



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
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James Freas  
Acting Director

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**PUBLIC HEARING MEMORANDUM**

Public Hearing Date: December 9, 2014  
Land Use Action Date: January 6, 2015  
Board of Aldermen Action Date: February 17, 2015  
90-Day Expiration Date: March 2, 2015

DATE: December 5, 2014

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
Daniel Sexton, Senior Planner

SUBJECT: **Petition #222-14(2)**, DENISE & PETER STAUBACH, 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.

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The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision-making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



**29 Wedgewood Road**

### EXECUTIVE SUMMARY

The property located at 29 Wedgewood Road consists of 4,501 square feet of land improved with a two-story residence with an attached one-stall, one-story, garage constructed in 1935. The petitioner's proposing to demolish the existing attached garage and breezeway, and construct a new addition totaling approximately 1,112 square feet. The addition will consists of a two stall garage, a first floor bathroom and mudroom, and two bedrooms on the second floor. In order to construct the proposed addition, the petitioner is seeking a special permit to increase the floor area ratio (FAR) from .42 to .54, where .48 is the maximum allowed by right. If approved, the proposed addition totaling 880 square feet, which represents a net increase of 541 square feet, will increase the dwelling from 1,902 square feet to 2,447 square feet. **The petitioner previously requested a special permit to similarly expand the existing residence, but this petition was withdrawn so the petitioner could modify the design of the proposed addition, making it more in-keeping with the existing structure, and to rectify errors on the site plan.**

Due to the age of the structure and scope of the proposed project, the Newton Historical Commission (NHC) reviewed the proposal and determined the structure to be preferably preserved (**ATTACHMENT A**). The petitioner received a waiver of the demolition delay from NHC with the understanding that the ridgepole of the addition would match the existing house. The petitioner has designed the addition to account for this suggestion, aligning the ridgepole of the addition with the existing house. According to the *Newton Comprehensive Plan*, adopted 2007, residential property owners are encouraged to consider modest additions to older homes in order to preserve the existing structure, while allowing them to meet the needs of today's families.

The Planning Department has no particular concerns with the new design for the proposed addition. Through design changes to the addition, the petitioner has reduced the visual impact of the bulk and mass, helping to make the addition a better fit with the existing structure. The visual impact of the addition has been lessened by matching the ridgepoles, stepping back the first floor, and the modification of the front dormer. 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.

#### I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The proposed FAR of .54, where .48 is the maximum allowed by right and .42 is existing, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. (§30-15 Table A, §30-15(u)(2))
- The site is an appropriate location for the proposed addition to the residence as the level of open space exceeds the minimum required by the Newton Zoning Ordinance. (§30-24(d)(1))

## II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

### A. Neighborhood and Zoning

The property is located on Wedgewood Road, four residences down from the intersection of Wedgewood Road and Holden Road. The subject property and surrounding neighborhood are zoned Single Residence 3 (**ATTACHMENT B**). Structures in the surrounding neighborhood are composed of single-family residences with pockets of multi-family residential and vacant properties as well (**ATTACHMENT C**).

### B. Site

The property consists of one lot with 4,501 square feet of land and is improved with a two-story residence with an attached one-stall, one-story, garage. There is a modest bituminous driveway on the western side of the property that provides access to the existing garage.

## III. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use

The property will remain a single-family residence.

### B. Building and Site Design

As proposed, the addition consists of an expanded garage, first floor living space, and two bedrooms on the second floor. The addition will be of wood framed construction and continue certain architectural features of the existing structure. If constructed, the proposed addition totaling 880 square feet represents a net increase of 540 square feet to the existing structure. To allow for the second floor bedrooms within the footprint of the proposed addition, the petitioner is proposing to install a linked dormer facing Wedgewood Road, and a rear facing gable. The petitioner is also proposing to enlarge the width of the driveway from approximately nine feet to 18 feet. As a result, the lot coverage will be increased from 26% to 30%, but will not exceed the maximum allowed by the Newton Zoning Ordinance.

