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James Freas
Acting Director

PUBLIC HEARING/WORKING SESSION MEMORANDUM

DATE: November 13, 2015
MEETING DATE: November 17, 2015
TO: Land Use Committee of the Board of Aldermen
FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner of Current Planning
Daniel Sexton, Senior Planner
RE: Information for Working Session
CC: Petitioners

In response to questions raised at the Land Use Committee public hearings and/or staff's technical reviews, the Planning Department is providing the following information for the upcoming continued public hearing and/or working session. This information is supplemental to staff analysis previously provided at the public hearing.

PETITION #149-15

14 CHARLEMONT STREET

Proposal to allow an increase in Floor Area Ratio (FAR) from 0.45 to 0.58 for a customized modular home and detached garage.

The Land Use Committee (Committee) held a public hearing on July 14, 2015, which was held open so that the petitioner could respond to questions/concerns that were raised in the Planning Department's memorandum and at the public hearing by the Committee and public. The petitioner's legal counsel provided revised plans on November 10, 2015 in response to the questions/concerns that were raised (**ATTACHMENT A**).

Site Changes. The petitioner is now proposing to regrade a portion of the site around the dwelling to eliminate the basement level from counting towards the gross floor area included in the calculation of FAR. The petitioner also razed the detached garage on the site. These changes will bring the FAR on the site into compliance with the maximum FAR allowed of 0.45. The petitioner, however, desires to make the property more marketable by constructing a new small (20ft by 20ft) detached garage where there previous was a slightly larger detached garage. As a result, the petitioner is seeking relief to exceed the maximum allowable FAR of 0.45 by 0.04 (or 4%) for a total FAR of 0.49.

The Planning Department has no concerns with the project now that the FAR request has been reduced from 0.58 to 0.49, and believes the present level of relief is similar to other recent requests

that the Committee has categorized as de minimis. The Planning Department notes some minor discrepancies between the previous and present proposed site plans; however, these inconsistencies can be addressed prior to the issuance of a building permit for the detached garage. The petitioner should be prepared, however, to respond to these issues at the meeting.

Landscaping. The petitioner submitted a landscape plan for the portion of lawn in front of the dwelling. The proposed planting schedule includes a mix of decorative trees, shrubs, and ornamental grass and flowers. The Planning Department believes these plantings will reduce the visual impact of the dwelling.

Recommendation. The Planning Department believes the petitioner has made significant progress in reducing the size of the FAR request from the initial proposal of 0.58 (19% increase) to 0.49 (4% increase), where 0.45 is the maximum allowed. While the Planning Department continues to believe that the modular structure is out of character with the current mix of residential structures in the immediate neighborhood, the proposed planting schedule and site improvements enhance the appearance of the site and lessen the visual impact of the dwelling and proposed garage.

The Planning Department recommends approval with conditions.

ATTACHMENTS

Attachment A: Supplemental packet of information contained:

- Revised Proposed Site Plan, prepared by Otte & Dwyer, Inc., dated May 26, 2015 and revised on October 22, 2015 to show proposed grading and garage
- Landscape Plan, prepared by Duxbury Gardens, dated August 3, 2015

ATTACHMENT A

CHARLEMONT

(Public 40' Wide~Plan 528 of 1949)

STREET

GENERAL NOTES

OWNER OF RECORD: JOAN DEVINE & KHADIJAH HINDI, TRUSTEES OF
 14 CHARLEMONT STREET REALTY TRUST
 DEED REFERENCE: BOOK 63563, PAGE 452
 PLAN REFERENCE: PLAN BOOK 307, PLAN 45A, LOT 174 NOVEMBER 1920
 TAX MAP REFERENCE: PARCEL ID 2404102
 DATUM REFERENCE: HORIZONTAL NAD 1983 VERTICAL NGVD 1988
 ACCORDING TO THE F.E.M.A. MAP FOR MIDDLESEX COUNTY, MAP No.
 25017C0562E, DATED JUNE 4, 2010 THE PARCEL(S) FALLS IN AN AREA
 CLASSIFIED AS ZONE "X".

