CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the 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 a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a garage exceeding 700 square feet in floor area and an increased floor area ratio (FAR) of 0.43, where 0.35 exists and 0.36 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 site in a Multi Residence 1 zoning district is an appropriate location for the proposed garage with 705 square feet in total area as it is only five square feet larger than that allowed by right and it would allow the garaging of an additional vehicle. (§7.3.3.C.1)
2. The proposed garage with 705 square feet in total area will not adversely affect the neighborhood as it is only five square feet larger than that allowed by right and it would allow the garaging of an additional vehicle. (§7.3.3.C.2)
3. The proposed garage with more than 700 square feet in total area will not create a nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The proposed expanded structure with a floor area ratio of 0.50 where 0.48 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, many of which are similar in those respects to the proposed structure. (§3.1.3, §3.1.9)

PETITION NUMBER:	#22-23
PETITIONER:	Arnold and Susan Servais
LOCATION:	4 Garrison Street, on land known as Section 61 Block 11 Lot 08, containing approximately 9,780 sq. ft. of land

OWNER:	Arnold and Susan Servais
ADDRESS OF OWNER:	4 Garrison Street Newton, MA 02467
TO BE USED FOR:	Single Family Residence
CONSTRUCTION:	Wood Frame
EXPLANATORY NOTES:	Special Permit per §7.3.3 to: allow a garage exceeding 700 square feet (§3.4.4.H.1) and allowed floor area ratio (§3.1.3, §3.1.9)
*Z*ONING:	Multi Residence 1 (MR1)

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 the following plans:
    a. a site plan entitled "Plot Plan for 4 Garrison Street in Newton, MA," dated December 4, 2018 as revised through November 10, 2022, prepared by C&G Survey Company, stamped and signed by Michael P. Clancy, Registered Professional Land Surveyor
    b. architectural plans entitled "Servais Residence, 4 Garrison Street, Newton, MA 02467," prepared by Morse Constructions, stamped and signed by Mathew J. Jesi, Registered Architect, dated November 9, 2022, comprised of the following sheets:
        i. G100 Cover
        ii. G101 Notes
        iii. G102 Floor Area Ratio
        iv. G103 Photos
        v. G104 Neighborhood Photos
        vi. C100 Site Plan
        vii. C101 Water Management
        viii. A100 Basement Plan
        ix. A101 First Floor Plan
        x. Ex200 Existing Elevations
        xi. Ex201 Existing Elevations
        xii. A200 Elevations
        xiii. A201 Elevations
        xiv. A300 Interior Elevations
        xv. A400 Enlarged Bathroom Plan And Interior Elevations
        xvi. A700 Reflected Ceiling Plans
        xvii. S100 Structural

c. a document entitled “Floor Area Worksheet” indicating a proposed total gross floor area of 4,875 square feet and a proposed FAR (floor area ratio) of 0.50

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. Provided a Final Site Plan for review and approval by the Department of Planning and Development, Engineering Division of Public Works and Fire Department.
   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 and/or Occupancy Permit for the buildings covered by this Special Permit/Site Plan approval shall be issued until the petitioner has:
   a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or engineer certifying compliance with Condition #1.
   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.