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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: January 18, 2022

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Michael Kuczewski, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to amend Special Permit #187-94

Applicant: Michael Kuczewski	
Site: 15 Roberts Avenue	SBL: 21033 0010
Zoning: MR1	Lot Area: 5,081 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 15 Roberts Avenue consists of a 5,081 square foot lot improved with a single-family dwelling constructed circa 1930. The property was granted a special permit in 1994 to allow for an addition which further extended the nonconforming front setback. The petitioner seeks to amend the special permit to construct rear additions and cosmetic updates to the front entrance. The proposed alterations require a special permit.

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

- Zoning Review Application, prepared by Michael Kuczewski, applicant, submitted 12/17/2021
- Plan of Land, signed and stamped by Dennis O'Brien, surveyor, dated 6/15/2021, revised 11/23/2021, 1/11/2022
- Floor plans and elevations, signed and stamped by Faith D. Baum, architect, dated 11/1/2021, revised 12/1/2021
- FAR worksheet, signed and stamped by Faith D. Baum, architect, submitted 12/17/2021
- Special Permit #187-94

ADMINISTRATIVE DETERMINATIONS:

1. The property was granted Special Permit #187-94 to allow for an addition which further extended the nonconforming front setback. An amendment to the special permit is required to for proposed additions to the single-family dwelling.
2. The petitioner seeks to construct a rear porch with living space above, adding 182 square feet of footprint to the first floor. Additionally, a nonconforming rear deck is to be replaced with an enclosed 36 square foot basement access. The proposed basement access meets the requirements of the de minimis provisions of section 7.8.2.B.2.c for first floor additions in the side and rear which do not total more than 200 square feet.
3. The petitioner proposes to place a heat pump compressor resulting in a 7.5-foot setback from the rear lot line. Per section 1.5.3.D.2, heat pump compressors may be located in the setback.
4. The petitioner intends to demolish the existing enclosed front entrance and replace with an open entry stair and landing. The footprint remains un-changed and no relief is required.
5. The existing open space is nonconforming at 38.1% where a minimum of 50% is required per section 3.2.3. The petitioner intends to remove paving at the rear of the property, bringing the property into conformance at 56.1%.

MR1 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	5,081 square feet	No change
Frontage	70 feet	62 feet	No change
Setbacks			
• Front	25 feet	4 feet	No change
• Side	7.5 feet	25.7 feet	No change
• Side	7.5 feet	8.2 feet	No change
• Rear	15 feet	7.2 feet	7.5 feet
• Rear	15 feet	16.2 feet	16 feet
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	28.6 feet	No change
FAR	.58	.46	.47
Max Lot Coverage	30%	23.7%	25%
Min. Open Space	50%	38.1%	56.1%

6. Can you include what bold indicates

7. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
	Request to amend Special Permit #187-94	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:

8. Two (2) copies of the completed Special Permit Application (signed by property owner)
9. Filing Fee (see Special Permit Application)
10. Two (2) copies of the Zoning Review Memorandum
11. 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)
12. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
13. One (1) copy of any previous special permits or variances on the property (as applicable)
14. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
15. 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