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Mayor

City of Newton, Massachusetts
Department of Planning and Development
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#223-17

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Barney Heath
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	October 24, 2017
Land Use Action Date:	January 2, 2018
City Council Action Date:	January 8, 2018
90-Day Expiration Date:	January 22, 2018

DATE: October 20, 2017

TO: City Council

FROM: Barney Heath, Director of Planning and Development
Jennifer Caira, Chief Planner for Current Planning
Michael Gleba, Senior Planner

SUBJECT: **Petition #223-17**, for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Board Order#64-02 to allow for the construction of a detached garage at **1080 WALNUT STREET**, Ward 6, Newton Highlands, on land known as Section 52 Block 20 Lot 8, containing approximately 21,331 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4 of the City of Newton Rev Zoning Ord, 2015.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



1080 Walnut Street

EXECUTIVE SUMMARY

The subject property at 1080 Walnut Street consists of a 21,331 square foot lot improved with a 2 ½ story, approx. 3,200 square foot, single-family residence constructed ca. 1915, as well as a detached accessory apartment in a carriage house allowed in 2002 pursuant to Special Permit #64-02. The property, which is located in a Single Residence 2 (SR2) district, has a Walnut Street address but is accessed from, and has its frontage on, Allen Terrace (a short, paved private way). The petitioner requests an amendment to above-referenced special permit to modify the approved site plan to allow for the construction of a detached 699 square foot three-car garage structure.

The Planning Department is generally not concerned with the creation of the proposed three-car garage. The property would remain well below its allowable floor area ratio (FAR) and the garage would have limited visibility and not unnecessarily detract from the neighborhood's streetscape; furthermore, it would provide enclosed off-street space for the required parking stalls for both the principal and accessory units.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Council should consider whether:

- The site in a Single Residence 2 (SR2) district is an appropriate location for the proposed detached 699 square foot three-car garage (§7.3.3.C.1);
- The proposed detached 699 square foot three-car garage will adversely affect the neighborhood (§7.3.3.C.2);
- The proposed detached 699 square foot three-car garage will create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3);
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4).

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The neighborhood is predominantly characterized by single-family residences with some multifamily dwellings interspersed throughout, including an abutter directly to the south. The subject property, which has a Walnut Street address but is accessed from and has its frontage on Allen Terrace, is located in a Single Residence 2 (SR2) district at the meeting point of that district and a Multi-Residence 1 (MR1) district generally located to the southeast (**Attachments A & B**).

B. Site

The subject property is a 21,331 square foot lot improved with a 2 ½ story, approx.

3,200 square foot, single-family residence constructed ca. 1915 and a detached accessory apartment, allowed in 2002 pursuant to Special Permit #64-02, in an approximately 868 square feet carriage house. While the subject property has a Walnut Street address, it is located and has its frontage on Allen Terrace, a short paved private way off the east side of Walnut Street. Hyde Street and Lake Avenue are to the north and south respectively.

The lot, which is accessed via a gravel driveway that leads to the center of property, slopes upward approximately 10 feet from front to rear and left to right. It features lawn areas as well as mature trees and shrubs that help screen the property from adjoining neighbors and street. There is also a gazebo on the left (west) portion of the lot, and several stone walls, including one curving one located near the gazebo and others along portions of the lot's front and rear right side property lines.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The principal use of the site will remain a single-family residence with a detached accessory apartment.

B. Building and Site Design

The proposed 699 square foot, three-car detached garage would be of wood-frame construction and measure approximately 32.9 feet by 21.25 feet. To be located on the left (west) side of the parcel, it would rise to 18 feet in height, below the maximum 22 feet allowed for a sloped roofed accessory structure. The front elevation (which would face the existing dwelling, not the adjacent street) would feature a dormer on its rear elevation of approximately 15.5 feet in length.

The garage would be located approximately 60.5 feet and 42.6 feet from the front property line along Allen Terrace and the rear, respectively. Its smallest setback, which is on the left side, along the property line shared with the adjacent residential property to the west, is 6.9 feet, greater than the required 5 feet.

The property's floor area ratio (FAR) would increase by 0.04, from 0.19 to 0.24, remaining well below the maximum 0.33 allowed. Lot coverage would increase from 13.4% to 16.7%, well below the maximum 30% allowed; open space would decrease from 73.4% to 70.9%, but remain well above the required 50% minimum.

The garage would be located in the general area of an existing gazebo and an associated stone wall. The former would be relocated approximately 20 feet to the south, which should help screen the garage from Allen Terrace. The Planning Department notes the proposed site plan shows a "proposed stone wall" to the left of the property's curb cut; as it would be located within the front setback, the petitioner should indicate its height.

No alterations are proposed for the existing single family dwelling or carriage house. The site plan indicates two proposed bluestone patios, one adjacent to the north façade of the single-family dwelling, the other between the carriage house and the proposed garage.