The petitioner has incorporated additional windows into the west facing façade of the addition to break-up the mass of the rear gable. At the request of staff, the petitioner also stepped back the first floor façade to subjugate this portion of the addition and modified the design of the front facing dormer. Further, the petitioner matched the ridgepole of the addition with the ridgepole of the existing structure.

The existing house, without the proposed addition, appears to be one of the largest homes in the immediate neighborhood. Although the house with the addition is still a reasonable sized house, the house will become the largest house in the immediate neighborhood. As the table below indicates, the median house size (including garages and accessory structures) is 1,686 square feet, where the project will increase the

subject residence to 2,447 square feet. Further, the median FAR of the surrounding residences is .31 and the proposed FAR is .54.

**Parcel Comparison of Lots Surrounding 29 Wedgewood Road**

<b>Parcel</b>	<b>Approx. Lot Size (s.f.)</b>	<b>Approx. Size of Buildings (s.f.)</b>	<b>Approx. Floor Area Ratio</b>
<b>29 Wedgewood Rd. *</b>	<b>4,501 s.f.</b>	<b>1,906 s.f.</b>	<b>.42</b>
25 Wedgewood Rd.	4,501 s.f.	2,010 s.f.	.46
30 Wedgewood Rd.	5,644 s.f.	1,608 s.f.	.28
36 Wedgewood Rd.	5,379 s.f.	1,686 s.f.	.31
40 Wedgewood Rd.	5,933 s.f.	1,634 s.f.	.27
41 Wedgewood Rd.	4,501 s.f.	1,641 s.f.	.36
68 Eliot Ave.	4,000 s.f.	1,114 s.f.	.28
64 Eliot Ave.	6,000 s.f.	1,857 s.f.	.31
56 Eliot Ave.	4,000 s.f.	1,994 s.f.	.50
<b>Median</b>	<b>4,501 s.f.</b>	<b>1,686 s.f.</b>	<b>.31</b>
<b>29 Wedgewood Rd. **</b>	<b>4,501 s.f.</b>	<b>2,447 s.f.</b>	<b>.54</b>

The information presented in this table was obtained from the City of Newton’s Assessor’s Database, and was used to calculate the approximate floor area ratio for adjacent parcels.

\* Existing conditions for 29 Wedgewood Road

\*\* Proposed conditions for 29 Wedgewood Road

The Planning Department understands the needs of today’s families and the limitations of enlarging an older home on a small lot. The Department believes that the petitioner’s modified design for the addition adds visual symmetry to the building. As designed, the architectural features being proposed for the addition appear to diminish the excess mass and bulk of the addition, lessen its visual impact, and blend the visual context of the residence.

C. Parking and Circulation

The proposed development will slightly alter the parking configuration for the property so that two vehicles will be parked within the enlarged garage. Presently, the petitioner’s parks one vehicle in the garage and one in the driveway. The proposed parking configuration will require enlargement of the driveway its entire length from approximately nine feet to 19 feet in width.

D. Landscape Screening

The proposed addition will be visible from Wedgewood Road and abutting

properties, especially those to the north, south, and west. The structure is partially flanked by a sight-obscuring fence that ranges in height from approximately four feet to six feet. There are existing plantings on the site that will provide partial screening of the proposed addition. According to the proposed landscape plan, the petitioner is proposing to install addition plants throughout the site to add visual screening and to enhance the visual character of the site.

The Planning Department believes that the combination of the existing and proposed landscape measures, which will provide a mix of seasonal and year around screening, will ensure adequate buffering, screening, and privacy.

#### IV. TECHNICAL REVIEW

##### A. Technical Considerations (Chapter 30, Newton Zoning Ordinance)

The Zoning Review Memorandum (**ATTACHMENT D**) provides an analysis of the proposal with regard to zoning. Based on this review, the petitioner is seeking a Special Permit/Site Plan Approval for the following reliefs:

- §30-15 Table A and §30-15(u) to exceed the allowed FAR. The petitioner's proposed additions will increase the FAR from .42 to .54 where .48 is the maximum FAR allowed by right.

