

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, DECEMBER 9, 2014

Present: Ald. Laredo (Chairman), Ald. Albright, Cote, Lipof, Lennon, Crossley, Schwartz, and Harney; also present: Alderman Danberg
Staff: Stephen Pantalone (Chief Planner), Ouida Young (Associate City Solicitor), Linda Finucane (Assistant Clerk of the Board)

Public Hearings were opened on the following items:

#222-14(2) DENISE & PETER STAUBACH petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to remove an existing attached garage and breezeway and to construct a two-stall garage, sunroom and $\frac{3}{4}$ bath with two bedrooms above, which will increase the Floor Area Ratio from .42 to .54, where .48 is the maximum allowed by right, at 29 WEDGEWOOD ROAD, Ward 3, WEST NEWTON, on land known as SBL 31, 20, 14 containing approximately 4,501 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CLOSED; APPROVED 7-0 (Harney not voting)

NOTE: The petitioners previously sought a special permit for essentially the same expansion; however, that request was withdrawn without prejudice on September 2, 2014 so they could modify the design in response to concerns about mass and bulk and the ridgepole of the addition.

The petitioners presented the attached PowerPoint. This new petition is seeking the same relief for an addition totaling approximately 880 square feet, which represents a net increase of 541 square feet to the existing house, increasing the FAR from .42 to .54, where .48 is the maximum allowed by right. The ridgepoles match, which lessens the visual impact of the addition. The stepping back of the first floor subordinates the addition to the existing house and the front dormer has been reduced to align it with the two existing dormers. Additional windows on the west façade break up the mass of the rear gable. The reduction in the visual impact of the bulk and mass better fits the existing house. The Historical Commission reviewed the proposed plans and waived the demolition delay. The petitioners submitted a revised landscape plan, which combined with the existing plantings on the site will provide a mix of year round screening. There is an existing fence, which ranges from four to six feet, along a portion of the property. The petitioners have offered to install an additional six-foot fence, along another abutters' property, but they prefer plantings; they will evaluate the proposed fence after the addition is completed. The driveway will be widened from approximately nine feet to 18 feet, increasing the lot coverage from 26% to 30%, but not exceeding the maximum allowed. The Planning Department believes that the project as proposed will not be in derogation of the size, scale and design of other structures in the neighborhood.

Alderman Cote moved approval of the petition finding that the proposed increase is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood; the existing structure is and will continue to be a two-story single-family dwelling; the proposed addition of 880 square feet, which represents a net increase of 541 square feet, is modest; the site is an appropriate location for the expanded dwelling and the proposed addition will not adversely affect the surrounding neighborhood, as the amount of open space exceeds the minimum required; the addition, including the expanded driveway, will not create a nuisance or serious hazard to vehicles or pedestrians in the surrounding neighborhood. The motion to approve carried 7-0, with Alderman Harney not voting.

ADDITIONAL NOTE: The committee was informed that a petition for a special permit to preserve the theater use, add a street-level restaurant with office space above, and construct a separate 26-unit multi-family structure with a below grade parking garage for 30 cars at 283 Melrose Street, formerly the Turtle Lane Playhouse, was filed for the December 15 docket. The Planning Department requested and the committee authorized that if necessary an outside consultant be engaged per §6 of Article X of the Rules & Orders of the Board of Aldermen for a peer review of parking and traffic associated with the proposed project.

#360-14 112 NEEDHAM STREET, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION of a NONCONFORMING STRUCTURE to demolish an existing single-story commercial building and construct a new two-story commercial building with a parking facility with 11 stalls, a with approximately 1,400 sf of storage on the first floor, and 5,810 sf of office space on the second floor at 112 NEEDHAM STREET, Ward 8, NEWTON UPPER FALLS, on land known as SBL 83, 12, 7, containing approximately 7,500 sf of land in a district zoned MULTI USE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table 3, 30-19(d)(11), (15), and (m), and 30-19 Table of off-street loading requirements of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CONTINUED TO DATE TO BE DETERMINED

