

CITY OF NEWTON
IN BOARD OF ALDERMEN

May 19, 2014

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Newton City Clerk
2014 JUN -3 PM 4: 24
David A. Olsson, Clerk
Newton, MA 02459

ORDERED:

That the Board finding that the proposed use of the site will not be in conformity with the conditions, safeguards and limitations set forth in the Zoning Ordinance, denies the following SPECIAL PERMIT/SITE PLAN to allow a retaining wall greater than four feet in the side setbacks:

1. The site is not an appropriate location for the retaining wall, although each segment is individually less than four feet in height from front to rear at 3'11", 3'10", 3'10", it is located within 18 inches of the southerly lot line and within three feet of the northerly lot line, where 15-foot side setbacks are required.

PETITION NUMBER: #23-14

PETITIONER: Albert Pinkhasov

LOCATION: 78 Lovett Road, Ward 8, Oak Hill, on land known as SBL 82, 15, 97, containing an approximate total of 16,004 square feet of land

OWNER: Albert Pinkhasov

ADDRESS OF OWNER: 78 Lovett Road
Newton, MA 02459

TO BE USED FOR: Retaining Wall for a Single-Family Dwelling

CONSTRUCTION: Interlocking masonry block

EXPLANATORY NOTES: §30-5(b)(4), to allow a retaining wall greater than four feet in the side setbacks.

ZONING: Single Residence 2 District

On May 5, 2014, Alderman Blazar filed a Motion to Reconsider the May 5 vote of the Board of Aldermen at which the Land Use Committee's March 18, 2014 approval of the petition failed to carry.


The Motion to Reconsider Failed and the Vote of May 5, 2014 Stands

Under Suspension of Rules
Readings Waived and Denied

15 to 8 (Aldermen Albright, Cote, Crossley, Danberg, Fuller, Hess-Mahan, Johnson, Kalis, Laredo, Leary, Lipof, Norton, Rice, Schwartz, and Yates voting in the affirmative; Aldermen Baker, Blazar, Ciccone, Gentile, Harney, Lappin, Lennon, Sangiolo opposed) 1 vacancy).

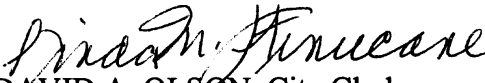
The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen is a true and accurate copy of said decision, the original of which having been filed with the City Clerk on June 3, 2014.

ATTEST:


(SGD) DAVID A. OLSON, City Clerk,
act 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 4/3/14 and that NO APPEAL to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

ATTEST:


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