##### B. Newton Historical Commission

On January 23, 2014, the Newton Historical Commission (NHC) reviewed this proposal. According to the Record of Action (**ATTACHMENT A**), the NHC found the residence preferably preserved and approved a waiver of the demolition delay with the understanding that the ridgepole of the addition would match the existing house. Although the petitioner has chosen to wait out the demolition delay, the latest design for the addition includes a ridgepole that matches the existing structure.

##### C. Engineering Review

The Associate City Engineer, submitted an Engineering Review Memorandum (**ATTACHMENT E**), providing an analysis of the proposal with regard to engineering issues. As the project does not increase the impervious surfaces on the lot by more than 4%, no on-site drainage is required.

#### V. PETITIONERS' RESPONSIBILITIES

The petition is considered complete at this time.

**ATTACHMENTS:**

- Attachment A:** Newton Historical Commission – Record of Action
- Attachment B:** Zoning Map
- Attachment C:** Land Use Map
- Attachment D:** Zoning Review Memorandum
- Attachment E:** Engineering Review Memorandum

Project#: 131 20020

Attachment A

Date Received: 12-11-13

City of Newton, Massachusetts  
Department of Planning and Development  
Demolition Review Ordinance - Application for Property Review

Property Owner Denise & Peter Staubach	Address of Property to be reviewed: 29 Wedgewood Road	Phone: 617-283-4777
Primary Contact: Denise Staubach	Address: -	Phone:
Email Address DMSTAUBACH@HOTMAIL.COM		

I. Type of Structure to be Demolished: (Circle)

House  Garage  Shed  Non-Residential Building  Other

If Other please describe: \_\_\_\_\_

II. Year Property Built 1935 Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_  
(Can be found in Assessors Database on City's website - www.ci.newton.ma.us)

III. Description of Demolition Requested: \_\_\_\_\_  
Garage + breezeway

IV. Required Documentation to be Included With Application: (check items included)

- Photographs of Front, Back and Sides of affected Structure and one of front of addressed building on property for location purposes.
- Assessor's Map Showing Property Location

Incomplete applications may result in a delay in review time.

V. Suggested Additional Documentation: (check items included)

- Building Plans 11 X 17 or smaller (Elevations only), recommended
- Historical Information  Site Plan  Product/Material Information
- Photos of neighborhood (recommended for full demos)  Sketches

Home Owner Signature:

Denise M. Staubach

PLEASE NOTE: Once the completed application is received, the Historic Preservation Planner has 15 days to determine whether the structure is considered to be historically significant. If you should have questions, please contact the Planning & Development Department at (617) 796-1120.

*This application is only for Demolition Review from the Newton Historical Commission. Following this review, an application for Plan Examination and Building Permit must be completed and submitted to Inspectional Services for a building permit.*



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Candace Havens  
Director

Newton Historical Commission Demolition Review Decision

Date: 1-28-14 Zoning & Dev. Review Project# 13120020

Address of structure: 29 Wedgewood Road

Type of building: house

If partial demolition, feature to be demolished is garage + breezeway

The building or structure:

- is  is not  in a National Register or local historic district not visible from a public way.
- is  is not  on the National Register or eligible for listing.
- is  is not  importantly associated with historic person(s), events, or architectural or social history
- is  is not  historically or architecturally important for period, style, architect, builder, or context.
- is  is not  located within 150 feet of a historic district and contextually similar.

is  NOT HISTORIC as defined by the Newton Demolition Delay Ordinance.  
*Demolition is not delayed and no further review is required.*

is  HISTORIC as defined by the Newton Demolition Delay Ordinance (See below).

The Newton Historical Commission staff:

APPROVES the proposed project based upon materials submitted see below for conditions (if any).  
*Demolition is not delayed, further staff review may be required.*

DOES NOT APPROVE and the project requires  
Newton Historical Commission review (See below).

