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#259-23
52 Sharpe Road

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

September 5, 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, which grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow a reduction of up to 5% from the minimum lot size as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed reduction in lot area, is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood. The neighborhood contains lots that are similar in size and any new single-family home proposed on the lot will need to comply with new lot standards. (§4.1.3, §4.4.1; §7.3.3.C.1)
2. The proposed reduction in lot area does not create a nonconformity that did not previously exist. (§3.1.3, §7.8.4.E; §7.8.4.F)
3. The site is an appropriate location for the lot that requires a waiver for lot area because the proposed lot size is similar to sizes of single-family residential properties on the same street. (§7.3.3.C.1)
4. The reduction in lot area will not adversely affect the neighborhood because it is an insignificant reduction of size that will not visually impact the neighborhood and will allow the lot to be developable which will have greater benefits to the neighborhood than a vacant lot. (§7.3.3.C.2)
5. There will be no nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
6. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

PETITION NUMBER: #259-23

PETITIONER: Edward and Lana Lukatsky

LOCATION: 52 Sharpe Road, on land known as Section 81 Block 11 Lot 15, containing approximately 14,351 sq. ft.

OWNER: Edward and Lana Lukatsky

ADDRESS OF OWNER: 52 Sharpe Road
Newton, MA 02459

TO BE USED FOR: Single Family Dwelling

CONSTRUCTION: Wood Frame

EXPLANATORY NOTE: Special permit per §7.8.4.E. to reduce required lot area by up to 5%

ZONING: Single Residence 2


Approved, subject to the following conditions:

1. All parcels associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. Existing Condition Plan of Land 52 Sharpe Road, signed and stamped by Peter Nolan, Professional Land Surveyor, dated January 19, 2020.
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - 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.
3. Future proposed structure(s) built upon 52 Sharpe Road/"Parcel B" in the plan referenced in Condition 1 that is/are considered by right, shall be reviewed administratively by the Planning Department, rather than an amendment to the special permit.

Under Suspension of Rules
Readings Waived and Approved
23 yeas 0 nays 1 absent (Councilor Baker)

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 September 7, 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 September 7, 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