



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
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**140-13**

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Candace Havens  
Director

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**MEMORANDUM**

Public Hearing Date: May 14, 2013  
Land Use Action Date: July 16, 2013  
Board of Aldermen Action Date: July 22, 2013  
90-Day Expiration Date: August 13, 2013

DATE: May 10, 2013

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development  
Eve Tapper, Chief Planner for Current Planning <sup>ET</sup>  
Alexandra Ananth, Senior Planner

SUBJECT: **Petition #140-13**, William & Alice Kelly, for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 2-story addition to the right side and rear of an existing single-family dwelling, increasing the Floor Area Ratio from .39 to .50 where .40 is allowed by right, at 12 Fellsmere Road, Newton Centre, Ward 7, on land known as SBL 73, 37, 8, containing approx. 8,500 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15(u), 30-15 Table A 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.



**12 Fellsmere Road**

### EXECUTIVE SUMMARY

The property at 12 Fellsmere Road consists of an 8,500 square foot lot improved with a single-family two-story residence constructed in 1927. The existing structures total approximately 3,338 square feet including the mass below the first story of the house and the detached two-car garage. The petitioner is proposing to add a two-story addition to the right and rear sides of the dwelling in place of an existing sunroom, in order to create a larger kitchen and family room and to add an additional bedroom and bath on the second floor. The existing house has a floor area ratio (FAR) of .39 where .4 is allowed. The proposed addition will contain approximately 945 square feet between the basement and first and second stories, increasing the FAR to .5.

#### I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider:

- Whether the structure with regard to FAR is consistent with, and not in derogation of size, scale and design of other structures in the neighborhood.

#### II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

##### A. Neighborhood and Zoning

The site is located on Fellsmere Road between Ward Street and Mandalay Road. The house is surrounded by single-family residences. The site is located in an area zoned Single Residence 2.

##### B. Site

The site consists of 8,500 square feet of land and is improved with a single-family house and detached two-car garage. The site slopes down slightly from the street such that a significant portion of the basement is included in the square footage.

#### III. PROJECT DESCRIPTION AND ANALYSIS

##### A. Land Use

The property will remain a single-family residence.

##### B. Building and Site Design

The petitioner is proposing to remove an existing sunroom and to add a two-story addition in its place to the right and rear sides of the dwelling. The proposed addition will add a mudroom, expand the kitchen and family room, and add an additional bedroom and bath on the second floor. The proposed addition will be 1.7 feet closer to the side lot line with a proposed setback of 8.1 where 7.5 feet is

required.

C. Parking and Circulation

There will be no parking or circulations changes to the site

D. Landscape Screening

No landscape plan was required for this petition. Existing screening appears adequate to sufficiently screen the proposed addition.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum, (**ATTACHMENT "A"**), provides an analysis of the proposal with regard to zoning. The petitioners are requesting a special permit to exceed the maximum allowed floor area ratio.

B. Engineering Review

As the petitioner is not increasing the impervious surfaces on the lot by more than 4% no engineering review is required.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking the following reliefs:

- Section 30-15 Table A, 30-15(u), and 30-15 (u)(2), to exceed the maximum allowed floor area ratio to .5 where .4 is allowed.

VI. PETITIONERS' RESPONSIBILITIES

The petitioner is considered complete at this time.

**ATTACHMENTS:**

- Attachment A:** Zoning Review Memorandum  
**Attachment B:** Zoning Map  
**Attachment C:** Land Use Map



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**Attachment A**

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Candace Havens  
Director

## ZONING REVIEW MEMORANDUM

Date: March 21, 2013

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Eve Tapper, Chief Planner for Current Planning ET

Cc: Marc Hershman, Architect  
Candace Havens, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR

	SBL: 73 037 0008

### BACKGROUND:

The property at 12 Fellsmere Road consists of a 8,500 square foot lot improved with a single-family residence constructed in 1927. The dwelling consists of two stories, and attic and basement levels totaling 3,338 square feet. The applicant proposes to add a two-story addition to the right and rear of the dwelling to create a larger kitchen and a family room, and an additional bedroom and bath on the second floor increasing the floor area ratio above that allowed by right.

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

- Zoning Review Application, prepared by Marc Hershman, architect, submitted 2/28/13
- FAR calculations, prepared by Marc Hershman, architect, submitted 2/28/13
- Architectural plans, prepared by Marc Hershman, architect, dated 1/9/13, submitted 2/7/13
  - Existing basement floor plans
  - Existing first floor plans
  - Existing second floor plans
  - Existing attic plans
  - Existing elevations (front, rear, sides)
  - Proposed basement plans

- Proposed first floor plans
- Proposed second floor plans
- Proposed attic plans
- Proposed elevations (front, rear, sides)
- Area plan of land, signed and stamped by Bruce Bradford, Land Surveyor, dated 2/26/13
- Quitclaim deed
- Building permit application (Garage) and plot plan, dated 1/3/1928
- Building permit application and plot plan, dated 9/1/1927

#### ADMINISTRATIVE DETERMINATIONS:

1. The proposed addition increases the dwelling's FAR from .39 to .50, which exceeds the .40 permitted by the Ordinance per Section 30-15, Table A. To construct the addition as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(u)(2).