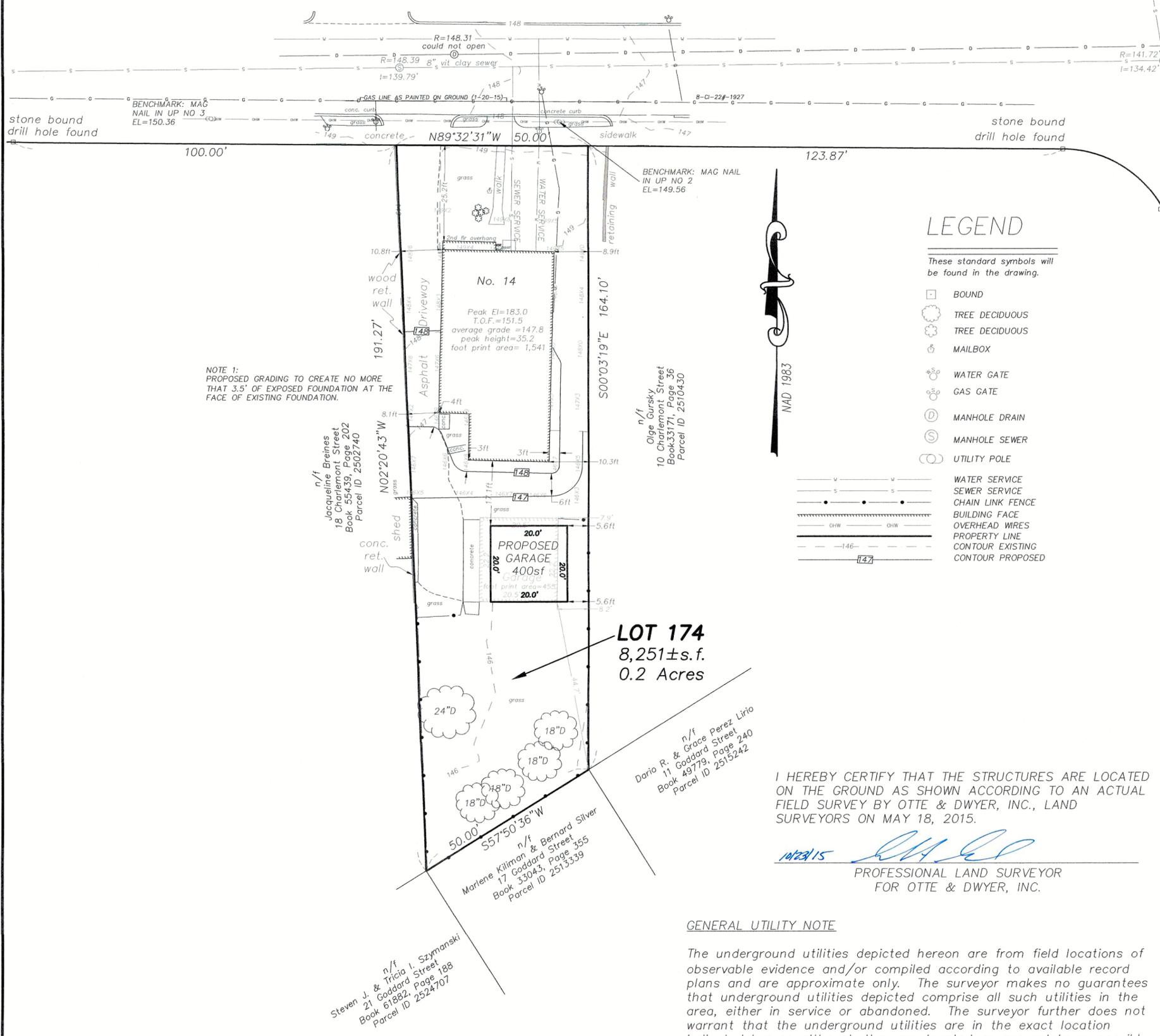
NOTE: F.A.R. CALCULATIONS OF FLOORS AREAS ABOVE THE FOUNDATIONS
 ARE BASED UPON SQUARE FOOTAGE CALCULATED BY WESTCHESTER
 MODULAR HOMES, INC. BUILDING WORKSHEET "EXPIRATION DATE:
 4/30/15"

CURRENT DIMENSIONAL AND DENSITY REGULATIONS

ENTIRE SITE IS LOCATED IN A SR3 "(OLD LOT)" ZONING DISTRICT

CRITERIA	REQUIRED	EXISTING
MINIMUM FRONT YARD (FT.)	25.0'	25.2'
MINIMUM SIDE YARD (FT.)	7.5'	8.1'
MINIMUM REAR YARD (FT.)	15.0'	81.6'
MAXIMUM BUILDING HEIGHT	36'	35.2'
MAXIMUM BUILDING STORIES	2.5	2.5
MAX BUILDING COVERAGE (%)	30%	24%
OPEN SPACE AREA (%)	50%	76%
LOT FRONTAGE	70'(lot dated 1920)	50'
LOT AREA	7,000SF	8,251SF
F.A.R.	0.45	0.49

