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CITY CLERK
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CITY OF NEWTON

IN CITY COUNCIL

June 20, 2023

Petition #194-23
76 Drumlin Road



2023 01940612
Bk: 01322 Pg: 91 Cert#: 237144
Doc: DECIS 07/14/2023 01:12 PM

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 further extend the nonconforming floor area ratio (FAR), 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 with an increased nonconforming FAR of 0.37, where 0.35 exists and 0.30 is the maximum allowed by-right, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood given the neighborhood features similar dwellings throughout. (§3.1.9)
2. The proposed expanded structure with an increased nonconforming FAR of 0.37, where 0.35 exists and 0.30 is the maximum allowed by-right, would not be substantially more detrimental than the existing nonconforming structure is to the neighborhood given its size, construction, and limited visibility from nearby properties and/or public rights-of-way. (§7.8.2.C.2)

PETITION NUMBER: #194-23

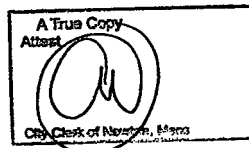
PETITIONER: Amir and Naama Yacoby *10800 495P121*

LOCATION: 76 Drumlin Road, Ward 8, Newton Centre, on land known as Section 82 Block 25 Lot 30, containing approximately 16,000 sq. ft. of land

OWNER: Amir and Naama Yacoby

ADDRESS OF OWNER: 76 Drumlin Road
Newton, MA 02459

TO BE USED FOR: Single-family dwelling



*RECOMMENDERS:
AMIR YACOBY + NAAMA YACOBY
227 WIL 122d-91*

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RELIEF GRANTED: Special permit as per §7.3.3 to further extend nonconforming FAR
(§3.1.3, §3.1.9, §7.8.2.C.2)

ZONING: Single Residence 1 (SR1)

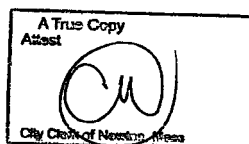
Approved subject to the following conditions:

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 "Plot Plan of Land, MA.," (note: No. 76 Drumlin Road depicted), dated March 5, 2023, prepared by David Philip Terenzoni, Professional Land Surveyor, signed and stamped by David Philip Terenzoni, Professional Land Surveyor on March 5, 2023,
 - b. Architectural drawings entitled "Four Seasons Sunrooms, 59 Fuller Rd (sic)" prepared by Peter Lavenson, dated October 29, 2022, consisting of the following sheets:
 - i. Elevations, roof (including dimensions) and a perspective (page 1)
 - ii. Roof and Elevation 1 (page 2)
 - iii. Elevation 2 and Elevation 3 (page 3)
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)



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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

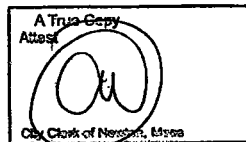
Acting Clerk of the City Council

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



Doc 01940612

(1)

Southern Middlesex Land Court
Registry District

RECEIVED FOR REGISTRATION

On: Jul 14, 2023 at 01:12P

Document Fee 105.00

Receipt Total: \$108.00

NOTED ON: CERT 237144 BK 01322 PG 91

ALSO NOTED ON:

7/14/2023

PETER LAVENSON

I HEREBY ATTEST AND CERTIFY ON
THAT THE FOREGOING DOCUMENT IS A FULL, TRUE AND
CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY

MARIA C. CURTATONE
ASST RECORDER
LAND COURT

BY *Maria C. Curtatone*

NAME _____ TEL 508 962 1398
STREET ADDRESS _____
CITY OR TOWN _____ ZIP _____