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Mayor

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James Freas  
Acting Director


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**PUBLIC HEARING MEMORANDUM**

Public Hearing Date: January 12, 2016  
Land Use Action Date: March 29, 2016  
City Council Action Date: April 4, 2016  
90-Day Expiration Date: April 12, 2016

DATE: January 6, 2016

TO: City Council

FROM: James Freas, Acting Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
Katy Hax Holmes, Senior Planner 

SUBJECT: **Petition #350-15**, WENDY & JASON KRITZER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a rear addition to enlarge the existing basement garage, to enlarge the kitchen and family room on the first floor, and to enlarge the master bedroom on the second floor, which will increase the Floor Area Ratio from .38 to .46, where .43 is the maximum allowed by right, on a single-family dwelling at 17 EAST BOULVEVARD ROAD, Ward 7, Newton Centre, on land known as SBL 73, 34, 5, containing approximately 7,135 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

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The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing that the Land Use Committee of the City Council can consider at a subsequent working session.



**17 East Boulevard Road**

## EXECUTIVE SUMMARY

The property located at 17 East Boulevard Road consists of a 7,135 square foot lot, and is improved with a Tudor Style, 2½-story single-family residence built in 1929 by Kilburn Real Estate Trust of Watertown. The applicants are proposing to construct rear additions to the dwelling to create additional living space by enlarging the existing basement and the first floor, and adding a rear dormer to accommodate a second floor expansion. In order to construct the additions, the applicants are seeking a special permit to increase the floor area ratio (FAR) from 0.38 to 0.46, where 0.43 is the maximum allowed by right. If approved, the proposed additions will result in a net increase of the existing dwelling by 593 square feet for a total dwelling size of 3,262 square feet.

Due to the structure's age and scope of the proposed project, the City's Senior Planner for Historic Preservation reviewed the proposal to alter a portion of the rear facade by constructing the proposed additions described above. Staff found the structure to be historic as defined by the Newton Demolition Delay Ordinance, but authorized the proposed project based upon proposed plans and materials submitted for review (**Attachment D**). 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 is not concerned about the construction of the addition on this single-family dwelling. The addition is located at the rear of the home, and has been designed to be sensitive to the structure's Tudor Style architecture. The Planning Department believes that the bulk, mass, and location of the proposed addition has been subordinated to the rest of the structure, and visually blends well with the surrounding buildings and residential context of the area and will be minimally visible from the street. Furthermore, the Planning Department believes the expanded residence is consistent with and not in derogation of the size, scale, and design of other residential structures in the neighborhood.

### I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the City Council should consider whether:

- The proposed increase of FAR from 0.38 to 0.46, where .43 is the maximum allowed by right, is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood. (§3.1.9)
- The site is an appropriate location for the proposed additions to a single-family dwelling, which enlarge the structure by a total of 593 square feet. (§7.3.3.C.1)
- The proposed addition will not adversely affect the neighborhood, as it is located at the rear of the structure and designed to be subordinate to the rest of the structure. (§7.3.3.C.2)

## II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

### A. Neighborhood and Zoning

The subject property is one of six homes located on East Boulevard Road, a cul de sac located about one block east of Temple Emmanuel off Ward Street. The site is developed with a single-family residence, and is similar in massing and style to 11 East Boulevard Road located immediately to the south. Other houses on the cul de sac are an eclectic mix of small ranches and split-level homes. With the exception of the Temple, this site is surrounded by residential land. A 3,043 square foot undeveloped parcel located adjacent to this parcel to the north is owned by the owners of 25 East Boulevard Road (**Attachment A**). The site and surrounding area are zoned Single Residence 2 (**Attachment B**), including the parcel developed with Temple Emmanuel.

### B. Site

The property consists of 7,135 square feet of land, and is improved with a 2½-story single-family residence built in 1929. A second Tudor Style residence built by the same builders in the same year stands immediately to the south. The topography of the site slopes up gradually from the front property line to the rear property line. The single-family residence has vehicular access via a bituminous driveway on the north side of the property, the turning radius of which overlaps the adjacent property and will continue to do so in the proposed design. The remaining portions of the site are lawn with some landscaped beds.

## III. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use

The principal use of the site will remain a single-family residence.

