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Barney S. Heath  
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## ZONING REVIEW MEMORANDUM

Date: May 14, 2018

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Jennifer Caira, Chief Planner for Current Planning

Cc: Artur Andronic, Moldova Restaurant, Applicant  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Acting City Solicitor

RE: **Request to allow a restaurant with more than 50 seats, to waive 12 parking stalls, and to allow for the re-use of an existing nonconforming sign**

Applicant: Moldova Restaurant	
Site: 342-344 Watertown Street	SBL: 14012 0021
Zoning: BU1	Lot Area: 8,364 square feet
Current use: Restaurant with 20 seats and liquor store	Proposed use: Restaurant with 71 seats

### BACKGROUND:

The property 344 Watertown Street is comprised of 8,364 square feet in the Business 1 zoning district at the corner of Watertown and Chapel Streets. The mixed use building was constructed in 1910 and is currently occupied by Moldova Restaurant and a tailor, and a third space was recently vacated by Silver Lake Liquors. Moldova Restaurant proposes to expand its 20-seat restaurant into the liquor store space to allow seating for 71. They also propose to reface the liquor store's existing nonconforming sign.

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

- Zoning Review Application, prepared by Artur Andronic, dated 4/5/2018
- Floor Plan, submitted 4/5/2018

## ADMINISTRATIVE DETERMINATIONS:

1. The petitioner, Moldova Restaurant currently operates a 20-seat restaurant in one of three storefronts on the property. The adjacent space was recently vacated by an 1,100 square foot liquor store. The petitioner proposes to expand into the former liquor store space and increase seating to 71 seats. A restaurant with more than 50 seats requires a special permit, per sections 4.4.1 and 6.4.29.C.1.
2. The petitioner intends to expand the existing restaurant to include 1,100 square feet perviously occupied by Silver Lake Liquors for a total of approximately 2,000 square feet and 71 seats. Per section 5.1.4, a restaurant requires one stall per each three seats plus one stall per each employee. The proposed 71 seat restaurant requires 26 stalls ("A").

Per section 5.1.4, the previous retail use requires one stall for every 300 square feet, and one stall for every three employees. The previous retail use required five parking stalls. The existing restaurant has 20 seats and no more than six employees, requiring nine stalls. The two uses together provide a "credit" of 14 stalls ("B").

Per section 5.1.3.B, when the change of use increases the parking requirement, the formula  $A+B+C =$  the required stalls, is utilized to determine the number of parking stalls the proposed use requires. There are two existing parking stalls on the property for the use of the petitioner ("C"). Per this formula:

$$26 \text{ (proposed use)} - 14 \text{ (existing uses)} + 2 \text{ (existing stalls)} = 14 \text{ stalls required for the proposed use}$$

Fourteen parking stalls are required for the proposed use. There are two parking stalls available to the restaurant to use for parking at the rear of the property. Per section 5.1.4 and 5.1.13, the petitioner requires a waiver of 12 parking stalls.

3. There is an existing nonconforming sign which was originally constructed in 1936 with a building permit. Per section 5.2.12, should the petitioner request to enlarge, reword, redesign or alter it in any way, it must either conform to the provisions of section 5.2 or seek a special permit per section 5.2.13.
4. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§4.4.1 §6.4.29.C.1	Request to allow a restaurant with more than 50 seats	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive 12 required parking stalls	S.P. per §7.3.3
§5.2 §5.2.13	Request to re-use an existing nonconforming sign	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:**

5. Two (2) copies of the completed Special Permit Application (signed by property owner)
6. Filing Fee (see Special Permit Application)
7. Two (2) copies of the Zoning Review Memorandum
8. 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)
9. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
10. One (1) copy of any previous special permits or variances on the property (as applicable)
11. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
12. 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