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Mayor

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James Freas  
Acting Director

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## PUBLIC HEARING MEMORANDUM

Public Hearing Date: January 13, 2015  
Land Use Action Date: January 27, 2015  
Board of Aldermen Action Date: March 16, 2015  
90-Day Expiration Date: April 6, 2015

DATE: January 9, 2015

TO: Board of Aldermen

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

SUBJECT: **Petition #479-14**, DANIEL & BRENDA KOSTYK, for a SPECIAL PERMIT/SITE PLAN APPROVAL to extend an existing 18-foot dormer by an additional 11.5 feet, which will create a dormer wider than 50% of the length of the exterior wall of the story next below, at 29 KEWADIN ROAD, Ward 5, Waban, on land known as SBL 55, 51, 9, containing approximately 13,400 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 3015(t)(1) 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.



**29 Kewadin Road**

## EXECUTIVE SUMMARY

The property located at 29 Kewadin Road consists of a 13,400 square foot lot improved with a modest 2½-story single-family dwelling, which was constructed in 1929. The petitioner is proposing to enlarge the attic floor by adding approximately 85 square feet, in order to expand an existing study. To enlarge the attic floor in a manner that creates functional space, the petitioner is proposing to extend an existing shed dormer and add a bay window extension. The dormer is set back from the story below so as to not create the appearance of an uninterrupted wall plane. As proposed, the dormer will exceed the allowable 50% length of the story below, which requires relief from the Newton Zoning Ordinance (**ATTACHMENT A**). In order to construct the dormer extension as proposed, the petitioner is seeking a special permit to allow a dormer that exceeds the allowable dimensional controls.

The Planning Department has no particular concerns with this petition. The *Newton Comprehensive Plan*, adopted in 2007, encourages residential property owners to consider modest additions to older homes in order to preserve the existing structure, while allowing them to meet the needs of today's families. The petitioner's proposed dormer addition accomplishes this objective, while maintaining the character of the structure and surrounding residential neighborhood.

### I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The proposed addition, which extends an existing dormer and will enlarge the attic floor by approximately 85 square feet, is appropriate for the existing structure and the surrounding residential neighborhood. (§30-24d(1))
- The proposed dormer located on the rear and side elevation of the house will not adversely affect the neighborhood. (§30-24d(2))

### II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

#### A. Neighborhood and Zoning

The property is located at the intersection of Devonshire Road and Kewadin Road. The subject home and surrounding structures contain single-family residences (**ATTACHMENT B**). The property is located in an area zoned Single Residence 2, and is proximate to land zoned for Public Use (**ATTACHMENT C**).

#### B. Site

The property consists of 13,400 square feet of land and is improved with a 2½-story single-family residence. The residence is accessed by a gravel driveway on the east side of the property. The property has a significant number of mature trees that partially screen the subject residence. The parcels topography slopes downward from the rear property line to the front property line.

### 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 extend an existing attic dormer to the eastern edge of the structure and install a bay window to match the bay windows on the first and second floors. The proposed dormer will enlarge the attic by approximately 85 square feet, for a total of 660 gross square feet, providing more functional space for an existing study. The addition will result in a dormer greater than 50% of the story below and will be constructed using wood-framed construction. The addition will not be visible from Kewadin Road or Devonshire Road.

The Planning Department has no particular concerns with this petition, and is supportive of this modest expansion to an existing house with no increase to the building footprint. The *Newton Comprehensive Plan*, adopted in 2007, supports modest expansions to existing residential structures that preserve a historic structure.

#### C. Parking and Circulation

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

#### D. Landscape Screening

No landscape plan was required for this petition. Existing mature trees on the site and abutting parcels appear adequate to screen the proposed dormer extension.

### 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. Based on this review, the petitioner is seeking a Special Permit/Site Plan Approval for the following relief:

- §30-15(t) to allow the construction of a dormer larger than 50% of the exterior wall below.

#### B. Engineering Review

This project does not require review by the Engineering Division of Public Works.

### V. PETITIONERS' RESPONSIBILITIES

The petition is considered complete at this time.

#### **ATTACHMENTS:**

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



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# Attachment A

## City of Newton, Massachusetts

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James Freas  
Acting Director

### ZONING REVIEW MEMORANDUM

Date: December 3, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Robert Fizek, Architect  
Daniel and Brenda Kostyk, Applicant  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: **Request to build a dormer exceeding 50% of the length of the wall plane below**

Applicant: Daniel Brenda Kostyk	
Site: 29 Kewadin Road	SBL: 55051 0009
Zoning: SR-2	Lot Area: 13,400 square feet
Current use: Single-family dwelling	Proposed use: No change

#### BACKGROUND:

The property at 29 Kewadin Road consists of a 13,400 square foot lot improved with a single-family residence built in 1929. A rear attic dormer addition was constructed by right in 2008, and the applicants are now proposing to extend the dormer by an additional 11.5 feet.

