Amount
DECIS	00243478	62959 488	\$75.00
			\$75.00

Collected Amounts

Payment Type		Amount
Check	4626	\$75.00
		\$75.00

Total Received : \$75.00
Less Total Recordings: \$75.00

Change Due : \$.00

Thank You
MARIA C. CURTATONE - Register of Deeds

By: Oona M

Receipt# Date Time
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