

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, MARCH 11, 2014

Present: Ald. Laredo (Chairman), Ald. Albright, Cote, Crossley, Harney, Lennon, Lipof, and Schwartz; also present: Ald. Norton

Staff: Dan Sexton (Senior Planner), Robert Waddick (Assistant City Solicitor), Linda Finucane (Assistant Clerk of the Board)

#42-14      HEATHER & ALLEN SUSSMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to ~~EXTEND A NONCONFORMING STRUCTURE~~ to add a bay in front of the existing single-car garage to create a two-car garage and to construct additions to the first and second floors, which will increase the Floor Area Ratio from .28 to .43, where .39 is allowed at 58 FERNCROFT ROAD, Ward 5, Waban, on land known as SBL 53, 8, 3, containing approximately 9,483 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u), and ~~30-21(b)~~ of the City of Newton Rev Zoning Ord, 2012/

ACTION:      HEARING CLOSED; APPROVED 8-0

NOTE: The petitioners are seeking a special permit to enlarge their circa 1939 single-family home to accommodate their young family and enable them to stay in their neighborhood. One proposed addition will enlarge the existing one-car garage, slightly increasing the existing bay, and create a new enclosed bay in the front of the garage, which will provide tandem parking for two cars, as well as create a new foyer and mudroom on the front of the house. The second floor addition will enlarge each of the three bedrooms and bathrooms and create a fourth bedroom over the first-floor family room. The proposed additions will add approximately 1,423 square feet of gross floor area to the house, increasing the gross floor area to 3,987 square feet and the Floor Area Ratio (FAR) from .28 to approximately .43, where .39 is the maximum allowed by right. The proposed additions will be visible from the street, but architecturally they complement the existing home and are in keeping with other homes on the street. The Historical Commission reviewed the proposal and determined the structure not preferably preserved. The lot coverage will be increased slightly, but will not exceed the maximum allowed. There is existing vegetation to the north and south sides of the property. The petitioners have provided a landscape plan. Installation of seasonal vegetation and fencing will partially screen the additions from Ferncroft Road. The petitioners offered to install additional plantings to screen the abutting property to the north, but there is large tree the abutters don't want to disturb and they are comfortable with the existing plantings. Because there is less than 400 square feet of additional impervious surface proposed, the petitioners are not required to provide any drainage improvements; however, given the age of the house Alderman Crossley suggested the petitioners consider replacing the water/sewer lines during the construction process. The petitioners recognize this is a significant renovation and Architect Peter Sachs had alerted them that it would

probably be to their advantage to address inspection and replacement of the lines if necessary while constructing the additions.

*Public Comment*

The Board received emails in support of the project from neighbors at 12, 17, 20, 24, 37 Ferncroft Road and from 69 Evelyn Road. A resident of 17 Ferncroft Road spoke in favor of the petition as did Ilan Ganot of 69 Evelyn Road. It is a small addition and will allow the family to stay in the neighborhood.

There appeared to be a slight discrepancy in the amount of square footage cited in the Planning Memo. Also, Mr. Sexton noted that although the Zoning Review Memo referenced sec. 30-21(b) for extension of a nonconforming structure, that relief is not applicable or necessary.

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In working session, Mr. Sexton clarified the numbers: The addition contains 1,423 square feet, increasing the total gross floor area from 2,564 square feet to 3,987 square feet. Mr. Sexton confirmed that attached garages are included in the new FAR calculations.

Alderman Crossley moved approval finding that the increase in FAR is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood; the site is appropriate for the proposed additions; and open space will still meet the minimum required. This will allow preservation of an existing home while accommodating the needs of a family who wish to remain in their neighborhood. The motion to approve carried 8-0.

#139-12(2) BANK OF AMERICA, N.A./DANA J. KATZ, TRUSTEE, DK REALTY TRUST petition to AMEND special permit #139-12 (granted on 8/13/12 for a freestanding sign and a second principal sign and to waive dimensional limits) to add an additional tenant and if necessary relief for a second principal sign if the existing wall sign is deemed to be a principal sign at 176 BOYLSTON STREET, Ward 7, CHESTNUT HILL, on land known as SBL 82, 2, 18, containing approximately 64,007 sq. ft. in a district zoned BUSINESS 1 and 4. Ref: Sec 30-24, 30-23, 30-20(f)(1), (2), and (9), 30-20(l) of the City of Newton Rev Zoning Ord, 2012 and Special Permit #139-12.

ACTION: HEARING CLOSED; APPROVED 7-0 (Laredo recused)

NOTE: Attorney Franklin Schwarzer of Schlesinger & Buchbinder presented the petition. Alderman Laredo recused himself and Alderman Schwartz chaired the public hearing and working session for this item.

Miltons Store for Men received special permits in 1998 and 2013 for modest expansions. In 2012, the store received a special permit to relocate its existing freestanding sign approximately 85 feet so it would not be obstructed by the Chestnut Hill Square project. The last expansion created 660 additional square feet of retail space which has been leased to Bank of America. The petitioners wish to replace the existing sign panel, which only contains *Miltons Store for Men* with a new panel that also contains *Bank of America*. There are no other modifications proposed for the existing freestanding sign. Miltons is also allowed to retain a second principal wall-mounted sign and one secondary wall-mounted sign. The two existing

wall signs for Bank of America do not exceed the allowable sign area for secondary signs and require no relief. The Urban Design Commission on February 19, 2014 reviewed the proposed modified freestanding sign and recommended approval. There was no public comment.

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In working session, Mr. Sexton informed the committee that the relief sought – if necessary - for a second principal sign was not required.

Alderman Lipof moved approval finding that modifying the existing freestanding sign with one additional business is appropriate for the location in regards to the building and street and is in the interest of the public, providing visibility and wayfinding; that the sign as modified will not adversely affect the neighborhood as it already exists; and there are no changes proposed to its location, footprint, or size. The motion to approve carried 7-0, with Alderman Laredo recused.

Application for a Class 2 Auto Dealer License for 2014

#387-13      SONOMA CLASSICS LLC.  
1215 Chestnut Street/145 Wells Avenue  
Newton

ACTION:      APPROVED 8-0

NOTE: The applicant provided the necessary documents to renew the license, but was late filing the application.

Respectfully submitted,

Marc Laredo, Chairman  
Gregory Schwartz, Vice-chairman