

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the 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 to increase the floor area ratio (FAR) from 0.36 to 0.45, where 0.41 is the maximum allowed by right ,as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. The proposed structure is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. (§3.1.9)

PETITION NUMBER: #273-22

PETITIONER: Jeff and Nancy Selig

LOCATION: 78 Commonwealth Park West, Section 53, Block 22, Lot 4, containing approximately 7,968 square feet of land

OWNER: Jeff and Nancy Selig

ADDRESS OF OWNER: 78 Commonwealth Park West  
Newton, MA

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood Frame

EXPLANATORY NOTES: Special Permit per §7.3.3 to exceed floor area ratio (§3.1.3, §3.1.9)

ZONING: Single Residence 2 (SR2)

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 "78 Commonwealth Park West, Newton, Massachusetts, Proposed Addition Plan (Sheet 1 of 1)," dated January 19, 2022, prepared Verne T. Porter, PLS, signed and stamped by Verne T. Porter, Professional Land Surveyor
  - b. Architectural plans entitled "Selig Residence, Commonwealth Park West, Newton Centre, MA 02459," dated January 7, 2022, prepared by Archimage, signed and stamped by Robert J. Fizek, Registered Architect, comprised of the following sheets:
    - i. Proposed Site Plan (A0)
    - ii. Proposed Basement Plan (A1)
    - iii. Proposed First Floor Plan (A2)
    - iv. Proposed Second Floor Plan (A3)
    - v. Proposed Roof Plan (A4)
    - vi. Proposed Front Elevation (A5)
    - vii. Proposed Right Elevation (A6)
    - viii. Proposed Rear Elevation (A7)
    - ix. Proposed Left Elevation (A8)
  - c. A document entitled "Floor Area Worksheet- 78 Commonwealth Park West, Newton, MA," indicating a total gross floor area of 3,601 square feet and a proposed FAR of 0.45, signed and stamped by Robert J. Fizek, Registered Architect
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 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. Provided a Final Site Plan for review and approval by the Department of Planning and Development and the Engineering Division of Public Works
  - d. 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.
  - e. Provided a Final Landscape Plan showing any new plantings for review and approval by the Director of Planning and Development. Such plan shall indicate appropriate screening along the boundary line shared with the abutting property to the east ("left") of the property.
  - f. 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 buildings 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 certifying compliance with Condition #1.
  - b. Filed with the Clerk of the Council, the Department of Inspectional Services and the Department of Planning and Development a statement from the Engineering Division of the Department of Public Works certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.
  - c. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services, final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.