

#118-20
112 Grasmere Street

RECEIVED
2020 MAR 18 AM 11:15
CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

March 16, 2020

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 a nonconforming front setback of 20.8 feet to 18.6 feet where 20.9 feet are required per Sec. 1.5.3.B of the Newton Zoning Ordinance, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed extension of the nonconforming front setback is not substantially more detrimental than the existing nonconforming front setback is to the neighborhood given that the proposed open porch and covered entry is one-story in height and would be subordinate in scale to the existing dwelling (§3.1.3 and §7.8.2.C.2).

PETITION NUMBER: #118-20

PETITIONER: Jennifer and Chris Murphy

LOCATION: 112 Grasmere Street, on land known as Section 71 Block 28
Lot 09, containing approximately 9,254 sq. ft.

OWNER: Jennifer and Chris Murphy

ADDRESS OF OWNER: 112 Grasmere Street
Newton, MA 02116

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.3 and §7.8.2.C.2 to further continue a nonconforming front setback

ZONING: Single Residence 3 (SR3) 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 entitled "Plan of Land in Newton, MA, 112 Grasmere Street, Existing Condition," prepared by Everett M. Brooks, Co., dated March 3, 2020, as revised through March 4, 2020, signed and stamped by Bruce Bradford, Professional Land Surveyor on March 4, 2020;
 - b. A site plan entitled "Plan of Land in Newton, MA, 112 Grasmere Street, Proposed Addition," prepared by Everett M. Brooks, Co., dated March 3, 2020, as revised through March 4, 2020, signed and stamped by Bruce Bradford, Professional Land Surveyor on March 4, 2020;
 - c. Architectural plans entitled "Jen And Chris Murphy Residence 112 Grasmere St, Newton MA 02458," prepared by SB Architects, dated January 28, 2020, signed and stamped by Phillip H Bakalohuk, Registered Architect, consisting of the following sheets:
 - i. Drawing List (A0.0);
 - ii. Existing Basement Plan (X1.0);
 - iii. Existing 1st Floor Plan (X1.1);
 - iv. Existing 2nd Floor Plan (X1.2);
 - v. Existing 3rd Floor Plan (X1.3);
 - vi. Existing Roof Plan (X1.4);
 - vii. Existing Front Elevation (X2.1);
 - viii. Existing Right Elevation (X2.2);
 - ix. Existing Rear Elevation (X2.3);
 - x. Existing Left Elevation (X2.4);
 - xi. Proposed Basement Plan (A1.0)
 - xii. Proposed 1st Floor Plan (A1.1);
 - xiii. Proposed 2nd Floor Plan (A1.2);
 - xiv. Proposed 3rd Floor Plan (A1.3);
 - xv. Proposed Roof Plan (A1.4)
 - xvi. Proposed Front Elevation (A2.1);
 - xvii. Proposed Right Elevation (A2.2);
 - xviii. Proposed Rear Elevation (A2.3);
 - xix. Proposed Left Elevation (A2.4);
 - xx. 3D Rendering (A2.5).

- d. A document entitled "FAR Calculations for 112 Grasmere St, Newton MA 02458," prepared by SB Architects, dated December 20, 2019, signed and stamped by Phillip H Bakalohuk, Registered Architect, indicating a proposed "Total gross floor area" of 5,134 square feet and a proposed "FAR" (floor area ratio) of 0.55.
2. Prior to the issuance of any building permit, the petitioner shall provide a final site plan for review and approval by the Department of Planning and Development, Engineering Division of Public Works, and Fire Department.
3. 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 board 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 board order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - d. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
4. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by an architect and land surveyor certifying compliance with Condition #1.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by an architect and licensed land surveyor including the as built floor area ratio of the structure.
 - c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division certifying that the final site construction details have been constructed to the standards of the City of Newton Engineering Division.

Under Suspension of Rules
Readings Waived and Approved
24 Yes 0 Nays

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 March 18, 2020. 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) DAVID A. OLSON, City Clerk
Clerk of the City Council

I, David A. Olson, 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 March 18, 2020 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) DAVID A. OLSON, City Clerk
Clerk of the Council