

CITY OF NEWTON
IN CITY COUNCIL

April 17, 2018

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 the nonconforming floor area ratio from .51 to .53, where .36 is the maximum allowed by right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed increase in the nonconforming floor area ratio from .51 to .53, where .36 is the maximum allowed by right is not substantially more detrimental than the existing floor area ratio is to the neighborhood and the structure will be consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood because the addition will replace an existing enclosed porch and be compatible with the architecture of the dwelling (§3.1.9 and §7.8.2.C.2).

PETITION NUMBER: #181-18

PETITIONER: Phillip Krapchev and Kimberley Clark

LOCATION: 64 Green Park, on land known as Section 73, Block 08, Lot 17, containing approximately 12, 100 square feet of land

OWNER: Phillip Krapchev and Kimberley Clark

ADDRESS OF OWNER: 64 Green Park
Newton, MA 02458

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9, §7.4, and §7.8.2.C.2 to increase the nonconforming floor area ratio

ZONING: Single Residence 2 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. Site Plan, Prepared by VTP Associates, unsigned and unstamped, dated December 14, 2017
 - b. Architectural Plans, entitled "Krapchev/Clark Residence 64 Green Park, Newton, MA", Prepared by Peter Sachs Architect, unsigned and unstamped, consisting of eighteen (18) sheets:
 - i. A-1 Title Sheet
 - ii. A-2 Proposed Basement Plan, dated January 8, 2018
 - iii. A-3 Proposed First Floor Plan, dated January 8, 2018
 - iv. A-4 Proposed Second Floor Plan, dated January 8, 2018
 - v. A-5 Proposed Attic/Roof Plan, dated January 8, 2018
 - vi. A-6 Proposed Front Elevation, dated January 8, 2018
 - vii. A-7 Proposed Left Elevation, dated January 8, 2018
 - viii. A-8 Proposed Back Elevation, dated January 8, 2018
 - ix. A-9 Proposed Section 1, dated January 8, 2018
 - x. A-10 Proposed Section 2, dated January 8, 2018
 - xi. EX-2 Existing Basement Plan, dated November 15, 2017
 - EX-3 Existing First Floor Plan, dated November 15, 2017
 - xii. EX-4 Existing Second Floor Plan, dated November 15, 2017
 - xiii. EX-5 Existing Attic/Roof Plan, dated November 15, 2017
 - xiv. EX-6 Existing Front Elevation, dated November 15, 2017
 - xv. EX-7 Existing Left Elevation, dated November 15, 2017
 - xvi. EX-8 Existing Back Elevation, dated November 15, 2017
 - xvii. EX-9 Existing Section 1, dated November 15, 2017
 - xviii. EX-10 Existing Section 2, dated November 15, 2017
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 or land surveyor certifying compliance with Condition #1 as well as the as-built floor area ratio of the structure.
 - 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 a professional land surveyor.