



Ruthanne Fuller
Mayor

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

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

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: July 20, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Nancy Zollers, Applicant
Jay Walter, Architect
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to allow parking in the front setback and to allow an additional front entrance

Applicant: Nancy Zollers	
Site: 154 Oliver Road	SBL: 54001 0018
Zoning: SR2	Lot Area: 6,343 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 154 Oliver Road consists of a 6,343 square foot corner lot improved with a single-family dwelling constructed circa 1920. The petitioner proposes to convert an existing single-car garage into living space. To meet the parking requirement, the petitioner intends to construct a second parking stall within the front setback, requiring a special permit.

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

- Zoning Review Application, prepared Jay Walter, architect, submitted 6/12/2022
- Existing Conditions Plan, signed and stamped by Bruce Bradford, surveyor, dated 4/7/2022
- Proposed Conditions Plan, signed and stamped by Bruce Bradford, surveyor, dated 12/20/2021, revised 3/14/2022
- Floor Plans and Elevations, signed and stamped by Jay Walter, architect, dated 6/4/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to convert the existing attached garage space into a pedestrian entry for an approved accessory apartment, and construct a second surface stall in front of the garage space within the front setback. Per section 5.1.7.A only one parking stall may be located in the front setback for use in conjunction with a single-family dwelling. A special permit per section 5.1.13 is required to allow a second parking stall in the front setback where one stall is the maximum allowed.
2. Section 6.7.1.D.4 states that only one front entrance may be located on the façade of the building facing a street, unless by special permit. The proposed conversion of the garage into a pedestrian entrance will create a second entrance on the front façade for use by the accessory apartment, requiring a special permit.

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§5.1.7.A §5.1.13	Request to allow a second parking stall in the front setback	S.P. per §7.3.3
§6.7.1.D.4	Request to allow a second front entrance	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