SR2 Zone	Required/Allowed	Existing	Proposed
Lot Size	10,000 square feet	8,500 square feet	No change
Frontage	100 feet	85 feet	No change
Setbacks for existing structure			
• Front	25 feet	29 feet	No change
• Side	7.5 feet	9.8 feet on right 18.2 feet on left	8.1 feet on right 18.2 feet on left
• Rear	15 feet	37.8 feet	No change
FAR	.40	.39	<b>.50</b>
Building Height	36 feet		No change
Maximum Stories	2.5		No change
Max. Lot Coverage	30%	21.5%	25.6%
Min. Open Space	50%	67%	63%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-15 Table A, §30-15(u), §30-15(u)(2)	Exceed maximum floor Area Ratio (FAR) of .39 to .50	S.P. per §30-24

140-13

# Zoning Map 12 Fellsmere Rd

*City of Newton,  
Massachusetts*

**Legend**

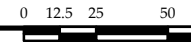
- Single Residence 2
- Building Outlines
- Surface Water



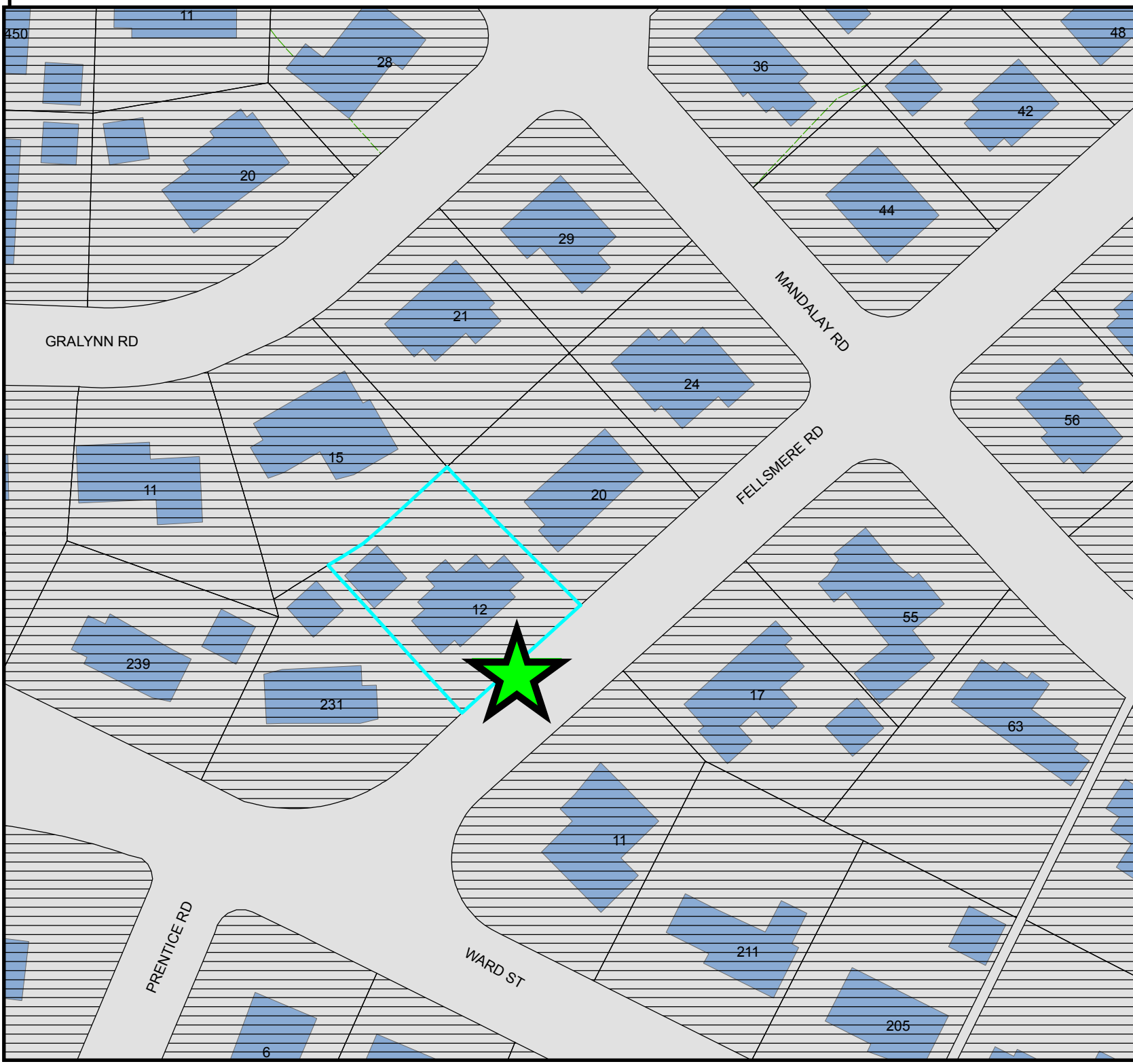
**ATTACHMENT "B"**

The information on this map is derived from a Geographic Information System. The City of Newton cannot guarantee the accuracy of the information. Each user of this map is responsible for determining its suitability for their intended purpose. City departments will not be held responsible for approving applications based solely on this map.

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



Map Date: May 2013



140-13

# Land Use Map 12 Fellsmere Rd

*City of Newton,  
Massachusetts*

**Legend**

**Land Use**

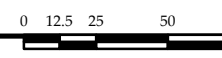
- Single Family Residential
- Building Outlines
- Surface Water



**ATTACHMENT "C"**

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CITY OF NEWTON, MASSACHUSETTS  
 Mayor - Setti D. Warren  
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Map Date: May

