

CITY OF NEWTON

IN CITY COUNCIL

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 nonconforming Floor Area Ratio and nonconforming lot coverage, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The proposed addition of a lower level and additions to the first level, further extending the nonconforming Floor Area Ratio, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood as the additions are to the rear of and beneath the dwelling and the dwelling will still present as a single-story from the street. (§3.1.3; §3.1.9)
2. The proposed addition of a lower level and additions to the first level, further extending the nonconforming Floor Area Ratio and nonconforming lot coverage, will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood as the steep grade of the site limits the potential locations and by-right options for additions. (§7.3.3.C.1)

PETITION NUMBER: #139-24

PETITIONER: Daniel Krupp and Ryan Winton

LOCATION: 157 Baldpate Hill Rd., Ward 8, Newton, on land known as Section 82 Block 25 Lot 63, containing approximately 16,048 sq. ft. of land

OWNER: Daniel Krupp and Ryan Winton

ADDRESS OF OWNER: 157 Baldpate Hill Rd.  
Newton, MA 02459

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 nonconforming Floor Area Ratio and nonconforming lot coverage

ZONING: Single-Residence 1

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. Plot Plan signed, stamped, and dated by Verne T. Porter, Professional Land Surveyor, dated November 15, 2023.
  - b. Architectural plans prepared by Olson Lewis and Architects, dated November 22, 2023 consisting of the following sheets:
    - i. Proposed elevations (showing rear and right/west), A2.01
    - ii. Proposed elevations (showing front and left/east), A2.02
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.
  
  - b. Submitted final as-built survey plans in digital format, stamped, and signed by a professional land surveyor or professional engineer, as applicable.