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**61-13**

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**Candace Havens**  
Director

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**WORKING SESSION MEMORANDUM**

**DATE:** March 29, 2013

**TO:** Board of Aldermen

**FROM:** Candace Havens, Director of Planning and Development  
Eve Tapper, Chief Planner for Current Planning  
Katy Hax Holmes, Senior Planner

**SUBJECT:** **Petition #61-13, STEPHEN EDSALL/MICHAEL J. CEDRONE** petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct 4 attached dwellings in 2 buildings; waive the side setback requirements; and locate a driveway within 10 feet of the side lot line at 288 NEVADA STREET, Ward 1, on land known as SBL 14, 8, 11, containing approx. 50,227 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 30-24, 30-23, 30-9(b)(5)a) and b) of the City of Newton Rev Zoning Ord, 2012.

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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 materials for the upcoming working session. This information is supplemental to staff analysis previously provided for the public hearing.

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More landscaping and open space on front portion of lot. Committee members were concerned that although the lot is over 50,000 square feet, the buildable area is only about half that size. There is very little open space on the front, buildable section of the lot for future residents to use. The petitioner has provided landscaping to screen the lot from abutters on either side and believes that the plan to add rhododendron, viburnum, inkberry, and azalea, at a minimum, would be a sufficient means by which to augment open space at the front of the lot without overcrowding it.

Articulation of the front façade. A Committee member questioned the need for a shallow articulation between the two front facades. The petitioner should reconsider how to differentiate the front facades while keeping within the Ordinance definition of single-family attached dwellings.

**RECOMMENDATION:**

Based on the materials submitted by the petitioner and the testimony provided at the Public Hearing, the Planning Department recommends **approval** of the proposed project with the findings and conditions enumerated in the attached draft board order (See Attachment).

DRAFT

#61-13

CITY OF NEWTONIN BOARD OF ALDERMEN

April 2, 2013

## ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to construct 4 attached dwellings in two buildings; waive the side setback requirements; and locate a driveway within 10 feet of the side lot line at 288 Nevada Street as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman Alderman Ted Hess-Mahan:

1. The two proposed single-family attached residences in an MR-1 zone where a two-family house is allowed by right will be appropriate in this location because the lot area per unit is compatible with the surrounding neighborhood.
2. The new structures will be sited to be in keeping with the single-structure appearance of the neighborhood.

PETITION NUMBER: #61-13

PETITIONER: Stephen Edsell/Michael Cedrone

LOCATION: Ward 1, on land known as SBL 14, 8, 11, containing approx. 50,227 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 30-24, 30-23, 30-9(b)(5)a and b) of the City of Newton Rev Zoning Ord, 2012.

OWNER: Nicholas J. Cedrone

ADDRESS OF OWNER: 288 Nevada Street  
Newton, MA 02460

TO BE USED FOR: Four single-family dwellings

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: §30-9(b)(5)(a) to allow single-family attached dwellings

§30-9 (b)(5)(a) and §30-9(b)(5)(b) to allow driveway to be located 6.5 feet from the side lot line

§30-15, Table 1, §30-9(b)(5)(b) to allow a reduction in side yard setback for proposed structures

§30-23, §30-24(a) Site Plan Approval

ZONING: Multiple Residence 1 District

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
  - a. Site plan showing Existing Conditions, signed and stamped by Joseph R. Porter, Surveyor, dated 1/10/2013
  - b. Site plan showing Proposed Conditions, signed and stamped by Joseph R. Porter, Surveyor, dated 1/4/2013
  - c. Concept elevations, Construction Design Services, dated 7/16/2012
    - A-1: Nevada Street view/elevation
    - A-2: "Interior" Court view/elevation
    - A-3: Side elevation/view
    - A-4: Rear yard; Shared "interior" court/driveway; Nevada Street (front)
    - A-5: First floor plan
    - A-6: Second floor plan
    - AO: Landscape Plan
2. No building permit shall be issued pursuant to this special permit/site plan approval until the petitioner has:
  - a. Obtained an abandonment of the City's flowage easement on the property
  - b. Recorded a certified copy of this board order for the approved Special Permit/Site Plan with the Registry of Deeds for the Southern District of Middlesex County.
  - c. Filed a copy of such recorded board order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - d. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. No occupancy permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
  - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or engineer certifying compliance with Condition #1.
  - b. Submitted to the Department of Inspectional Services, and the Department of Planning and Development a final as-built survey plan in paper and digital format.