CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development
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Mayor

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Public Hearing Date:	November 18, 2008
Land Use Action Date:	January 21, 2009
Board of Aldermen Action Date:	February 2, 2009
90-Day Expiration Date:	February 16, 2009

DATE: November 18, 2008

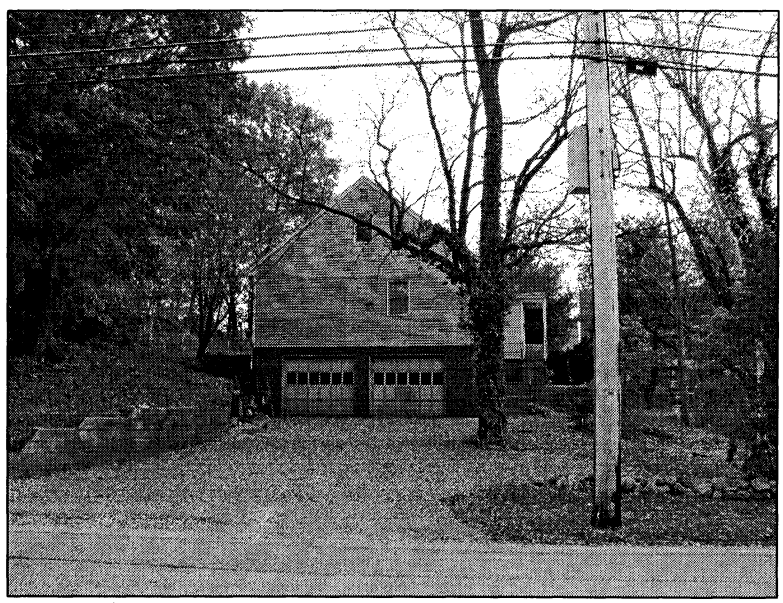
TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development
Candace Havens, Chief Planner
Alexandra Ananth, Senior Planner

SUBJECT: **Petition #-377-08** for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing single-family dwelling and to construct four single-family attached dwellings in two structures including waivers from the side and rear setbacks; from locating a driveway within 10 feet of a side/rear lot line; to alter the contours of the land by more than 3 feet; and to AMEND Condition #2 of Special Permit #485-83 in order to allow an easement over an existing driveway for The Farm at Chestnut Hill, at 107 FLORENCE STREET, Ward 8, Chestnut Hill, on land known as Sec 82, Blk 4, Lot 78, containing approx 31,483 sf of land in a district zoned MULTI-RESIDENCE 1.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis, which may be useful in the special permit decision-making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will consider in its discussion at a subsequent Working Session.

