

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, MAY 18, 2010

Present: Ald. Hess-Mahan (Chairman), Ald. Merrill, Blazar, Albright, Fischman, Harney, and Crossley; absent: Ald. Schnipper; also present: Ald. Linsky
City staff: Alexandra Ananth (Senior Planner), Linda Finucane (Assistant Clerk of the Board), Ouida Young (Associate City Solicitor)

#42-10(2) JOHN J. & DIANE P. LANAHAN petition to AMEND Special Permit/Site Plan Approval/Extension of a nonconforming Structure #42-10, granted on 3/15/10, to demolish an existing one-story garage and construct a two-story addition onto an existing single-family dwelling. The proposed increase to the first-floor addition will further increase the Floor Area Ratio from .46 (approved in special permit #42-10) to .49 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,

ACTION: HEARING CLOSED; ITEM APPROVED 7-0

NOTE: The public hearing on this item was opened, closed, and taken up in a working session this evening.

Public Hearing

The petitioners received a special permit on March 15, 2010 to demolish an existing attached one-story garage and replace it with a two-story addition containing a one-car garage with a master bedroom above it and a one-story 8'x 31' rear addition to the first-floor kitchen and family room. The relief granted allowed an increase in the already legally nonconforming Floor Area Ratio from .32 to .46.

After reviewing the plans with their contractor, the petitioners decided the rear addition was quite small and that, since their lives were about to be disrupted by construction, they would like to add four more feet. The extra four feet would increase the addition to 12'x 31' and increase the Floor Area Ratio from .46 to .49, adding approximately 125 sq. ft. more to the house, bringing it to 2,649 sq. ft. The rear setback would still be maintained.

The petitioners submitted letters in support of the modified petition from the immediate abutters at 4 and 12 Ridgeway Terrace and 40 Canterbury Road. There was no testimony at the public hearing.

Working Session

The committee asked about the Associate City Engineer's recommendation in his memorandum of 5/7/10 that the petitioners provide as a courtesy to the neighboring property some sort of collection system for any runoff generated from the additions. The system could be as simple as rain barrels or a small leach trench. The Associate City Engineer noted that although less than an additional 400 sq. ft. is proposed, the 400 sq. ft. threshold is based upon a 10,000 sq. ft. lot (double the size of this property), which has more open space and allowance for additional runoff to be contained on-site. The petitioners indicated they would use rain barrels to collect the runoff. The Associate City Engineer's comments about replacing the water service are not relevant since less than 50% of the house is proposed to be demolished.

As of July 1, the petitioners will have to comply with the stretch code. The new plans show 2x6 construction with insulation. Alderman Crossley suggested to the petitioners that they might want revisit with their architect or contractor the pitch of the roof in relation to the window next below for potential problems that could arise from snow accumulation.

Alderman Crossley moved approval of the modified petition, finding that conceptually it is the same as the previously approved petition except for the additional four feet to the rear addition. She suggested and the committee agreed to adopt the findings contained in special permit #42-10 that the proposed additions are not substantially more detrimental than the existing house because they are designed in keeping with its architecture and roofline; comply with all setback requirements; and, that increasing the legally nonconforming FAR from .46 to .49 is appropriate in this neighborhood context. The motion to approve carried unanimously, 7-0.

Respectfully submitted,

Ted Hess-Mahan, Chairman