### B. Building and Site Design

The applicants are proposing to extend the existing residence by constructing additions on the rear of the structure. The additions will enlarge the current basement level and first and second floors to create more functional living space. To construct the proposed additions, the applicants are proposing to remove an existing rear deck, which will be replaced on the rear east corner of the structure, and demolish a portion of the existing attached garage. If approved, the proposed additions will result in a net increase of the existing dwelling by 593 gross square feet for a total dwelling size of 3,262 square feet, which will increase the FAR from 0.38 to 0.46 where 0.43 is the maximum allowed by right. The FAR of 0.43 would allow an addition of 212 additional square feet by right. The current request is for an additional 381 square feet over the allowed 212 square feet for a total of 593 gross square feet. The proposed additions and dwelling otherwise meet all of the dimensional controls as stipulated in the NZO.

The Planning Department has no concerns with the proposed additions to the single-family dwelling, as they are designed to be consistent with the Tudor Style residential character of this and the neighboring house to the south. The Planning Department believes the proposed modest additions to this older structure will help preserve it, while allowing the owners to meet the needs of today's families. This addition will be minimally visible from a public way on three sides.

C. Landscape Screening

The site has mature vegetation along the property lines abutting adjacent properties. The Planning Department believes that existing vegetation is adequate, and does not believe additional screening is needed.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment C**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- §3.1.9 of Section 30, to increase the Floor Area Ratio (FAR).

B. Engineering Review

It is expected that the Engineering Division of Public Works will review this proposal prior to the issuance of any building permits.

V. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

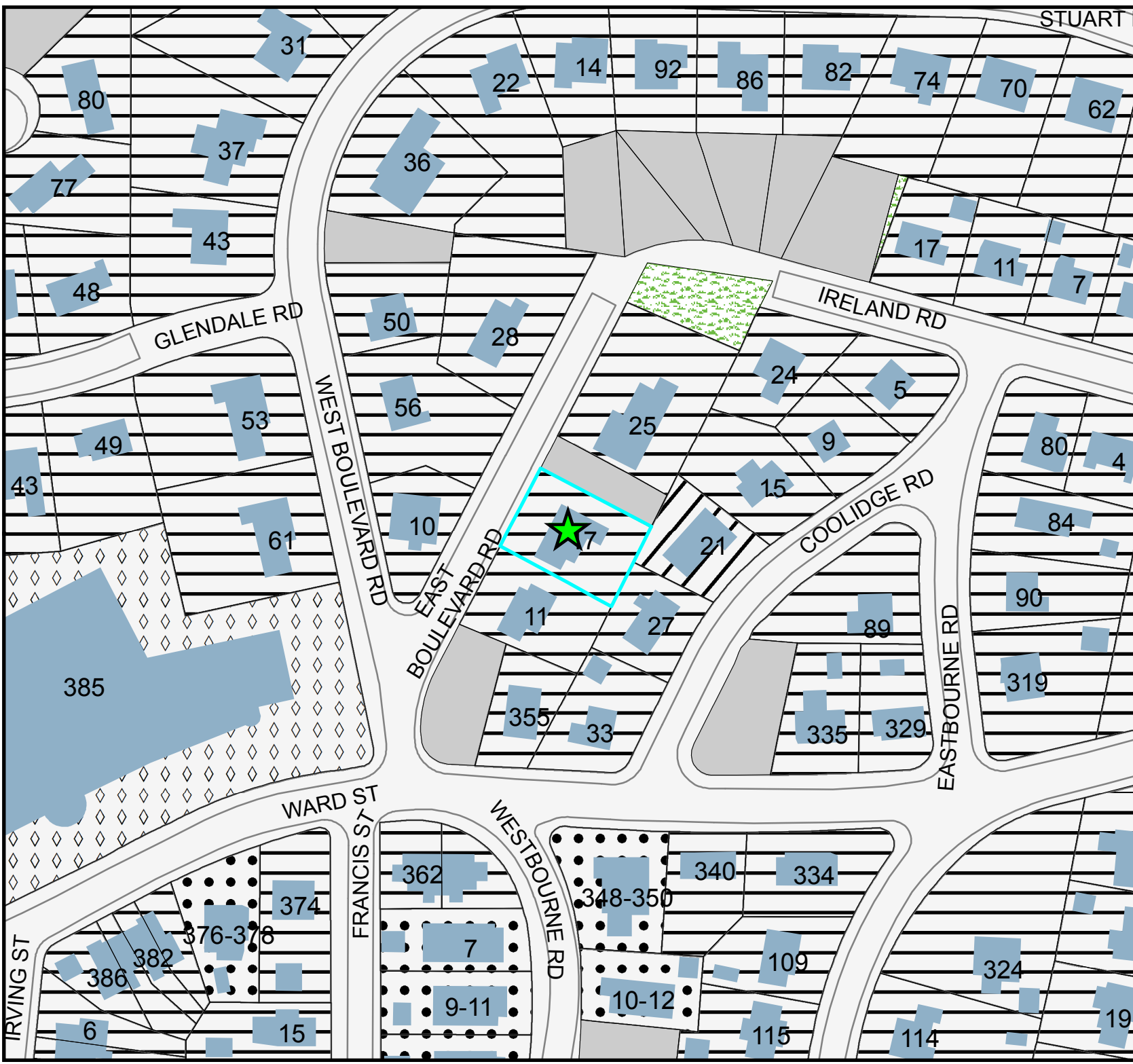
**ATTACHMENTS:**

- ATTACHMENT A:** Land Use Map  
**ATTACHMENT B:** Zoning Map  
**ATTACHMENT C:** Zoning Review Memorandum, dated November 9, 2015  
**ATTACHMENT D:** Newton Historical Commission Demolition Review Decision, 11/30/2015

# Land Use Map 17 East Boulevard Road

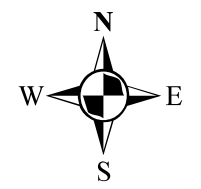
City of Newton,  
Massachusetts

## ATTACHMENT A



**Legend**

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



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







# Zoning Map 17 East Boulevard Road

*City of Newton,  
Massachusetts*

## ATTACHMENT B

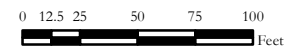
### Legend

-  Building Outlines
-  Property Boundaries
-  Single Residence 2
-  Multi-Residence 1