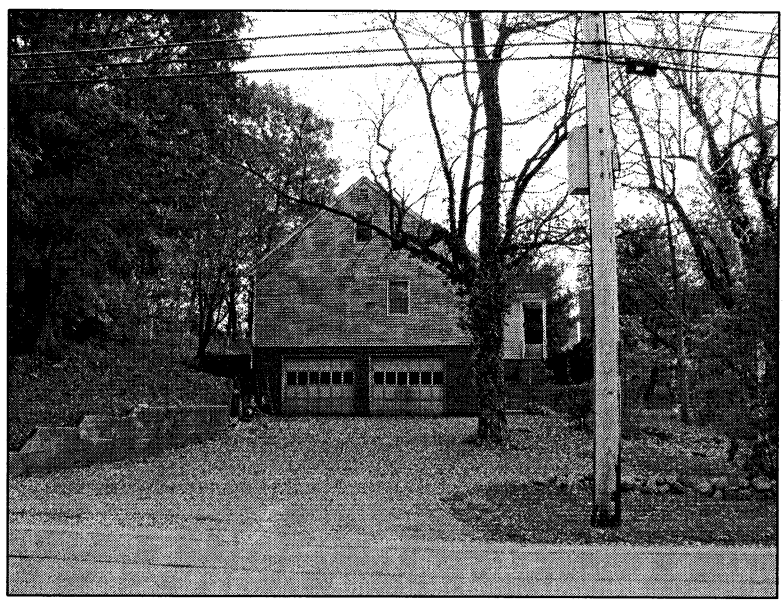


EXECUTIVE SUMMARY

The subject property consists of a 31,483 sq.ft. lot located on Florence Street that is improved with a single-family residence. The petitioner seeks to demolish the existing structure and to construct two new buildings, each containing two attached dwelling units for a total of four (4) single-family attached dwelling units, each with garage parking for two cars. As the site is adjacent to *The Farm at Chestnut Hill*, the petitioner is proposing to close the curb cut on Florence Street and access the site via an easement from the driveway of *The Farm at Chestnut Hill.*

Four new attached dwelling units would be a desirable and appropriate addition to the neighborhood, as there are numerous multi-residences and two-family dwellings in the area already. Although the Planning Department is supportive of the redevelopment of this site for attached dwellings, it has concerns about the changes in grade and the removal of many trees.

The *Newton Comprehensive Plan,* adopted by the Board of Aldermen in November 2007, suggests that housing opportunities should be found in areas that can support high-density multi-family uses. Although not accessible by public transportation, the subject site appears to be in an area of the City where there is some potential for additional housing and is within walking distance of numerous dining and shopping options. For that reason, the Planning Department recommends the installation of sidewalks in front of the petitioner's site.



I. SIGNIFICANT ISSUES FOR CONSIDERATION

In reviewing this petition, the Board should consider whether the following findings apply:

- The proposed four (4) unit development is not substantially more detrimental to the neighborhood than the existing single-family use.
- The specific site is an appropriate location for a four-unit residential development.
- The four units and associated curbcut and driveway will not result in any vehicular or pedestrian safety concerns.
- The proposed nonconforming structures with respect to side and rear setbacks will not adversely affect abutters or the immediate neighborhood.

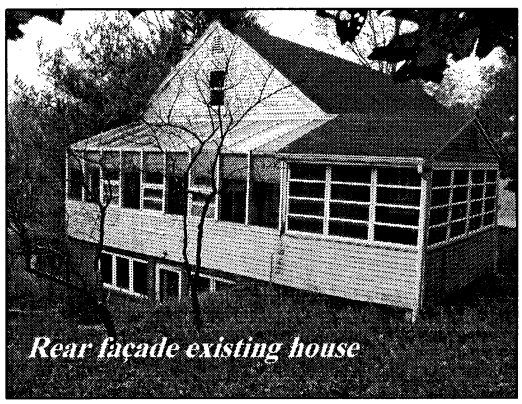
II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The subject property is located on Florence Street not far from Route 9. The area contains a mix of zoning districts, but could generally be characterized as Multi-Residence 1 (MR1) except for *The Farm at Chestnut Hill*, which is zoned Multi-Residence 3. Across Florence Street, there is a Business 1 district that includes *The Atrium* (Mall) and a mix of Multi-Residence districts.