THE ZONING INFORMATION DEPICTED HEREON IS FROM THE LATEST ZONING
 ORDINANCE OF THE MUNICIPALITY AND, AS SUCH, IS FOR REFERENCE PURPOSE
 ONLY. OTTE & DWYER, INC MAKES NO OPINION OR CERTIFICATION AS TO ZONING
 COMPLIANCE. THE FINAL INTERPRETATION OF THE ORDINANCE CAN ONLY BE MADE
 BY THE APPROPRIATE ZONING AUTHORITY. SINCE BUILDING ORIENTATION,
 PROPOSED USE, AND OTHER FACTORS CAN AFFECT THE SETBACKS, PRIOR TO ANY
 DEVELOPMENT OF THIS PROPERTY, THE BUILDER/OWNER MUST CONSULT WITH THE
 CITY/TOWN TO INSURE THE CORRECT APPLICATION OF THE ZONING ORDINANCE.
 10-22-15, THE F.A.R. CALCULATION HAS BEEN PROVIDED TO THE SURVEYOR BASED
 UPON THE FLOOR AREA RATIO WORKSHEET PERFORMED BY OTHERS.



LEGEND

- These standard symbols will be found in the drawing.
- BOUND
 - TREE DECIDUOUS
 - TREE DECIDUOUS
 - MAILBOX
 - WATER GATE
 - GAS GATE
 - MANHOLE DRAIN
 - MANHOLE SEWER
 - UTILITY POLE
 - WATER SERVICE
 - SEWER SERVICE
 - CHAIN LINK FENCE
 - BUILDING FACE
 - OVERHEAD WIRES
 - PROPERTY LINE
 - CONTOUR EXISTING
 - CONTOUR PROPOSED

NOTE 1:
 PROPOSED GRADING TO CREATE NO MORE
 THAN 3.5' OF EXPOSED FOUNDATION AT THE
 FACE OF EXISTING FOUNDATION.

LOT 174
 8,251±s.f.
 0.2 Acres

I HEREBY CERTIFY THAT THE STRUCTURES ARE LOCATED
 ON THE GROUND AS SHOWN ACCORDING TO AN ACTUAL
 FIELD SURVEY BY OTTE & DWYER, INC., LAND
 SURVEYORS ON MAY 18, 2015.

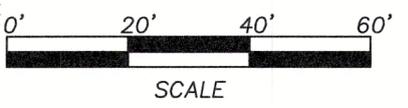
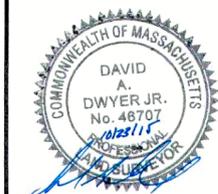
DAVID A. DWYER JR.
 PROFESSIONAL LAND SURVEYOR
 FOR OTTE & DWYER, INC.

