#174-21

26 Alba Circle

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 increase the nonconforming floor area ratio (FAR) from .53 to .57, where .34 is the maximum allowed by right as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed increase in the nonconforming FAR from .53 to .57 where .34 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 because the addition meets all other dimensional standards of the Single Residence 2 zone (§3.1.9 and §7.8.2.C.2).
2. The proposed increase in nonconforming FAR is not substantially more detrimental than the existing nonconforming structure is to the neighborhood because the addition is subordinate to the house, complements the unique design of the house, and the addition incorporates the gable roof which mirrors the house (§3.1.9 and §7.8.2.C.2).

PETITION NUMBER: #174-21

PETITIONERS: Scott Krenzman and Amy Krentzman

LOCATION: 26 Alba Circle, on land known as Section 72, Block 23, Lot 38B, containing approximately 13,732 square feet of land

OWNER: Scott Krenzman and Amy Krentzman

ADDRESS OF OWNER: 26 Alba Circle

Newton, MA 02458

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9, §3.1.3, and §7.8.2.C.2 to increase the nonconforming FAR

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:
   1. Site Plan, prepared by VTP Associates, unsigned and unstamped, dated March 10, 2021
   2. Architectural Floorplans, prepared by Chamberlain and Laliberte, unsigned and unstamped, dated March 1, 2021, consisting of the following three (3) sheets.
      1. First Floor, Existing and Proposed, A1
      2. Front, South, and Addition Elevations, A2
      3. Rear Elevation and Existing North side elevations, A3
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 Inspectional Services and the Department of Planning and Development.
3. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
   1. Recorded a certified copy of this council order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
   2. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
   3. 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:
   1. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development statements by a registered architect certifying compliance with Condition #1, including the as built FAR of the structure.
   2. 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.