

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 construct a single story addition, increasing the nonconforming FAR from .53 to .56, where .37 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 .56, where .37 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 consists of a single story and is focused to the rear of the dwelling. (3.1.9; §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 focused to the rear of the dwelling and will be minimally visible from the street. (3.1.9; §7.8.2.C.2)

PETITION NUMBER: #226-22

PETITIONER: Gennady Baskin

LOCATION: 27 Village Circle, on land known as Section 81, Block 3, Lot 11, containing approximately 10,791 square feet of land

OWNER: Gennady Baskin

ADDRESS OF OWNER: 27 Village Circle
Newton, MA 02459

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9 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:
 - a. Proposed Conditions Site Plan, signed and stamped by Verne T. Porter, Professional Land Surveyor, dated March 24, 2022
 - b. Architectural Plans and Elevations, prepared by O'Sullivan Architects, signed and stamped by David O'Sullivan, dated July 28, 2021 consisting of the following three (3) sheets
 - i. Basement Plan
 - ii. First Floor Plan
 - iii. Right and Rear Elevations
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.
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 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.
5. 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 statements by a registered architect and professional land surveyor certifying compliance with Condition #1, including the as built FAR 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 licensed land surveyor.