

54 Lakewood Road

#131-17

David A. Olson, CMC
Newton, MA 02459

2017 JUL 12 11:33

RECEIVED
Newton City Clerk

CITY OF NEWTON

IN CITY COUNCIL

July 10, 2017

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 a SPECIAL PERMIT/SITE PLAN APPROVAL for the creation of one parking stall within five feet of the street, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Marc Laredo:

1. The site is an appropriate location for one parking stall located within five feet of the street as it is a Single Residence 2 district and parking is allowed within the front setback in conjunction to the single family home (§7.3.3.C.1).
2. The proposed parking stall will not adversely affect the neighborhood as parking within the front setback is present at other locations in the neighborhood (§7.3.3.C.2).
3. The proposed parking stall will not create a nuisance or serious hazard to vehicles or pedestrians as the stall is compliant with the dimensions stipulated in the Newton Zoning Ordinance (§7.3.3.C.3).
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4).
5. Literal compliance with the requirement that no parking stall be located within five feet of a street is impracticable due to the size, width, depth, and shape of the lot, and an exception to the requirement would be in the public interest as it would allow for the provision of off-street parking for the resident of the property (§5.1.13).

PETITION NUMBER: #131-17

PETITIONER: Caroline Genco

LOCATION: 54 Lakewood Road, on land known as Section 52, Block 18, Lot 02, containing approximately 4,145 square feet of land

OWNER: Caroline Genco

ADDRESS OF OWNER: 54 Lakewood Road
Newton, MA 02461

TO BE USED FOR: One parking stall within five feet of a street

CONSTRUCTION: Cobblestone

EXPLANATORY NOTES: §5.1.7.A, §5.1.13 for a parking stall to be located within five feet of a street

ZONING: Single Residence 2 (SR-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. A plan entitled "The Genco Residence," stamped and signed by Susan E. Sangiolo, Registered Landscape Architect, dated April 27, 2017.
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 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 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 and/or Occupancy Permit for the improvements 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 land surveyor 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.
 - c. Filed with the Clerk of the Board, the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that improvements authorized by this Board Order have been constructed to the standards of the City of Newton Engineering Department.

Under Suspension of Rules
Readings Waived and Approved
23 yeas 0 nays 1 absent (Councilor Lappin)

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 July 12, 2017. 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 7/12 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