Plans approval req.  
before permit issued

The Newton Historical Commission finds the building or structure:

is  NOT PREFERABLY PRESERVED  
*Demolition is not delayed and no further review is required.*

is  PREFERABLY PRESERVED - (SEE BELOW).

Delay of Demolition:

is in effect until \_\_\_\_\_

has been waived - see attached for conditions

Please Note: if demolition does not occur within two years of the date of expiration of the demolition delay, the demolition will require a resubmittal to the Historical Commission for review and may result in another demolition delay.

Determination made by:

Cathy Jones

1-28-14





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Setti D. Warren  
 Mayor

Candace Havens  
 Director

**RECORD OF ACTION:**

**DATE:** January 28, 2014

**SUBJECT:** 29 Wedgewood Road

At a scheduled meeting and public hearing on January 23, 2014 the Newton Historical Commission, by vote of 7-0:

**RESOLVED** to find the residence at 29 Wedgewood Road to be preferably preserved.

**Voting in the Affirmative:**

- Mark Armstrong, Member
- David Morton, Acting-Chair
- Nancy Grissom, Member
- Bill Roesner, Member
- Rodney Barker, Member
- Jean Fulkerson, Member
- Donald Tellalian, Alternate

At a scheduled meeting and public hearing on January 23, 2014 the Newton Historical Commission, by a vote of 6-1:

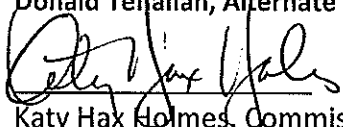
**RESOLVED** to approve the second set of plans as presented (front-facing gable with a single dormer containing paired windows) and waive the demo delay.

**Voting in the Affirmative:**

- David Morton, Acting-Chair
- Mark Armstrong, Member
- Jean Fulkerson, Member
- Nancy Grissom, Member
- Rodney Barker, Member
- Donald Tellalian, Alternate