#364-14 PHI PROPERTIES LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a four-unit multi-family dwelling with 10 below grade parking stalls and associated parking waivers if necessary at 9 CHANDLER STREET, Ward 1, NONANTUM, on land known as SBL 14, 10, 4 and 5, containing a combined total of 13,153 sf of land in a district zoned MULTI RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-9(c)(1), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CONTINUED TO DATE TO BE DETERMINED

#366-14 ARMAN CHITCHIAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition and reconfigure an existing two-family dwelling to two side-by-side attached dwellings, which will increase the Floor Area Ratio from .24 to .42 where .36 is allowed, at 143 LINCOLN STREET, Ward 5, NEWTON HIGHLANDS, on land known as SBL 52, 1, 18, containing approximately 11,775 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CONTINUED TO DATE TO BE DETERMINED

#272-09(4) HERRICK ROAD REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to erect at 39 HERRICK ROAD, Ward 6, NEWTON CENTRE a 3-story mixed-use building containing 4 dwelling units and ground floor commercial space with a restaurant, with underground parking and associated parking waivers unit; to allow off-street parking facilities to be located on a separate lot; waive 9 parking spaces; waive 3 bicycle parking spaces; allow frontage to be measured along a public footway) and to construct a retaining wall greater than 4 feet within the rear/side setbacks and waive 18 existing parking spaces on Lot 7 Herrick Road, Ward 6, Newton Centre, on land known as Sec 61, Blk 35, Lots 6 and 7, in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d)(2), (8), (9), 30-19(f)(1), (2), 30-19(k), 30-19(m), 30-15(b)(2), 30-15 Table 3, 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2012.

ACTION: HEARING CONTINUED TO DATE TO BE DETERMINED

The meeting was adjourned at approximately 9:00 PM.

Respectfully submitted,

Marc C. Laredo, Chairman

Special Permit Request

29 Wedgewood Road, West Newton
Peter and Denise Staubach

Agenda

- ❖ Neighborhood
- ❖ Design updates
- ❖ Landscaping plan
- ❖ Summary
- ❖ Neighbor support

Neighborhood

- Wedgewood Road
 - 16 homes
 - 14 – 2 story colonials, most with walk up attic
 - 2 - 1.75 story capes, with crawl space
- Eliot Ave abutters
 - 3 homes
 - 2 – 2 story colonials, with walk up attic
 - 1 – 1 story bungalow



