

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 allow construction of additions and an attached garage further extending nonconforming Floor Area Ratio (FAR) for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The proposed additions that will increase the nonconforming FAR shall not be substantially more detrimental than the existing nonconforming use to the neighborhood as the additions will not expand the existing structure horizontally any greater than two feet and the height of the additions is only 1.5 stories. (§7.8.2.C.2)
2. The proposed additions that will increase the nonconforming FAR is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood as undersized lots with dwellings constructed prior to the Zoning Ordinance are common to the neighborhood and the conversion of a carport to a two-car garage accounts for the majority of the increase in FAR. (§3.1.3, §3.1.9, §7.3.3)

PETITION NUMBER: #357-24

PETITIONER: Hardagiri Reddy and Veena Molagavalli

LOCATION: 15 York Road

OWNER: Hardagiri Reddy and Veena Molagavalli

ADDRESS OF OWNER: 15 York Road
Newton, MA 02468

TO BE USED FOR: Single-family Dwelling

RELIEF GRANTED: Special Permit per §7.3.3 to extend nonconforming Floor Area Ratio (§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 signed and stamped by Edmond Spruhan, Registered Professional Engineer and Christopher Charlton, Registered Land Surveyor, dated May 8, 2024.
 - b. Architectural plans prepared by Bee Howes dated April 8, 2024 consisting of the following sheets:
 - i. Proposed elevations (showing front, left/south), A-2.1
 - ii. Proposed elevations (showing rear, right/north), A-2.2
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 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.