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#316-23

211 Dorset Road

CITY CLERK  
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

November 6, 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 increase the floor area ratio (FAR) from .44 to .46 where .36 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 increase in the nonconforming floor area ratio from .44 to .46 where .36 is the maximum allowed by right is consistent with and not in derogation of the size, scale, or design of other structures in the neighborhood and will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood because the addition meets all setback requirements and is not higher than the existing structure. (§3.1.9 and §7.8.2.C.2).
2. The site is an appropriate location for the proposed addition which increases the FAR from .44 to .46 where .36 is the maximum allowed by right because the addition will be unobtrusive and minimally visible from the street. (§7.3.3.C.1)
3. The addition which increases the FAR from .44 to .46 where .36 is the maximum allowed by right will not adversely affect the neighborhood because it is subordinate to the principal roofline of the dwelling. (§7.3.3.C.2)
4. There will be no nuisance or serious hazard to vehicles or pedestrians because the curb cut and driveway will be maintained in their current state. (§7.3.3.C.3)
5. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

PETITION NUMBER:

#316-23

PETITIONER:

Scott Prushik & Keren Ladin

LOCATION:

211 Dorset Road, Ward 5, Waban, on land known as

OWNER: Section 55 Block 10 Lot 24, containing approximately  
12,070 sq. ft. of land  
Scott Prushik & Keren Ladin

ADDRESS OF OWNER: 211 Dorset Road  
Waban, MA 02468

TO BE USED FOR: Single Family dwelling

RELIEF GRANTED: Special Permit per §3.1.3, §3.1.9, and §7.8.2.C.2 to further  
extend the maximum floor area ratio

ZONING: Single Residence 2 District

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:
  - a. A site plan prepared by Everett M. Brooks Co. entitled "211 Dorset Road, Proposed Addition" signed and stamped by Bruce Bradford, Professional Land Surveyor, dated January 17, 2023
  - b. A set of architectural plans entitled "211 Dorset Road: Residence Renovation," prepared by Florin Luca Architect, signed and stamped by Florin Luca, Registered Architect, dated July 15, 2023:
    - i. Proposed elevations (Sheet A3.01)
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 for the portion of the project for which occupancy is requested 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 Approved

23 yeas 0 nays 1 absent (Councilor Markiewicz)

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 November 8, 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 November 8, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE

*Acting* Clerk of the City Council