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**admitted in MA, NH and NY

April 30, 2019

Nadia Khan, Clerk
City Council
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Re: 145 Warren Street, Newton

Dear Nadia:

On behalf of 145 Warren Street, LLC, the owner of 145 Warren Street, enclosed for filing please find a completed Special Permit Application along with the following enclosures noted herein below, in connection with the proposed rear-lot subdivision of the property:

- 1) Topographical Site Plan showing proposed conditions with two detail sheets, prepared by VTP Associates, Inc.;
- 2) Landscape Plan prepared by Sangiolo Associates Architects;
- 3) Proposed architectural plans with exterior elevations prepared by Sangiolo Associates Architects;
- 4) Copy of Zoning Review Memorandum by Jane Santosuosso, Chief Zoning Code Official;
- 5) WPA Form 5-Order of Conditions; and
- 6) Check payable to the City of Newton in the amount of \$350.00.

I respectfully request that the enclosed be submitted with the City Council and for this Petition to be scheduled for the next available public hearing with the Land Use Committee.

Please call or email me with any questions. As always, thank you, for your help.

Sincerely,


Laurance S.L. Lee

Enclosures

cc: Neil Cronin, Senior Planner (w/enclosures)
145 Warren Street, LLC

RECEIVED
Newton City Clerk
2019 APR 29 PM 4:06
David A. Chron, Clerk
Newton, MA 02459

SPECIAL PERMIT APPLICATION

TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for permit to erect and use, to alter and use, or to make such uses as may be hereinafter specified of a building or buildings at the location and for the purpose hereinafter specified under the provisions of Chapter 30 of the Revised Ordinances, 2015, as amended, or any other sections

PLEASE REFERENCE SECTIONS OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

See attached Exhibit A which is made a part hereof.

- PETITION FOR: Special Permit/Site Plan Approval
 Extension of Non-conforming Use and/or Structure
 Site Plan Approval

STREET 145 Warren Street, Newton, MA (SBL: 61039 0010) WARD 6
SECTION(S) 61 BLOCK(S) 39 LOT(S) 10
APPROXIMATE SQUARE FOOTAGE (of property) 23,399 SF ZONED MR1
TO BE USED FOR: Single-Family Attached Dwellings (total four units)

CONSTRUCTION: Wood-frame construction.

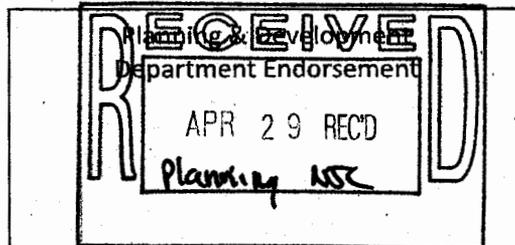
EXPLANATORY REMARKS: See Attached Exhibit A, which is made a part hereof.

The undersigned agree to comply with the requirements of the Zoning Ordinance and rules of the Land Use Committee of the City Council in connection with this application.

PETITIONER (PRINT) 145 Warren Street LLC
SIGNATURE [Signature]
ADDRESS c/o Laurance Lee, Esq., Rosenberg, Freedman & Lee LLP (See below)
TELEPHONE 617-964-7000 Email llee@rfl-law.com

ATTORNEY Laurance Lee, Esq., Rosenberg, Freedman & Lee LLP
ADDRESS 246 Walnut Street, Suite 201, Newton, MA 02460
TELEPHONE 617-964-7000 Email llee@rfl-law.com

PROPERTY OWNER 145 Warren Street LLC
ADDRESS See above
TELEPHONE _____ Email _____
SIGNATURE OF OWNER [Signature]



2019 APR 29 PM 4:06

David A. O'Brien, Clerk
Newton, MA 02459

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Exhibit A to Special Permit Application
Regarding 145 Warren Street, Newton, MA 02459

Reference of Sections of the Ordinances from Which Relief is Requested:

Zoning Relief Required		
<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To reduce required side setbacks	S.P. per §7.3.3
§3.2.4	To increase allowed lot coverage	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
§5.4.2.B	To allow retaining walls of four feet or more in height within a setback	S.P. per §7.3.3

Petitioner further requests relief from Sections 7.3 and 7.4 of City of Newton Zoning Ordinances as the City Council may deem appropriate and necessary.

Explanatory Remarks:

The site is currently improved with an existing single-story residential house. The house was deemed “preferably preserved” by the Newton Historical Commission. The special permit is for Single-Family Attached dwellings with a total of 4 dwelling units. One unit will be added directly to the back of the existing historic house; an open court yard will connect the front building to the back building, which will consist of two dwelling units. Under the court yard will be a shared driveway that serves all four units. The rear of the property directly abuts the MBTA Green Line. There is a City drain easement running along the westerly and northerly boundaries of the property.

The Petitioner obtained an Order of Conditions from the City of Newton Conservation Commission, a copy of which is enclosed as part of this filing.

The property is located in an MR-1 zoning district, consists of approximately 23,399 SF of land, consists of 90 feet of frontage on Warren Street, and is currently used as a single-family residence although a two-family residence may be used as-of-right under current Newton Zoning Ordinances. The existing use as a single-family residence will not be demolished but will largely be preserved as approved by the Newton Historical Commission. Due to the existing house being a single-story building, NHC requested that the addition and the new back building conform to or be aligned with the existing shape and design as much as possible, which required them to be lower and wider. The design, therefore, calls for the maintenance of the existing side setbacks with the addition and back building being within the existing side setbacks. All required parking is provided within the site without the need for any parking waivers.



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Inspectional Services
1000 Commonwealth Avenue Newton, Massachusetts 02459

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ISD@newtonma.gov
www.newtonma.gov

John Lojek
Commissioner

DANIEL A. ORSON, CMC
NEWTON, MA 02459

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FLOOR AREA RATIO WORKSHEET

For Residential Single and Two Family Structures

Property address: 145 WARREN ST.

Zoning District: MR-1 Lot Size: 23,399

FAR Calculations for Regulations Effective As Of October 15, 2011				
Inputs (square feet)				
1. First story	3,125	1,290	2,366	448
2. Attached garage				
3. Second story		1,425	556	
4. Atria, open wells, and other vertical spaces	120			
5. Certain floor area above the second story ^{1b}				
6. Enclosed porches ^{2b}				
7. Mass below first story ^{3b}	579	240	2,366	448
8. Detached garage				
9. Area above detached garages with a ceiling height of 7' or greater				
10. Other detached accessory buildings				
FAR of Proposed Structure(s)				
A. Total gross floor area (sum of rows 1-9 above)	12,971	3,024	2,963	5,288
B. Lot size	23,399			
C. FAR = A/B	.55			
	Allowed FAR	.40		
Allowable FAR				
Bonus of .02 if eligible ^{4b}				
TOTAL Allowed FAR				