**Voting in the Negative:**

- Bill Roesner, Member



Katy Hax Holmes, Commission Staff

# Zoning Map 29 Wedgewood Road

City of Newton,  
Massachusetts

**ATTACHMENT B**

### Legend

- Street Names
- Single Residence 3
- Property Boundaries
- Building Outlines

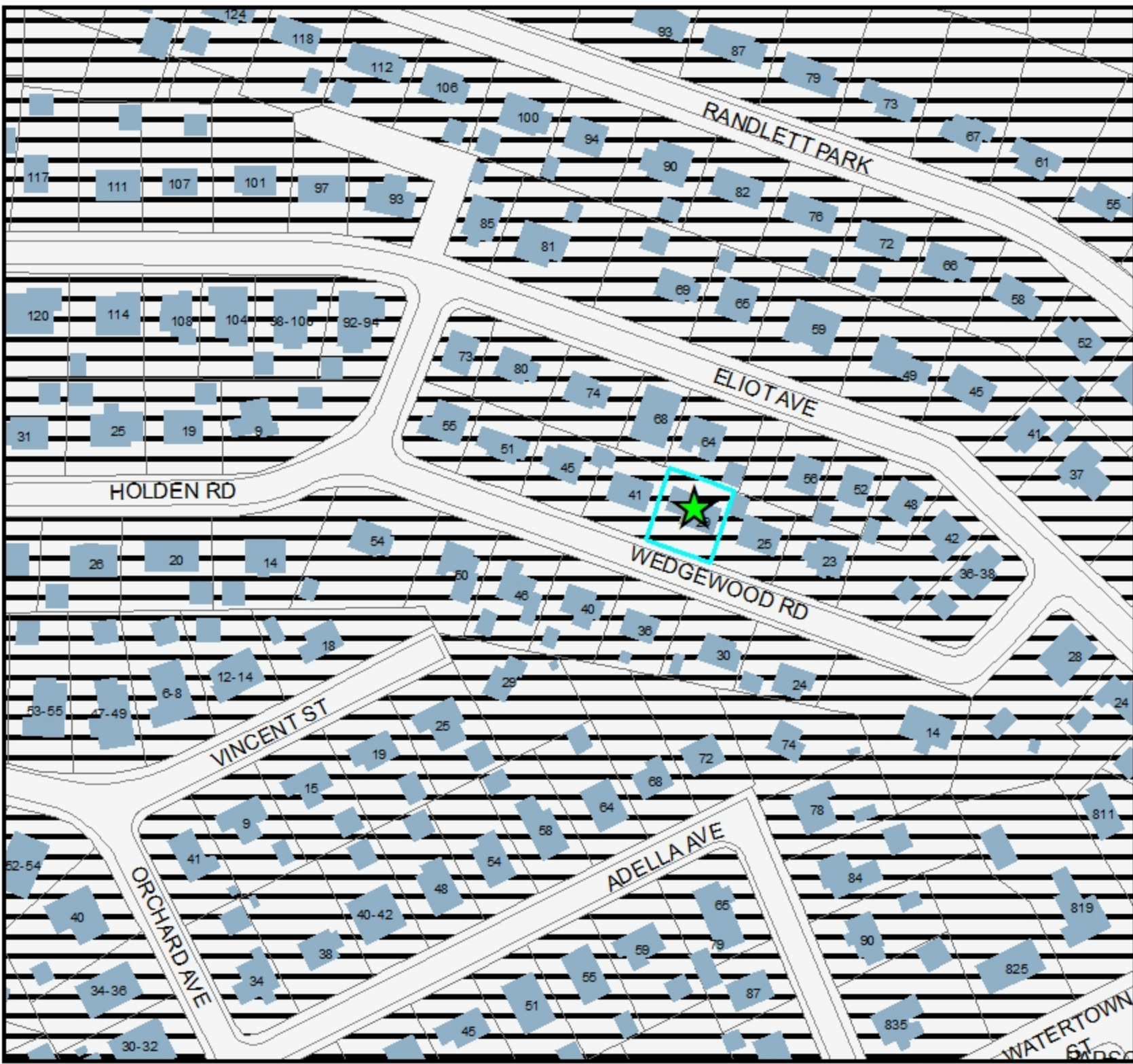


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS  
Mayor - Seth D. Warren  
GIS Administrator - Douglas Greenfield

0 12.5 25 50 75 100 125 150 175 Feet

Map Date: November 28, 2014



# Land Use Map 29 Wedgewood Road

City of Newton,  
Massachusetts

**ATTACHMENT C**

### Legend

Street Names

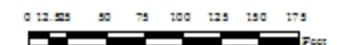
### Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Open Space
-  Nonprofit Organizations
-  Vacant Land
-  Property Boundaries
-  Building Outlines

