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ZONING REVIEW MEMORANDUM

Date: July 13, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Current Planning

Cc: 416-418 Langley Road LLC, Applicant
Laurance Lee, Attorney
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to allow a 6-unit residential dwelling

Applicant: 416-418 Langley Road LLC	
Site: 416 Langley Road & 418 Langley Road	SBL: 65010 0027 & 65010 0028
Zoning: BU1	Lot Area: 11,176 square feet
Current use: Two single-family dwellings	Proposed use: 6-unit residential dwelling

BACKGROUND:

The subject site consists 11,176 square feet and is comprised of two lots, each improved with single-family dwellings constructed between 1875 and 1925. The petitioner intends to raze the two dwellings, merge the lots and construct a six-unit multi-family dwelling with below grade parking accommodating 12 vehicles.

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

- Zoning Review Application, prepared by Laurance Lee, attorney, dated 6/2/2022
- Proposed Plot Plan, prepared by Spruhan Engineering, dated 2/21/2022
- Floor Plans and Elevations, signed and stamped by Eric Zachrison, architect, dated 4/6/2022
- FAR worksheet, submitted 6/2/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner intends to raze the two single-family dwellings, combine the lots and construct a three-story 6-unit multi-family dwelling with below-grade parking for twelve vehicles. Per section 4.4.1, a special permit is required to allow residential uses on the ground floor with residential use above in a Business 1 zoning district.
2. The petitioner intends to construct a three-story structure. Per section 4.1.2.B.3 and 4.1.3, a special permit is required to allow for a three-story structure with 35.3 feet in height.
3. Per section 4.1.3, the required side setbacks in the BU1 district are half the building height or equal to the abutting side yard setback. The existing single family home at 416 Langley Road has a height of 26.53 feet, resulting in a required side setback of 13.3 feet, where 11.9 feet exists, rendering the current setback nonconforming.

418 Langley Road, located towards the rear of the site, has a height of 30.29 feet, resulting in a required side setback of 15.2 feet. The existing rear structure has a nonconforming side setback of 11.9 feet on the southern (side) lot line.

The proposed structure on the proposed combined lot has a height of 35.27 feet, resulting in a required side setback of 17.6 feet. The petitioner seeks to extend the existing nonconforming side setback on the northern lot line to accommodate a 12.3-foot side setback, and a 12.2-foot side setback from the southern lot line, where both require 17.6 feet. A special permit per sections 4.1.3 and 7.8.2.C.2 is required to further extend the nonconforming side setbacks.

4. The rear property line abuts two parcels, one of which is zoned Multi-Residence 1. Per section 4.1.3, the required rear setback from a residential district is half the building height. With the building height proposed at 35.27 feet, the required rear setback is 17.6 feet. 418 Langley Road has a nonconforming rear setback of 11.2 feet where 15.2 feet is currently required. The petitioner seeks a special permit per sections 4.1.3 and 7.8.2.C.2 to further extend the nonconforming rear setback of 15.3 feet where 17.6 feet is required.
5. Per section 4.1.3, the maximum by-right FAR for a three-story building is 1.00, and up to 1.50 by special permit. The building is proposed with a total of 16,465 square feet resulting in an FAR of 1.47, requiring a special permit.
6. Section 5.1.8.B.6 requires that end stalls restricted on one or both sides have a maneuvering space of at least five feet in depth and nine feet in width. Two end parking stalls are restricted, requiring a special permit per section 5.1.13.
7. An entrance and exit drive is required to be a minimum of 20 feet wide for two-way traffic per section 5.1.8.D.1. The proposed drive is 16 feet wide, requiring a special permit per section 5.1.13.
8. Per section 5.4.2.B, a special permit is required for a retaining wall exceeding four feet in height within a setback. The petitioner proposes to construct several new sections of retaining walls in addition to the existing walls which will remain. A portion of the wall along the entrance

driveway to the underground parking exceeds four feet in height within the side setback, requiring a special permit.

BU1 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	11,176 square feet	No change
Setbacks			
• Front	10 feet	10.1 feet	18.4 feet
• Side	17.6 feet	11.9 feet	12.3 feet*
• Side	17.6 feet	11.2 feet	12.2 feet*
• Rear	17.6 feet	11.2 feet	15.3 feet*
Building Height	24 feet (36 feet by SP)	26.53 ft/ 30.29 ft	35.27 feet*
Max Number of Stories	2 (3 by SP)	2.5	3*
Lot Area Per Unit	1,200 square feet	5,588 square feet	1,863 square feet
FAR	1.00 (1.50 by SP)	.33	1.47*

*Requires relief

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.4.1	Request to allow ground floor residential use with residential above	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	Request to allow a three-story structure with 36 feet in height	S.P. per §7.3.3
§4.1.3 §7.8.2.C.2	Request to extend a nonconforming side setback	S.P. per §7.3.3
§4.1.3 §7.8.2.C.2	Request to extend a nonconforming rear setback	S.P. per §7.3.3
§4.1.3	Request to allow an FAR of 1.47	S.P. per §7.3.3
§5.1.8.A.1 §5.1.13	Request to allow a reduced parking stall width	S.P. per §7.3.3
§5.1.8.B.6 §5.1.13	Request to allow restricted end stalls	S.P. per §7.3.3
§5.1.8.D.1 §5.1.13	Request to reduce the driveway width for two-way traffic	S.P. per §7.3.3
§5.4.2.B	Request to allow a retaining wall exceeding four feet in height within a setback	S.P. per §7.3.3