

DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF NEWTON Massachusetts

INTER-OFFICE CORRESPONDENCE

DATE: September 13, 2019

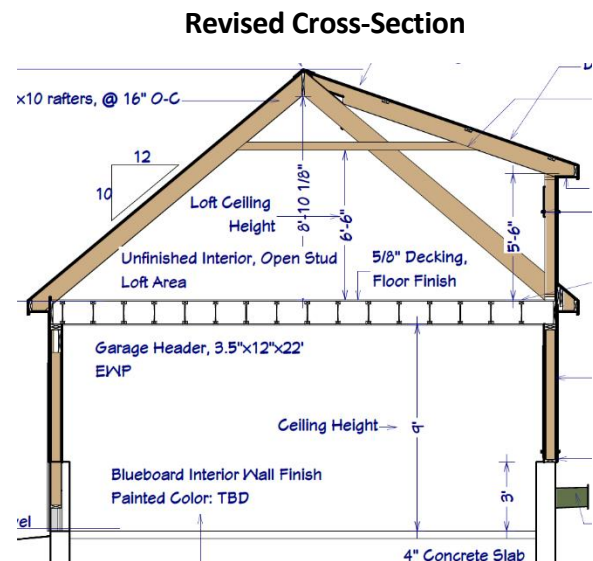
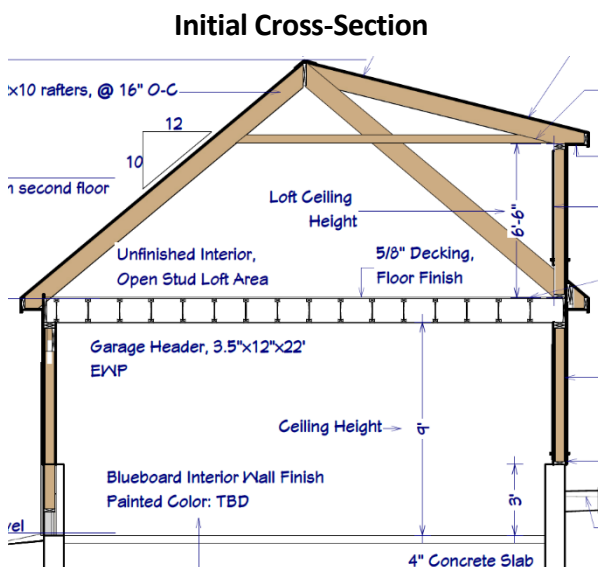
TO: All Members, City Council

FROM: Barney S. Heath, Director of Planning and Development
Jennifer Caira, Chief Planner for Current Planning
Neil Cronin, Senior Planner

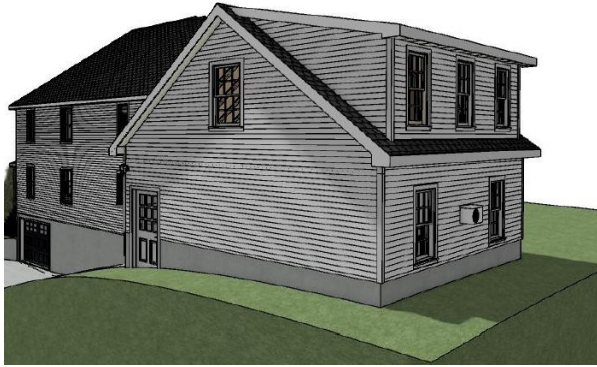
SUBJECT: #261-19, 213-215 Langley Road
Plan Revisions

Petition #261-19 involves constructing a detached two-car garage, where a two-car garage currently exists on site, requiring a special permit to allow more than one garage and to allow garage space in excess of 700 square feet. The garage's half-story features a dormer that requires special permits because it is wider than 50% of the exterior wall below and the dormer is set back one foot from the plane of the exterior wall below, where three feet is required. The Land Use Committee approved the petition subject to second call to allow the petitioners to determine whether the bulk of the dormer could be reduced.

