



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
[www.newtonma.gov](http://www.newtonma.gov)

Candace Havens  
Director

---

**PUBLIC HEARING MEMORANDUM**

Public Hearing Date: November 12, 2013  
Land Use Action Date: November 19, 2013  
Board of Aldermen Action Date: December 2, 2013  
90-Day Expiration Date: December 16, 2013

DATE: November 8, 2013

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
Stephen Pantalone, Senior Planner

SUBJECT: **Petition #330-13**, Donny and Raquel Santangelo for a SPECIAL PERMIT/SITE PLAN APPROVAL to connect an existing two-family dwelling to an existing detached garage with living space above, which will increase the Floor Area Ratio from .47 to .56, where .48 is the maximum allowed by right, at **3-5 Milton Avenue**, West Newton, Ward 4, on land known as SBL 44, 14, 70, 71, containing approx. 6,962 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A, and 30-15(u), 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.



**3-5 Milton Avenue**

## **EXECUTIVE SUMMARY**

The property at 3-5 Milton Avenue consists of a 6,962 square foot lot improved with a two-family two-story residence and a detached garage constructed in approximately 1919. The petitioner is proposing to construct a one-story addition connecting the existing residential structure to the garage, and to add a second story above the garage to be used for living space. The one-story addition will expand the existing kitchen and living room and the second-story addition above the garage will include two bedrooms and two bathrooms. The existing house has a floor area ratio (FAR) of .47 where .48 is allowed. The petitioner is requesting a special permit to increase the FAR to .56.

The petitioner is proposing to increase the total square footage of the residential structure by approximately 619 square feet and to increase the height above the garage to approximately 30 feet. The proposed additions will have clapboard siding and asphalt shingles on the roof. The mass of the proposed additions will be partially or completely screened from most of the abutting properties.

Milton Avenue is a dead end residential street with seven other properties. The proposed FAR for the subject property is consistent with the FARs of most of the other properties on the street. The uses in the surrounding neighborhood are a mix of residential and commercial uses, which creates an inconsistency in the massing of buildings outside of Milton Avenue. For these reasons, the Planning Department believes that the proposed addition is not in derogation of the size, scale and design of other structures in the neighborhood.

### **I. SIGNIFICANT ISSUES FOR CONSIDERATION:**

When reviewing this request, the Board should consider whether:

- The proposed 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 at the corner of Milton Avenue and Lexington Street in West Newton. Milton Avenue is a short dead end street and Lexington Street is a connector road between Commonwealth Avenue and Moody Street. There are seven other properties on Milton Avenue, of which six are two-family dwellings. The site is within a block of the City Line with Waltham.

The land uses and zoning in the neighborhood are a mix of single- and two-family

residences, multi-family residences, retail and service types of businesses, public space, and an office park. The subject property and the properties east of Lexington Street are zoned as Single-Residence 3. The land uses to the east of Lexington Street include a mix of single- and two-family residences, and the land uses west of Lexington Street include a mixture of residences and businesses.

B. Site

The site consists of 6,962 square feet of land and is improved with a two-family two-story house with a detached garage constructed in approximately 1919. #3 Milton Avenue is on the first floor of the structure and #5 Milton Avenue is on the second floor. There is a paved driveway along the eastern property line, a play area in the rear, a paved area between the main residence and the garage, and open space between the garage and the sidewalk. There are two curb cuts on the site; one to access the garage, and one to access the driveway on the east side of the property.

The site slopes down from the east to the west, with a grade change of approximately seven feet between the property lines. There is vegetation along the southern and eastern property lines that provides screening from abutting properties.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The property will remain a two-family residence.

B. Building and Site Design

The petitioner is proposing to construct a one-story addition connecting the existing residential structure to the detached garage, and to construct a second-story addition above the garage. There will be an interior set of stairs in the one-story addition leading to the second-story addition on the garage. The interior stairs are facilitated by an approximately three foot grade change between the first floor of the one-story addition and the first floor of the garage, and by an exposed roof in the one-story addition.

The proposed additions will expand the existing kitchen and living area and create two new bedrooms and bathrooms for #3 Milton Avenue. The additions will add approximately 619 square feet of living space and will increase the FAR from .47 to .56. The proposed second-story addition to the garage will increase the height of the structure to approximately 30 feet. The proposed additions will have clapboard siding and asphalt shingles on the roof. The proposed additions will be visible from Milton Avenue, partially visible from Lexington Street, and well

screened in the rear.