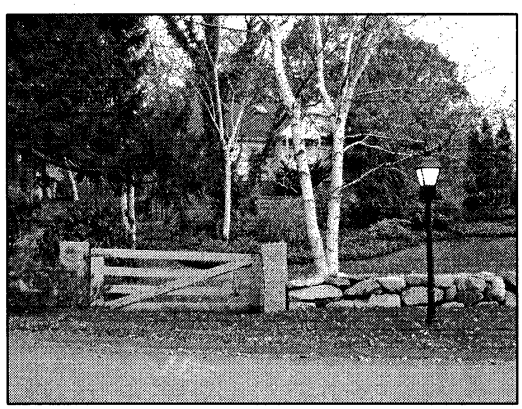
B. Site Characteristics

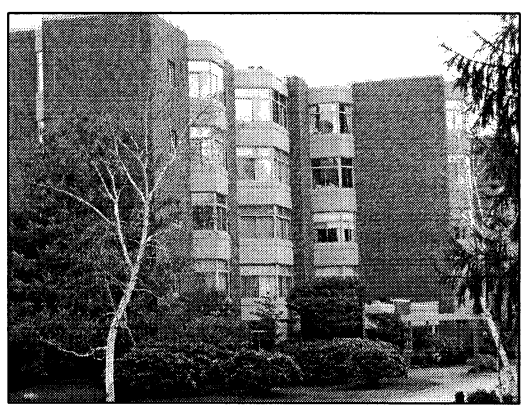
The site is located on the south side of Florence Street just east of *The Farm at Chestnut Hill.* The site is 31,483 sq. ft. in area and is an oddly shaped lot with variations of topography and an approximately 30-foot grade change from high to low points. The lot currently contains a two-story, single-family residence with two-car garage located in the basement. The structure is sited towards the middle of the lot and is set back approximately 54 feet from Florence Street. Presently, the side of the house is facing the street and its two garage doors are the dominant features of this façade. The house sits slightly above the street and is built into the hillside. The site is somewhat overgrown, but contains numerous large (>20 caliper inch) trees.


Rear façade existing house

Rear yard

The Farm at Chestnut Hill was built in 1983 under Board Order #485-83. It consists of 75 apartment units on a 15.5-acre site in seven four-story brick buildings with flat roofs.





The Farm at Chestnut Hill

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use.

The site is in a Multi Residence 1 district, which allows for attached dwellings by special permit. The petitioner to construct four single-family attached dwellings with over 7,800 sq. ft. of lot area per unit, almost twice the minimum requirement of 4,000 sq. ft. The neighborhood includes a mix of multi-family uses and structures and the Planning Department supports the proposed use and density for the site and neighborhood.

B. Building and Site Design.

The current proposal includes four single-family attached dwelling units in two separate buildings, each with an attached garage and parking for two cars. The proposed structures are oriented inward with the side façade of the front building facing the street. The front building is set back approximately 28.5 feet from the street. Because of the oddly shaped lot, the petitioner is proposing no sideyard setback (0 feet) and a rear setback of 8.5 feet. Although the proposed setbacks are minimal, the proposed units will be located some distance away from nearby residential units, as there are large setbacks of the buildings on *The Farm at Chestnut Hill.* The side setback with the two-family residence to the east is proposed at 25 feet, meeting the attached dwelling setback requirement.

The architects of the subject property have looked to *The Farm at Chestnut Hill* for design queues and are proposing two 2½-story brick veneer and synthetic stucco buildings with flat roofs. Each unit contains four bedrooms, including a guestroom or study, totaling approximately 2,800 square feet of living space plus a basement and attached garage parking for two cars. The units have the appearance of *"snout houses,"* as the garages project forward from the front entry; however, the garages are below grade, are considered basement level, and face inward away from the street. Each unit also has a small patio and roof deck, which will help to compensate for the limited amount of usable open space on-site.

In Multi-Residence 1 zones, single- and two-family dwellings are permitted as of right if they comply with the density and dimensional controls established in Sec. 30-15. Structures that do not comply with these standards and/or are attached dwellings or "cluster developments", are not subject to the FAR established for by-right structures. However, for the sake of comparison, the FAR for a by-right structure in this zone is .4 and the proposed development is less dense, with a FAR of .35.

C. Grading and Landscaping.

The petitioner is proposing a grade change greater than three feet in four distinct areas on the lot. The maximum change in grade is five feet at the rear of the site, which will be retained by a wall in order to create a patio area for the rear units. With the exception of one area, proposed grade changes are generally located away from property lines and should have minimal impact on abutters.

