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Director

ZONING REVIEW MEMORANDUM

Date: February 15, 2022

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Peter Sachs, Architect
Brian and Shana Hickey, Applicants
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to exceed FAR, to allow an oversized dormer, and allow a retaining wall exceeding four feet in height within a setback

| Applicant: Brian & Shana Hickey | |
|-------------------------------------|------------------------------|
| Site: 20 Morton Street | SBL: 13027 0001 |
| Zoning: SR2 | Lot Area: 15,064 square feet |
| Current use: Single-family dwelling | Proposed use: No change |

BACKGROUND:

The property at 20 Morton Street consists of a 15,064 square foot lot improved with a single-family dwelling constructed in 1935. The petitioner proposes to raze an existing detached garage and construct additions including an attached two-car garage and 2.5 stories of living space. The proposed construction will exceed the maximum FAR, require a waiver from the dormer provisions, and include retaining walls exceeding four feet in height in the setback, requiring a special permit.

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

- Zoning Review Application, prepared Peter Sachs, architect, dated 1/6/2022
- Existing Conditions Plot Plan, signed and stamped by Joseph R. Porter, surveyor, dated 4/17/2017
- Proposed Conditions Plot Plan, signed and stamped by Joseph R. Porter, surveyor, dated 11/19/2021, revised
- Floor Plans and Elevations, signed and stamped by Peter Sachs, architect, dated 12/21/2021
- FAR calculations, signed and stamped by Peter Sachs, architect, submitted 1/6/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to raze a detached garage and construct additions including an attached two-car garage and 2.5 stories of living space at the rear and on the side, adding 1,940 square feet to the dwelling. The proposed construction increases the FAR from .25 to .38, where .33 is the maximum allowed per sections 3.1.3 and 3.1.9. A special permit per section 3.1.9.A.2 is required to exceed FAR.
2. The petitioners propose dormers at the front and rear of the dwelling. Per section 1.5.4.G.2.b, a dormer may be no wider than 50% of the exterior wall of the story next below. The proposed dormer on the rear of the dwelling is 11.83 feet long where the wall next below is 21.67 feet, resulting in a dormer that is 52%, requiring a special permit.
3. To accommodate the new construction, the petitioners propose to construct retaining walls to the north and west of the dwelling. Per section 5.4.2.B a retaining wall within a setback exceeding four feet in height requires a special permit. The proposed walls reach a maximum height of 8.1 feet within the front setback from Mill Street, requiring a special permit.

| SR2 Zone | Required | Existing | Proposed |
|---|---|--|---|
| Lot Size | 10,000 square feet | 15,064 square feet | No change |
| Frontage | 80 feet | 112 feet | No change |
| Setbacks - Principal <ul style="list-style-type: none"> • Front (Morton St) • Front (Mill St) • Side • Rear | 25 feet 25 feet 7.5 feet 15 feet | 27.6 feet 30.7 feet 13.9 feet 61.5 feet | No change 25.2 feet 7.6 feet No change |
| Height | 36 feet | 30 feet | No change |
| Stories | 2.5 | 2.5 | No change |
| FAR | .33 | .25 | .38 |
| Max Lot Coverage | 30% | 12.4% | 15.9% |
| Min. Open Space | 50% | 76.9% | 70.8% |

1. See “Zoning Relief Summary” below:

| Zoning Relief Required | | |
|------------------------|---|------------------------|
| <i>Ordinance</i> | | <i>Action Required</i> |
| §3.1.3 §3.1.9 | Request to exceed FAR | S.P. per §7.3.3 |
| §1.5.4.G.2.b | Request to allow an oversized dormer | S.P. per §7.3.3 |
| §5.4.2.B | Request to allow a retaining wall exceeding 4 ft in the setback | 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