

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 floor area ratio (FAR) of the existing single-family dwelling to 0.30, where 0.28 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 structure with a floor area ratio of 0.30, where 0.28 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 of its proximate location to large institutional buildings and because neither the footprint nor the height of the structure will be increased and there will be limited visibility of the structure from adjacent properties and public ways. (§3.1.9; §7.8.2.C.2)

PETITION NUMBER: #123-21

PETITIONER(S): 9 Old Orchard Rd LLC

LOCATION: 9 Old Orchard Road, on land known as Section 63, Block 16, Lot 21, containing approximately 26,637 of land

OWNER(S): 9 Old Orchard Rd LLC

ADDRESS OF OWNER(S): 586 Pleasant Street, Suite 6  
Watertown, MA 02472

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit per §7.8.2.C.2 and §3.1.9 to exceed floor area ratio

ZONING: Single Residence 1 (SR1) 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, 9 Old Orchard Road, Proposed Addition," prepared by Everett M. Brooks Co., dated October 16, 2020, as revised through October 10, 2020, signed and stamped by Bruce Bradford, Professional Land Surveyor, on October 27, 2020.
  - b. A set of architectural plans entitled "9 Old Orchard Road, Chestnut Hill, MA 02467, Whole House Renovation & Addition," prepared by Boston Architects and Builders, Inc., dated January 12, 2021, as revised through July 2, 2021, signed and stamped by Vahe Ohannessian, Registered Architect:
    - i. Title Sheet (includes FAR plans and calculations and perspective views)(A0))
    - ii. Existing/Demolition Plans (A1)
    - iii. New Work Plans (A2)
    - iv. Proposed Plans (A3)
    - v. Proposed Elevations (A4)
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. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
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.