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Mayor

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Candace Havens
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: July 15, 2014
Land Use Action Date: July 29, 2014
Board of Aldermen Action Date: September 15, 2014
90-Day Expiration Date: October 6, 2014

DATE: July 11, 2014

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner

SUBJECT: **Petition #222-14, 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 ¾ 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.**

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 is proposing to demolish the current attached garage and breezeway, and construct a new addition totaling approximately 880 square feet. The addition will consist of a two stall garage totaling 378 square feet, a first floor bathroom and mudroom totaling 172 square feet, and two bedrooms on the second floor totaling 330 square feet. 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 540 square feet, will increase the dwelling from 1,902 square feet to 2,442 square feet.

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 chosen to pursue a different design. The demolition delay is therefore in effect. 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 construction of an addition on this dwelling. The Department does, however, have reservations about the bulk and mass of the proposed addition, and its visual fit within the surrounding buildings and residential context. To reduce the bulk, mass, and visual impact of the front building plane and western facing side facade of the proposed addition, the Department encourages the petitioner to consider 1) reducing the size of the front dormer to align it with the two existing dormers; 2) use a shed dormer on the rear of the residence to increase articulation of the building instead of the proposed gable; and 3) installation of screening measures, consisting of plantings or the extension of the existing sight obscuring fence. The Planning Department believes that the project, with slight modifications, 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 at 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 residential type land use 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

The petitioner's proposed addition, consisting of an expanded garage, first floor living space, and two bedrooms on the second floor, 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 third dormer facing Wedgewood Road, a rear facing gable, and raise the ridgeline of the new addition by approximately one foot. The front dormer, which is approximately double the size of the two existing dormers, distorts the front building plane.

As proposed, the rear gable increases the visual bulk of the western facing side façade. The raising of the ridgeline subjugates the existing structure to the proposed addition, which blurs the visual context of the residence. Together, these building features impact the bulk, mass, and visual effect of the structure and how it blends in with surrounding buildings and residential context. The petitioner has also proposed to enlarge the width of the driveway from approximately nine feet to 18 feet. As a

result of the project, the lot coverage will be increased from 26% to 30%, but will not exceed the maximum allowed by the Newton Zoning Ordinance.

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 2,442 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

Parcel	Approx. Lot Size (s.f.)	Approx. Size of Buildings (s.f.)	Approx. Floor Area Ratio
29 Wedgewood Rd. *	4,501 s.f.	1,902 s.f.	.42
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
Median	4,501 s.f.	1,686 s.f.	.31
29 Wedgewood Rd. **	4,501 s.f.	2,442 s.f.	.54

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. However, the petitioner has been encouraged to reduce the size of the new dormer to match the existing dormers on the residence and add visual symmetry to front building plane. The Department also suggested that the rear gable be converted to a shed dormer to add articulation to the western facing side façade, and help diminish the excess mass and bulk of this facade. While it may alter the configuration of the second floor living space within the addition, the height of the addition’s ridgepole should be aligned with the existing structure. Together, these design adjustments would allow the structure to fit with

the surrounding buildings and residential context.

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 additions will be visible from Wedgewood Road and abutting properties, especially those to the north, south, and west. The structure is flanked by site obscuring fence that ranges in height from approximately four feet to six feet. The existing plantings on the site will provide minimal screening of the proposed addition.

The Planning Department believes the petitioner should install additional landscape plantings, which would provide year around vegetation, and/or extend the existing sight obscuring fence along the western property line to 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. The petitioner is requesting a Special Permit/Site Plan Approval for the proposed addition that will increase the FAR above the maximum allowed by the Newton Zoning Ordinance.

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. Since this approval, the petitioner has chosen to pursue a different design for the addition. As such, the project will have to either wait out the demolition delay or seek approval of the revised design from NHC. The petitioner has indicated to the Planning Department that they will wait out the delay, which runs through January 23, 2015.

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 petitioner is not increasing the impervious surfaces on the lot by more than 4%, no on-site drainage is required.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, 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.

VI. PETITIONERS' RESPONSIBILITIES

The petition is considered complete at this time. The petitioner should consider the Planning Department's recommendations to reduce the mass of the proposed addition.

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

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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Director

Newton Historical Commission Demolition Review Decision

Date: 1-20-14 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



Setti D. Warren
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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:

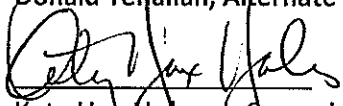
RESOLVED to approve the second set of plans as presented (front-facing gable with a single dormer containing paired windows) and waive the demo delay.