While the proposed additions will create one of the larger residential structures in the immediate neighborhood, the Planning Department does not believe that the additions are out of scale or character with the neighborhood, which is a mix of residential and commercial buildings. Furthermore, the proposed FAR of .56 is consistent with the FARs of five of the seven other structures on Milton Avenue, and the proposed additions will utilize appropriate materials and will be screened from most of the property abutters by the existing residential structure and vegetation.

C. Parking and Circulation

There are no substantial changes to parking or circulation on the site.

D. Landscape Screening

The site is screened on the southern and western property lines by mature trees and on the eastern property line by the existing residence. The petitioner is not proposing to remove any trees.

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 petitioner is requesting a special permit to exceed the maximum allowed floor area ratio.

B. Engineering Review

The Engineering Department is reviewing the site plan and will provide their memorandum upon completion of their review.

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), to exceed allowed FAR of .47 with an FAR of .56.

VI. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

**ATTACHMENTS:**

- Attachment A:** Zoning Review Memorandum
- Attachment B:** Zoning Map
- Attachment C:** Land Use Map
- Attachment D:** Revised Elevations
- Attachment E:** Aerial View
- Attachment F:** FAR Analysis



Setti D. Warren  
Mayor

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
www.newtonma.gov

City of Newton, Massachusetts  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Candace Havens  
Director

ZONING REVIEW MEMORANDUM

Date: July 24, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Walter Devine, Attorney representing the applicants  
Candace Havens, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR and lot coverage requirements

Applicant: Requel and Donny Santangelo	
Site: 3-5 Milton Ave	SBL: 44014 0071, 44014 0070
Zoning: SR-3	Lot Area: 6,962 square feet
Current use: Two-family dwelling	Proposed use: No change

**BACKGROUND:**

The property at 3-5 Milton Ave consists of a 6,962 square foot lot improved with a two-family residence and detached garage constructed circa 1919. The structure consists of two and one-half stories with a total gross floor area of 2,052 square feet between the two units. The applicant proposes to connect the house to the existing garage and add living space above the garage 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 Walter Devine, Attorney, submitted 7/22/13
- Existing Conditions Plan, prepared by VTP Associates, surveyor, dated 12/11/13
- Proposed Conditions Plan, prepared by VTP Associates, surveyor, dated 7/18/13
- Existing and Proposed FAR Calculations, prepared by Walter Devine, Attorney, dated 7/22/13

**ADMINISTRATIVE DETERMINATIONS:**

1. The proposed additions increase the structure’s FAR from .47, to .59, which exceeds the .48 maximum permitted by the Ordinance per Section 30-15, Table A. To construct the additions as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(u)(2).

SR-2 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	6,931 square feet	No change
Frontage	70 feet	162.38 feet	No change
Setbacks for existing structure			
• Front	25 feet	8.6 feet	No change
• Side	7.5 feet	13.7 feet	No change
• Rear	15 feet	12.0 feet/15.3 feet	No change
FAR	.48	.47	<b>.58</b>
Max. Lot Coverage	30%	16.8%	22%
Min. Open Space	50%	54.9%	50%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, §30-15(u),	Exceed Floor Area Ratio (FAR)	S.P. per §30-24

