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M E M O R A N D U M

To: Land Use Committee of the Board of Aldermen

From: Candace Havens, Director of Planning and Development
Eve Tapper, Chief Planner for Current Planning ^{ET}
Derek Valentine, Senior Planner

RE: Information for October 2, 2012 Working Session

DATE: September 28, 2012

CC: Petitioners
John Lojek, Commissioner of Inspectional Services

In response to questions raised at the Land Use Committee public hearings, previous working session meetings and/or staff technical reviews, the Planning Department is providing the following information for the upcoming working session. This information is supplemental to staff analysis previously provided at the public hearing/working session.

PETITION #209-12

56 Exeter Street

Proposal to expand a garage into a nonconforming setback.

The house was built in 1941, prior to a clear definition of what constitutes a "rear lot line". The ordinance was subsequently amended rendering the house nonconforming with respect to the rear lot line setback. A permit for a further extension into this setback was issued in error in 1996. The latest proposal is to legalize this noncompliant addition and extend it by 194 square feet to enlarge an existing garage. This project had a public hearing on September 11, 2012.

- The Planning Department generally supports projects, like this one, that encourage the continued use and preservation of the City's housing stock while modifying it to meet the needs of today's families. This project meets this objective of the *2007 Comprehensive Plan* while having a minimal impact on the neighborhood.

PETITION #232-07(5) Hess Corporation

2370 Commonwealth Avenue

Modification to an existing freestanding sign.

This property was the subject of a contentious special permit application and approval. The original special permit (Board Order #232-07) includes restrictions on the use of the building. That Board Order prohibited the operation of a concession by an independent food retailer on site, but did permit the petitioner to sell selected products of such food retailers. The petitioner proposes to stock and sell Dunkin' Donuts products within the existing store and is requesting a modification of Board Order #232-07 to allow the addition of a

“Dunkin’ Express” sign on the existing freestanding sign. The overall size of the sign will not increase. This project also had a public hearing on September 11, 2012.

- The proposed sign will continue to be modestly sized and will be compatible with the residential character of the neighborhood. No substantive issues were raised in the public hearing.

PETITION #118-12

150 Countryside Road

FAR for the construction of a new single family home.

The petitioner is proposing to demolish an existing single-family dwelling and replace it with a new dwelling that will exceed the by-right FAR (.28 where .26 is allowed by right). The project has already had a public hearing, a working session, and a site visit.

- The Planning Department continues to assert that this is a new construction project on a large lot with no extenuating circumstances such as topographical or physical constraints that would limit the owner’s ability to construct a conforming structure. Furthermore, the proposed residence is not consistent with the size, scale, and design of many of the other structures in the neighborhood.