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

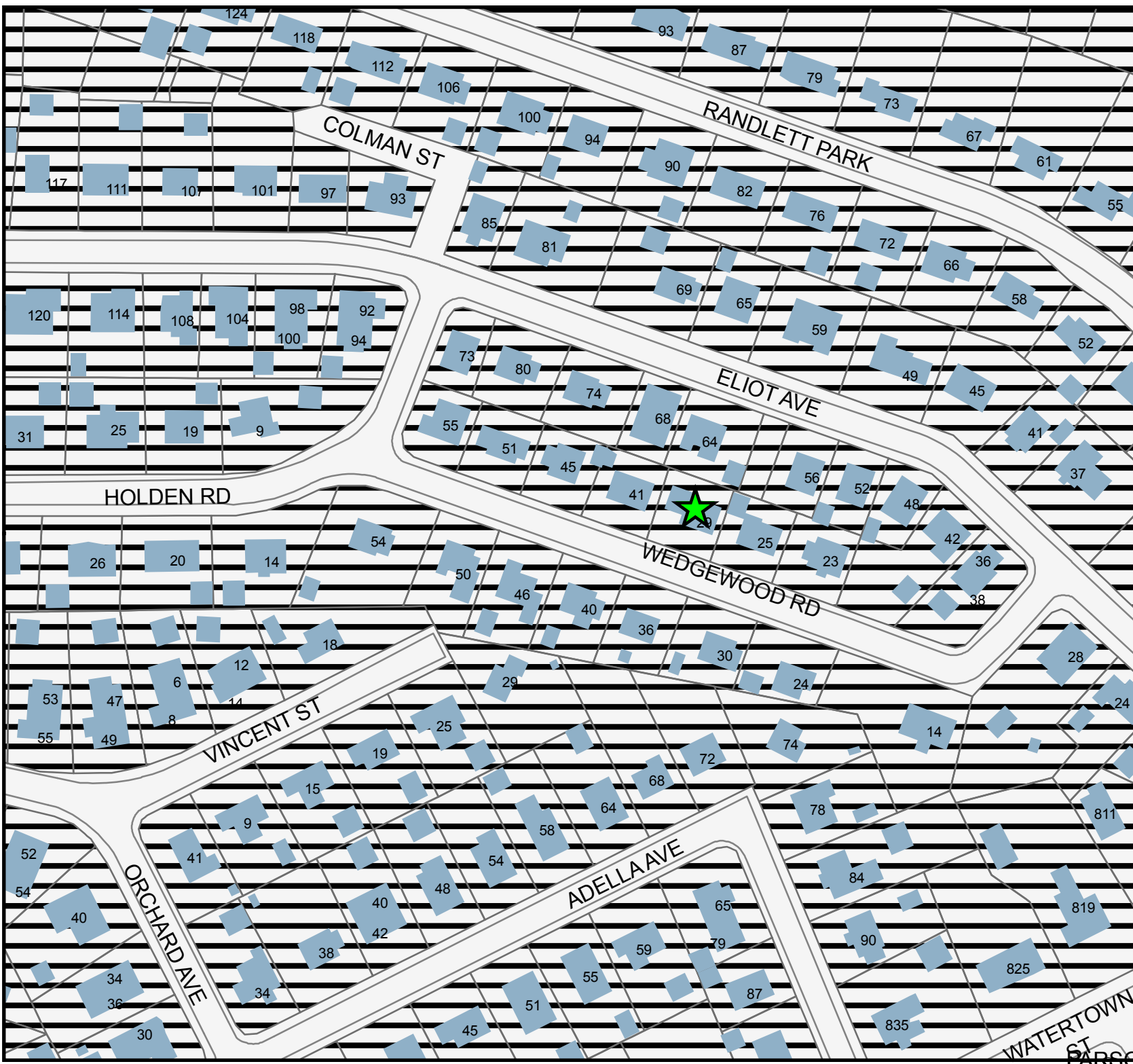
- Street Names
-  Single Residence 3
-  Property Boundaries
-  Building Outlines



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 - Setti D. Warren
GIS Administrator - Douglas Greenfield

