

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 exceed the allowed floor area ratio (FAR); further reduce a nonconforming front; and further reduce the nonconforming rear setback, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. The proposed expanded structure as designed with a floor area ratio of 0.50, where 0.39 exists and 0.48 is the maximum allowed, is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood. (§3.1.9.2)
2. The proposed expanded structure as designed with a front setback of 10.7 feet, where 16.5 feet exists and 22.5 feet is required, is not substantially more detrimental than the existing nonconforming use to the neighborhood is as the portion of the front setback that would measure 10.7 feet is limited to an area currently occupied by a roofed but not enclosed entry, and the proposed additions to the northern façade of the dwelling would be setback 17.0 feet from the front property line, effectively identical to the existing 17.3 feet for the main volume of the dwelling. (§7.8.2.C.2)
3. The proposed expanded structure as designed with a rear setback of 7.3 feet, where 7.4 feet exists and 15 feet is required, is not substantially more detrimental than the existing nonconforming use to the neighborhood as the proposed additions to the northern façade of the dwelling would be setback of 7.3 feet, effectively identical to the existing 7.4 feet for the main volume of the dwelling. (§7.8.2.C.2)

PETITION NUMBER: #351-22

PETITIONER: Anna and Carmine Senatore

LOCATION: 4 Edgewood Road, Section 44, Block 18 Lot 4, containing approximately 4,389 square feet of land

OWNER: Anna and Carmine Senatore

ADDRESS OF OWNER: 4 Edgewood Road
Newton, MA 02465

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood Frame

EXPLANATORY NOTES: Special Permit per §7.3.3 to:

- exceed allowed floor area ratio (FAR) (§3.1.3, §3.1.9)
- further reduce a nonconforming front setback (§1.5.3.B, §3.1.3, §7.8.2.C.2)
- further reduce the nonconforming rear setback (§3.1.3, §7.8.2.C.2)

ZONING: Single Residence 3 (SR3)

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 "Plan of Land in Newton, MA, 4 Edgewood Road, Proposed Additions," dated January 13, 2022, prepared by Everett M. Brooks Co., stamped and signed by Bruce Bradford, Professional Land Surveyor on January 13, 2022
 - b. a set of architectural drawings entitled "Senatore Residence, 4 Edgewood Road, Newton MA," prepared Michael Huller Architects, dated January 8, 2022, consisting of the following sheets:
 - i. Basement Plan
 - ii. first floor plan (unlabeled)
 - iii. Second Floor Plan
 - iv. Front Elevation
 - v. Left Elevation
 - vi. Rear Elevation
 - vii. Right Elevation
 - c. A document entitled "Floor Area Worksheet- 4 Edgewood Road, Newton MA," indicating a proposed total gross floor area of 2,193 square feet and a proposed FAR (floor area ratio) of 0.499
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, Engineering Division of Public Works and Fire Department.
 - 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. 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.