# Zoning Map 3-5 Milton Ave

*City of Newton,  
Massachusetts*

**Legend**

- Streets - Pavement Edge
- Building Outlines

**Zoning**

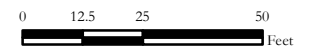
- Single Residence 3
- Public Use

ATTACHMENT B

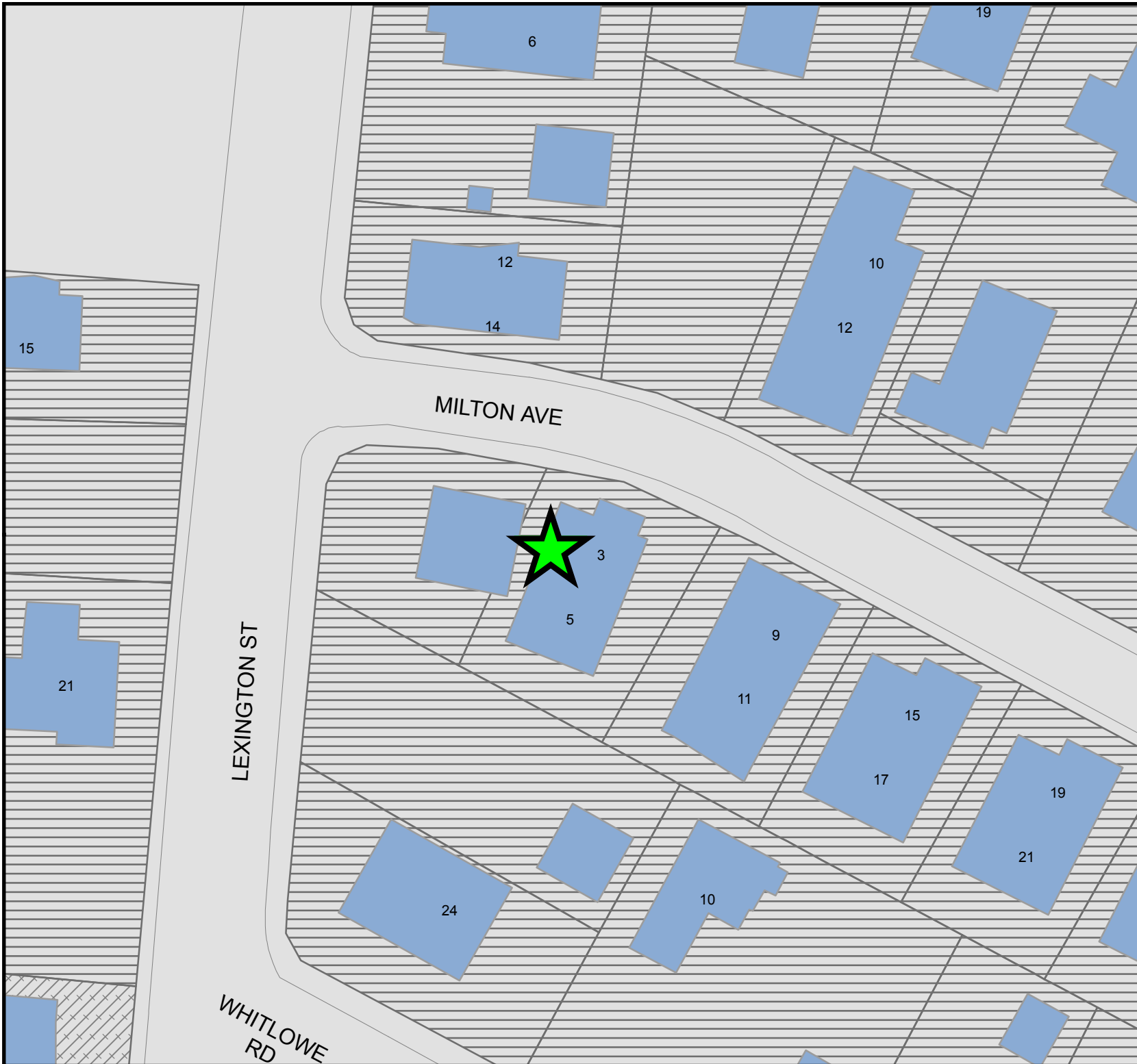


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

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



Map Date: October 24, 2013





# Land Use Map 3-5 Milton Ave.

*City of Newton,  
Massachusetts*

**Legend**

- Streets - Pavement Edge
- Building Outlines

**Land Use**

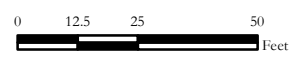
- ▨ Single Family Residential
- ▤ Multi-Family Residential
- ▧ Commercial
- ▩ Vacant Land

**ATTACHMENT C**



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



Map Date: October 24, 2013





ROOF:  
ASPHALT SHINGLES (TO MATCH EXISTING),  
20# FELT, ICE & WATER SHIELD 3'-0"  
DEEP AT ROOF EDGE, 1/2" EXTERIOR GRADE  
PLYWOOD ON WOOD STRUCTURE

