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James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: April 22, 2015

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Alexandra Ananth, Chief Planner for Current Planning

Cc: Stephen J. Buchbinder, Attorney  
The Neighborhood Hardware Group, Inc, applicant  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to waive 5 parking stalls and certain parking requirements**

Applicant: The Neighborhood Hardware Group	
Site: 2-12 Windsor Road (1641 Beacon Street)	SBL: 53029 0002A
Zoning: BU1	Lot Area: 54,198 square feet
Current use: Hardware store	Proposed use: Hardware store

### BACKGROUND:

The property at 2-12 Windsor Road consists of a 54,198 square foot lot improved with a commercial building built in 1910, and expanded in 1924. The building houses several commercial tenants, including the applicant's retail storefront which has been used as a hardware store. The applicant intends to maintain the hardware store, known as "Waban Hardware", and to expand the retail space to include the basement.

There is an existing 56-stall parking lot behind the building, which is shared among the tenants. There is no assigned parking. Board Order #90-98 was issued in 1998 waiving five parking stalls to allow for additional seating for Barry's Village Deli. Another special permit (Board Order #388-11) was issued in 2012 waiving nine stalls for a 46-seat restaurant, Kouzina. This request will bring the number of waived parking stalls to 19 if approved.

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

- Zoning Review Application, prepared by Stephen J. Buchbinder, attorney, dated 4/21/2015
- Parking calculation, submitted 4/21/2015
- Concept Plan, prepared by True Value Company, dated 4/2/2015

- Existing Floor Plan, prepared by DLA Architecture, dated 4/16/2015
- Plot Plan, prepared by Neponset Valley Survey Assoc., Inc., dated 2/20/2012, revised 3/30/2012

## **ADMINISTRATIVE DETERMINATIONS:**

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1. The previous owner of the hardware store, “Waban Hardware,” utilized only the first floor for public retail space, with 1,261 square feet and four employees at the busiest shift. The loft and basement spaces were used for storage only. The former layout of the store required employees to retrieve items requested by customers from the storage areas. The applicant proposes to convert the basement storage space into additional retail space open to customers, which will allow customers to browse and find their own items. The additional space in the basement increases the retail space to 2,968 square feet. This space will be accessible from the rear parking lot at ground level.

Per Section 30-19(d)(10), one parking stall per every 300 square feet, and one parking stall for every three employees at the busiest shift are required for retail uses. The previous use of 1,261 square feet and four employees required a total of seven parking stalls. The increased retail space of 2,968 square feet, and four employees requires 12 parking stalls.

Applying the formula in Section 30-19(c)(2)a):

A (stalls required for proposed use) – B (stalls required for previous use) + C (number of stalls available) = Number of stalls required.

$$A (12 \text{ stalls}) - B(7 \text{ stalls}) + C (0) = 5 \text{ stalls}$$

A waiver of five stalls is required.

2. Board Order #388-11 issued in February 2012 waived nine parking stalls to allow for a 46-seat restaurant within the building. This board order required the property owner to stripe the parking lot. The plan was reviewed and approved by the Commissioner of Inspectional Services and the Planning and Development Department for compliance with handicapped parking regulations and maximization of the number of dimensionally compliant stalls. This accepted parking lot configuration is still in place today, and is reflected in the current applicant’s petition. Any inconsistencies with the Zoning Ordinance are listed below.
3. There are several parking stalls within the front and side setbacks. Per Section 30-19(h)(1), a special permit is required to locate parking within a required setback.
4. Section 30-19(i)(1) requires perimeter screening via landscaping and fencing. No landscaping is proposed at this time. To the extent that the parking does not meet the requirements of Section 30-19(i)(1), a special permit is required.
5. Section 30-19(i)(2) requires interior landscaping for parking facilities with more than twenty stalls. No interior landscaping is visible in the plans. To the extent that the parking lot does not

meet the requirements of Section 30-19(i)(2), a special permit is required to legitimize the situation.

6. Parking facilities are required to provide adequate security lighting per Section 30-19(j). To the extent that the proposed parking does not meet the requirements of this section, a special permit is required.

7. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-19(d)(10), §30-19(m)	Parking waiver of 5 parking stalls	S.P. per §30-24
§30-11(h)(1), §30-19(m)	To allow parking in the front and side setbacks	S.P. per §30-24
§30-19(i)(1), §30-19(m)	To waive the parking lot screening requirements	S.P. per §30-24
§30-19(i)(2), §30-19(m)	To waive the interior landscaping requirements	S.P. per §30-24
§30-19(j), §30-19(m)	To waive parking lot lighting requirements	S.P. per §30-24