



Bk: 65337 Pg: 507 Doc: DECIS  
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#477-14

CITY OF NEWTON

IN BOARD OF ALDERMEN

January 20, 2015

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 SPECIAL PERMIT/SITE PLAN APPROVAL to extend a structure that is nonconforming in regards to the number of stories, to construct a two-story addition and deck on the rear of the existing structure, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman Alderman Marc Laredo:

2015 JAN 29 PM 1:02

David A. Olson, CMC  
Newton, MA 02459

2015 MAY 11 PM 2:58

RECEIVED  
Newton City Clerk

1. The proposed Floor Area Ratio (FAR) of .48, where .40 is the maximum allowed by right and .35 exists, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. The existing structure is a three-story single-family dwelling on a lot consisting of 8,551 square feet with a gross floor area of 2,992 square feet (.35 FAR). The proposed two-story addition will increase the gross floor area by approximately 1,142 square feet (38%) to 4,134 square feet (.48 FAR). (§30-15 Table A and §30-15(u)(2))
2. The proposed addition will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood because it will be located in the rear of the existing structure and will maintain the required side and rear setback. (§30-21(b))
3. The site is an appropriate location for the proposed addition, and the amount of open space exceeds the minimum required by the Newton Zoning Ordinance. (§30-24(d)(1))

PETITION NUMBER: #477-14

PETITIONER: Janna and Ronald Curtis

LOCATION: 15 Larchmont Avenue on land known as SBL 54, 7, 2 containing a total of 8,551 square feet of land

OWNER: Janna and Ronald Curtis


ADDRESS OF OWNER: 15 Larchmont Avenue  
Newton, MA 02468

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood

42867.317

A True Copy  
Attest




City Clerk of Newton, Mass.

EXPLANATORY NOTES: §30-15(u)(2) and §30-15 Table A, to increase Floor Area Ratio from .35 to .48, where .40 is the maximum allowed by right; §30-15 Table A, and 30-21(b), to extend a nonconforming three-story single-family dwelling

ZONING: Single Residence 2 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, prepared, signed and stamped by Douglas L. Johnston, Professional Land Surveyor, dated October 1, 2014.
  - b. Landscape Plan, prepared by Miller Design LLC, signed and stamped by Diane Beckley Miller, Registered Architect, dated August 21, 2014.
  - c. Architectural Plans, prepared by Miller Design LLC, signed and stamped by Diane Beckley Miller, Registered Architect, dated August 21, 2014, consisting of the following ten (10) sheets:
    - i. Cover Sheet, Sheet A1
    - ii. Existing Basement Plan, Sheet A2
    - iii. Existing First Floor Plan, Sheet A3
    - iv. Existing Second Floor, Sheet A4
    - v. Existing Roof Plan, Sheet A5
    - vi. Existing Elevations, Sheet A6
    - vii. New Basement Plan, Sheet A7
    - viii. New First Floor Plan, Sheet A8
    - ix. New Second Floor Plan, Sheet A9
    - x. New Elevations, Sheet A10
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. Filed final site plans for review and approval by the City Engineer. A copy of such written approval shall be filed with the Clerk of the Board, the Commissioner of Inspectional Services, and the Director of Planning and Development.
  - 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 and/or 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.


A True Copy  
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City Clerk of Winton, Mass.

- 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.
- c. 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  
 20 yeas 0 nays 4 absent (Aldermen Baker, Cote, Gentile, and 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 January 29, 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.

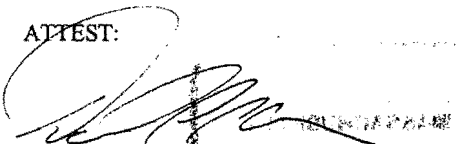
ATTEST:




(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 1/29/15 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.