41 Wedgewood Road



25 Wedgewood Road



30 Wedgewood Road



36 Wedgewood Road



45 Wedgewood Road



51 Wedgewood Road

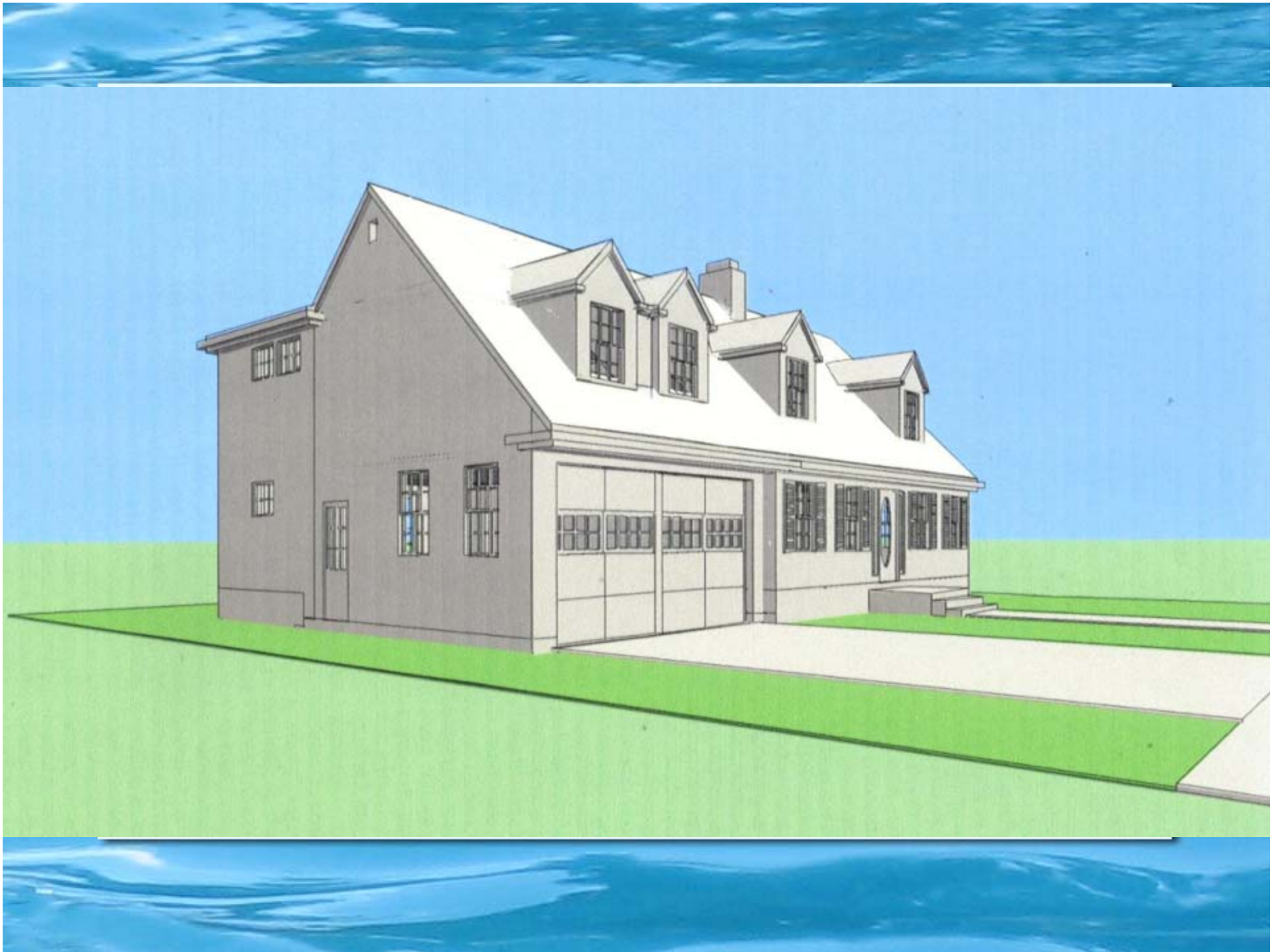


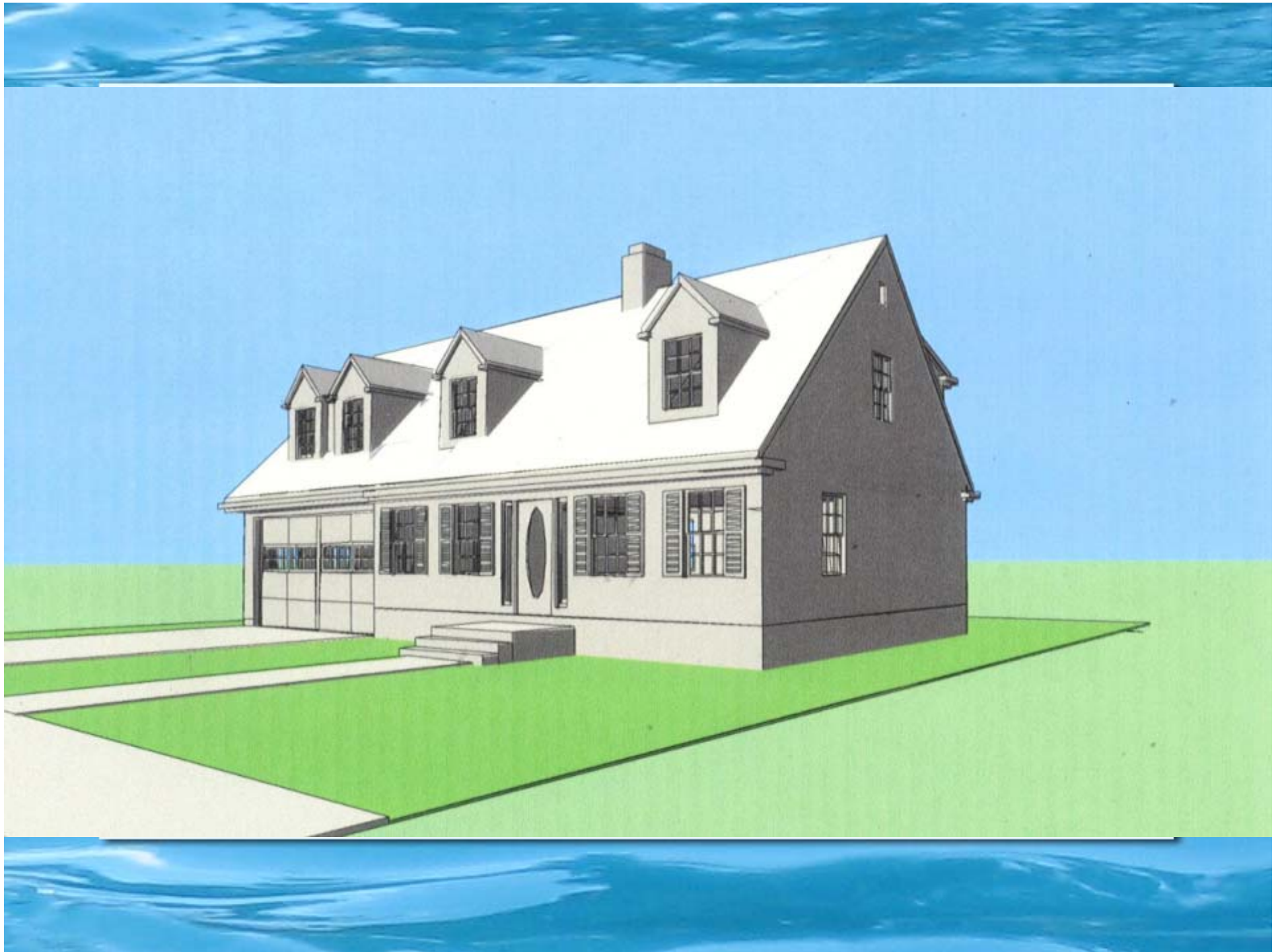


With no change in roof ridgeline, 29 Wedgewood will still be shorter.