The lot contains a number of large trees and the Planning Department is concerned that site design has little regard to saving existing trees. At a minimum, the Planning

Department suggests that the petitioner consider a tree well around the existing 28 caliper-inch tree located towards the front of the lot *(and visible in one of the earlier photos included in this memorandum)* or consider shifting the building slightly so as to preserve this highly visible tree. The petitioner submitted a proposed landscape plan, which included a plant list specifying eight hemlocks, one honeylocust, one red maple, five dogwoods, and nine paper birch trees among other trees and shrubs. The proposed landscape plan appears to be adequate; however, the petitioner should be expected to present a table at the public hearing indicating each "protected tree" *(defined in Sec. 20-31)* to be removed, including total caliper inches. Such a table would be helpful in further evaluating the landscape plan.

D. Parking, Traffic and Circulation.

Vehicular access would be provided by an easement off of the main driveway of *The Farm at Chestnut Hill* and the petitioner is proposing to close the existing curb cut on Florence Street. The proposed driveway is 18 feet wide. The petitioner has submitted a turning template to show that access appears to be adequate for emergency vehicles. Since cars will most likely be turning into and out of the site in the direction of Florence Street, the width of the curbcut could potentially be narrowed slightly. Because of the odd shape of the lot, the petitioner is seeking a waiver to allow the driveway to be closer than 10 feet from the side lot line. This does not appear to impact circulation or immediate abutters.

Since there is little room on-site for visitor parking, the petitioner should be expected to address this subject at the public hearing. The Planning Department recommends the installation of sidewalks in front of the petitioner's site, as there are numerous dining and shopping options within easy walking distance of the site. Finally, the petitioner is not proposing any signage and Planning Department staff questions how visitors and delivery personnel will know how to enter the site. The petitioner also should address this subject at the public hearing.

IV. COMPREHENSIVE PLAN

In the section titled "Residential Implementing Actions," the *Newton Comprehensive Plan,* adopted in November 2007, suggests that housing opportunities should be found in areas that can support high-density multi-family uses. The subject property at 107 Florence Street appears to be in an area of the City where there is some potential for additional housing; higher density units are especially appropriate close to shopping and dining amenities such as the nearby *Atrium* and *Chestnut Hill Malls*. The Planning Department recommends the installation of sidewalks in front of the petitioner's site to encourage walking in the neighborhood. The petitioner proposes a cash contribution to the City under Sec. 30-24 (the Inclusionary Housing Ordinance), which will help to further economic diversity of housing in Newton.

V. TECHNICAL REVIEW

A. Technical Considerations (Section 30-15 Table 1, 30-9(b))

The petitioner must seek a special permit for single-family attached dwellings in a Multi-Residence 1 district. The petitioner must also seek a waiver from the side and rear

setbacks, both of which appear appropriate given the distance to surrounding buildings. Finally a special permit is required to alter the grade by more than three feet.

B. Parking Requirements (Section 30-19). The petitioner is compliant with the City's off-street parking requirement of eight stalls, as each unit has garage parking for two cars. However, the petitioner will need a special permit to allow the driveway to be closer than ten feet from the side lot line. The petitioner is proposing to access the site via an easement over the existing driveway at *The Farm at Chestnut Hill* and will therefore need to amend Condition #2 of the Farm's existing special permit.

C. Other Reviews

1. Engineering. The Associate City Engineer has reviewed the subject petition ***(SEE ATTACHMENT "A")***. The drainage analysis is correct for the City's 100-year storm event; however, an Operations and Maintenance Plan for Stormwater Facilities must be submitted to the Engineering Division for review and approval prior to this item being scheduled for a Working Session.

2. Fire Department. The Assistant Chief of Operations at the Fire Department has reviewed the subject petition ***(SEE ATTACHMENT "B")*** and has approved the site layout for fire accessibility and water. The Fire Department suggests that signage should be posted on Florence Street directing first responders up the driveway that leads to the site.

3. Inclusionary Zoning. The subject petition is subject to the Inclusionary Zoning provisions of Section 30-24(f). The petitioner's attorney has indicated that the applicant intends to make a cash payment to satisfy this requirement. A cash payment equal to 3 percent of the sales price at closing of each of the four units sold must be received by the Planning Department before any certificate of occupancy is issued.

