



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: June 9, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Amy Kloempken and Matthew Mugherini, Applicants
Stacey Oliva, Building Designer
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow more than one garage and a garage space in excess of 700 square feet

Applicant: Amy Kloempken and Matthew Mugherini	
Site: 103 Cabot Street	SBL: 13009 0001
Zoning: SR2	Lot Area: 12,960 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 103 Cabot Street consists of a 12,960 square foot lot improved with a single-family residence constructed in 1930 with a two-car garage in the basement. The petitioners seek to construct a detached two-car garage while maintaining the existing two-car garage.

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

- Zoning Review Application, prepared Stacey Oliva, Building Designer, submitted 4/8/2020
- FAR Worksheet, submitted 4/8/2020, updated 6/9/2020
- Topographic Plan, prepared by Framingham Survey Consultants, surveyors, dated 6/18/2019
- Proposed Partial Site Lay-Out, prepared by SO Design Collective, dated 4/6/2020

ADMINISTRATIVE DETERMINATIONS:

1. Sections 3.4.2.B.1 and 3.4.3.A.4.a require that there be no more than one garage per single-family dwelling or dwelling unit. The petitioners have an existing two-car garage in the basement of the dwelling and propose to construct a detached two-car garage, while still maintaining the existing garage. To have more than one garage requires a special permit.
2. The proposed detached garage adds two parking stalls to the existing two stalls in the basement garage, accommodating parking for four vehicles. Per sections 3.4.2.B.1 and 3.4.3.A.4.b, a special permit is required for a garage accommodating more than three vehicles.
3. The proposed detached garage is 676 square feet. When added to the existing basement garage which is approximately 400 square feet, the total garage space on the lot is 1,076 square feet. Per sections 3.4.2.B.1 and 3.4.3.A.4.c, a private garage may not exceed 700 square feet of ground floor area.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	12,960 square feet	No change
Frontage	80 feet	103 feet	No change
Setbacks - Principal			
• Front	25 feet	40.2 feet	No change
• Side	7.5 feet	20.1 feet	No change
• Rear	15 feet	71 feet	No change
Setbacks –Accessory			
• Front	25 feet	NA	>100 feet
• Side	5 feet	NA	23.1 feet
• Rear	5 feet	NA	32.7 feet
Max Number of Stories (Accessory)	1.5	NA	1
Max Height Accessory (Accessory)	22 feet	NA	12.75 feet
FAR	.35	.24	.29
Max Lot Coverage	30%	9.4%	14.7%
Min. Open Space	50%	73.7%	67.3%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§3.4.2.B.1 §3.4.3.A.4.a	Request to allow more than one garage	S.P. per §7.3.3
§3.4.2.B.1 §3.4.3.A.4.b	Request to allow a garage providing parking for more than three vehicles	S.P. per §7.3.3
§3.4.2.B.1 §3.4.3.A.4.c	Request to allow for garage space exceeding 700 square feet	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)
 - Building design 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