

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) from 0.44 to 0.60 where 0.46 is the maximum allowed by-right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Marc Laredo:

1. The expanded structure that would result from the proposed increase in floor area ratio (FAR) from 0.44 to 0.60, where 0.46 is the maximum allowed by-right, will be consistent with and not in derogation of the size, scale and design of other structures in the neighborhood as it will be similar in regard to those characteristics of other structures in the surrounding area and conform to other relevant dimensional requirements; further, the addition will have limited visibility from the street given that it will be located to the rear of, and not be higher than, the existing dwelling. (§3.1.9)

PETITION NUMBER: #262-17

PETITIONER: Shawn and Nancy Belmore

LOCATION: 115 Nonantum Street, on land known as Section 72, Block 21, Lot 15, containing approximately 4,790 square feet of land

OWNER: Shawn and Nancy Belmore

ADDRESS OF OWNER: 115 Nonantum Street  
Newton, MA

TO BE USED FOR: Single Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §3.1.9 and §7.3.3, to exceed the maximum floor area ratio (FAR) allowed by-right

ZONING: Single Residence 2 (SR2) 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 plan entitled "Plan of Land in Newton, MA, 115 Nonantum Street, Proposed Additions," prepared by Everett M. Brooks Co., dated June 19, 2017, stamped and signed by Bruce Bradford, Professional Land Surveyor, on June 19, 2017.
  - b. A set of architectural plans entitled "Remodeling To; 115 Nonantum Street, Newton, Massachusetts," prepared by MSH Architecture Associates, stamped and signed by Marc S. Hershman, Registered Architect:
    - i. First Floor Plan- Existing, dated June 20, 2017 (EX-1);
    - ii. Second Floor Plan- Existing, dated June 20, 2017 (EX-2);
    - iii. Attic Floor Plan- Existing, dated June 20, 2017 (EX-3);
    - iv. Front Elevation- Existing , dated June 20, 2017 (EX-4);
    - v. Left Elevation- Existing , dated June 20, 2017 (EX-5);
    - vi. Back Elevation- Existing , dated June 20, 2017 (EX-6);
    - vii. Right Elevation- Existing , dated June 20, 2017 (EX-7);
    - viii. Basement Plan- Existing, dated June 20, 2017 (EX-0);
    - ix. First Floor Plan- Scheme De, dated May 17, 2017, as revised through June 16, 2017 (SK-1De);
    - x. Second Floor Plan- Scheme De, dated May 17, 2017, as revised through June 16, 2017 (SK-2De);
    - xi. Attic Plan- Scheme De, dated May 17, 2017, as revised through June 16, 2017 (SK-3De);
    - xii. Attic Plan- Scheme De, dated May 17, 2017, as revised through June 16, 2017 (SK-3De);
    - xiii. Front Elevation- Existing (No Change), dated May 17, 2017, as revised through June 16, 2017 (SK-4De);
    - xiv. Left Elevation, dated May 17, 2017, as revised through June 16, 2017 (SK-5De);
    - xv. Back Elevation, dated May 17, 2017, as revised through June 16, 2017 (SK-6De);
    - xvi. Right Elevation, dated May 17, 2017, as revised through June 16, 2017 (SK-7De);
    - xvii. Basement Plan- Scheme De, dated May 17, 2017, as revised through June 16, 2017 (SK-0De).
  - c. A document entitled "Floor Area Ratio Worksheet, 115 Nonantum Street Newton," dated June 22, 2017, signed and stamped by Marc S. Hershman, Registered Architect.

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 Approval 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. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
  - d. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Newton Historical Commission approving the final plans.
  - e. 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 certifying compliance with Condition #1, including the floor area ratio (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.
  - c. Filed with the Clerk of the Council, the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.