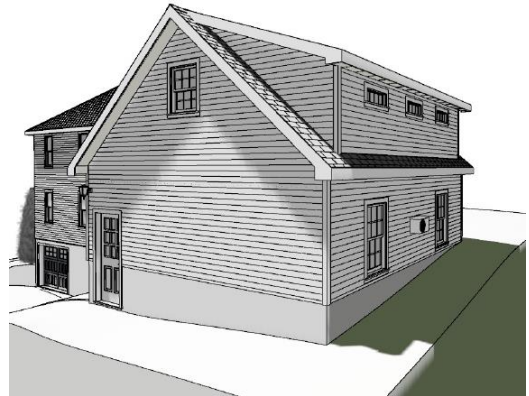
The petitioners submitted revised architectural plans indicating that the pitch of the roof has been changed, reducing the lowest point of the dormer from 6.5 feet to 5.5 feet. The windows in the dormer were also changed from three double-hung windows to three transom windows. The below graphics detail the changes.



Initial Right Elevation



Revised Right Elevation



The dormer still requires the requested relief because the width has not changed. The Planning Department revised the Council Order to reflect the revised plans and to include a condition stating that the space in the half-story be used for storage space only and not be used as habitable space.

Please do not hesitate to contact me if you have any questions regarding this subject.

ATTACHMENT A: Council Order #179-19

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a detached garage, where one currently exists, to allow garage space in excess of 700 square feet, and to allow an oversized dormer, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Gregory Schwartz:

1. The site is an appropriate location for the project as designed, with total garage space in excess of 700 square feet on site and an oversized dormer on the proposed garage, because the project meets all other dimensional requirements. (§7.3.3.C.1)
2. The project as designed, with total garage space in excess of 700 square feet on site and an oversized dormer on the proposed garage, will not adversely affect the neighborhood because the site will not appear to have two garages and the dormer on the garage will be well screened and not visible from the street. (§7.3.3.C.2)
3. The project as designed, with total garage space in excess of 700 square feet on site and an oversized dormer on the proposed garage, will not create a nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)

PETITION NUMBER: #261-19

PETITIONER: Bill Trask and Brenda Marsh

LOCATION: 213-215 Langley Road., Section 65, Block 19, Lot 39, containing approximately 7,240 square feet of land

OWNER: Bill Trask and Brenda Marsh

ADDRESS OF OWNER: 213-215 Langley Road
Newton, MA 02459

TO BE USED FOR: Detached 1.5-story, two-car garage

CONSTRUCTION: Wood Frame

EXPLANATORY NOTES: §3.4.2.B and §7.3.3 to allow a detached garage where one currently exists, and to allow private garage space in excess of 700 square feet; §1.5.4.G.2.b and §7.3.3 to allow a dormer greater than 50% of the wall plane below; and §1.5.4.G.2.c and §7.3.3 to allow a dormer closer than 3 feet to the end wall

ZONING: Multi Residence 1 (MR1) District

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this Special Permit/Site Plan Approval shall be located and constructed consistent with the following plans:
 - i. A plan entitled “213-215 Langley Road” prepared by Verne T. Porter Jr., PLS Land Surveyors and Engineers, dated March 12, 2018, signed and stamped by Verne T. Porter Jr. Professional Land Surveyor, and Paul J. Tyrell, Professional Engineer
 - ii. A set of architectural plans entitled “Bill Trask, Brenda Marsh Garage,” prepared by Baystate Outdoor Personia, dated September 13, 2019, unsigned and unstamped, consisting of the following eight (8) sheets:
 - a. P-1 3D Elevations
 - b. P-2 Plot Plan
 - c. P-3 Construction Detail
 - d. P-4 First Floor Plan
 - e. P-5 Loft Plan
 - f. P-6 Foundation Plan
 - g. P-7 Garage Door Partial Framing Plan
 - h. P-8 Electrical Plan
2. The half-story shall be used for storage space only and shall not be used as habitable space.
3. Prior to the issuance of any Building Permit, the petitioner shall provide a final Operations and Maintenance Plan (O&M) for storm water management to the Engineering Division of Public Works for review and approval. Once approved, the O&M must be adopted by applicant, incorporated into the deeds, recorded at the Middlesex South Registry of Deeds, and a certified copy of the O&M shall be submitted to the Engineering Division of Public Works.

4. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - a. Recorded a certified copy of this order for the approved Special Permit/Site Plan with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - d. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
5. No Final Inspection and/or Occupancy Permit for the buildings covered by this Special Permit/Site Plan approval shall be issued until the petitioners have:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or professional land surveyor certifying compliance with Condition #1.
 - b. Filed with the Clerk of the Council, the Department of Inspectional Services and the Department of Planning and Development a statement from the Engineering Division of the Department of Public Works certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.
 - c. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services, final as-built plans in paper and digital format signed and stamped by a professional land surveyor.