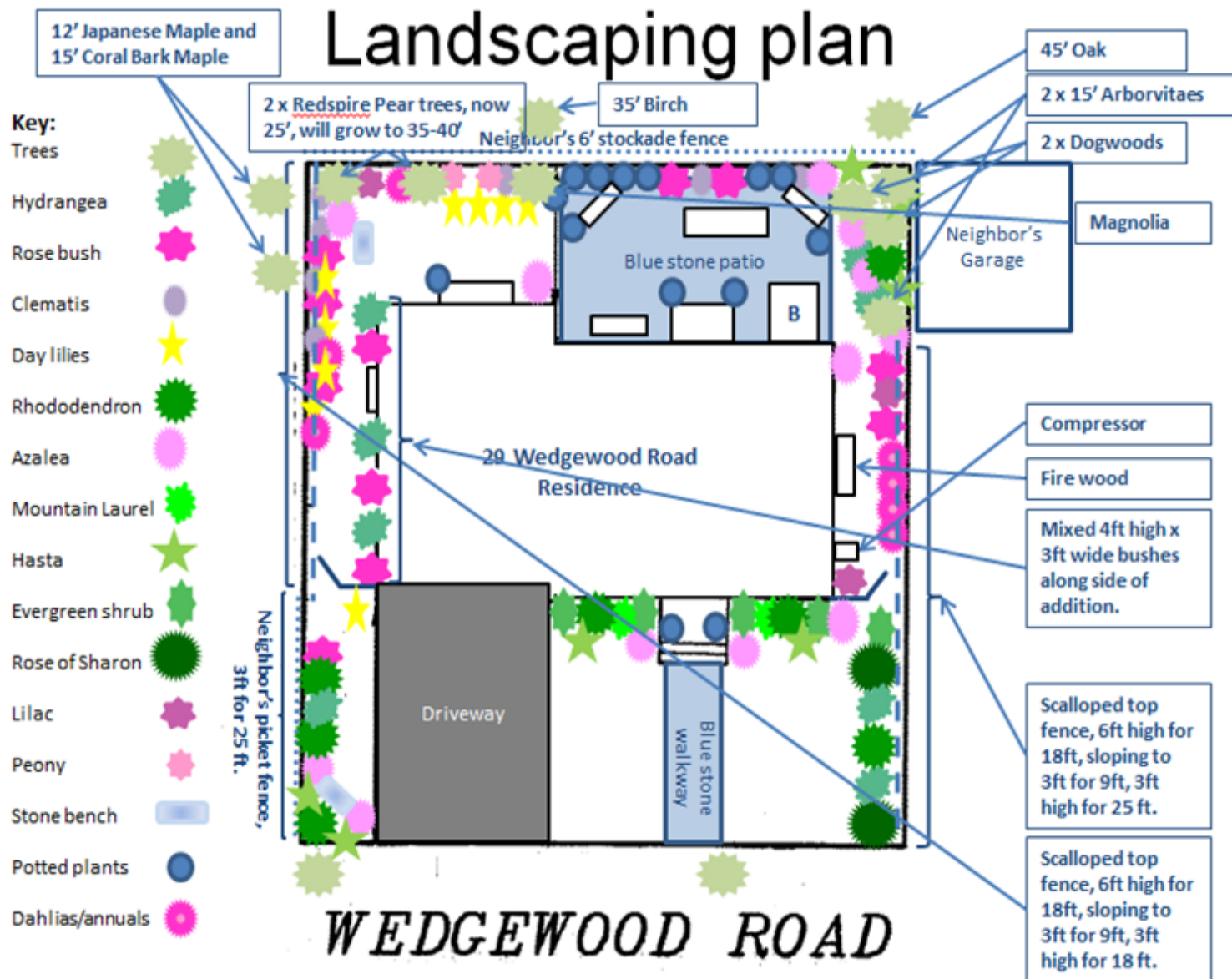
Design Updates

- Aligned ridgeline of addition with main house as requested
- Pushed addition back 18 inches to reduce perceived mass and visual impact
- Changed design of dormer over garage as suggested by Ms. Crossley





Landscaping plan



Note: We have an agreement with our side neighbor (41 Wedgewood) to collaborate after the addition has been built on plantings along the side of the garage and maybe the extension of the 6 ft. tall fence. Currently, our neighbor doesn't want to look at a 6 ft. tall fence from their side window.

Summary

- Made design updates as requested by planning department and aldermen
- Lots of neighborhood support
- Only asking for 287 sq. ft. over FAR
- We need a 1st floor bath and sleeping space plus 2nd floor accommodations for family/friends
- Please approve our Special Permit request

The image features a vibrant blue background with a dynamic, wavy pattern resembling water or a textured surface. Centered within this background is a large, white rectangular box with a thin black border. Inside this box, the words "NEIGHBOR SUPPORT" are written in a bold, black, sans-serif font.

NEIGHBOR SUPPORT

Correspondence with neighbor about our home renovation project and special permit:

Janet Milione
41 Wedgewood Road
West Newton, MA

To: Janet Milione
From: Denise Staubach
Text Date: Nov 6, 2014 8:37 AM

Looks like our proposed renovation is on the agenda for the dec 9 land use public hearing.
Hopefully, this time it will get approved without issues.

To: Denise Staubach
From: Janet Milione
Text Date: Nov 6, 2014

I hope this will be the last approval too! Good luck.

Correspondence with neighbor about our home renovation project and special permit:

Sandra Siciliano

55 Wedgewood Road

West Newton, MA

Denise and Peter,

Thanks for the update. This looks like a beautiful design. It is money well spent as there are few smaller homes in Newton that accommodate a sleeping area with a full bath on the first floor. When do you expect to break ground for the build out and up?

Sandy

Sandra A. Siciliano

REALTOR | Dwell360

46 Austin Street, Suite 302

Newton, MA 02460

cell: 617-539-6023

fax: 617-762-4047

Dear Alderman Albright,

I am writing in full support of Denise and Peter Staubach's proposal to renovate and reconstruct their home on Wedgewood Road in West Newton. I solely own the property at 30 Wedgewood Rd, across the street from Denise and Peter's house.

