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**Barney S. Heath**  
Director

## ZONING REVIEW MEMORANDUM

Date: August 1, 2023

To: Anthony Ciccariello, Commissioner of Inspectional Services

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

Cc: Kate Shaughnessy, Applicant  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Deputy City Solicitor

**RE: Request to further extend two nonconforming front setbacks**

Applicant: Kate Shaughnessy	
<b>Site:</b> 147 Cherry Street	<b>SBL:</b> 34037 0012
<b>Zoning:</b> SR3	<b>Lot Area:</b> 7,706 square feet
<b>Current use:</b> Single-family dwelling	<b>Proposed use:</b> No change

### BACKGROUND:

The property at 147 Cherry Street consists of a 7,706 square foot lot improved with a single-family dwelling constructed circa 1904 at the corner of Cherry Street and Jerome Avenue. The petitioner proposes to construct a deck connecting porches on each street front, further extending the nonconforming front setbacks, requiring a special permit.

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

- Zoning Review Application, prepared by Kate Shaughnessy, applicant, dated 6/25/2023
- Proposed Plot Plan, signed and stamped by Christopher C. Charlton, surveyor, dated 6/27/2023
- Floor plan and elevations, signed and stamped by Edmond Spruhan, engineer, dated 6/23/2023

**ADMINISTRATIVE DETERMINATIONS:**

- The existing single family dwelling has a nonconforming front setback of 12.5 feet from Jerome Avenue and 22.9 feet from Cherry Street where 25 feet is required per section 3.1.3 in both cases. There are covered porches on each frontage and the petitioner seeks to construct a deck connection between the two porches, resulting in one deck wrapping around the corner of the dwelling. The proposed construction further reduces the nonconforming front setbacks to 11.1 feet from Jerome Avenue and 22.8 feet from Cherry Street, requiring a special permit per sections 3.1.3 and 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	<b>7,706 square feet</b>	No change
Frontage	70 feet	173 feet	No change
Setbacks			
• Front (Cherry Street)	25 feet	<b>22.9 feet</b>	<b>22.8 feet*</b>
• Front (Jerome Avenue)	25 feet	<b>12.5 feet</b>	<b>11.1 feet*</b>
• Side	7.5 feet	Not provided	No change
• Rear	15 feet	Not provided	No change
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	32.9 feet	No change
Max Lot Coverage	30%	17.3%**	No change
Min. Open Space	50%	70.1%	69%

Nonconformity indicated in **BOLD**

\*Requires relief

\*\*The proposed connection has no roof and does not increase the lot coverage

- See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §7.8.2.C.2	To alter and extend two nonconforming front setbacks	S.P. per §7.3.3