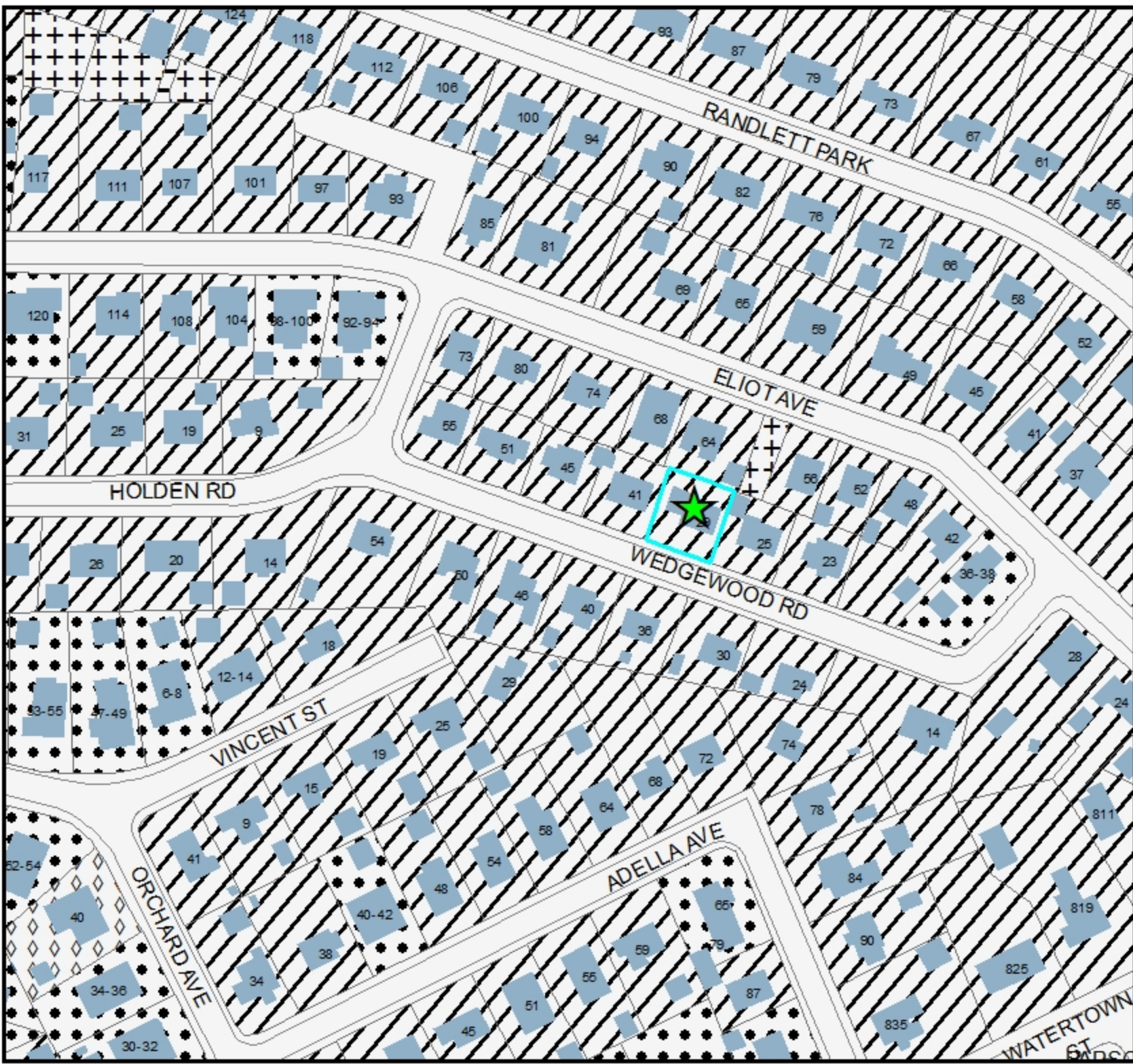


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CITY OF NEWTON, MASSACHUSETTS  
Mayor - Seth D. Warren  
GIS Administrator - Douglas Greenfield



Map Date: November 28, 2014





Setti D. Warren  
Mayor

# Attachment D

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**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: November 3, 2014

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Alexandra Ananth, Chief Planner for Current Planning

Cc: Denise and Peter Staubach, Applicants  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to exceed maximum allowable FAR**

Applicant: Denise and Peter Staubach	
Site: 29 Wedgewood Road	SBL: 31020 0014
Zoning: SR-3	Lot Area: 4,501 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 29 Wedgewood Road consists of a 4,501 square foot lot improved with a single-family cape-style residence constructed in 1935. The structure consists of two stories with an attached one-stall garage. The applicant proposes to remove the existing attached garage and breezeway and to construct a new two-stall garage, sunroom and 3/4 bath, with two bedrooms above. The additional living space will exceed the maximum FAR allowed by the Ordinance, requiring a special permit. The existing structure is 14.8 feet from the rear setback line, where 15 feet is required. The applicant proposes to reduce the rear setback to 13.5 feet. The existing front setback is 25.5 feet, where 25 feet is required. The addition in the front of the property will be 26.6 feet from the front lot line.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Denise and Peter Staubach, applicants, submitted 9/8/2014
- FAR calculations, prepared by Malcolm Mackenzie, architect, dated 9/8/2014
- Newton Historical Commission decision, dated 1/28/2014
- Site Plan, signed and stamped by Bruce Bradford, surveyor, dated 5/12/2014
- Proposed Site Plan, undated
- Architectural Plans, prepared by Malcolm Mackenzie, architect, dated 4/25/2014