I have complete confidence that Denise and Peter have chosen a plan that will maintain the character and improve the value of their home and our neighborhood. Denise and Peter are utterly respectful and conscientious neighbors and meticulously maintain their entire property, including the inside and outside of their house as well as the masonry and landscaping. They continuously work to improve the value and character of the neighborhood in doing so and their proposed project with further their efforts. They have also been open in talking about their proposed project to assure that our neighbors are comfortable with the changes. I have no doubt that they have carefully considered every option for their upcoming construction project and have chosen the one best suited to themselves, their family and the neighborhood.

Please do not hesitate to contact me for any reason regarding this matter.

Sincerely,
Susan Gedrick
30 Wedgewood Rd
Newton, MA 02465

Dear Ms. Finucane and Mr. Sexton,

I am writing in support of my neighbors, Denise and Peter Staubach, who are applying for a special permit to expand their small Cape on our wonderful Wedgewood Road. This is a very special street with a wonderful community, of which Denise and Peter are active members. They have a beautiful property that is extremely well maintained and tastefully landscaped and designed.

I wholeheartedly support their desire to add on to their property, as i know it will be well designed and maintained and a benefit to them and the neighborhood.

I am an licensed architect and I have reviewed their plans and am confident that they are sensitive to the character and scale of our neighborhood and will improve the value of their home, thereby having a positive impact on the surrounding homes.

Thank you.

Elizabeth Minnis, AIA
54 Wedgewood Road
Newton, MA 02465
617-291-4370

Dear Linda,

My husband and I are fortunate enough to live directly across the street (36 Wedgewood Road) from Denise and Peter Staubach, two of the most giving, caring people we have ever met.

Since they moved onto Wedgewood Road, the entire face of the street has improved. Their gardens, backyard and front, are worthy of a spread in House and Garden magazine. They have improved the house immensely every year, with a flagstone walkway, new shrubs, flowers and trees, new front door and numerous interior upgrades including a spectacular new kitchen. Now they are hoping to add a bedroom and a larger garage in order to accommodate their aging parents who are unable to walk stairs at this stage of life.

Their home, already beautiful, will be enhanced (but not physically altered in any significant way) by this change, meaning that eventually the selling price will be higher than it is now. That, obviously, will increase the value of all homes on the street. They have always been interested in improving the neighborhood. They are among the first to host wonderful parties to gather the neighbors around a festive table at Christmas time.

We would be the first to complain if this gracious Cape were to be compromised as we live directly across the street. Instead, we feel 29 Wedgewood will become even more attractive, given the excellent taste of Denise and Peter.

Please grant them this special permit which will allow them to continue to be good children and caretakers to parents who raised them so well.

Sincerely,

Joyce and Larry Eldridge
36 Wedgewood Road
W. Newton 02465-1918

Correspondence with rear abutter about our home renovation project and special permit:

Yana DeSimone, 64 Eliot Avenue, West Newton, MA

Subject: Re: Dinner and project update

From: ydesiand1@yahoo.com

Date: Wed, 3 Sep 2014 11:29:03 -0400

To: dmstaubach@hotmail.com

Hello Denise

It looks great! When do you expect the construction to begin?

I just saw Janet and if you still want to do a gathering we both are available.

I thought I got back to you bit don't see my reply..... Been a little preoccupied.

Let me know and if I can bring something.

Yana DeSimone

Sent from my iPhone

On Aug 21, 2014, at 10:55 AM, Denise Staubach <dmstaubach@hotmail.com> wrote:

Hi Yana,

Attached is an updated rear view of our addition. As you can see not much changes from your perspective and our 2 pear trees will provide screening.

Best,

Denise

Sent from my iPhone

Scheme A4 and A5 NE.jpg

Dear James, Linda and Dan:

We are Wedgewood St. residents and share the neighborhood with Peter and Denise Staubach (29 Wedgewood Rd.). We are writing to express our full support of the proposed expansion of their house to accommodate the aging parents. They've taken very good care of the house over the years. It is a great looking cape house with a well maintained lawn and exterior. We are confident that both of those will be preserved after the expansion. This significant proposed investment in the house demonstrates their willingness to live in this neighborhood longer term. They are an integral part of this neighborhood and we would like to keep it that way for as long as possible.

