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RECEIVED  
Newton City Clerk

#232-15

2015 NOV 24 PM 1:12  
CITY OF NEWTON

IN BOARD OF ALDERMEN

October 19, 2015

RECEIVED  
Newton City Clerk  
2015 OCT 21 PM 3:25  
David A. Green, Clerk  
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 APPROVAL to extend a nonconforming structure to construct an additional story to the existing 1½-story single-family dwelling, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The proposed construction of an additional story, which will extend further into the front setback on Falmouth Road by five inches and into the existing front setback on Parmenter Road, will meet all other dimensional requirements of the zoning district and will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood. (§30-21(b))
2. The specific site is an appropriate location for the proposed construction of an additional story. The subject lot is an unusually narrow corner lot, thereby making compliance with the front setback impracticable. (§30-24(d)(1))

PETITION NUMBER: #232-15

PETITIONER: Scott Miller

65458-125

LOCATION: 166 Parmenter Road, on land known as Section 34, Block 37, Lot 49, containing approx. 5,960 square feet of land

OWNER: Scott Miller

ADDRESS OF OWNER: 166 Parmenter Road  
Newton, MA 02465

TO BE USED FOR: Single-Family Dwelling

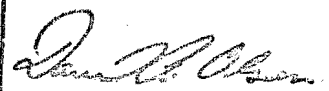
EXPLANATORY NOTES: §30-15 Table 1 and §30-21(b), to allow the construction of an additional story. The addition will be located over the existing structure, which is partially located in the front setbacks on Falmouth and Parmenter Road. The addition will extend five inches closer to Falmouth Road than the existing structure.

Attest  
  
City Clerk of Newton, Mass.

ZONING: Single Residence 3

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. Existing House Location, prepared, signed, and stamped by Verne T. Porter, Professional Land Surveyor, dated June 16, 2015.
  - b. Proposed Addition Plan, prepared, signed, and stamped by Verne T. Porter, Professional Land Surveyor, dated September 10, 2015.
  - c. Architectural Drawings, prepared by Peter Sachs, Registered Architect, dated August 11, 2015, consisting of the following eighteen (18) sheets:
    - i. A-1 - Title Sheet
    - ii. A-2 - Site Plan
    - iii. A-3 - First Floor Plan
    - iv. A-4 - Second Floor Plan
    - v. A-5 - Front Elevation
    - vi. A-6 - Falmouth Street - Side Elevation
    - vii. A-7 - Back Elevation
    - viii. A-8 - Yard Side Elevation
    - ix. A-9 - Section A-A
    - x. A-10 - Section B-B
    - xi. EX-1 - Basement Plan
    - xii. EX-2 - First Floor Plan
    - xiii. EX-3 - Second Floor Plan
    - xiv. EX-4 - Roof Plan
    - xv. EX-5 - Front Elevation
    - xvi. EX-6 - Falmouth Street Side Elevations
    - xvii. EX-7 - Back Elevation
    - xviii. EX-8 - Yard Side Elevation
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 Approval 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

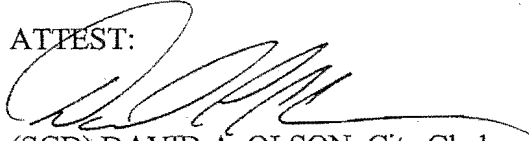
Engineering Division  
Attest  
  
City Clerk of Middlesex County

- 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.
3. No Final Inspection/Occupancy Permit for the use covered by this Special Permit/Site Plan Approval shall be issued until the petitioner has:
- 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.
  - 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 by a licensed surveyor.
  - Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division certifying that the final site construction details have been constructed to the standards of the City of Newton Engineering Division.

Under Suspension of Rules  
Readings Waived and Approved  
21 yeas 0 nays 2 absent (Aldermen Johnson and Yates) 1 recused (Alderman Sangiolo)


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 21, 2015. 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 10/21 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

