



City of Newton, Massachusetts
 Department of Planning and Development
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Setti D. Warren
 Mayor

Candace Havens
 Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	August 13, 2013
Land Use Action Date:	October 15, 2013
Board of Aldermen Action Date:	October 21, 2013
90-Day Expiration Date:	November 11, 2013

DATE: August 9, 2013

TO: Board of Aldermen

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

SUBJECT: **Petition #230-13**, FALLON CUSTOM HOMES/CELINE GREGOIRE & YVES RAYMOND, for a SPECIAL PERMIT/SITE PLAN APPROVAL/EXTENSION of a NONCONFORMING STRUCTURE to enclose an existing open porch to create a mudroom of approximately 122 sq. ft. and to build a new enclosed basement staircase, which will increase the Floor Area Ratio from .46 to .48, exceeding the .39 maximum allowed by right, at 31 LORING STREET, Ward 7, Newton Centre, on land known as SBL 73, 29, 5, containing approximately 11,374 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(b), 30-15(u) 30-15 Table A 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.



31 Loring Street

EXECUTIVE SUMMARY

The property located at 31 Loring Street consists of 11,374 square foot lot improved with a legally nonconforming 2½-story single-family residence, which totals approximately 5,287 square feet, and was constructed in 1930. The petitioner is proposing to add approximately 122 square feet to the residence by converting the existing porch in the rear of the house into a one-story addition, which will expand the existing mudroom, and constructing a new enclosed staircase, which will replace an existing open staircase to the basement. The existing house has a Floor Area Ratio (FAR) of .46 where .39 is allowed. The proposed addition of approximately 122 square feet on the first floor will increase the FAR to .48.

The Newton Department of Planning and Development has no particular concerns with this petition.

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.
- The 122 square feet addition to the structure is not substantially more detrimental than the existing nonconforming structure to the neighborhood.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The property is located at the corner of Loring Street and Ward Street. The house is surrounded by other single-family residences to the north and west. The property is located in an area zoned Single Residence 2.

B. Site

The property consists of 11,374 square feet of land and is improved with a 2½-story single-family residence and a detached garage. The detached garage is accessed by a concrete driveway on the west side of the property.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The property will remain a single-family residence.

B. Building and Site Design

The petitioner's proposed conversion of the existing porch on the rear of the house into a one-story mudroom addition and the construction of an enclosed staircase to the basement will be of wood framed construction with a bricked veneer. The proposed mudroom expansion and enclosed staircase construction will expand the structure by approximately 122 square feet. While the mudroom addition will not be visible from the street, the enclosed staircase will be partially visible from Loring Street. Both additions will be screened from the view of abutting properties by existing vegetation and a wooden fence running along the property lines.

The proposed additions will decrease the open space and increase the lot coverage. In either case, the proposed additions will not create or increase nonconformities with respect to the lot coverage and open space requirements of the City of Newton Zoning Ordinance.

The Newton Department of Planning and Development has no particular concerns with this petition.

C. Parking and Circulation

There will be no changes to the parking or circulation of the site.

D. Landscape Screening

No landscape plan was required for this petition. Existing screening and fencing appears adequate to sufficiently screen the proposed one-story additions.

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/Site Plan Approval for two additions that will exceed the maximum allowed FAR.

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 a Special Permit/Site Plan Approval for the following reliefs:

- Section 30-15 Table A and 30-15(u), to extend a nonconforming structure with regard to FAR. The petitioner is proposing to increase FAR from .46 to .48 where

.39 is the maximum FAR allowed by right.

- Section 30-21 (b), to extend a nonconforming structure.

VI. PETITIONERS' RESPONSIBILITIES

The petition is considered complete at this time.

ATTACHMENTS:

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



Setti D. Warren
Mayor

Attachment A

City of Newton, Massachusetts Department of Planning and Development

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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 24, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Robert Moruzzi, Fallon Custom Homes, representing the applicants
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR

Applicant: Celine Gregoire & Yves Raymond	
Site: 31 Loring Street	SBL: 73 29 05
Zoning: SR-2	Lot Area: 11,374 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 31 Loring Street consists of an 11,374 square foot lot improved with a single-family residence constructed circa 1930. The structure consists of two and one-half stories with a total gross floor area of 5,287 square feet. The applicant proposes to add an additional 122 square feet by converting an existing open porch into a mudroom, and to build a new enclosed basement staircase, 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 Robert Moruzzi, contractor, submitted 5/30/13
- FAR Worksheet, prepared by Robert Moruzzi, contractor, dated 5/22/13
- Plan of Land, signed and stamped by Lawrence W. DeCelle, surveyor, dated 4/17/13, revised 5/10/13, 5/22/13
- Architectural plans, prepared by t works, architect, dated 3/16/11
 - Site Plan
 - Basement and First Floor Plan
 - Exterior Elevations
 - Building Sections
 - Interior Elevations

ADMINISTRATIVE DETERMINATIONS:

- The proposed additions increase the structure's nonconforming FAR, from .46, to .48, which exceeds the .39 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) and 30-21(b).

