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60 Walnut St 4th flr
Wellesley, MA 02481
#92-15

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Bk: 66906 Pg: 266 Doc: DECIS
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CITY OF NEWTON

IN BOARD OF ALDERMEN

July 13, 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 the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow a multi-family dwelling with four units, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

BK 648868308

1. The specific site is an appropriate location for the proposed multi-family dwelling, as the site is located in a neighborhood with other multi-family dwellings. (§30-24(d)(1))
2. The proposed multi-family dwelling, as developed, will not adversely affect the neighborhood as the existing structure will be preserved and the design of the proposed addition will complement the existing structure. (§30-24(d)(2))
3. There will be no nuisance or serious hazard to vehicles or pedestrians, as all of the required number of parking stalls will be accommodated on the site. (§30-24(d)(3))
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§30-24(d)(4))
5. An exception to the dimensional requirement for parking stall length for the parking stalls in the garage is in the public interest, as it allows for additional open space on the site while maintaining sufficient maneuverability within the garage. (§30-19(m))

*131 Charlesbank Rd
Newton*

RECEIVED
2015 JUL 20 PM 2:33
Newton, MA 02459

RECEIVED
2015 AUG 14 PM 3:01
DAVID A. O'CONNOR, CMC
Newton, MA 02459
Newton City Clerk

PETITION NUMBER: #92-15

PETITIONER: Andrew Consigli / 131 Charlesbank Road, LLC

LOCATION: 131 Charlesbank Road, on land known as Section 7, Block 7, Lot 25, containing approx. 14,080 square feet of land

OWNER: Andrew Consigli / 131 Charlesbank Road, LLC

ADDRESS OF OWNER: 2 Tammie Road
Hopedale, MA 01747

A True Copy
Attest

David A. O'Connor

City Clerk of Newton, Mass.

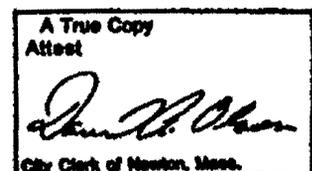
TO BE USED FOR: To allow a multi-family dwelling

EXPLANATORY NOTES: §30-9(d)(1), to allow a multi-family dwelling, and §30-19(m), to allow a reduction in the required length for the parking stalls located in the garage

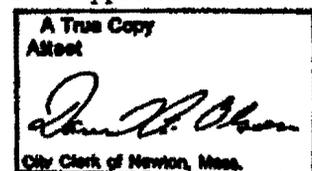
ZONING: Multi Residence 2

Approved subject to the following conditions:

- i. 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. Site Plan, prepared by Boston Surveying Inc., stamped and signed by George C. Collins, Professional Land Surveyor, and Laurance M. Hayes, Registered Professional Engineer, dated November 25, 2013 and Revised on December 19, 2014 and June 22, 2015.
 - b. Floor Plans, prepared by Consigli Development, consisting of the following fourteen (14) sheets:
 - i. Cover Sheet
 - ii. A1.0 – Basement Floor Plan, dated December 22, 2014 and Revised on January 7, 2015
 - iii. A1.1 – First Floor Plan dated December 22, 2014 and revised on January 7, 2015
 - iv. A1.2 – Second Floor Plan, dated December 16, 2014
 - v. A1.3 – Third Floor Plan, dated December 16, 2014
 - vi. A1.4 – Roof Plan, dated December 16, 2014
 - vii. A2.1 – Rear Plan, dated December 16, 2014 and revised June 23, 2015
 - viii. A2.2 – Side Elevation, dated December 16, 2014
 - ix. A2.3 – Front Elevation, dated December 16, 2014
 - x. A2.4 – Side Elevation, dated December 16, 2014
 - xi. Elevation – East and South, April 14, 2015
 - xii. Elevation – North and West, dated December 16, 2014
 - xiii. Renderings, dated December 16, 2014
 - xiv. Revised Rear Elevation Rendering, undated
 - c. Landscape Plan, prepared by CIVICO Community Development, dated June 14, 2015