4. Historical Review. The existing residential structure is less than 50 years old; therefore no review is required prior to issuance of a permit for demolition.

5. Tree Preservation Ordinance. The Tree Preservation Ordinance defines an "exempt lot" as one that is "occupied and used primarily as a dwelling for up to four families" at the time a tree removal permit application is filed, an exterior work permit is sought, or when trees are removed. Planning Department staff is under the impression that the existing single-family residence is not occupied at this time. The petitioner should provide further information to the City's Tree Warden to verify this situation. In either case, the Planning Department recommends that the petitioner submit a tree removal plan showing caliper inches of protected trees to be removed and a landscape plan that shows the total caliper inches to be planted on-site.

D. Summary of Zoning Reliefs Requested

Based on the Chief Zoning Code Official's zoning review, dated December 11, 2007 (***SEE ATTACHMENT "C"***), the petitioner is seeking relief from or approval through:

- Section 30-5(b)(4) for a grade change in excess of three feet

- Section 30-15, Table 1 for approval for single-family attached dwellings in the MR1 district and to waive the side and rear setback requirements
- Section 30-9(b)(5)a)&(b) to allow the driveway setback to be closer than 10 feet from the side lot line
- Section 30-23 for approval of the site plan, including landscape plan
- Section 30-24 for approval of special permit to amend *The Farm at Chestnut Hill's* 1983 Board Order for special permit to allow an easement over the existing driveway for access to the project site

E. Summary of Petitioner's Responsibilities

At the public hearing the petitioner should be prepared to respond to all issues raised by the Associate City Engineer, Fire Department, and Planning Department including:

- Provisions for guest parking
- Installation of sidewalks in front of the petitioner's site
- Need for and location of directional signage
- Compliance with the Tree Preservation Ordinance

Additionally, and prior to this item being scheduled for Working Session, the petitioner should submit a revised landscape plan and tree removal plan that shows total caliper inches of protected trees to be removed and replaced.

ATTACHMENTS:

ATTACHMENT A: *Memo from Associate City Engineer, October 31, 2008*

ATTACHMENT B: *Letter from the Fire Department, October 27, 2008*

ATTACHMENT C: *Zoning Review Memorandum, October 21, 2008*

ATTACHMENT D: *Zoning Map*

ATTACHMENT E: *Land Use Map*

ATTACHMENT A

CITY OF NEWTON
ENGINEERING DIVISION

MEMORANDUM

To: Alderman George Mansfield, Land Use Committee Chairman

From: John Daghlian, Associate City Engineer

Re: Special Permit – 107 Florence Street

Date: October 31, 2008

CC: Lou Taverna, PE City Engineer (via email)
Candice Havens, Chief Planner (via email)
Linda Finucane, Associate City Clerk (via email)
Alexandra Ananth, Sr. Planner (via email)

In reference to the above site, I have the following comments for a plan entitled:

Site Plan of Land
107 Florence Street
Newton, MA
Prepared by: Everett M. Brooks Company
Dated: September 29, 2008

Drainage:

1. The drainage analysis is correct for the City of Newton's 100-year storm event of 7-inches over a 24-hour period. However, the proposed trench drain and associated galley system needs to be moved downhill of its proposed location. The proposed location will not take into account about 45-feet of impervious asphalt that will have uncontrolled runoff discharging onto the driveway to #99 Florence Street.

2. An acceptable type of impervious barrier should be installed downstream of the proposed galley systems due to the 2:1 side slope along the access driveway and the abutting property.

3. An Operations and Maintenance (O&M) plan for Stormwater Management Facilities needs to drafted and submitted to Engineer for review. Once approved it shall be adopted by applicant, incorporated into the deed; and recorded at the Middlesex Registry of Deeds. A copy of the recording instrument shall be submitted to the Engineering Division.

