

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, SEPTEMBER 21, 2010

Present: Ald. Hess-Mahan (Chairman), Ald. Merrill, Albright, Fischman, Blazar, Schnipper, Crossley, and Harney; also present: Ald. Rice, Lennon, Ciccone, and Baker

City Staff: Derek Valentine and Eve Tapper (Planning Department), Ouida Young (Associate City Solicitor), Linda Finucane (Assistant Clerk of the Board)

#213-10 NEWTON HISTORICAL SOCIETY/DURANT HOMESTEAD FOUNDATION, INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXPAND A NONCONFORMING STRUCTURE to demolish and rebuild a portion of the Durant-Kenrick Homestead to accommodate a new, larger visitor entry area and meeting space to allow a museum, which includes a waiver from the required number of parking spaces and their dimensions, at 286 WAVERLEY AVENUE, Ward 7, Newton, on land known as Sec 73, Blk 9, Lot 17, containing approx 24,638 sq ft of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)b), 30-21(b), 30-19(d)(13), 30-19(g)(1)&(2), 30-19(m), 30-8(b)(4) of the City of Newton Rev Zoning Ord, 2007.

ACTION: HEARING CLOSED; ITEM APPROVED 8-0

NOTE: Public Hearing. The public hearing was opened and closed this evening. Anne Larner, 68 Myrtle Street, West Newton, President of Historic Newton and the Newton Historical Society gave a brief history of how the Newton Historical Society and Durant Homestead Foundation reached this point. She explained that the Durant Foundation had been unsuccessful in seeking a steward to ensure preservation of house. At one point it considered selling two adjacent lots as an interim measure to preserve the house. Lisle Baker was instrumental in bringing the Historical Society together with the Foundation. This was perhaps a last chance to save a significant resource and protect it in perpetuity. Pivotal as well was Community Preservation Act funding from 2006 and 2007, which included a study grant to provide data which awarded a \$2.7 million CPA grant to restore the 1732 portion of the house and place a preservation restriction on the house and land. The Durant-Kenrick house is a wonderful complement to what exists at the Jackson Homestead. The goal is to work with public and private schools and to expose residents to the rich history of community. Parallel paths over the past few years are slowly converging. Certain conditions have not yet been finalized, e.g., the preservation agreement; funding agreement; preliminary review to become certified with the State; and, waivers from the Architectural Access Board. A special permit and assurances from the Historical Commission are necessary to make sure that the Historical Society can operate a program on the property and ensure its financial viability without draining resources from The Jackson Homestead.

Although used as a museum since 1970, mostly for tours by appointment, this proposal involves demolishing a 19th century rear ell, as well as a garage, and constructing a new addition to expand the capacity and programmatic elements of the museum. Relief is sought for the following:

- to operate a museum in a Single Residence 1 District;
- to expand into a side setback 4.4 feet, where 20 feet is required;
- to waive 20 of the 25 parking spaces required (25 are required as long as the museum does not hold an event both inside and outside concurrently).
- to locate 5 parking spaces within the 40-foot side setback and to waive the dimensional standards for the parking spaces.

Members of the Newton Historical Society present in support of the petition were former Alderman Brooke Lipsitt, Cindy Stone, Director of the Newton History Museum at the Jackson Homestead, architect Treff Lafleche, Jay Walter, and Dena Rashes

Pam Hawkes represented the architects, AnnBeha Architects, a firm that specializes in preservation. Ms. Hawkes presented a PowerPoint presentation, which is available online www.ci.newton.ma.us under Board of Aldermen in the Special Permit folder, 286 Waverley Avenue. Also present was landscape architect Lucinda Brockway from Past Designs in Kennebunk Maine.

Ms. Stone gave a brief history of the house and property, which originally covered Nonantum Hill (and all of the existing golf course) into Brighton and from the 1790's well into the 1800's was a preeminent nursery, some of whose specimens such as copper beeches, oaks and other ornamentals survive on the remaining 2 acres. The proposed hours of operation would be the same as the Jackson Homestead, 11 AM to 5PM, weekdays and Noon to 5PM, weekends. Average visitors anticipated: 5 per day, 15 probably the highest. The rooms are small and can only accommodate about 10 people at once.

