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James Freas
Acting Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: August 11, 2015
Land Use Action Date: October 13, 2015
Board of Aldermen Action Date: October 19, 2015
90-Day Expiration Date: November 2, 2015

DATE: August 7, 2015

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Stephen Pantalone, Senior Planner 

SUBJECT: **Petition #161-15**, WILLIAM WINKLER AND KATHRYN KUBIE, petition for SPECIAL PERMIT/SITE PLAN APPROVAL to expand an existing driveway located in the front setback to allow parking for two vehicles at **48 Holman Road**, Ward 4, on land known as SBL 43, 42, 8, containing approximately 7,620 square feet of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-19(g)(1), and 30-19(m) 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.



48 Holman Road

EXECUTIVE SUMMARY

The property at 48 Holman Road consists of 7,620 square feet of land, improved with a single-family dwelling constructed in 1928. The property currently has one outdoor parking stall located in the front setback. There was a single-car garage in the basement level that was converted to living space many years ago. The petitioner is requesting a special permit to allow a second parking stall in the front setback adjacent to the existing parking stall.

The Planning Department does not have any concerns with this petition, as the second parking stall will have a minimal impact on the neighborhood and will reduce the number of cars parked on the street. The Planning Department also believes that it is reasonable to request two parking stalls for a single-family dwelling.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- Literal compliance with the parking requirements is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features (§30-19(m))
- The specific site is an appropriate location for a second parking stall located in the front setback. (§30-24(d)(1))
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§30-24(d)(3))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located at the corner of Holman Road and Day Street. The land uses in the surrounding neighborhood consist of single-family residences (**ATTACHMENT A**). The zoning districts in the surrounding neighborhood consist of Single Residence 3 (**ATTACHMENT B**).

B. Site

The site consists of 7,620 square feet of land, improved with a single-family dwelling and one outdoor parking stall located in the front setback. There was a single-car garage in the basement of the dwelling that was converted to living space many years ago. There is a significant grade change on the site which requires a retaining wall to support the parking stall.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is proposing to maintain the existing single-family use.

B. Building and Site Design

The petitioner is proposing to add a second 9' by 19' parking stall adjacent to the existing parking stall, which complies with the dimensional requirements of the Newton Zoning Ordinance. The existing retaining wall will be reconstructed to accommodate the proposed parking stall.

The Planning Department believes that the proposed parking stall is appropriate given the site conditions and surrounding neighborhood, and that the expanded driveway will have a minimal impact on the neighborhood. The additional parking stall will allow the petitioner to easily locate their vehicles on the site without extending into the sidewalk. The Planning Department encourages the petitioner to use the same materials for the reconstruction of the retaining wall.

C. Landscape Screening

The Planning Department does not believe that any landscape screening is necessary.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum (**ATTACHMENT C**) provides an analysis of the proposal with regard to zoning. The petitioner is seeking the following reliefs:

- §30-19(g)(1), to allow more than one parking stall in the front setback.

B. Engineering Review

No engineering review is required as they petitioner is not increasing the amount of impervious surface on the site by more than 400 square feet or 4%.

V. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.


ATTACHMENTS:

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

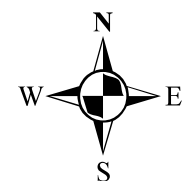
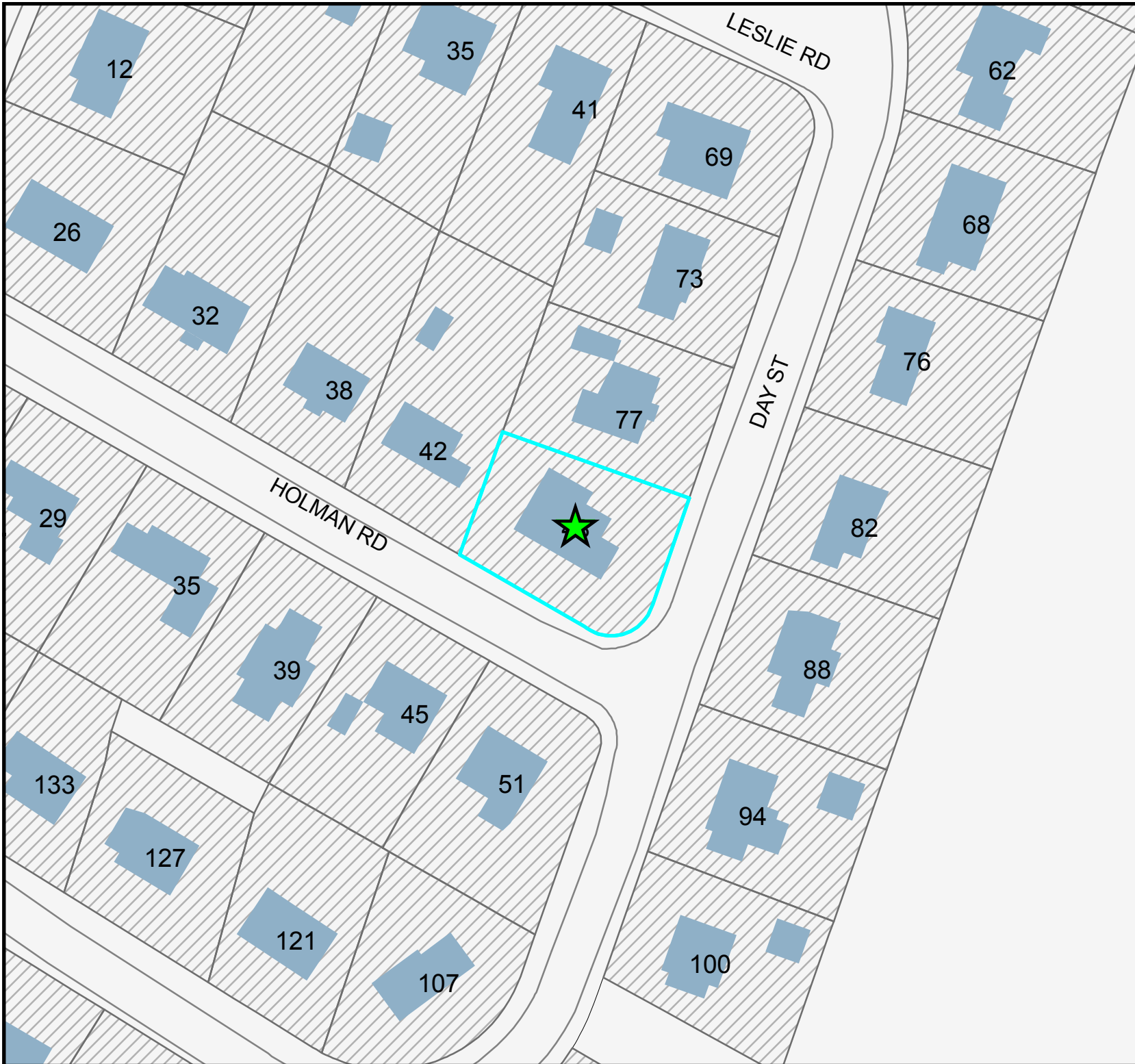
Land Use Map 48 Holman Rd

City of Newton,
Massachusetts

Legend

 Single Family Residential

ATTACHMENT A



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
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GIS Administrator - Douglas Greenfield



