

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, MARCH 9, 2010

Present: Ald. Hess-Mahan (Chairman), Ald. Albright, Crossley, Schnipper, Fischman, Blazar, and Harney; absent: Ald. Merrill

City staff: Alexandra Ananth (Senior Planner), Linda Finucane (Assistant Clerk of the Board), Ouida Young (Associate City Solicitor)

#42-10      JOHN J. & DIANE P. LANAHAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an EXTENSION OF A NON-CONFORMING STRUCTURE to demolish an existing one-story garage and construct a two-story addition onto an existing single-family dwelling, which will increase the existing Floor Area Ratio from .32 to .46, at 8 RIDGEWAY TERRACE, Ward 5, NEWTON HIGHLANDS, on land known as Sec 54, Blk 46, Lot 15, containing approx 5,400 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b, 30-21(b), 30-15(u)(4) of the City of Newton Rev Zoning Ord, 2007.

ACTION:    APPROVED 7-0 (Merrill not voting)

NOTE: The public hearing on this item was opened and closed this evening and after the three other public hearings, the Committee took it up in a working session.

The petitioners are seeking to demolish an existing one-story garage and replace it with a two-story addition, which will include a new one-car garage with a master bedroom on the second story, and to construct a one-story 8-foot addition to the rear to increase the size of their kitchen and family room. The petitioners have two children and wish to remain in this house and neighborhood but they need more space. Mr. Lanahan explained that something would have to be done about the garage anyway because it is slipping off its foundation

The proposed additions will increase the existing nonconforming Floor Area Ratio from .32 to .46, where .3 is allowed. Although the additions will extend 2 feet into the side yard and 8 feet into the rear, they meet the respective setback requirements of 7.5 and 15 feet. The proposed additions will reduce the existing open space from 68% to 64%, still well over the 50% required. Combined, the additions will add approximately 800 sq. ft. to the existing 1,700 sq. ft. house. Although this will make the house one of the largest in the neighborhood, it will still be consistent in scale with other houses, particularly as viewed from the street. The clapboard and brick house is a garrison colonial-style with a pitched roof. The proposed additions are in keeping with the clapboard exterior and roof pitch.

Mr. Lanahan reported that he had spoken with all of his abutters prior to beginning the special permit process. The only public comment was from abutter Adam Weitzman of 4 Ridgway Terrace, who spoke in favor of the proposal. Alderman Merrill made a motion to close the public hearing, which carried unanimously.

In working session, the Committee reviewed the Neighborhood Comparison Chart prepared by the Planning Department and attached to the working session memorandum. Members concluded that the proposed expansion would not be out of scale with abutting properties. The Committee asked Mr. Lanahan if he would he agree with the Planning Department's recommendation to add a tree along the western lot line. Mr. Lanahan noted that there is an existing dogwood on the abutter's property along that lot line. Alderman Crossley pointed out that a 7.6-foot setback cannot accommodate a tree; it will grow too close to the house. The Committee agreed. Several Committee members noted the lack of landscaping in front of the house. Mr. Lanahan said he had removed some very large rhododendrons and that he wanted to wait until the completion of any construction before installing new plantings. When asked how landscaping related to the requested relief, Ms. Young said that if it were for buffering to mitigate the relief, then it would be appropriate, but landscaping the front yard would strike one as not germane to this project. Alderman Crossley asked if the petitioners would be willing to meet the new green building code. Although compliance with the new code is not required until July 1, new construction presents a perfect green opportunity. Mr. Lanahan expressed his interest and Alderman Crossley offered to provide him with relevant information.

Alderman Crossley moved approval of the petition, finding that the additions are not substantially more detrimental than the existing house because they are designed in keeping with its architecture and roofline and comply with all setback requirements; and that increasing the nonconforming FAR from .32 to .46 is appropriate in this neighborhood context. The motion to approve carried unanimously, 7-0, with Alderman Merrill not voting.

Respectfully submitted,

Ted Hess-Mahan, Chairman