C. Parking and Circulation

The proposed garage would accommodate three parking spaces, sufficient for the single family dwelling and detached accessory dwelling unit. Vehicular access to the garage would be via the existing curb cut and an expanded paved driveway in a slightly regraded area between the proposed garage and existing single family dwelling and carriage house. The Planning Department suggests that the petitioners consider eliminating some of the proposed bituminous paving, including perhaps that portion of the driveway located just to the south of the proposed garage.

D. Landscaping

No landscape plan was submitted with this petition. Given the garage's proposed location in regards to the left side property line and that some trees will likely need to be removed to construct the proposed garage, the Planning Department suggests that the petitioner consider, in consultation with abutting neighbors, installing some additional vegetation along that property line to provide additional screening.

IV. TECHNICAL REVIEW

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

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment C**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- Special permit per §7.3.3 to amend Special Permit #64-02 to allow for the construction of a detached garage structure

B. Engineering Review

The Engineering Division of Public Works will review this project for conformance with the City of Newton Engineering Standards prior to the issuance of a building permit for the proposed accessory structure should this petition be approved.

V. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

ATTACHMENTS:

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

ATTACHMENT A

Land Use






1080 Walnut St.

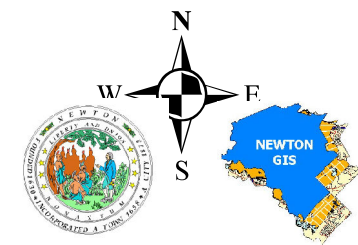
*City of Newton,
Massachusetts*

Legend

Land Use

Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Mixed Use
-  Nonprofit Organizations
-  Vacant Land



