

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 allow for an oversized internal accessory apartment for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The site in the Single Residence 2 (SR2) zone is an appropriate location to allow for an oversized internal accessory apartment as the site is within a half mile of the Woodland MBTA station and a major employer at Newton-Wellesley Hospital. (§7.3.3.C.1)
2. The oversized internal accessory apartment does not adversely affect the neighborhood as no relief is required for the size or dimensional standards for the structure, but instead for the use and internal configuration. The addition is carefully designed to be subordinate to the existing dwelling and provides a connection between the detached garage and single-family dwelling. (§7.3.3.C.2)
3. The oversized internal accessory apartment is no nuisance or serious hazard to vehicles or pedestrians as there are no changes to the parking or access configuration of the site which provides access from a small dead-end extension of Beacon Street, removed from a section of Washington Street where entering/exiting the site may be difficult. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved with an oversized internal accessory apartment as the site has more than the required number of parking stalls and is within close vicinity to the Woodland MBTA Station. (§7.3.3.C.4)

PETITION NUMBER: #30-25

PETITIONER: Miriam Rabinovitch

LOCATION: 2077 Washington Street, Ward 4, Newton Lower Falls, on land known as Section 42 Block 09 Lot 14, containing approximately 9,980 sq. ft. of land

OWNER: Miriam Rabinovitch

ADDRESS OF OWNER: 2077 Washington Street

TO BE USED FOR: Single-family dwelling with internal accessory apartment

RELIEF GRANTED: Special Permit per §6.7.1.D.2 to allow an oversized internal accessory apartment

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. Plot Plan signed and stamped by Michael Cosmo, Professional Engineer, and Bruce Bradford, Professional Land Surveyor, January 27, 2025
 - b. Architectural Plans prepared by Sam Kachmar Architects, dated January 28, 2024, including the following:
 - i. Sheet BZA-200, showing west/front (Beacon St.) elevation.
 - ii. Sheet BZA-201, showing north/rear elevation.
 - iii. Sheet BZA-202, showing east/side elevation.
2. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.

3. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with for the portion of the project for which occupancy is requested and the Petitioner has:
 - a. Filed with the building permit record statements by a professional land surveyor (or professional engineer) certifying compliance with Condition #1.
 - b. Submitted final as-built survey plans in digital format, stamped, and signed by a professional land surveyor or professional engineer, as applicable.