



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: September 24, 2019

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Tracy Bascetta, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to further extend nonconforming side and rear setbacks of an accessory structure

Applicant: Tracy Bascetta	
Site: 18 Arapahoe Road	SBL: 43007 0023
Zoning: SR2	Lot Area: 5,086 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 18 Arapahoe Road consists of a 5,086 square foot lot improved with a single-family dwelling and detached garage constructed in 1927. The garage was constructed 0.9 feet from the side lot line and 1.9 feet from the rear lot line. The petitioner proposes to raze the existing garage and construct an enlarged garage, further extending the nonconforming side and rear 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 Tracy Bascetta, applicant, dated 8/15/2019
- FAR Worksheet, submitted 8/15/2019
- Existing Conditions Plan, signed and stamped by Verne T. Porter Jr., surveyor, dated 8/7/2019
- Proposed Garage Location, signed and stamped by Verne T. Porter Jr.,
- Plans and Exterior Elevations, prepared by Slocum Hall Design Group, architects, dated 7/17/2019

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner intends to raze an existing detached garage located in the southern corner of the lot. The existing garage was constructed 0.9 feet from the side lot line and 1.9 feet from the rear lot line in 1927. The existing garage cannot accommodate a modern vehicle and the petitioner seeks to enlarge the garage, further extending both the nonconforming 0.9 foot side setback and the 1.9 foot rear setback. A special permit pursuant to Sections 3.4.3.A.1 and 7.8.2.C.2 is required to further extend the nonconforming side and rear setbacks to allow for construction of the enlarged detached garage.

SR2 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	5,086 square feet	No change
Frontage	70 feet	60 feet	No change
Setbacks: Principal			
• Front	25 feet	29.4 feet	No change
• Side	7.5 feet	11.7 feet	No change
• Rear	15 feet	>25 feet	No change
Setbacks: Accessory			
• Front	25 feet	64.75 feet	63.4 feet
• Side	5 feet	0.9 feet	No change
• Rear	5 feet	1.9 feet	No change
FAR	.46	.35	.373
Max Lot Coverage	30%	22.09%	24.47%
Min. Open Space	50%	66.35%	64.6%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.3.A.1, §7.8.2.C.2	Request to further extend nonconforming side and rear setbacks	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