

#176-16
47 Lewis St.

CITY OF NEWTON
IN CITY COUNCIL

June 20, 2016

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 increase the nonconformity of a structure with 3.5 stories, where 2.5 is the maximum allowed by right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Marc Laredo:

1. The proposed addition of dormers which will increase the nonconformity of a structure with 3.5 stories, where 2.5 is the maximum allowed by-right, will not be substantially more detrimental than the existing non-conforming structure is to the surrounding neighborhood (§1.5.4.D, §3.1.3 and §7.8.2.C.2) because:
 - a. The proposed addition will neither add significant square footage, nor alter the foot print of the structure; and
 - b. The structure will still be in compliance with all other dimensional regulations, including setbacks, floor area ratio (FAR), lot coverage, and open space.

PETITION NUMBER: #176-16

PETITIONER: Katherine Grenzeback & Ronan Wolfsdorf

LOCATION: 47 Lewis Street, on land known as Section 13, Block 02, Lot 20, containing approximately 10,315 square feet of land

OWNER: Katherine Grenzeback & Ronan Wolfsdorf

ADDRESS OF OWNER: 47 Lewis Street
Newton, MA 02465

TO BE USED FOR: Two-Family Dwelling

CONSTRUCTION: Wood frame

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David A. Heston
City of Newton, MA

EXPLANATORY NOTES: §1.5.4.D, §1.5.4.E, §1.5.4.F, §3.2.3 and §7.8.2.C.2, to further increase the non-conforming number of stories

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. Plot Plan of Land, signed and stamped by Paul J. Finocchio, surveyor dated October 30, 2013
 - b. Architectural Plans and Elevations, signed and stamped by Ingrid Nunez, Architect, consisting of three (3) sheets A-1, A-2, and A-3 dated June 1, 2015
 - c. Attic Structural Plans, signed and stamped by Ingrid Nunez, Architect, sheet S-1 dated May 27, 2015
2. 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. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. 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 a registered architect or 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 a licensed land surveyor.

Under Suspension of Rules

Readings Waived and Approved

23 yeas 0 nays 1 absent (Councilor Lipof)

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 06/22/16. 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 _____ 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