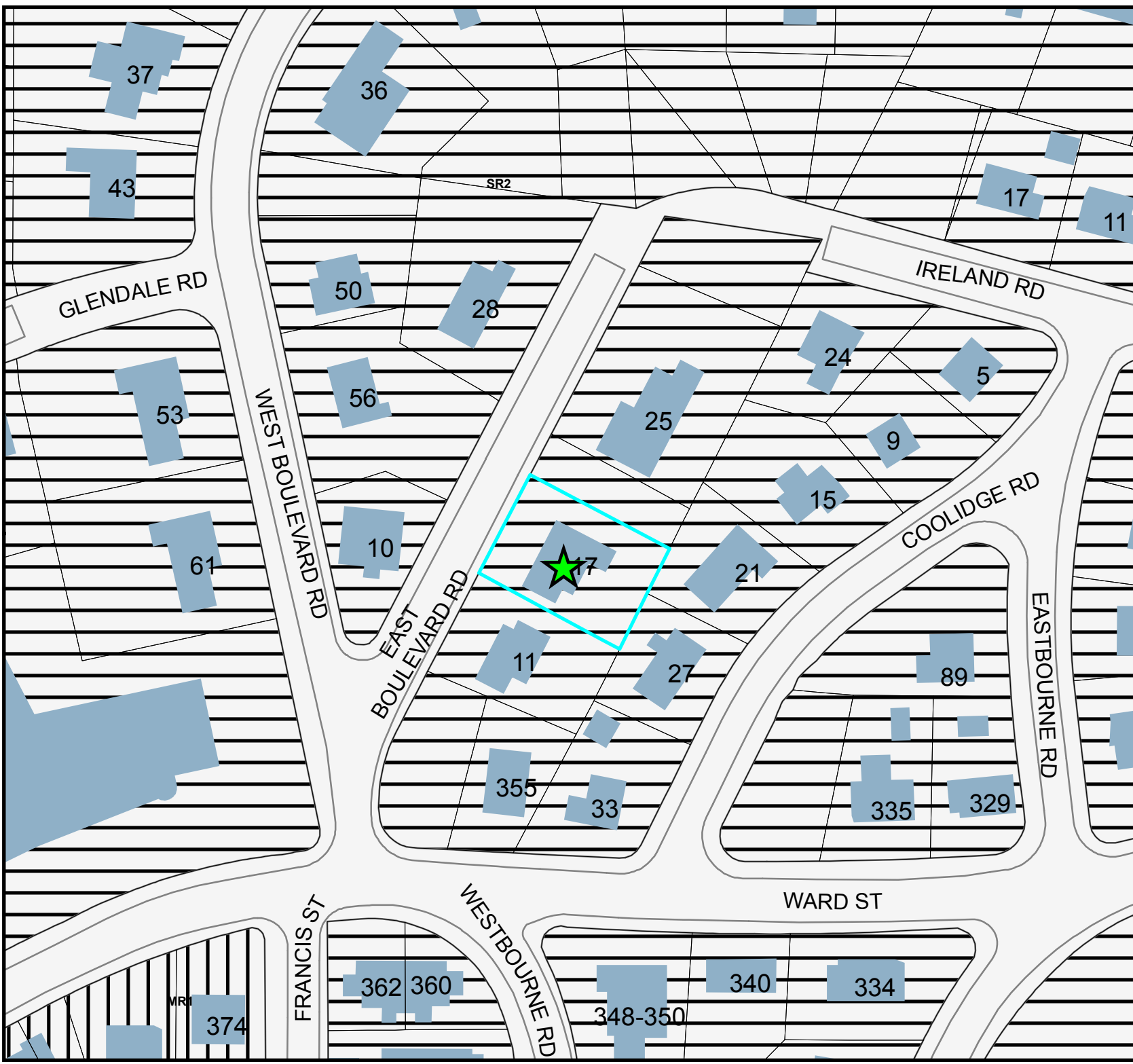


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CITY OF NEWTON, MASSACHUSETTS  
Mayor - Setti D. Warren  
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Map Date: December 29, 2015





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James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: November 9, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Lee Silverstone, Architect  
Jason and Wendy Kritzer, applicants  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to exceed FAR**

Applicant: Jason and Wendy Kritzer	
Site: 17 East Boulevard Road	SBL: 73034 0005
Zoning: SR-2	Lot Area: 7,135 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 17 East Boulevard Road consists of a 7,135 square foot lot improved with a single-family residence constructed in 1929. The structure is a two and one-half story tudor-style with an undersized two-car garage in the basement level. The applicant proposes to construct a rear addition to enlarge the existing basement garage to accommodate two cars, to enlarge the kitchen and family room on the first floor, and to enlarge the master bedroom on the second floor.

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

- Zoning Review Application, prepared by Lee Silverstone, architect, submitted 9/30/2015
- FAR Worksheet, prepared by Lee Silverstone, architect, submitted 9/30/2015
- Site Plan, signed and stamped by Bruce Bradford, surveyor, dated 9/22/2015
- Architectural Plans, prepared by Lee Silverstone, architect, dated 9/13/2015
  - Existing Basement Floor Plan
  - Existing First Floor Plan
  - Existing Second Floor Plan
  - Proposed Basement Floor Plan
  - Proposed First Floor Plan

- Proposed Second Floor Plan
- Proposed Elevations

**ADMINISTRATIVE DETERMINATIONS:**

1. The applicants’ existing FAR is .38, where .43 is the maximum allowed. The proposed addition adds 593 square feet, for a total of 3,262 square feet. These additions result in an FAR of .46. A special permit pursuant to Section 3.1.9 is required.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	<b>7,135 square feet</b>	<b>No change</b>
Frontage	80 feet	<b>70 feet</b>	<b>No change</b>
Setbacks			
• Front	25 feet	<b>24.4 feet</b>	<b>No change</b>
• Side	7.5 feet	7.9 feet	No change
• Rear	15 feet	42.7 feet	27.2 feet
Building Height	36	28.5 feet	31.8 feet
Max Number of Stories	2.5	2.5	2.5
FAR	.43	.38	<b>.46</b>
Max Lot Coverage	30%	19.6%	22.6%
Min. Open Space	50%	68%	59%

1. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.9	To exceed FAR	S.P. per §7.3





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ATTACHMENT D  
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Candace Havens  
Director

**Newton Historical Commission Demolition Review Decision**

Date: 11/30/2015 Zoning & Dev. Review Project# 15110088

Address of structure: 17 East Blvd.

Type of building : House

If partial demolition, feature to be demolished is portion rear

The building or structure:

- is        is not x in a National Register or local historic district not visible from a public way.
- is        is not x on the National Register or eligible for listing.
- is        is not x importantly associated with historic person(s), events, or architectural or social history
- is x is not        historically or architecturally important for period, style, architect, builder, or context.
- is        is not x 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 x **HISTORIC** as defined by the Newton Demolition Delay Ordinance (See below).

The Newton Historical Commission staff:

x **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).

Final review of plans required  
\_\_\_\_\_

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 \*\*

Determination made by:

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.