CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

TUESDAY, MAY 6, 2003

Members of Committee present: Ald. Basham, Chairman; Ald. Bryson, Fischman, Linsky, Merrill, Salvucci, Samuelson.

Members of Committee absent: Ald. Lipsitt.

Other Aldermen present: Ald. Stewart.

City Officials present: Alexandra Ananth, Planner; Nancy Radzevich, Chief Planner; Ouida Young, Associate City Solicitor; Linda Finucane, Chief Committee Clerk.

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APPLICATIONS FOR 2003 AUTOMOBILE DEALER LICENSES

401-02 VELOCITY MOTORS, INC.
14 Hawthorn Street
Class 2 license

ACTION: Approved 6-0 (Ald. Fischman not voting).

403-02 ENZO'S AUTO SALES
10 Hawthorn Street
Class 2 license

ACTION: Approved 6-0 (Ald. Fischman not voting).

NON-SPECIAL PERMIT ITEMS

183-03 NEWTON HIGHLANDS NEIGHBORHOOD AREA COUNCIL requesting a temporary license pursuant to Section 30-6(k) of the Newton Ordinances to hold its 28th annual Village Day on Sunday, June 8, 2003.

ACTION: Approved 6-0 (Ald. Fischman not voting).

SPECIAL PERMIT AND SITE PLAN APPROVAL PETITIONS

126-02(5) YELENA IVNITSKAYA petition to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL 126-02, granted on 8/12/02, for creation of a new rear lot subdivision to be used for

the construction of a new one-family dwelling, to relocate and redesign the house to be constructed on Lot 2, at 554 GROVE STREET, Ward 4, on approximately 23,199 sf of land known as Section 42, Bloc, 32, Lot 75A, in a district zoned SR3.

ACTION: Approved 7-0.

NOTE: In August 2002, the Board approved a rear lot subdivision for this property at 554 Grove Street, which was then owned and occupied by members of the Barnes family. Subsequently the Barneses decided to sell the property, and the present petitioner has now developed alternative plans for the site. Although she still wishes to create a second lot through the mechanism of a rear lot subdivision, the petitioner has reconfigured the lots and redesigned the dwelling intended for the rear lot. She also intends to redevelop, or sell for redevelopment, the front lot, which is subject to certain conditions requiring Historical Commission approval. At the public hearing on April 15, 2003, the petitioner was represented by her architect, Anatol Zuckerman. Public testimony included concerns raised by the immediate abutter, Joel Sisenwine, who asked whether the driveway location might be changed and whether additional screening might be added to buffer his property from this proposed development.

In light of the fact that the approved special permit is still viable, the Committee's challenge at the working session was to consider whether the proposed alternative configuration and design are preferable. Ouida Young advised that the Committee may consider the changes in the plans for the front lot insofar as the relationship of the structures and the lots are concerned, but since the existing Board order contemplated a residence on the front lot and provided conditions applicable in these circumstances, it would not be reasonable for the Board to go any farther in its review of that particular aspect of the plans. Similarly, the Committee reviewed the report of the Engineering Department and noted an apparent debate with Mr. Zuckerman about various details in his submission. The Committee noted that some of Engineering's concerns relate to the retention capacity of the front lot, which is a building permit issue, while our task is to consider whether the rear lot has adequate capacity for the 100 year storm. The Committee asked Mr. Zuckerman to meet with Engineering as soon as possible to resolve any issues related to the special permit, so that any plan referenced in a draft Board Order would be one approved by Engineering.

The Committee was mixed in its review of the new residential design, characterized as "Prairie Style." Ald. Bryson said she liked the original very much, but she agreed with Ald. Stewart that in a neighborhood meeting two months ago, the majority thought the new design was good and saw it as consistent with the diversity of styles in the neighborhood. Ald. Stewart also presented a copy of an email communication with Mr. Sisenwine, in which Mr. Sisenwine identified the several landscaping features that are of greatest importance to him. Mr. Zuckerman stated that his landscaping plan had been modified to meet those concerns.

Considering other differences between the approved special permit and this one, the Committee found that the gross floor area of the residence is being reduced from 4,332 sf to 3,200; the building height is being reduced from 29.85 feet to 29.10 feet; the side yard setbacks

on both sides will be greater; and the open space will increase from 74.79% to 83.26%. The relocation of the proposed residence on the site also removes the need for any substantial grade change. The relocation of the driveway permits the preservation of several substantial evergreens along Grove Street, as well, and the landscaping has been expanded considerably. In sum, this is a smaller house that stands farther from neighboring properties, with a denser evergreen barrier along the north and south borders. Based on these and other findings noted by the Committee, Ald. Bryson moved approval with all of the relevant conditions of the prior Board Order to remain in effect. The Committee supported the motion 7-0.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Ald. Susan M. Basham
Chairman