4. It is imperative to note that the ownership, operation, and maintenance of the proposed drainage system and all apparentness including but not limited to the drywells, catch basins, and pipes are the sole responsibility of the Homeowners Association.

Environmental:

1. Has a 21E investigation & report been performed on the site, if so copies of the report should be submitted the Newton Board of Health and the Engineering Division.

2. Are there any existing underground oil or fuel tanks, are they to be removed, if they have been evidence should be submitted to the Newton Fire Department, and Newton Board of Health.

Water:

1. The proposed configuration of the 1" service connections are unacceptable due to the long distance from the main to the last two units (# 3 &4). A 6" ductile iron pipe should be placed in the same alignment of the four 1" services then terminate at a hydrant located near the proposed retaining wall between units #2 & 3. Individual 1" copper services then can be tapped off the 6" pipe.

2. The size of the water main in Florence Street needs to be determined and labeled.

Natural Gas Services:

- Will the development be provided with natural gas services, if so the main in Florence Street and in the development needs to be indicated on the plans.

Sewer:

1. The profile for the sanitary sewer needs to be revised. Station 0+00 must be at the existing sewer manhole in Florence Street then the stationing of the new proposed manholes shall be sequential.

2. The sewer pipe from the existing manhole in Florence Street to the proposed sewer manhole #2 needs to be an 8" diameter pipe not 6".

3. The existing water & sewer services to the existing dwelling shall be cut and capped at the main and be completely removed from the site and properly back filled. The Engineering Division must inspect this work; failure to having this work inspected my result in the delay of issuance of the Utility Connection Permit.

4. A detail for an external sewer drop connection at a manhole is needed.

5. All utility trenches with the right of way shall be backfilled with Control Density Fill (CDF) excavatable Type I-E, detail is available in the City of Newton Construction Standards Detail Book.

General:

1. **As of January 1, 2009, all trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property.** ***This note shall be incorporated onto the plans***

2. All tree removal shall comply with the City's Tree Ordinance.

3. The contractor is responsible for contacting the Engineering Division and scheduling an appointment 48 hours prior to the date when the utilities will be made available for an inspection of water services, sewer service, and drainage system installation. The utility is question shall be fully exposed for the inspector to view; backfilling shall only take place when the City's Inspector has given their approval. *This note should be incorporated onto the plans*

4. The applicant will have to apply for Street Opening, Sidewalk Crossing, and Utilities Connecting permits with the Department of Public Works prior to any construction. *This note must be incorporated onto the site plan.*

5. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.

6. Prior to Occupancy permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. *This note must be incorporated onto the site plan.*

7. If a Certificate of Occupancy is requested prior to all site work being completed, the applicant will be required to post a Certified Bank Check in the amount to cover the remaining work. The City Engineer shall determine the value of the uncompleted work. *This note must be incorporated onto the site plan.*

If you have any questions or concerns please feel free to contact me @ 617-796-1023.

ATTACHMENT B

CITY OF NEWTON, MASSACHUSE

FIRE DEPARTMENT HEADQUARTERS

1164 Centre Street, Newton Center, MA 02459-1584
Chief: (617) 796-2210 Fire Prevention: (617) 796-2230
FAX: (617) 796-2211 EMERGENCY: 911

David B. Cohen
Mayor

Joseph E. LaCroix
Chief

Alderman George Mansfield
Land Use Committee
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, Ma 02459

October 27, 2008

Re: 107 Florence Street

Dear Mr. Mansfield,

We have reviewed the site plans for the two proposed townhouse apartments at 107 Florence Street. This is to advise you that the Newton Fire Department has stamped the plans and approves the site layout for fire accessibility and water. The plans were engineered to give the fire department the turning radius required, and I have been given confirmation in the form of a letter stating the fire department will have unimpeded access at all times to both units. The existing fire hydrant on Florence Street will provide sufficient fire flow. Signage should be posted on Florence Street directing first responders up the driveway that leads to the site.

