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Director

ZONING REVIEW MEMORANDUM

Date: May 4, 2017

To: John Lojek, Commissioner of Inspectional Services

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

Cc: G. Michael Peirce, Attorney
Lento Development LLC
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to reduce lot area of two combined lots by 4%

Applicant: Lento Development LLC	
Site: 19-21 Beaconwood Rd	SBL: 54022 0044 and 54022 0047
Zoning: MR1	Lot Area: 9,602 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 19-21 Beaconwood Road consists of three lots totaling 9,602 square feet in the MR1 zoning district improved with a two-family dwelling constructed in 1950. The existing two-family dwelling is in disrepair and the applicant intends to raze the structure and rebuild another two-family dwelling. To take advantage of the full lot area of the three lots for building, the applicant must eliminate the lot lines separating them. Combining the lots triggers the provisions of Section 7.8.4, which deals with changes to the size or shape of lots.

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

- Zoning Review Application, prepared by G. Michael Peirce, attorney, submitted 3/20/2017
- Existing Conditions Site Plan, signed and stamped by Verne T. Porter Jr, surveyor, dated 3/8/2017
- Proposed Conditions Site Plan, signed and stamped by Verne T. Porter Jr, surveyor, dated 3/8/2017
- Architectural Plans, prepared by Egan Associates, architects, dated 3/4/2017

ADMINISTRATIVE DETERMINATIONS:

1. The site is composed of three lots with a total of 9,602 square feet in the MR1 district. It is currently improved with a two-family dwelling built in the 1950s which has fallen into disrepair. In 1953, a 7,145 square foot “old” lot was conveyed for construction of the two-family dwelling. Subsequently, a 295 square foot “new” lot was conveyed in 1954, and another 188 square foot “new” lot was conveyed in 1955 to the owner of the lot improved with the two-family dwelling. All three lots were conveyed to the current owner in 2016.

The applicant proposes to raze the existing two-family dwelling and construct a new larger two-family dwelling. To maximize the total square footage, the applicant must eliminate the interior lot lines of the parcels. Combining the three parcels to create one large lot triggers the provisions of Section 7.8.4 of the Zoning Ordinance. Although the combination of lots does not reduce the lot area, Section 7.8.4.D.4 states that if more than 50% of a single- or two-family dwelling is demolished and the size or shape of a lot changed at any time after January 1, 1995, the dimensional requirements for a new lot shall apply to any subsequent construction. Further, Section 7.8.4.D.5 states that if the size or shape of a lot in any multi-residence district is changed after January 1, 1995, the resulting lot will be subject to the requirements for new lots. The lot area requirement for a new lot in the MR1 zoning district is 10,000 square feet per Section 3.2, where the combined lots will total 9,602 square feet.

Section 7.8.4.E states that the City Council may grant a special permit to allow the area of a lot in a residential district to be reduced by up to 5% of the applicable lot area required in Section 3.2 so long as it does not result in any new nonconformities and is not a detriment to the neighborhood. The newly combined lot of 9,602 square feet is 398 feet short of the 10,000 square feet required for a new lot, or 4%. The applicant seeks a special permit per Section 7.8.4.E to reduce the required lot size by 4% to allow for reconstruction of a two-family dwelling on the property.

MR1 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,602 square feet	No change
Frontage	80 feet	85 feet	No change
Setbacks			
• Front	17.5 feet (by averaging)	27.4 feet	25 feet
• Side	10 feet	9.5 feet	10.5 feet
• Rear	15 feet	56 feet	51.4 feet
FAR	.49	.31	.49
Height	36 feet	N/A	31.1
Stories	2.5	2.5	2.5
Max Lot Coverage	30%	21%	26.4%
Min. Open Space	50%	73%	66.3%

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§7.8.4.D.4, §7.8.4.D.5, §7.8.4.E	To allow the required lot area to be reduced by 4%	S.P. per §7.3.3