Please consider this email as full approval and support of the proposed project from both of us.

Jugminder and Avideep Chawla
24 Wedgewood Rd.
Newton, MA 02465

Ms. Finucane and Mr. Sexton:

We are writing in support of Denise and Peter Staubach's petition for Special Permit/ Site Plan Approval to improve their home at 29 Wedgewood Road, Newton. We have owned our home at 45 Wedgewood Road, two doors down from the Staubach home, for 22 years. The proposed design is an attractive expansion that maintains the home's traditional cape style while improving the livability and value of the home. The Floor Area Relief requested is nominal. The Staubach's have demonstrated a deep commitment to maintaining their home and to high quality landscaping that is an asset to the entire neighborhood. The Wedgewood Road community is unusually close-knit; Peter and Denise are important members of our neighborhood and so this proposed investment in their home is welcomed evidence of their long-term commitment to our community.

Ann Houston and Henry Korman
45 Wedgewood Road
Newton, Massachusetts

Dear Ms. Finucane,

I am Robert M. Bloom of 51 Wedgewood Rd where I have lived since 1975. I am writing in support of my neighbors Denise and Peter Staubach's request for a special permit. They have been wonderful caring neighbors who have contributed greatly to our close knit Wedgewood community. Their house is very well maintained and their improvements have contributed to the overall beauty of the street. I am certain that there proposed improvement which will maintain the cape style design will further enhance our neighborhood. On a personal note I have observed how wonderfully caring they are to their parents and I know the proposed project will better enable them to care for their parents within their home. I think this project will ensure their commitment to stay in our Wedgewood community and we all benefit from this.

Sincerely,

Robert M. Bloom
51 Wedgewood Rd.
West Newton Ma.
617 965 4380

Dear Ms. Finucane, Mr. Sexton, and Newton City Officials,

I am writing this letter to convey my wholehearted support for the proposed renovation of the Staubach residence. I live several houses down from Denise and Peter Staubach at 73 Wedgewood Rd.

I have reviewed the proposed renovation drawings/plans which Denise and Peter have shared with the neighborhood and I am pleased that the renovations maintain the same beautiful cape style of their home which they have meticulously maintained.

Their renovation plans highlight their commitment to stay in the neighborhood and invest in our community. I understand the rationale for regulations on renovations, but I also know that the spirit behind these regulations is to maintain the beauty, character and value of neighborhoods. Wedgewood Rd has many beautiful homes situated relatively close to each other on relatively small plots of land. Many of the homes front yards are larger than their backyards. While this may mean that one neighbors kitchen window can directly face another's living room window and most of our backyards are too small to play catch with a baseball, it also means that neighbors are out in the fronts of their houses and on the street more. It means we see each other more frequently. We talk. We share gardening tips. We borrow tools and books. We organize neighborhood card games and impromptu neighborhood picnics at the park on nice days. We have annual block parties and goodbye parties when neighbors move away. It means the kids run from house to house and play games on the street. In short, it helps create a close-knit, vibrant and welcoming community that takes pride not only in the beauty of the homes on the street but the character and qualities of the neighbors who dwell in them.

When our family moved into the neighborhood 4 years ago nearly every day of the first week we arrived was accompanied with a new neighbor introducing themselves at our door with homemade treats and meals to welcome us. It is neighbors like Denise and Peter who not only take pride in the care of their home but also take interest in the lives of their neighbors that brings the most value to our neighborhood. The few inches of setback that may be lost in renovation are undoubtedly overshadowed by allowing them the space in their home needed to stay in and contribute to our wonderful Wedgewood community.

Sincerely,

Peter Ngo
73 Wedgewood Rd
West Newton, MA

Hello,

I am a neighbor of Peter and Denise Staubach, I live a few doors down the street on Wedgewood road. I am writing in support of Peter and Denise Staubach's request to get a variance to the the land use zoning ratios as part of their house improvements. I have looked through the plans and I support their request to get the variance they have requested.

Sincerely,

Andrew Wardly

Andrew Wardly
50 Wedgewood Road
West Newton, MA 02465