We will of course be reviewing the plans relative to Fire Prevention matters during the building permit process.

Sincerely,

Bruce A. Proia
Assistant Chief of Operations

Cc: Terry Morris
Deputy Chief Mike Castro, Fire Prevention
Candace Havens, Planning and Development

ATTACHMENT C

Zoning Review Memorandum

Dt: October 21, 2008

To: John Lojek, Commissioner of Inspectional Services

Fr: Eve Tapper, Chief Zoning Code Official
Candace Havens, Chief Planner

Cc: Michael Kruse, Director, Department of Planning and Development
Terrence P. Morris, representing Babak Veyssi
Ouida Young, Associate City Solicitor

RE: Request to construct four attached dwelling units in two buildings.

Applicant: Babak Veyssi	
Site: 107 Florence St	**SBL**: Section 82, Block 4, Lot 78
Zoning: MR-1	**Lot Area:** 31,483 sq. ft.
Current use: single-family residence	**Prop. use:** four attached dwelling units

Background:
The subject property is located in an MR-1 zone and consists of a 31,483 square foot lot currently improved with a single-family residence. The petitioner proposes to demolish the existing structure and construct four single-family attached dwelling units in two structures on the site.

Administrative determinations:

1. The subject site is in the MR-1 zone. The proposed use, four single-family attached dwelling units, is allowed by Special Permit in this zone per Section 30-9(b)(5). The following review is based on the materials and plans received to date as referenced under Plans and Materials Reviewed, below.

Plans and materials reviewed:

- Quitclaim Deed from Charles and Lucy Spezzano to Gaetano J. Spezzano, Sr. and Lawrence C. Spezzano, Trustees of the Spezzano Real Estate Trust, dated 12/27/89 recorded at the Middlesex South Registry of Deeds in Book 20291 at Page 295

- Quitclaim Deed from Gaetano J. Spezzano, Sr. and Lawrence C. Spezzano, Trustees of the Spezzano Real Estate Trust to the Trustees of the Farm At Chestnut Hill Holding Trust, dated 8/25/06 recorded at the Middlesex South Registry of Deeds in Book 48049 at Page 230

- City of Newton Real Property Database Record Card for 107 Florence Street, printed August 22, 2008

- Letter from David H. O'Sullivan, Architect, dated September 24, 2008, stamped by David H. O'Sullivan, Registered Architect regarding Compliance with Definition of Attached Dwelling

- Plan set titled "107 Florence St., Newton, MA", dated September 25, 2008, prepared by O'Sullivan Architects, Inc., 201 Edgewater Drive, Suite 215, Wakefield, MA, 01880, stamped by David H. O'Sullivan, Registered Architect, consisting of the following:
  - Sheets 1 – Basement, First and Second Floor and Roof plans – Unit Types A & B
  - Sheets 2 – Building Front, Side and Rear Elevations – Unit Types A & B

- Plan set titled "Site Plan of Land in Newton, MA, 107 Florence Street," prepared by Everett M. Brooks Co., Surveyors & Engineers, 49 Lexington Street, West Newton, MA 02465, dated September 29 2008, stamped and signed by Bruce Bradford, Registered Civil Engineer, consisting of the following:
  - Sheet 1 – Existing Conditions
  - Sheet 2 – Proposed Conditions
  - Sheets 3-5 – Details
  - Sheet 6 – Area -Wide Plan

- Plan titled "Town Homes at The Farm" for 107 Florence Street, dated 10/1/08, prepared by Kalmia Design, LLC

- Special Permit and Site Plan Approval Board Order # 485-83, dated December 5, 1983 for the former Spezzano Farm, 97 Florence Street, Newton, MA