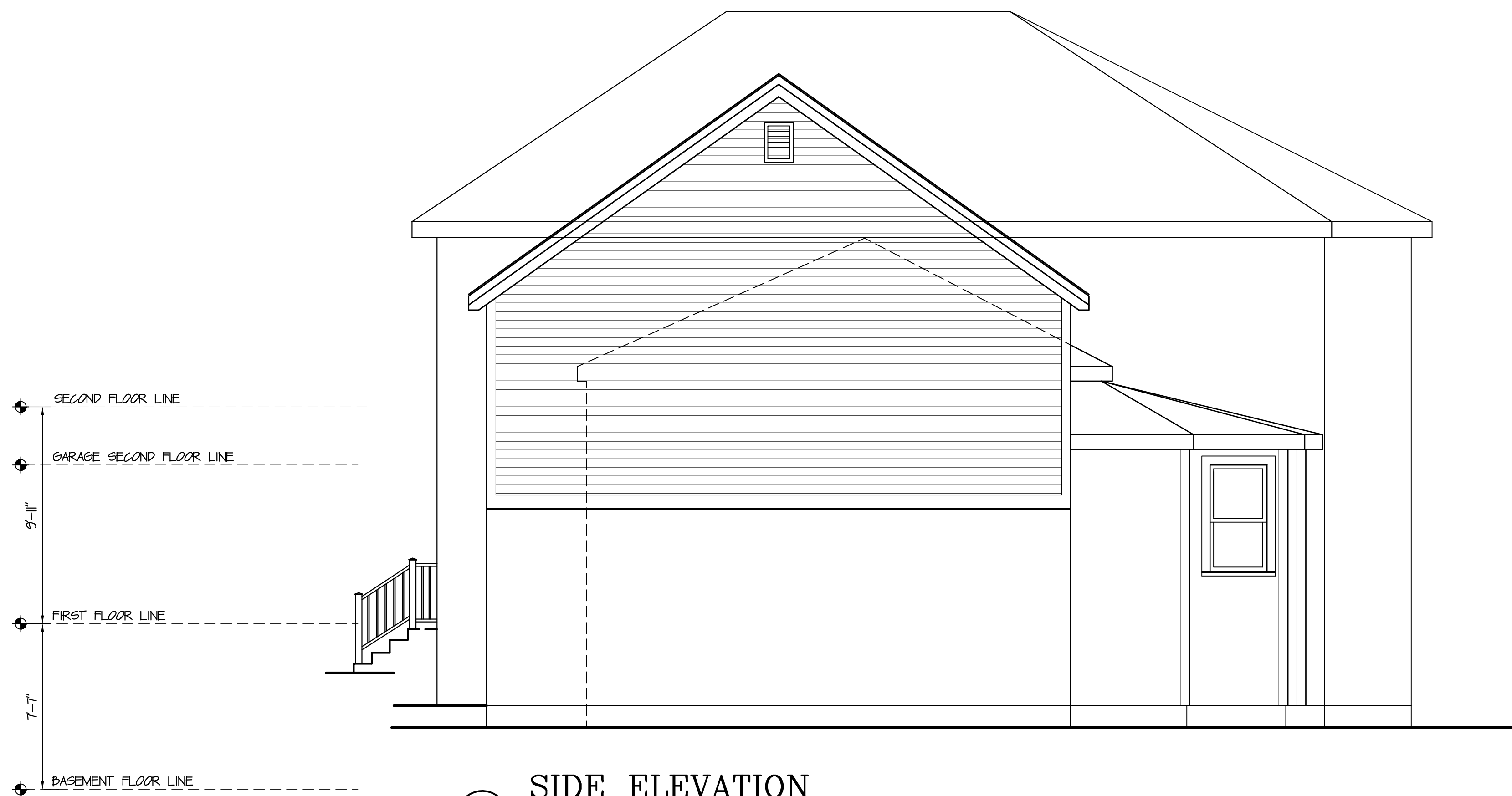
WINDOWS TO MATCH EXISTING

ADDITION EXTERIOR WALLS:  
CLAPBOARDS TO MATCH EXISTING  
HOUSE, AIR BARRIER, 1/2" EXTERIOR  
GRADE PLYWOOD, 2x6 @ 16" O.C., 5/8"  
INSULATION W/R20, 1/2" GYPSUM W/SKIM  
COAT FINISH.

