

#209-18
138 Arnold Road

CITY OF NEWTON
IN CITY COUNCIL

May 7, 2018

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) from 0.33 to 0.35, where 0.33 is the maximum allowed by-right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed increase of FAR from 0.33 to 0.35, where 0.33 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 as it will be adding 295 square feet to the structure and meets all other dimensional requirements. (§3.1.9 and §7.3.3)

PETITION NUMBER: #209-18

PETITIONER: Louis Franchi/Jams Realty LLC

LOCATION: 138 Arnold Road, on land known as Section 81, Block 01, Lot 03, containing approximately 15,250 square feet of land

OWNER: Louis Franchi/Jams Realty LLC

ADDRESS OF OWNER: 182 West Central Street #303
Natick, MA 01760

TO BE USED FOR: Single Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9 and §7.3.3, to construct additions with a FAR exceeding the maximum allowed by-right

ZONING: Single Residence 2 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. As-Built Site Plan, signed and stamped by Verne T Porter, Professional Land Surveyor, dated February 28, 2018.
 - b. Architectural plans, dated August 13, 2016, designed by AMD Designs:
 - i. Elevations (T-1);
 - ii. Foundation and First Floor Plan (A-1);
 - iii. Second Floor and Roof Plan (A-2);
 - iv. Elevations (A-3);
 - v. First and Second Framing Plans (A-4);
 - vi. Roof Framing Plan and Sections (A-5)
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - c. 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.
 - d. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - e. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
2. 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 or designer, 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.

Under Suspension of Rules

Readings Waived and Approved

21 yeas 0 nays 3 absent (Councilors Baker, Ciccone, and Danberg)

The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on May 9, 2018. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE

PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

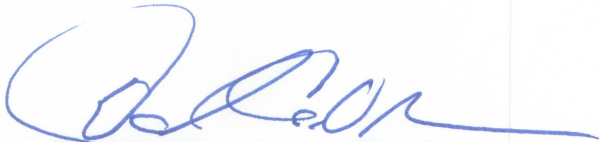
ATTEST:



(SGD) DAVID A. OLSON, City Clerk
Clerk of the City Council

I, David A. Olson, as the Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on 5/4 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) DAVID A. OLSON, City Clerk
Clerk of the Council