2. The following table sets forth the applicable dimensional controls for residences located in the MR-1 zone:

MR-1	Required	Existing	Proposed
Lot Area	15,000 sq. ft.	31,483 sq. ft.	31,483 sq. ft.
Lot Area per Unit	4,000 sq. ft.	n/a	7,871 sq. ft.
Frontage	80 ft.	80 ft.	80 ft.
Setbacks			
Front	25 ft.	54.3 ft.	54.6 ft.
Side	25 ft.	22.6 ft.	**0 ft.**
Rear	25 ft.	49.5 ft.	**8.5 ft.**
Total Floor Area Ratio	n/a	n/a	0.35
Building Height	30 ft.	19.4 ft.	27.2 ft.
Max. Number of Stories	2.5	2.5	2.5
Max. building lot coverage	25%	5.8%	20.3%
Min. amount of open space	50%	89%	67.7%
Parking stalls	2 stalls per dwelling unit	2	8

3. Section 30-15, Table 1, *Density and Dimensional Controls in Residence Districts and for Residential Use*, outlines the dimensional standards for attached dwelling units in the MR-1 zone. The subject lot appears to comply with all of the applicable dimensional controls except for side and rear setbacks. The applicant must request a waiver of the side and rear setback requirements.

4. Section 30-19(d)(2) establishes the parking requirements for attached dwellings as two per dwelling unit. The proposed development of four (4) single-family attached dwellings requires eight (8) parking stalls. The submitted plans show these eight spaces in two-car garages attached to each of the units.

5. Section 30-9(b)(5)(a) allows single-family attached dwellings in one or more groups by Special Permit in the MR-1 zone, provided that "no driveway shall be located within ten (10) feet of a side or rear lot line." The plans for the proposed development depict the driveway into the site located

on the west side of the property across the property line. The applicant must apply for a Special Permit per Sections 30-9(b)(5)(b) and 30-24 to allow the proposed condition.

6. The applicant is proposing to alter the grade in excess of three feet on portions of the lot in order to construct the attached dwelling units. Per Section 30-5(b)(4), a Special Permit is required.

7. The submitted site plan shows that a number of trees with significant caliper inches will be affected by the proposed development. The applicant must comply with the City's Tree Ordinance, Sections 20-31 through 20-39.

8. The proposed development is subject to the Inclusionary Zoning provisions of Section 30-24(f). Per 30-24(f)(4), in developments that do not exceed six (6) units, a cash payment may be made in lieu of providing the inclusionary units. The petitioner's attorney has indicated that the applicant intends to make a cash payment to satisfy this requirement.

9. The existing curb cut on Florence Street will be closed. Proposed access to the site from Florence Street will be via an easement over the existing driveway for The Farm at Chestnut Hill, the adjacent condominium complex, to a new driveway proposed on the western border of the subject property. The Farm at Chestnut Hill development was built in accordance with a Special Permit (Board Order #485-83) granted on December 5, 1983. In order to allow this easement, Condition #2 of Board Order #485-83 must be amended.

10. The following table outlines the Zoning Relief required for the project.

Ordinance	*Zoning Relief Summary*	Action Required
	Use	
§30-15, Table 1	Special Permit for single family attached dwellings in the MR-1 zone	SP per §30-24
	Driveway Access	
§30-9(b)(5)(a) & (b)	Special Permit to allow driveway to be closer than 10' from the side lot line	SP per §30-24
§30-24	Amend The Farm at Chestnut Hill's 1983 Special Permit to allow an easement over the existing driveway for access to the proposed site	SP per §30-24
	Tree Ordinance	
§20-31 thru 20-39	Development must comply with the tree ordinance provisions with respect to the proposed removal of existing trees of significant caliper	
	Inclusionary Housing	
§30-24(f)	Development must comply with inclusionary zoning provisions	Cash payment
	Site	
§30-15 Table 1	Waiver of the side and rear setback requirements from 25' to 0' and 8.5' respectively	
§30-5(b)(4)	Special Permit for a grade change in excess of 3 feet	SP per §30-24
§30-23	Site plan approval	

Zoning Map

107 Florence St.

Legend

- 107 Florence St.
- Wetlands
- House Numbers