2. Prior to the issuance of a building permit the petitioner shall submit final Engineering Plans to the City Engineer for review and approval.
3. Prior to the issuance of any building permit the petitioner shall perform a Pre-Construction CCTV inspection witnessed by the Engineering Division of both the City owned sanitary sewer and storm drain pipes crossing the petitioner's site and provide a certification from the Engineer of record that the additional loads imposed by the vehicles parking and driving over the sewer and drain pipes shall not damage the integrity of these pipes. Prior to the issuance of any certificate of occupancy the petitioner shall perform a Post Construction CCTV inspection witnessed by the Engineering Division of the sanitary sewer and drain pipes and shall secure license(s) from the City permitting the installation of the driveway and parking spaces within the City easements. The petitioner shall repair any damage to either the sanitary sewer or drain pipes caused by its construction.
4. Prior to the issuance of any building permit the petitioner shall submit a Construction Management Plan for review and approval by the Commissioner of Inspectional Services, the Director of Planning and Development, and the City Engineer. The Construction Management Plan shall be consistent and not in conflict with relevant conditions of this Board Order and shall include, but not be limited to, the following provisions:
 - a. 24-hour contact information for the general contractor of the project.
 - b. Hours of construction: construction shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays, and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays except in emergencies, and only with prior approval from the Commissioner of Inspectional Services.
 - c. The proposed schedule of the project, including the general phasing of the construction activities.
 - d. Site plan(s) showing the proposed location of contractor and subcontractor parking, on-site material storage area(s), on-site staging areas(s) for delivery vehicles, and location of any security fencing.
 - e. Proposed methods for dust control including, but not limited to: covering trucks for transportation of excavated material; minimizing storage of debris on-site by using dumpsters and regularly emptying them; using tarps to cover piles of bulk building materials and soil; locating a truck washing station to clean muddy wheels on all truck and construction vehicles before exiting the site.
 - f. Proposed methods of noise control, in accordance with the City of Newton's Ordinances. Staging activities should be conducted in a manner that will minimize off-site impacts of noise. Noise producing staging activities should be located as far as practical from noise sensitive locations.
 - g. Tree preservation plan to define the proposed method for protection of any existing trees to remain on the site.
 - h. A plan for rodent control during construction.
5. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:



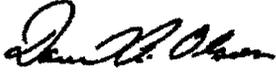
- a. Recorded a certified copy of this Board Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded Board Order with the City Clerk, the Department of Inspectional Services, and the Department 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 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.
6. No Final Inspection/Occupancy Permit for the use 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.
 - b. 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.
 - 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.
 - d. Incorporated the approved Operations and Maintenance Plan for Storm water Management on file with the City Clerk's Office into the Master Deed, which shall be recorded in conjunction with the completion of the construction of such special permit, proof of which shall be submitted to the Engineering Division.
 - e. Filed with the City Clerk and the Commissioner of Inspectional Services, a statement from the Planning Department approving final location, number and type of plant materials and final landscape features.
7. Notwithstanding the provisions of Condition #6e. above, the Commissioner of Inspectional Services may issue one or more certificates of temporary occupancy for all or portions of the buildings prior to installation of final landscaping provide that the petitioner shall first have filed a bond, letter of credit, cash or other security in the form satisfactory to the Director of Planning and Development in an amount not less than 135% of the value of the aforementioned remaining landscaping to secure installation of such landscaping.

Under Suspension of Rules

Readings Waived and Approved

18 yeas 3 nays (Aldermen Blazar, Gentile, and Norton) 3 absent (Aldermen Ciccone, Lipof, 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.

A True Copy
Attest

City Clerk of Newton, Mass.

the original of which having been filed with the CITY CLERK on July 20, 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.

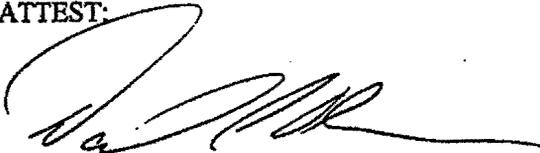
ATTEST:



(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 7/21 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