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	11,374 square feet	No change
Frontage	80 feet	95.58 feet	No change
Setbacks for existing structure			
• Front	25 feet	25.7 feet	No change
• Side	7.5 feet	20.1 feet on right 25.1 feet on left	17.4 feet No change
• Rear	15 feet	31.3 feet	No change
FAR	.39	.46	.48
Max. Lot Coverage	30%		23.4%
Min. Open Space	50%		63.1%

- See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, §30-15(u), §30-21(b)	Exceed Floor Area Ratio (FAR)	S.P. per §30-24

230-13 Zoning Map

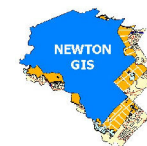
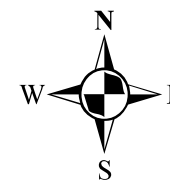
31 Loring Street

*City of Newton,
Massachusetts*

Legend

- Streets - Pavement Edge
- Building Outlines
- Single Residence 2
- Multi-Residence 1
- Streets-Pavement Edge
- Property Boundaries

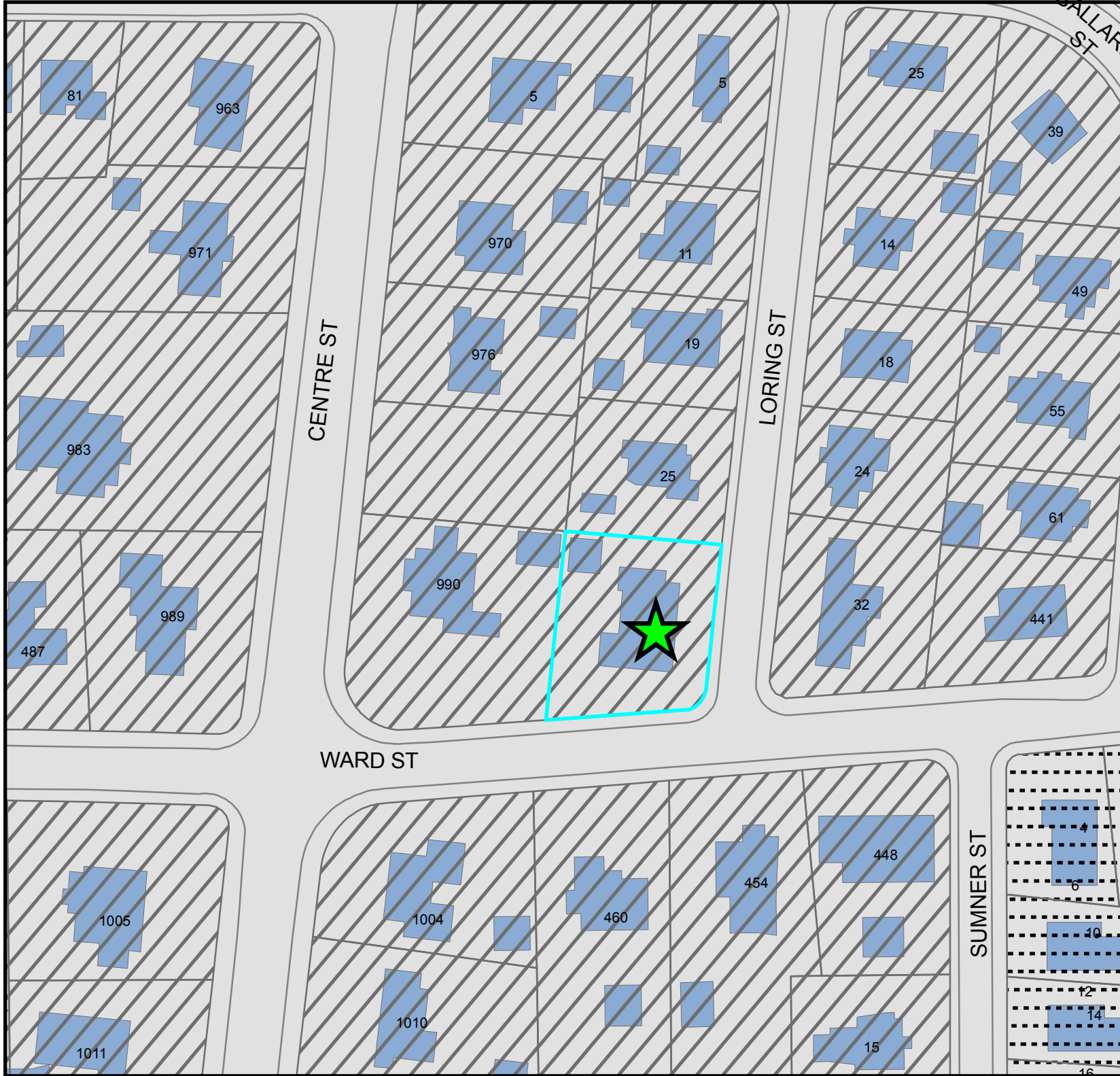
ATTACHMENT B



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: July 22, 2013



230-13
Land Use Map
31 Loring Street

*City of Newton,
 Massachusetts*

GLENDALE RD

BALLARD ST

WARD ST

CENTRE ST

LORING ST

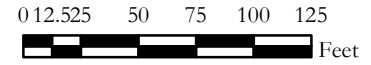
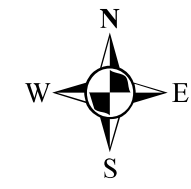
SUMNER ST

WARD ST

Legend

- Streets - Pavement Edge
- Land Use**
 - Single Family Residential
 - Multi-Family Residential
 - Nonprofit Organizations
 - Building Outlines

ATTACHMENT C



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