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Feet



Land Use Map 29 Wedgewood Road








*City of Newton,
Massachusetts*

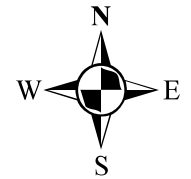
ATTACHMENT C

Legend

Street Names

Land Use

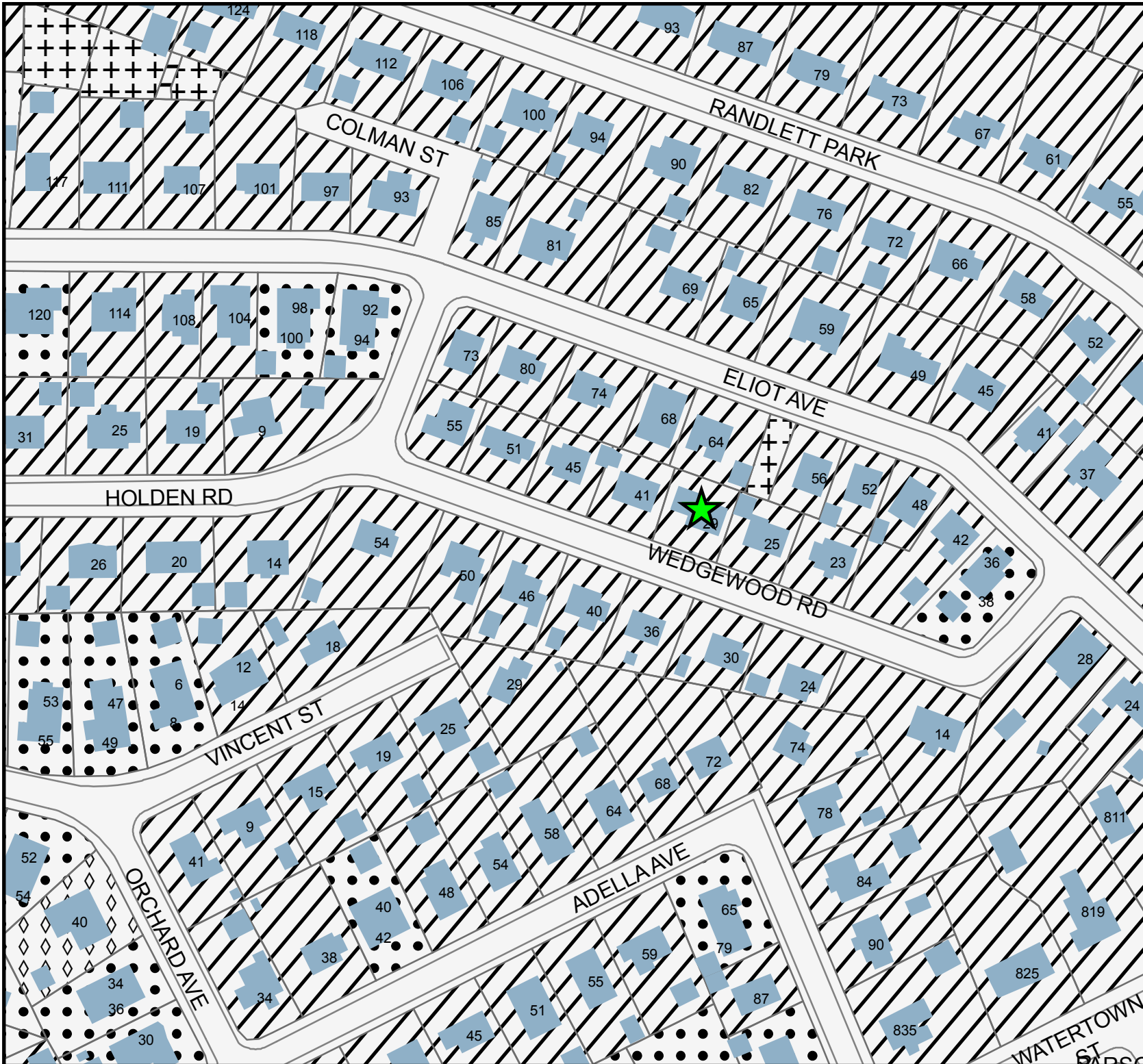
-  Single Family Residential
-  Multi-Family Residential
-  Open Space
-  Nonprofit Organizations
-  Vacant Land
-  Property Boundaries
-  Building Outlines



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CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
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0 12.525 50 75 100 125 150 175
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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 2, 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
Candace Havens, 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 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 5/15/2014
- FAR calculations, prepared by Malcolm Mackenzie, architect, dated 5/2/2014
- 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 536 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 construct the project as proposed.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	4,501 square feet	No change
Frontage	70 feet	64.3 feet	No change
Setbacks			
• Front	25 feet	25.2 feet	25.1 feet
• Side	7.5 feet	7.7 feet	No change
• Rear	15 feet	15.1 feet	No change
FAR	.48	.42	.54
Max Lot Coverage	30%	26%	30%
Min. Open Space	50%	66%	60%

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

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

*Plan of Land
in
Newton, MA
29 Wedgewood 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.