Petition #146-21

20 Devon Rd.

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) of the existing single-family dwelling from 0.31 to 0.36 where 0.34 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 structure with a floor area ratio of 0.36, where 0.31 exists and 0.34 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 given the topography of the area, that the proposed one story addition would not increase the height of the structure, and that the addition would have limited visibility from adjacent properties and public ways (§3.1.9).

PETITION NUMBER: #146-21

PETITIONER(S): Simon and Lucia Dolan

LOCATION: 20 Devon Road, on land known as Section 64, Block 4, Lot 4, containing approximately 14,226 sq. ft. of land

OWNER(S): Simon and Lucia Dolan

ADDRESS OF OWNER(S): 20 Devon Road

Newton, MA

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit per §7.3.3 to:

* exceed floor area ratio (§3.1.3; §3.1.9)

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:
	1. A site plan entitled “Drainage Plan of Land in Newton, MA, 20 Devon Road,” prepared by Everett M. Brooks Co., dated August 22, 2018, as revised through April 15, 20121, signed and stamped by Bruce Bradford, Professional Land Surveyor, on April 15, 2021 and Michael S. Kosmo on April 15, 2021.
	2. A set of architectural plans entitled “Accessible Internal Accessory Apartment, Dolan Residence, 20 Devon Road, Newton, Massachusetts,” prepared by Nashawtuc Architects Inc., dated February 5, 2021, signed and stamped by Anita L. Rogers, Registered Architect, consisting of the following sheets:
		1. First Floor, & Basement Plans Door Schedule (A1))
		2. Exterior Elevations and Window Schedule (A2)
		3. Exterior Elevations (A3)
		4. Sections and Details (A4)

c. A document entitled “Floor Area Ratio Worksheet, 20 Devon Road, Newton, MA,” indicating a proposed “Total gross floor area” of 5,123.0 square feet and a proposed “FAR” (floor area ratio) of 0.3601, signed and stamped by Anita L. Rogers.

1. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
	1. 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.
	2. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
	3. 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:
	1. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect and certifying compliance with Condition #1, including the as built FAR.
	2. 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.