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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 2, 2020

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Yogesh Reddy and Supriya Shekar, Applicants
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: **Request to amend Board Order #222-01 and to extend a nonconforming residential use**

Applicant: Yogesh Reddy & Supriya Shekar	
Site: 336 Elliot Street/7 Hale Street	SBL: 51041 0013
Zoning: BU1	Lot Area: 7,218 square feet
Current use: Residential unit and spa	Proposed use: Two residential units

BACKGROUND:

The property at 336 Elliot Street (also known as 7 Hale Street) consists of a 7,218 square foot lot improved with a mixed-use structure constructed circa 1830 containing one dwelling unit and one commercial unit in the Business 1 zoning district. The property received a special permit 2001 to convert one dwelling unit into a personal service use and associated parking waivers. The petitioners seek to amend the special permit to convert that commercial unit back into a dwelling unit and to construct additions to the structure.

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

- Zoning Review Application, prepared by Yogesh Reddy and Supriya Shekar, applicants, dated 8/25/2020
- Plot Plan of Land, signed and stamped by Peter Nolan, surveyor, dated 6/11/2019
- Architectural plans and elevations, submitted 8/25/2020
- FAR calculations, submitted 8/25/2020
- Board Order #222-01, dated 11/19/2001

ADMINISTRATIVE DETERMINATIONS:

1. Per section 4.4.1, residential uses on the ground floor are not allowed within the Business 1 zoning district. Originally a two-family dwelling with each unit occupying ground floor area, the site received Special Permit #222-01 in 2001 to convert one of the units into a commercial day spa. The petitioner seeks to amend the special permit to convert the commercial unit into a dwelling unit and to make dormer additions and a second story rear addition.

2. The dwelling has an existing nonconforming dwelling unit occupying space on the first and second floors, as well as a commercial unit also occupying space on the first and second floors. Per section 4.4.1, a special permit is required to allow ground floor residential uses. The petitioners seek to convert the existing commercial unit into a residential use, extending the first floor residential use. A special permit per section 4.4.1 and 7.8.2.C.2 is required to further extend the nonconforming first floor residential use^[NC2].

See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
	Request to amend Board Order #222-01	
§4.4.1 §7.8.2.C.2	Request to further extend a nonconforming first floor residential use in the Business 1 zoning district	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:

3. Two (2) copies of the completed Special Permit Application (signed by property owner)
4. Filing Fee (see Special Permit Application)
5. Two (2) copies of the Zoning Review Memorandum
6. 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)
7. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
8. One (1) copy of any previous special permits or variances on the property (as applicable)
9. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
10. 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