GENERAL UTILITY NOTE

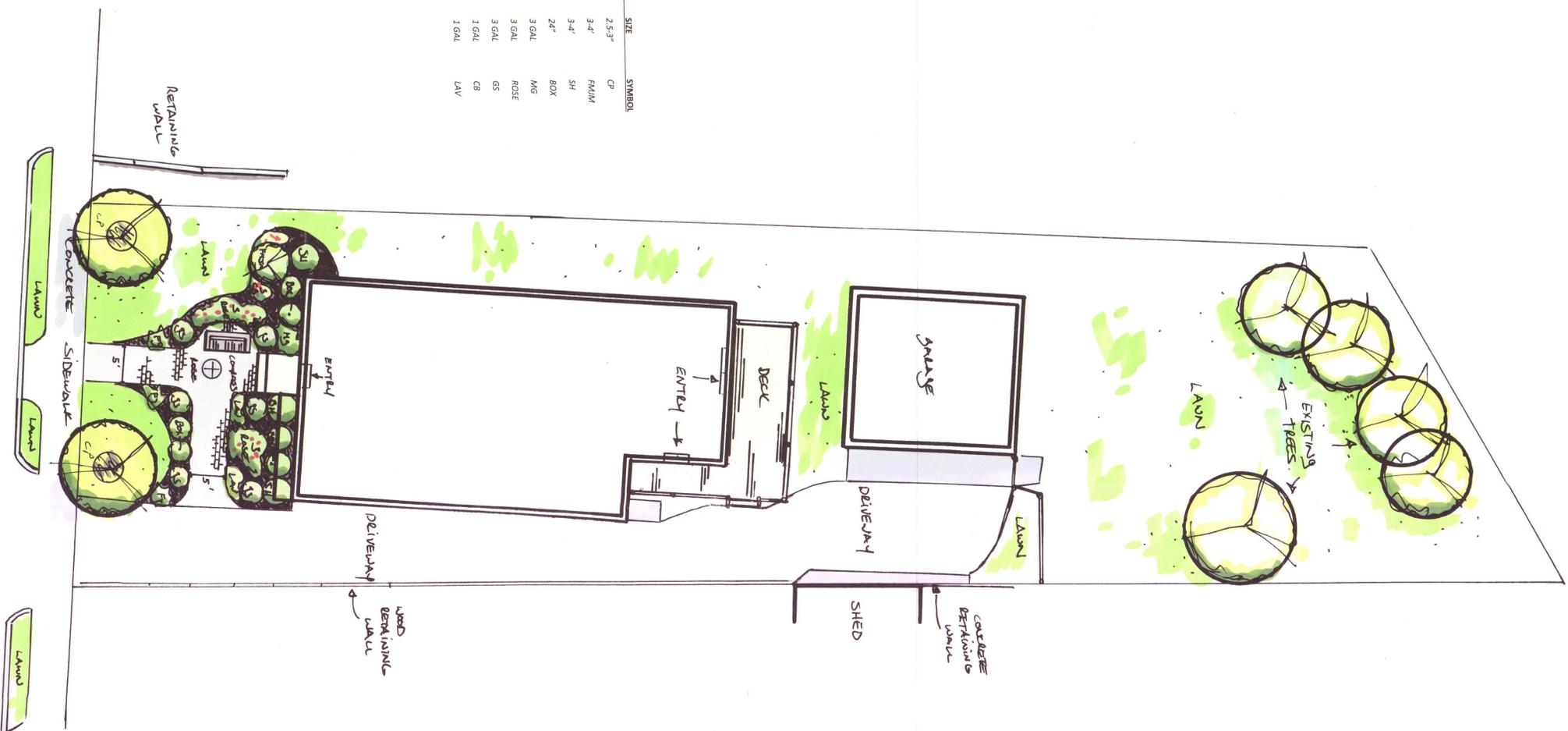
The underground utilities depicted hereon are from field locations of
 observable evidence and/or compiled according to available record
 plans and are approximate only. The surveyor makes no guarantees
 that underground utilities depicted comprise all such utilities in the
 area, either in service or abandoned. The surveyor further does not
 warrant that the underground utilities are in the exact location
 indicated hereon although they are located as accurately as possible
 from the information available. Otte & Dwyer, Inc. and its surveyor
 assume no responsibility for damages incurred as a result of utilities,
 shown or not shown on this plan. Always call DIGSAFE at 811 before
 you dig.

CERTIFIED PLOT PLAN
14 CHARLEMONT STREET
NEWTON, MASS. 02461
 PREPARED FOR
14 CHARLEMONT STREET REALTY TRUST
 BY
OTTE & DWYER, INC.
LAND SURVEYORS
WWW.OTTEDWYER.COM

59 APPLETON STREET SAUGUS, MA 01906
 P.O. BOX 982 (781)233-8155
 SCALE: 1"=20' MAY 26, 2015
 REVISED: 10-22-15, SHOW PROPOSED GRADING AND
 PROPOSED GARAGE



GREEN CORPS PROPERTIES



QTY	COMMON NAME	SIZE	SYMBOL
2	CLEVELAND PEAR TREE	2.5-3"	CP
1	FULL MOON JAPANESE MAPLE	3-4'	FMJM
3	STEED'S HOLLY	3-4'	SH
6	BOXWOOD	24"	BOX
1	MAIDEN GRASS	3 GAL	MKG
6	KNOCKOUT ROSE	3 GAL	ROSE
6	GOLDMOUND SPHEREA	3 GAL	GS
3	COREL BELLS	1 GAL	CB
2	LAVENDER	1 GAL	LAV

GREEN CORPS PROPERTIES

14 CHARLEMONT STREET
 NEWTON, MA
 DUXBURY GARDENERS
 SCALE: 1" = 8'-0"
 8/3/15

THIS DRAWING IS PROTECTED UNDER FEDERAL COPYRIGHT LAWS AND MAY NOT BE COPIED, DISTRIBUTED, OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF DUXBURY GARDENERS. THE LANDSCAPE PLAN IS THE SOLE PROPERTY OF DUXBURY GARDENERS AND A DESIGN FEE OF \$2,000. WILL BE ACCESSED IF VIOLATED.