

Middlesex South Registry of Deeds
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Recording Information

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Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com

RECEIVED
2023 APR -5 AM 10:35
CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON
IN CITY COUNCIL

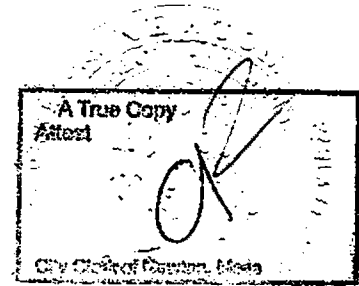
April 3, 2023

ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the Site, as defined below, 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 amend Council Order #101-17, which allowed an extension of the existing nonconforming commercial business use and exceptions to certain dimensional requirements for parking facilities of more than five stalls; to allow a conversion to three residential units and remove the restriction on condominiums in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee, through its Chairman, Councilor Richard Lipof.

1. The specific site in the MR-2 zone is an appropriate location for the amendment to Council Order #101-17 which would alter the nonconforming use to allow for two principal structures with three residential units total because there are other multi-family residential structures of similar size and scale in the neighborhood. (§7.3.3.C.1)
2. The amendment to Council Order #101-17 will not adversely affect the surrounding neighborhood because the changes to the site are primarily interior renovations within the existing envelope of the structure, and the amount of open space and landscaping will increase. (§7.3.3.C.2)
3. The amendment to Council Order #101-17 will not create a nuisance or serious hazard to vehicles or pedestrians because the location of parking is being maintained at the front of the site. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved because all parking will be contained on the site. (§7.3.3.C.4)

See Deed recorded at Book 66159, Page 457.



46 Farwell Street, Newton, MA

PETITION NUMBER: #62-23

PETITIONER: Continuous Improvement Realty Trust
Brian McDonald, Trustee

LOCATION: 46 Farwell Street, Newtonville, Ward 3, on land known as Section 21 Block 01 Lot 14, containing approximately 8,529 sq. ft. of land

OWNER: Brian McDonald, Trustee
Continuous Improvement Realty Trust

ADDRESS OF OWNER: 462 Main St
Watertown, MA 02472

TO BE USED FOR: Three residential units

CONSTRUCTION: Brick

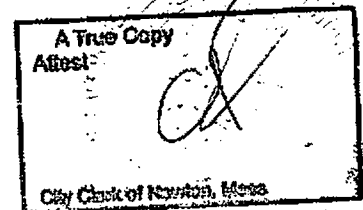
EXPLANATORY NOTES: Amendments to Council Order #101-17 to allow a change of use and to allow units to be sold as condominiums.

ZONING: Multi-Residence 2 District

Approved subject to the following Conditions:

The prior Special Permit for this site, Council Order #101-17, allowed an extension of the existing nonconforming use to allow a single dwelling unit on the property in conjunction with office space in a separate building and waived certain requirements for parking facilities with more than five stalls. This special permit amends Special Permit #101-17 by allowing the conversion of the office space to two residential units, for three units total on site, and removing the condition restricting structures on the property from being submitted to the Condominium Act, G.L. c. 183. All other conditions of Council Order #101-17, except as amended below, remain in full force and effect.

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. Topographic site plan signed and stamped by Joseph R. Porter, Land Surveyor, dated September 19, 2022 and revised January 20, 2023, consisting of one (1) sheet



- b. Floor plans, undated and unstamped, prepared by LR Designs, consisting of six (6) sheets:
 - i) Existing floor plan back building, A1.1
 - ii) Existing floor plan back building, A1.2
 - iii) Existing floor plan back building, A1.3
 - iv) Existing floor plan front building, A1.1
 - v) Existing floor plan front building, A1.2
 - vi) Existing floor plan front building, A1.3

2. Condition #6 shall be deleted in its entirety.

Under Suspension of Rules

Readings Waived and Extension of Time Approved

24 Yeas, 0 Nays

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 April 5, 2023. 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) CAROL MOORE

Clerk of the City Council

I, Carol Moore, 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 April 5, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE

Clerk of the City Council