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

- Zoning Review Application, prepared by Robert Fizek, architect, submitted 10/30/2014
- FAR calculations, prepared by Robert Fizek, architect, 10/7/2014
- Certified Plot Plan, signed and stamped by George C. Collins, surveyor, dated 10/24/2014
- Architectural Plans, prepared by Robert Fizek, architect, dated 10/28/2014
  - Third Floor Plan
  - Roof Plan
  - South Elevation
  - West Elevation
  - North Elevation
  - East Elevation
  - Rear Perspective

**ADMINISTRATIVE DETERMINATIONS:**

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- The applicants are proposing to add 11.5 feet to the existing 18 foot dormer, creating a 29.5 foot wide dormer. The wall plane below is a total of 42.5 feet. Section 30-15(t)(1) requires a special permit for a dormer wider than 50% of the length of the exterior wall of the story next below. Where 29.6 feet is 69% of the wall below, a special permit is required to build the dormer as proposed.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	13,400 square feet	No change
Frontage	80 feet	95 feet	No change
Setbacks			
• Front	25 feet	60 feet	No change
• Side	7.5 feet	14.9 feet	No change
• Rear	15 feet	67.8 feet	No change
FAR	.35	.24	.25
Max Lot Coverage	30%	9.8%	No change
Min. Open Space	50%	84.5%	No change

- See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15(t)(1)	To build a dormer wider than 50% of the wall below	S.P. per §30-24

# Land Use Map 29 Kewadin Road

City of Newton,  
Massachusetts

**ATTACHMENT B**

### Legend

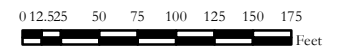
#### Land Use

-  Single Family Residential
-  Open Space
-  Vacant Land
-  Property Boundaries
-  Building Outlines

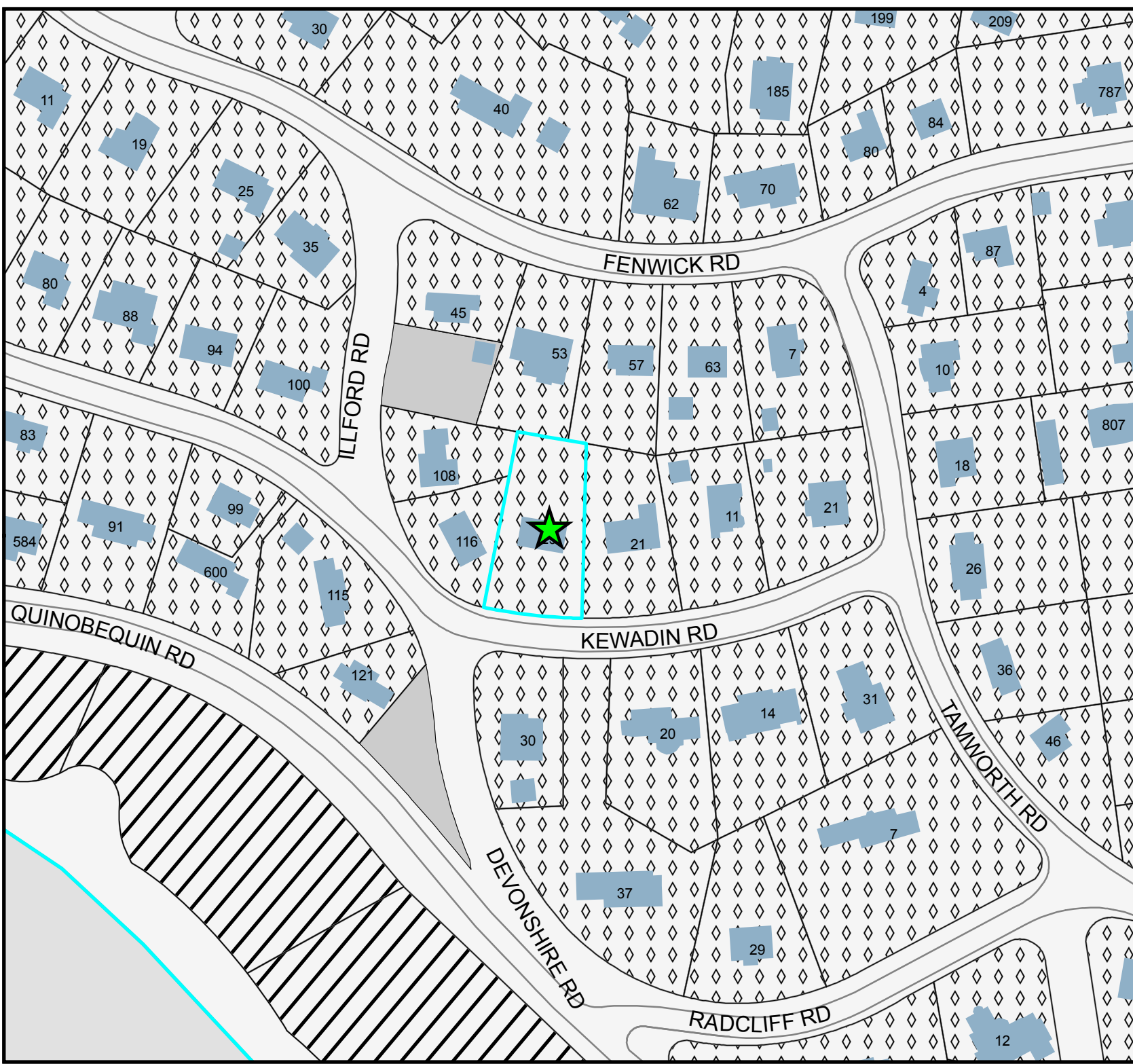


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve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

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GIS Administrator - Douglas Greenfield



Map Date: December 12, 2014







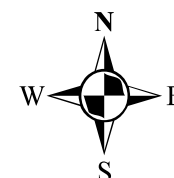
# Zoning Map 29 Kewadin Road

City of Newton,  
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**ATTACHMENT C**

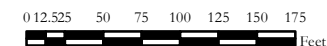
**Legend**

-  Single Residence 2
-  Public Use
-  Property Boundaries
-  Building Outlines



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