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

0 12.5 25 50 75 100 125 150 175 Feet

Map Date: October 18, 2017




ATTACHMENT B

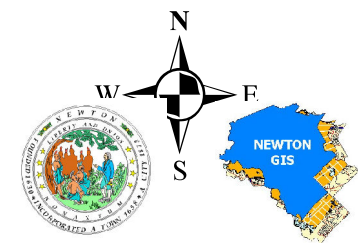
Zoning

1080 Walnut St.

*City of Newton,
Massachusetts*

Legend

-  Single Residence 2
-  Multi-Residence 1
-  Public Use

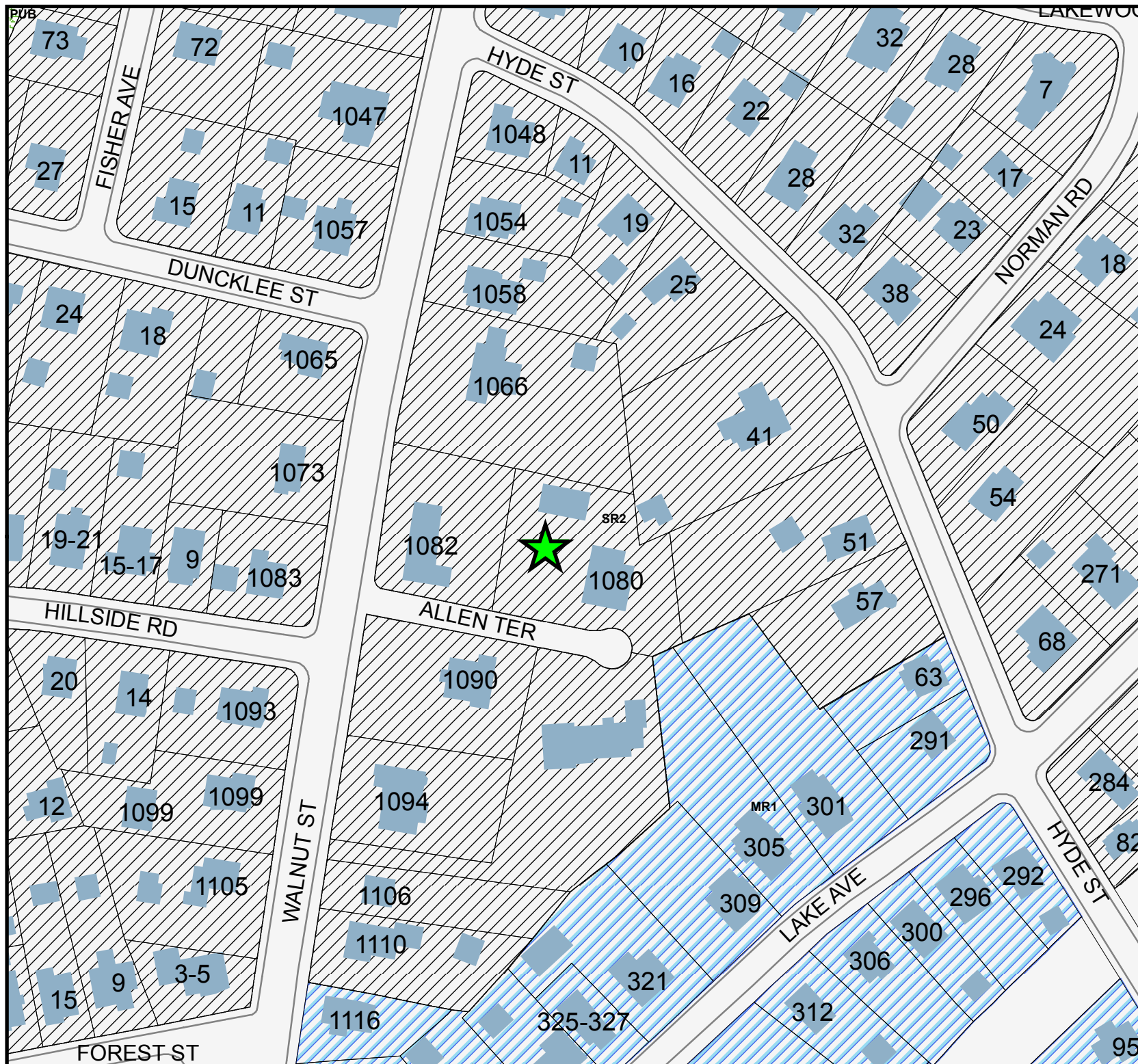


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ATTACHMENT C

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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: August 7, 2017

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Michael E. Liu, Applicant
G. Michael Peirce, Attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to amend Special Permit #64-02

Applicant: Michael E. Liu	
Site: 1080 Walnut Street	SBL: 52020 0008
Zoning: SR-2	Lot Area: 21,331 square feet
Current use: Single-family dwelling with a detached accessory apartment	Proposed use: No change

BACKGROUND:

The property at 1080 Walnut Street consists of a 21,331 square foot lot improved with a single-family residence constructed in 1915, as well as a detached accessory apartment allowed by special permit in 2002. The property has a Walnut Street address, but is accessed from Allen Terrace. The applicant requests an amendment to the existing special permit to allow for the construction of a detached 699 square foot three-car garage structure.

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

- Zoning Review Application, prepared by G. Michael Peirce, Attorney, submitted on 6/19/2017
- FAR Worksheet, submitted on 6/19/2017
- Area Plan, prepared by Verne T. Porter, surveyor, dated 5/2/2017
- Existing Conditions Plan, signed and stamped by Verne T. Porter, surveyor, dated 1/17/2017
- Proposed Conditions Plan, signed and stamped by Verne T. Porter, surveyor, dated 5/2/2017
- Elevations, prepared by The Architectural Team, dated 6/6/2017

ADMINISTRATIVE DETERMINATIONS:

1. The applicant received Special Permit #64-02 in 2002 to convert an existing carriage house into an accessory apartment. The applicant now proposes to construct a 699 square foot three-car detached garage on the property. Because the prior special permit references the approved plans, any changes to those plans require an amendment to the special permit decision.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	21,331 square feet	No change
Frontage	80 feet	83 feet	No change
Setbacks Principal Structure <ul style="list-style-type: none"> • Front • Side • Rear Setbacks Carriage House <ul style="list-style-type: none"> • Front • Side • Rear Setbacks Proposed Garage <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 7.5 feet 15 feet 25 feet 5 feet 5 feet 25 feet 5 feet 5 feet	17 feet 16.3 feet 31.8 feet >100 feet 32 feet 8 feet N/A N/A N/A	No change No change No change No change No change No change 60.5 feet 6.9 feet 42.6 feet
Max Stories Principal	2.5	2.5	No change
Max Stores Carriage	1.5	1	No change
Max Stories Garage	1.5	N/A	1.5
Max Height Principal	36 feet	NA	No change
Max Height Carriage	18 feet (flat roof)	16 feet	No change
Max Height Garage	22 feet (sloped roof)	N/A	18 feet
FAR	.33	.19	.23
Max Lot Coverage	30%	13.4%	16.7%
Min. Open Space	50%	73.4%	70.9%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
	Request to amend Special Permit #64-02 to allow for the construction of a detached garage structure	S.P. per §7.3.3

Next Steps

Please contact a Planner by calling 617.796.1120 to obtain a copy of the Special Permit Application. If there have been any changes made to the plans since receipt of your Zoning Review Memorandum you must inform the Zoning Code Official to ensure additional relief is not required. You will need an appointment with a Planner to file your Special Permit Application. **Incomplete applications will not be accepted.**

The following must be included when filing a Special Permit Application:

2. Two (2) copies of the completed Special Permit Application (signed by property owner)
3. Filing Fee (see Special Permit Application)
4. Two (2) copies of the Zoning Review Memorandum
5. Plans (Thirteen sets signed and stamped by a design professional). Each set shall contain:
 - Site Plans showing existing and proposed conditions (including topography as applicable)
 - Architectural plans showing existing and proposed conditions (including façade materials)
 - Landscape plan (as applicable)
6. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
7. One (1) copy of any previous special permits or variances on the property (as applicable)
8. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
9. Two (2) electronic copies of the application with all above attachments (USB or CD)

Copies of all plans shall either be 8.5 x 11 or 11 x 17, except as requested by staff

Special Permit Sign (\$20 fee)

Incomplete applications will delay the intake and review of your project.

Depending on the complexity of the project additional information may be requested to facilitate a full review of the application.

Has the proposed project been presented to and discussed with abutting property owners? Y/N