**ADMINISTRATIVE DETERMINATIONS:**

1. The applicant’s proposed construction provides an additional 541 square feet of living space which increases the FAR from .42 to .54, which exceeds the maximum of .48 allowed by the Ordinance per section 30-15, Table A. A special permit is required to exceed the allowable FAR.
2. The *de minimus* provisions of Sections 30-21(c)(3) and 30-21(c)(4) address additions to the rear and side of a structure with nonconforming rear and/or side setbacks. Section 30-21(c)(3) allows for first floor additions in the side or rear setbacks which do not total more than 200 square feet. Section 30-21(c)(4) allows for second floor additions which do not total more than 400 square feet. The existing structure has a rear setback of 14.8 feet, where 15 feet is required. The applicant proposes an additional 27.9 square feet within the setback, per each floor, which does not exceed the 200 square feet allowed for a first floor by Section 30-21(c)(3), or the 400 square feet allowed by Section 30-21(c)(4) for a second floor. No action is required to build the addition as proposed.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	<b>4,501 square feet</b>	<b>No change</b>
Frontage	70 feet	<b>64.3 feet</b>	<b>No change</b>
Setbacks			
• Front	25 feet	25.5 feet	No change
• Side	7.5 feet	7.7 feet	7.6 feet
• Rear	15 feet	<b>14.8 feet</b>	<b>13.5 feet</b>
FAR	.48	.42	<b>.54</b>
Max Lot Coverage	30%	26%	30%
Min. Open Space	50%	66%	59%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, 30-15(u)(2)	Exceed maximum Floor Area Ratio (FAR)	S.P. per §30-24



**CITY OF NEWTON  
DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION**

MEMORANDUM

To: Alderman Mark Laredo, Land Use Committee Chairman  
From: John Daghlian, Associate City Engineer  
Re: Special Permit – 29 Wedgwood Road  
Date: July 10, 2014  
CC: Lou Taverna, PE City Engineer  
Linda Finucane, Associate City Clerk  
Alexandria Ananth, Chief Planner  
Dan Sexton, Sr. Planner

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In reference to the above site, I have the following comments for a plan entitled:

*Plan of Land  
in  
Newton, MA  
29 Wedgwood Road  
Prepared by: Everett M. Brooks Company  
Dated: May 12, 2014*

*Executive Summary:*

The plans indicate an existing garage will be razed and a new larger garage will be constructed and expanded driveway. The new increase of impervious surface is under the 400 square foot threshold, therefore no on-site drainage improvement is needed.

If the interior of the house is gutted or renovated, then the water and sewer service will have to be updated.

General:

1. All trench excavation contractors shall comply with Massachusetts General Laws Chapter 82A, Trench Excavation Safety Requirements, to protect the general public from unauthorized access to unattended trenches. Trench Excavation Permit required. This applies to all trenches on public and private property. *This note shall be incorporated onto the plans*
2. All tree removal shall comply with the City's Tree Ordinance.
3. The applicant will have to apply for a Building Permits with the Department of Inspectional Service prior to any construction.
4. Prior to Occupancy Permit being issued, an As-Built Plan shall be submitted to the Engineering Division in both digital format and in hard copy. The plan should show all utilities and final grades, any easements and final grading. *This note must be incorporated onto the site plan.*
5. If a Certificate of Occupancy is requested prior to all site work being completed. *This note must be incorporated onto the site plan.*

Note: If the plans are updated it is the responsibility of the Applicant to provide all City Departments [Conservation Commission, ISD, and Engineering] involved in the permitting and approval process with complete and consistent plans.

If you have any questions or concerns please feel free to contact me @ 617-796-1023.