She agreed that there would be no inside and outdoor programs at same time. Several times a year there may be a special event, such as a pear festival (Bosc and Barlett Pears are two of the many fruits the nursery was known for). Some programs may take place in the evening.

Proposed access is via a stabilized dirt driveway off of Waverley Avenue. A second pedestrian access will be via a stabilized dirt path connecting the museum to Kenrick Street. The Kenrick Street access point is intended for bus drop-off for students who will be using the house as an educational resource. The proposed 5 parking spaces are located at the end of the driveway. Alderman Fischman wanted to know if there is a way to fit 5 additional parking in back area along the driveway. Ms. Stone said that the Historical Commission would like *fewer* than the 5 proposed spaces. There is plenty of on-street parking. The proposed pedestrian walkway is on the same level with the house, but the grade between the house and driveway slopes and is where some of the oldest and most important plants and roots from significant trees are located.

In response to concerns about the pathway being accessible and in decent repair, Ms. Brockway explained that the driveway and pathway will consist of stabilized dirt, which material involves

building a base and stabilizing it with a stabilizer topping of fine grit clay from Arizona mixed with native stone dust and gravel from New England, mixed with water and allowed to harden. This material is used successfully for all parking areas and paths at the Minuteman National Park. There are no existing problems with water on the site; the cellar remained dry in the March 2010 storm and re-grading will direct roof runoff away from the house. All storm water will be contained on-site and the proposed site plan has less impervious surface than the existing conditions. The landscape plan has not yet been fully developed, possibilities for lighting are low path lights, solar lights, or lighting that can be put out and removed as necessary. Alderman Crossley asked about a bike rack.

Alderman Baker asked the committee that should it recommend approval it consider some flexibility in the proposed elevation plans referenced in the special permit in case the Historical Commission, which has not yet approved this project and will meet for additional review, differs as to how the main house and proposed structure relate.

Public Comment

Connie Kantor 382 Kenrick Street, is in full support of the proposed project.

Constance Barry, 21 Magnolia Avenue, supports the project but is concerned about buses and other traffic cutting through on Magnolia.

Dena Rashes 392 Kenrick, the north abutter, also fully supports the plan.

Working Session. The Committee asked whether the house and grounds would be rented out for weddings, which was mentioned briefly in the presentation. It is very unlikely it would become a wedding venue because of the constraints of house and the site, i.e., the house cannot hold more than 70 people, and it lacks proper sanitation and kitchen facilities to accommodate that type of event. Ms. Brockway said that erecting tents would be problematic because of the grade of the site and location of plantings. The petitioner has agreed to not hold any simultaneous indoor and outdoor events. Providing the required parking on-site is impossible. The surrounding neighborhood is comprised of large lots, with sufficient off-street parking, resulting in ample on-street parking. The Planning Department suggested posting signs along Waverley and Kenrick to advise there is no parking within 5 feet of a driveway; however, the Committee felt this is unnecessary since it is against the law to do so and can be enforced by the Police Department. It is improbable that parking will become an issue, with no more than 15 people anticipated on-site most days. The occasional evening lecture and special event should be no more intrusive than those that take place at the Jackson Homestead.

The buses will drop off students on Kenrick Street, but they cannot remain there. The petitioner will need to work with the School Department to determine where they will go and what route they will take after dropping off the children. One suggestion was that the buses could go to the Austin Street parking lot and be radioed back when the students were ready to leave.

The petitioner agreed to work with the city traffic engineer to identify locations and routes for the buses and to identify on-street locations where parking is available and to post that information on its website and to make the bus routing information to the bus drivers.

The petitioner will submit a final landscape plan showing a bike rack and any lighting.

Alderman Merrill moved approval of the petition, finding that literal compliance with the parking requirement of 25 spaces is impossible because of the site constraints; the proposed demolition and construction of a new addition which will be used for educational purposes is not substantially more detrimental than the existing structure; continued use of the house as a museum is appropriate in a residential neighborhood; the use and addition will preserve an historic structure, landscape, and plantings; the extension of an already nonconforming side setback will not negatively impact any abutting properties. The Committee concurred with Alderman Merrill's motion and voted 8-0 to approve the petition.

The meeting was adjourned at approximately 11:40 PM.

Respectfully submitted,

Ald. Ted Hess-Mahan, Chairman