

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) from 0.45 to 0.50 where 0.35 is the maximum allowed by right, and further extend the nonconforming 3 ½ story structure as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed increase of the nonconforming floor area ratio (FAR) from 0.45 to 0.50 where 0.35 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 the locations of the additional 622 square foot increase in floor area above existing living space in two additions on either side of the dwelling and because the height of the dwelling would not be increased. (§3.1.9.A.2)
2. The proposed increase of the nonconforming floor area ratio (FAR) from 0.45 to 0.50 where 0.35 is the maximum allowed by right, will not be substantially more detrimental than the existing nonconforming structure is to the neighborhood as the dwelling's footprint would be unchanged and the bulk of the additional 622 square feet in floor area would be located above existing living space on either side of the dwelling and not increase the height of the dwelling. (§7.8.2.C.2)
3. The proposed extension of the nonconforming 3 ½ story dwelling will not be substantially more detrimental than the existing nonconforming structure to the neighborhood as the dwelling's footprint would be unchanged and the bulk of the additional 622 square feet in floor area would be located above existing living space on either side of the dwelling and not increase the height of the dwelling. (§7.8.2.C.2)

PETITION NUMBER: #400-20

PETITIONER(S): Zaili Chen

LOCATION: 727 Centre Street, Ward 2, Newton, on land known as Section 13 Block 16 Lot 8, containing approximately 12,880 sq. ft. of land

OWNER(S): Like Tonggu and Zaili Chen

ADDRESS OF OWNER(S): 727 Centre Street
Newton, MA 02458

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit per §7.3.3 to:

- further extend nonconforming FAR (§3.1.3, §3.1.9, §7.8.2.C.2)
- further extend a nonconforming 3.5 story structure (§3.1.3, §7.8.2.C.2)

ZONING: Single Residence 2 (SR2) 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 “Proposed Addition, Plan of Land, 727 Centre Street, Newton, MA,” prepared by PFS Land Surveying, Inc., signed and stamped by Bryan G. Parmenter, , Registered Land Surveyor, dated July 8, 2020, as revised through August 20, 2020.
 - b. A set of plans entitled “727 Center St, Newton MA, prepared by Up Design & Build, LLC, signed and stamped by Kui Xue, Registered Architect, dated September 10, 2020:
 - i. Project Cover Sheet (X00) (Revised 11/25/2020)
 - ii. 2nd Floor Existing (Demo Plan) (D03)
 - iii. Second Floor Proposed (A3)(Revised 11/25/2020)
 - iv. Front Elevation Proposed (A8a) (Revised 11/25/2020)
 - v. Front Elevation Existing (A8a-ex)
 - vi. Left Elevation Proposed (A8b) (Revised 11/25/2020)
 - vii. Left Elevation Existing (A8b-ex)

- viii. Rear Elevation Proposed (A8c) (Revised 11/25/2020)
 - ix. Rear Elevation Existing (A8c-ex)
 - x. Right Elevation Proposed (A8d) (Revised 11/25/2020)
 - xi. Right Elevation Existing (A8d-ex)
 - xii. 3d View- Proposed (A9) (Revised 11/25/2020)
 - xiii. 3d View - Existing (A9-ex)
 - xiv. Section (A10)
 - xv. Details (A11)
- c. A document entitled "Floor Area Ratio Worksheet, 727 center st, newton, ma," (*sic*) indicating a proposed "Total gross floor area" of 6,490 square feet and a proposed "FAR" (floor area ratio) of 0.50, signed and stamped by Kui Xue, Registered Architect, dated November 9, 2020.
2. 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 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 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. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Newton Historic Commission approving the final plans.
 - e. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1. The petitioner may, subject to the review and approval of the Director of Planning, modify the proposed additions' exterior materials and fenestration.
3. 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 a registered architect and certifying compliance with Condition #1, including the as built FAR.
 - 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 licensed land surveyor.