



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: October 15, 2020

To: John Lojek, Commissioner of Inspectional Services

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

Cc: John R. Shields, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to exceed FAR

Applicant: John R. Shields	
Site: 39 Norwood Avenue	SBL: 62001 0029
Zoning: SR2	Lot Area: 10,417 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 39 Norwood Avenue consists of a 10,417 square foot corner lot improved with a single-family dwelling and several small detached accessory structures. The dwelling was constructed in 1932 and abuts Crystal Lake. The petitioner proposes to enlarge the existing attached garage, and to construct a single-story rear addition.

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

- Zoning Review Application, prepared John R. Shields, applicant, submitted 5/6/2019
- Existing Condition Plan of Land, signed and stamped by Joseph R. Porter, surveyor, dated 3/3/2020
- Proposed Condition Plan of Land, submitted 6/22/2020, revised 7/2/2020, 8/27/2020, 9/8/2020
- FAR worksheet, submitted 6/22/2020, revised 9/29/2020
- Architectural plans and elevations, submitted 5/6/2020, revised 9/25/2020

ADMINISTRATIVE DETERMINATIONS:

1. The proposed additions increase the square footage contributing to the floor area ratio by 560 square feet. The existing FAR is .37 where .38 is the maximum allowed per sections 3.1.3 and 3.1.9. The proposed additions increase the FAR to .42, requiring a special permit.
2. The petitioner intends to create an accessory apartment within the proposed addition. Including the proposed addition, the total habitable space of the dwelling will be 4,560 square feet. Per section 6.7.1.D.2, a by right accessory apartment may be 33% of the total habitable space of the principal dwelling or 1,000 square feet, whichever is less. The proposed apartment is 880 square feet, which is 19% of the habitable space of the dwelling, requiring no relief.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	10,417 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks -			
• Front	23.65 feet	21.3 feet	No change
• Side	7.5 feet	8.6 feet	7.8 feet
• Side	7.5 feet	11.4 feet	No change
• Rear	15 feet	57.8 feet	32.5 feet
Height	36 feet	28.57 feet	26.09 feet
Stories	2.5	2.5	No change
FAR	.38	.37	.42
Max Lot Coverage	30%	19.5%	24.2%
Min. Open Space	50%	75%	73.4%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9	Request to exceed maximum FAR	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