

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 increase nonconforming Floor Area Ratio (FAR) as recommended by the Land Use Committee for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The proposed expanded structure with an increased nonconforming FAR of 0.59, where .41 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 there are other dwellings with a comparable size and scale in the neighborhood. (§3.1.9.A.2)
2. The proposed increase of the nonconforming FAR to 0.59, where 0.41 is the maximum allowed by right, will not be substantially more detrimental than the existing nonconforming structure to the neighborhood because the massing is focused to the rear of the dwelling, mitigating the visual impact from the street. (§7.8.2.C.2)

PETITION NUMBER: #289-24

PETITIONER: Caroline Lamb-Oteri & Robert Oteri

LOCATION: 29 Trowbridge Avenue, Ward 2, Newtonville, on land known as Section 22 Block 24 Lot 15, containing approximately 8,175 sq. ft. of land

OWNER: Caroline Lamb-Oteri & Robert Oteri

ADDRESS OF OWNER: 29 Trowbridge Avenue
Newton, MA 02460

TO BE USED FOR: Single family dwelling

RELIEF GRANTED: Special Permit to further increase nonconforming FAR
(§3.1.3; §3.1.9; §7.8.2.C.2)

ZONING: Single Residence 2

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 prepared by Everett M. Brooks Co., signed and stamped by Bruce Bradford, Professional Land Surveyor, dated April 5, 2024
 - b. Architectural plans prepared by Mayer + Associates Architects, signed and stamped by Alan J. Meyer, registered architect, dated March 29, 2024 and revised May 7, 2024
 - i. Front elevation (A4-1)
 - ii. Side elevation (A4-2)
 - iii. Rear elevation (A4-3)
 - iv. Side elevation (A4-4)
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.