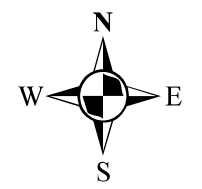
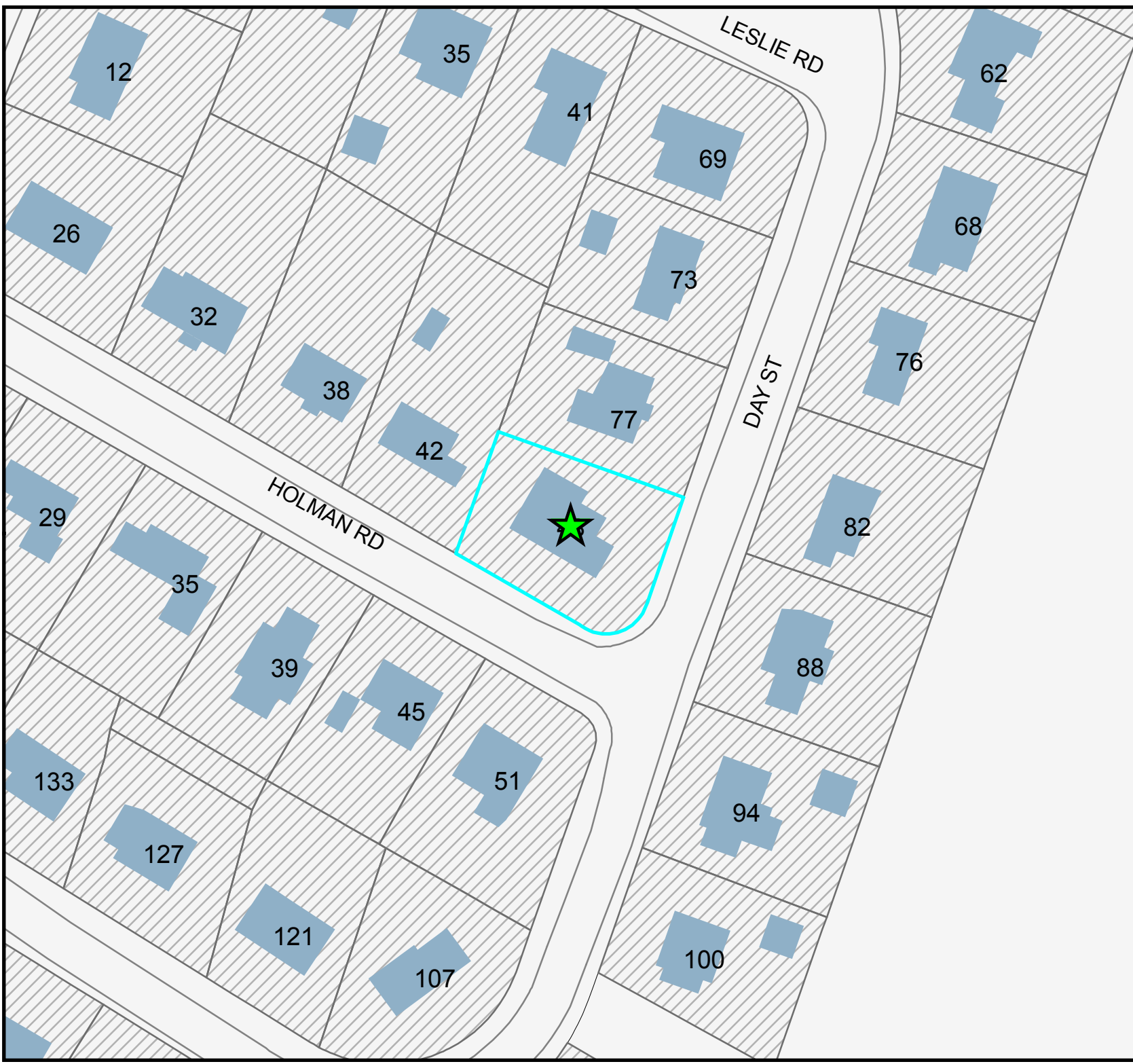
Map Date: July 17, 2015

Zoning Map 48 Holman Rd

*City of Newton,
Massachusetts*

Legend
Single Residence 3

ATTACHMENT B



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James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: June 11, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: William Winkler & Kathryn Kubie, owners
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request to add a parking stall in the front setback at a single-family residence**

Applicant: William Winkler and Katheryn Kubie	
Site: 48 Holman Rd	SBL: 43042 0008
Zoning: SR3	Lot Area: 7,620 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 48 Holman Road consists of a 7,620 square foot corner lot improved with a single-family residence constructed in 1928. The property has an existing driveway off Holman Road large enough for one car, which is within the front setback. The applicants would like to expand the driveway so as to park two cars.

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

- Zoning Review Application, prepared William Winkler and Kathryn Kubie, submitted 5/5/2015
- Proposed Parking Plan, undated
- Existing Conditions Plan, prepared by Everett M Brooks, surveyors, dated 1/29/2015
- Drawing Legend and Notes, undated
- Photo, undated

ADMINISTRATIVE DETERMINATIONS:

1. The subject lot is a corner lot, with the dwelling located 24.7 from Holman Road and 24.1 feet from Day Street. The front setback requirement in this district is 25 feet. There is an existing parking

stall located within the front setback off of Holman Road. The applicants would like to expand the parking area to accommodate a second vehicle. Section 30-19(g)(1) allows for one parking stall to be located within a setback, however, to build the project as proposed, both spaces (including the existing space) will be in the front setback. A special permit will be required to allow for the additional parking stall within the front setback per Section 30-19(m).

SR2 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	7,620 square feet	No change
Frontage	70 feet	95 feet	No change
Setbacks for existing structure			
<ul style="list-style-type: none"> • Front (Holman Rd) • Front (Day Street) • Side • Rear 	25 feet 23.9 feet* 7.5 feet 15 feet	24.7 feet 24.1 feet* 23.6 feet 9.4 feet	No change No change No change No change
Max. Lot Coverage	30%	19%	No change
Open Space	50%	77%	74%

*Per Variance BO #32-95, the required front setback from Day Street is 23.9 feet

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-19(g)(1) 30-19(m)	Allow more than one parking stall in the front setback	S.P. per §30-24