



Ruthanne Fuller  
Mayor

City of Newton, Massachusetts  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone  
**#223-22**  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
www.newtonma.gov

Barney S. Heath  
Director

## ZONING REVIEW MEMORANDUM

Date: January 25, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Jennifer Caira, Chief Planner for Current Planning

Cc: 55 Border Street LLC, applicant  
G. Michael Peirce, Attorney  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Assistant City Solicitor

RE: Request for waivers from parking design criteria

Petitioner: 55 Border Street LLC	
Site: 55-67 Border Street	SBL: 33013 0017
Zoning: MAN	Lot Area: 38,036 square feet
Current use: machine repair shop with 29 parking stalls	Proposed use: machine repair shop with 46 parking stalls

### BACKGROUND:

The property at 55-67 Border Street consists of a 38,036 square foot lot improved with a one-story machine repair and assembly building constructed in 1961 with a paved parking area accommodating 29 stalls and an unlined gravel parking area. The petitioners seek to expand the parking by paving and striping the existing gravel area.

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

- Zoning Review Application, prepared by G. Michael Peirce, attorney, dated 7/24/2019
- Zoning Plan, signed and stamped by Joseph R. Porter, dated 7/17/2019, revised 1/15/2021

**ADMINISTRATIVE DETERMINATIONS:**

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1. The existing parking facility is nonconforming with regard to several dimensional and design regulations. The existing paved facility will not be modified and this memo addresses changes to the gravel parking area at the rear of the property. Per section 5.1.2.C, where parking facilities are increased in capacity, the expanded portion must be constructed in accordance with the requirements of section 5.1, however per section 5.1.2.B the existing parking facility may remain as is.
2. Section 5.1.8.A.1 states that no parking shall be located within any required setback distance from a street or side lot lines. Per section 4.3.3, the required front setback in the Manufacturing district is the greater of half the building height or 15 feet when abutting a residential district. The one-story building requires a 15-foot front setback as it abuts an Multi Residence 1 district to the north. The petitioner proposes to construct parking stalls within five feet of Harvey Place, thus located within the front setback, requiring a special permit per sections 5.1.8.A.1 and 5.1.13.
3. In accordance with the requirements of 521 CMR 23, three accessible stalls are required on site. The petitioner intends to construct three parking stalls in the existing portion of the parking facility. Modifications to an existing parking facility to construct required accessible parking do not trigger updates to all other dimensional requirements relative to parking per section 5.1 in the existing portion of the facility.
4. Per section 5.1.9.B, outdoor parking facilities with more than 20 stalls must provide interior landscaping. No interior landscaping is proposed, requiring a special permit to waive the requirement per section 5.1.13.
5. Section 5.1.10.A requires that parking facilities which are used at night have security lighting with a minimum intensity of one foot candle on the entire surface of the parking facility. The petitioner seeks a waiver from the requirements of section 5.1.10.A.
6. See "Zoning Relief Summary" below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§5.1.8.A.1 §5.1.13	To allow parking in the front setback	S.P. per §7.3.3
§5.1.9.B §5.1.13	To waive interior landscaping requirements	S.P. per §7.3.3
§5.1.10 §5.1.13	To waive the lighting requirements	S.P. per §7.3.3