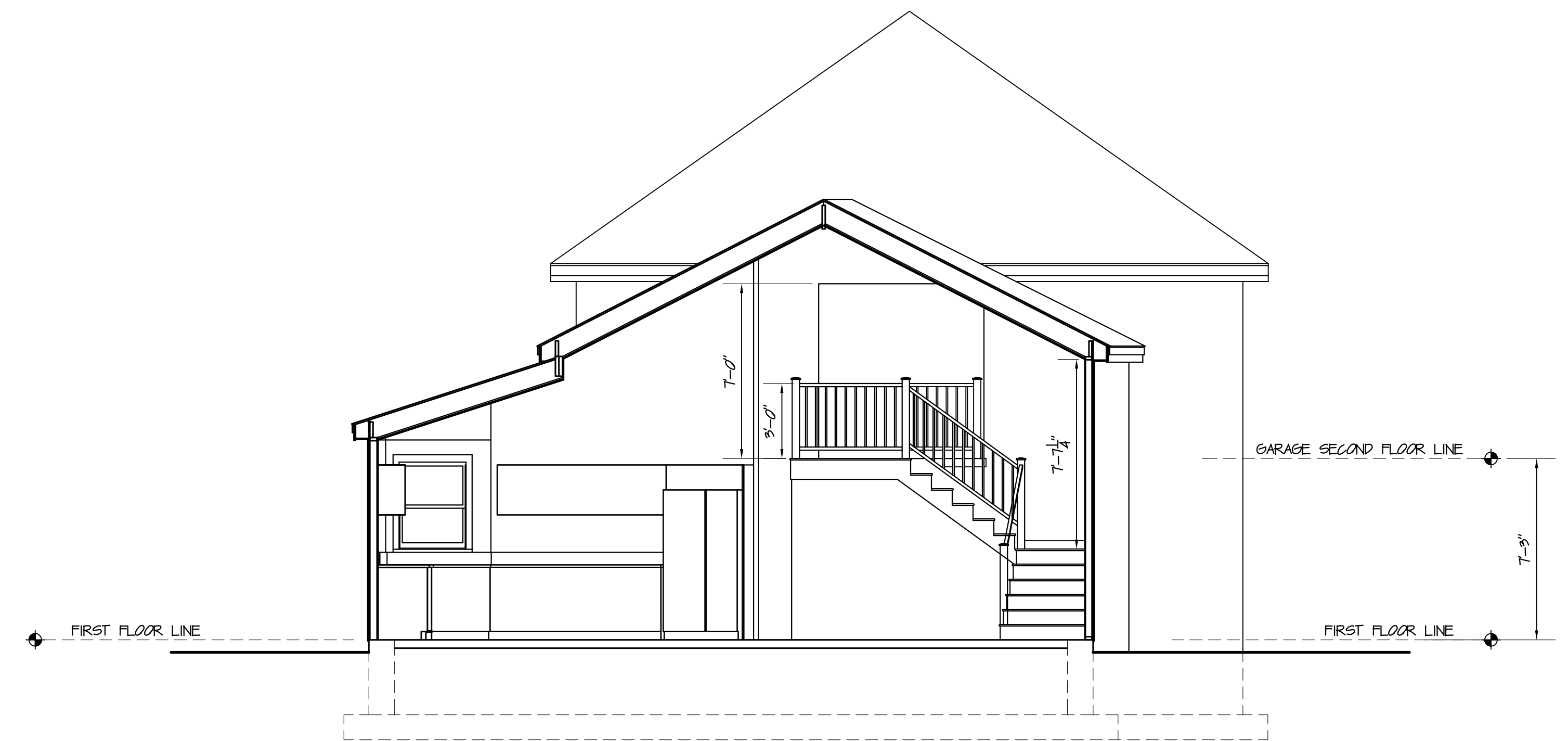
GARAGE SECOND FLOOR LINE

EXISTING CMU WALLS

1  
A2  
**FRONT ELEVATION (MILTON STREET)**  
1/4" = 1'-0"



2  
A2  
**SIDE ELEVATION**  
1/4" = 1'-0"



3  
A2  
**SECTION**  
1/4" = 1'-0"

Nunes Trabucco Architects retains the ownership of these documents. They are licensed for use only in accordance with the terms and conditions of the Owner/Architects Agreement. Nunes Trabucco Architects retains all rights not expressly granted.

1 REVISED 24 OCTOBER 13

**NUNES • TRABUCCO • ARCHITECTS**  
315a Chestnut Street  
781-455-9880  
Needham, Massachusetts 02492  
fax 781-444-8219

TITLE

DRWN BY: NTA  
CHKD BY: NTA  
DATE: 16/April/13  
SCALE: AS NOTED  
PROJECT NO: 0000

**A-2**





AERIAL VIEW

Commercial  
Residential  
Public/Other

Residential:  
1 & 2 Family

LEXINGTON ST

MILTON AVE

ADAMS AVE

WHITLOWER RD



## FAR ANALYSIS

Address	Floor Area	Lot Size	FAR
12-14 Lexington Ave	1,752	3,390	.51
10-12 Milton Ave	1,592	4,134	.38
9-11 Milton Ave	2,360	3,750	.62
15-17 Milton Ave	2,184	3,750	.58
19-21 Milton Ave	2,244	3,750	.59
25-27 Milton Ave	2,835	4,981	.56
20 Milton Ave	1,292	7,380	.17
3-5 Milton Ave	3,857	6,962	.56