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James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: July 1, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Laurence Lee, Attorney  
Eighth Run, LLC, Applicant  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to construct three (3) single-family attached dwellings**

Applicant: Eight Run, LLC	
Site: 28 Summer Street	SBL: 73048 0021
Zoning: MR1	Lot Area: 21,205 sf
Current use: Single-family residence	Proposed use: Three attached dwellings

### BACKGROUND:

The property at 28 Sumner Street consists of 21,205 square feet in the Multi-Residence 1 zoning district. There currently exists a one and one-half story single-family dwelling and an accessory structure formerly used as an art studio for the owner. The dwelling was built circa 1835, with several additions built over the years.

The applicant proposes to remove the historically insignificant additions to the house, and relocate the original dwelling on the site. The existing dwelling will be centrally located in the façade of the proposed building facing the street, and two additional units will be added to the sides and rear. Two driveways will be added to serve the units.

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

- Zoning Review Application, prepared by Laurence Lee, Attorney, submitted 5/8/2015
- Topographic site plan, signed and stamped by Joseph R. Porter, surveyor, dated 5/5/2015
- Area Plan of Land, signed and stamped by Joseph R. Porter, surveyor, dated 5/5/2015
- Architectural Plans, signed and stamped by Michael McKay, architect, dated 8/20/2014, 2/3/2015
  - Site Plan

- First Floor Plan
- Second Floor Plan
- Sumner Street Elevation
- Right Side Elevation
- Rear Elevation
- Left Side Elevation

**ADMINISTRATIVE DETERMINATIONS:**

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1. The subject property is located in the MR-1 zoning district. The applicant is proposing three single-family attached dwelling units on a 21,205 square foot lot. Section 30-9(b)(5) of the Newton Zoning Ordinance allows single-family attached dwellings in one or more groups provided that the applicant obtains a special permit from the Board of Aldermen.
2. Per Section 30-15, Table 1, the maximum lot coverage allowed without additional relief for an attached dwelling project is 25%. The project has a proposed lot coverage of 27.2%. A special permit per Sections 30-9(b)(5)b) and 30-15, Table 1 is required.
3. The proposed driveway serving units 2 and 3 is located on the northern property boundary. It is 20 feet from the lot line at the street, however due to the angle of the property line, the distance from the side lot line narrows to 3 feet. Pursuant to Section 30-9(b)(5)a), a special permit is required to located a driveway for attached dwellings within 10 feet of a side lot line.
4. An additional parking stall is proposed at the end of the driveway, located 9 feet from the side lot line on the northern boundary. Section 30-9(b)(5)a) requires a special permit to located a parking stall within 20 feet of a boundary line.

Zone MR-1	Required	Existing	Proposed
Lot Size	15,000 square feet	21,205 square feet	No change
Lot area per unit	4,000 square feet		7,068 square feet
Frontage	80 feet	155 feet	No change
Setbacks			
• Front	25 feet	30.4 feet	26.1 feet
• Side (left)	25 feet	9.3 feet	25.5 feet
• Rear	25 feet	75.7 feet	28.2 feet
Building Height	36 feet	30.44 feet	34.92 feet
Max number of stories	2.5	1.5	2.5
Max building lot coverage	25%	15.9%	<b>27.2%</b>
Min open space	50%	76.5%	57.1%
Parking stalls/dwelling units	6 spaces (2 per unit)	3	7
FAR*	.42		.42

\*There is no FAR requirement for Attached Dwellings in the MR1 district. The FAR above reflects the requirement for a by-right single- or two-family use.

5. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<b>Ordinance</b>		<b>Action Required</b>
§30-9(b)(5)(a)	Allow single-family attached dwellings	S.P. per §30-24
§30-9(b)(5)(b) §30-15, Table 1	To exceed maximum lot coverage	S.P. per §30-24
§30-9(b)(5)(a) §30-9(b)(5)(b)	Locate parking stall within 20 feet of a side lot line	S.P. per §30-24
§30-9(b)(5)(a) §30-9(b)(5)(b)	Locate driveway within 10 feet of a side lot line	S.P. per §30-24