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CITY CLERK
NEWTON, MA. 02459

Petition #196-23
231-233 Tremont St.

CITY OF NEWTON

IN CITY COUNCIL

June 20,2023

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 the following SPECIAL PERMIT/SITE PLAN APPROVAL to vertically extend the nonconforming side setback of a detached accessory structure as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. The proposed expanded detached accessory structure with a vertically extended nonconforming three-foot side setback would be not substantially more detrimental than the existing nonconforming structure to the neighborhood given that the proposed addition would have limited or no visibility from nearby public rights of way. (§7.8.2.C.2)

PETITION NUMBER: #196-23

PETITIONER: Arto and Victoria Dermovesian

LOCATION: 231-233 Tremont Street, Ward 1, Newton, on land known as Section 71 Block 38 Lot 15, containing approximately 6,400 sq. ft. of land

OWNER: Arto and Victoria Dermovesian

ADDRESS OF OWNER: 231-233 Tremont Street
Newton, MA 02465

TO BE USED FOR: Three-unit multi-family dwelling

RELIEF GRANTED: Special permit per §7.3.3 to vertically extend the nonconforming side setback of a detached accessory structure (§3.4.3.A.1, §7.8.2.C.2)

ZONING: Multi Residence 2 (MR2)

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 the following plans:
 - a. A site plan entitled "Topographic Site Plan, Newton, Massachusetts, Showing Existing Conditions at #231-233 Tremont Street," dated February 1, 2023, prepared by VTP Associates, Inc., signed and stamped by Joseph R. Porter, Professional Land Surveyor,
 - b. Architectural drawings entitled "Tremont St Garage Addition, 231-233 Tremont St, Newton MA," prepared by Ronald F. Jarek, Architect, in collaboration with Mengting Torosian, Designer, dated March 28, 2023, consisting of the following sheets:
 - i. Cover Page (A1.0)
 - ii. Proposed Plans and Elevations (A1.1)
 - iii. Proposed Sections and Details (A2.1)
2. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.
3. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the petitioner has:
 - a. Filed with the building permit record statements by a registered architect (or professional engineer) and a professional land surveyor (or professional engineer) certifying compliance with Condition #1, including the as built FAR.
 - b. Submitted final as-built survey plans in digital format, stamped and signed by a professional land surveyor or professional engineer, as applicable.

Under Suspension of Rules

Readings Waived and Extension of Time Approved

22 yeas 0 nays 2 absent (Councilor Bowman and Laredo)

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 June 22, 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

Acting 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 June 22, 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