



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: April 16, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Terrence P. Morris, Attorney
70 Walker Street LLC, Applicants
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow four single-family attached dwellings in two structures

Applicant: 70 Walker Street LLC	
Site: 70 Walker Street	SBL: 21033 0007
Zoning: MR1	Lot Area: 21,962 square feet
Current use: Single-family dwelling	Proposed use: Four single-family attached dwellings

BACKGROUND:

The property at 70 Walker Street consists of 21,962 square feet and is improved with a single-family dwelling built in 1865 and a detached accessory building in the MR1 zoning district. The petitioners propose to add a second dwelling unit to the existing single-family dwelling, and to convert the existing garage into a dwelling unit and attach a second unit to it as well, creating four attached dwellings in two separate structures.

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

- Zoning Review Application, prepared by Terrence P. Morris, Attorney, dated 6/12/2019, revised 4/6/2019
- Topographic Site Plan, prepared by VTP Associates, surveyor, dated 1/21/2019, revised 9/24/2019, 2/27/2020
- Architectural Plans Elevations, prepared by arco design build, dated 6/5/2019, revised 12/4/2019
- Zoning Plan, signed and stamped by Joseph Porter, surveyor, dated 9/6/2019, revised 11/6/2019, 11/22/2019, 12/10/2019, 2/27/2020, 4/1/2020

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to construct four single-family attached dwellings within two separate structures in the Multi Residence 1 zoning district. Per section 3.4.1, a special permit is required to construct attached dwellings in the MR1 district.
2. The existing single-family dwelling has an existing nonconforming height of 38.65 feet. The petitioners intend to construct a rear addition which further extends the existing height, though does not increase it. A special permit per sections 3.2.4 and 7.8.2.C.2 is required.
3. Section 3.2.4 requires a 25-foot setback for the front, side and rear of a single-family attached dwelling project. The petitioners propose to maintain the existing side setback of the front dwelling of 21.3 feet, and the existing 11.8-foot side setback of the rear garage structure, requiring a special permit from the side setback requirement of section 3.2.4.
4. The petitioners propose to construct a driveway along the northern property boundary, less than ten feet from the side lot line. Per section 6.2.3.B.2, a special permit is required to locate a driveway within ten feet of a side or rear lot line within a single-family attached dwelling project.

SR3 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	21,962 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks			
• Front	25 feet	25.1 feet	No change
• Side	25 feet	11.8 feet	13.9 feet
• Rear	25 feet	29.2 feet	25.9 feet
Building Height	36 feet	38.65 feet	Units 1-2: 38.59 feet Units 3-4: 32.62 feet
Max Number of Stories	2.5 (3 by special permit)	2.5	2.5
Lot Coverage	25%	12.4%	24.9%
Open Space	50%	85.6%	59%
Lot Area Per Unit	4,000 square feet	21,962 square feet	5,490 square feet

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§3.2.4	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4 §7.8.2.C.2	To further extend nonconforming height	S.P. per §7.3.3
§3.2.4	To reduce required side setback	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within 10 feet of the side lot line	S.P. per §7.3.3