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**Barney S. Heath**  
Director

## ZONING REVIEW MEMORANDUM

Date: August 10, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Neil Cronin, Chief Planner for Current Planning

Cc: Jessica Dowling, Applicant  
Diana Pauro, Rebel Design Build  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

RE: **Request to further increase nonconforming FAR and to further extend a nonconforming two-family use**

Applicant: Jessica Dowling	
Site: 22-24 Milo Street	SBL: 44004 0004A
Zoning: SR3	Lot Area: 6,106 square feet
Current use: Two-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 22-24 Milo Street consists of a 6,106 square foot lot improved with a two-family dwelling constructed in 1930. The petitioner proposes to construct dormer additions in the attic level. The proposed additions will further extend the nonconforming two-family dwelling and will further increase the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared by Diana Pauro, architect, submitted 6/24/2021
- Plan of Land, signed and stamped by Neil J. Murphy, surveyor, dated 5/26/2021
- Architectural plans and elevations, prepared by Rebel Design Build, submitted 6/24/2021
- FAR worksheet, submitted 6/24/2021

**ADMINISTRATIVE DETERMINATIONS:**

1. The two-family dwelling is located in the SR3 zoning district. Per section 3.4.1, two-family dwellings are not permitted in the SR3 district. A special permit is required to expand the nonconforming two-family dwelling use per section 7.8.2.C.2.
  2. The petitioner intends to construct dormer additions to the front and rear attic elevations. The additions add 599 square feet resulting in a total of 3,345 square feet. The existing nonconforming FAR is .50, where .48 is the maximum allowed per section 3.1.9. The proposed additions further increase the nonconforming FAR to .55, requiring a special permit pursuant to Sections 3.1.3, 3.1.9 and 7.8.2.C.2.
1. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1 §7.8.2.C.2	Request to further extend a nonconforming two-family use	S.P. per §7.3.3
§3.1.3, §3.1.9 §7.8.2.C.2	Request to further increase nonconforming FAR	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