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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: October 13, 2020

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Elora Chowdhury and Alok Kapoor, Applicants
Robert Fizek, Architect
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to extend a nonconforming two-family dwelling and to further increase nonconforming lot coverage

Applicant: Elora Chowdhury & Alok Kapoor	
Site: 45-47 Forest Street	SBL: 52005 0001A
Zoning: SR2	Lot Area: 10,469 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 45-47 Forest Street consists of a 10,469 square foot lot improved with a two-family dwelling constructed circa 1890. The petitioners intend to replace and enlarge an existing screen porch on the rear of the dwelling. The two-family dwelling use is a nonconforming use in the Single Residence 2 zoning district and the proposed addition further extends the nonconformity, as well as further increasing nonconforming lot coverage requiring a special permit.

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

- Zoning Review Application, prepared Robert Fizek, architect, submitted 7/19/2020
- Site Survey, prepared by D. O'Brien Surveyors, surveyor, dated 5/22/2020
- Architectural plans and elevations, prepared by Robert Fizek, architect, submitted 7/19/2020

ADMINISTRATIVE DETERMINATIONS:

1. The existing two-family dwelling is nonconforming, as it is located in the Single Residence 2 zoning district, which prohibits two-family dwellings per section 3.4.1. The petitioners intend to replace and enlarge an existing porch, enclosing it to create a screen porch. To further extend the nonconforming two-family dwelling use requires a special permit per sections 3.4.1 and 7.8.2.C.2.
2. The property has an existing nonconforming lot coverage of 30.5%, where 30% is the maximum allowed per section 3.1.3. The proposed enlarged screen porch further increases the lot coverage to 31.8%, requiring a special permit per section 7.8.2.C.2.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	10,469 square feet	No change
Frontage	80 feet	88 feet	No change
Setbacks - <ul style="list-style-type: none"> • Front • Side • Side • Rear 	25 feet 7.5 feet 7.5 feet 15 feet	16.4 feet 15.2 feet 14.7 feet 27.1 feet	No change No change No change 25 feet
Height	36 feet		No change
Stories	2.5		No change
FAR	.37		No change
Max Lot Coverage	30%	30.5%	31.8%
Min. Open Space	50%	53.7%	52.7%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1 §7.8.2.C.2	Request to extend a nonconforming two-family dwelling in a SR2 district	S.P. per §7.3.3
§3.1.3 §7.8.2.C.2	Request to further increase nonconforming lot coverage	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