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ZONING REVIEW MEMORANDUM

Date: June 8, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Terrence P. Morris, Attorney
Anthony DePasquale, Applicant
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to change a nonconforming clubhouse use to a multi-family dwelling use in a Single Residence 3 district, to waive one parking stall, and to locate parking within a front setback

Applicant: Anthony DePasquale	
Site: 15 South Gate Park	SBL: 33031 0009
Zoning: SR3	Lot Area: 14,120 square feet
Current use: Clubhouse for Knights of Columbus	Proposed use: 5-unit multi-family dwelling

BACKGROUND:

The property at 15 South Gate Park is improved with a clubhouse constructed in 1920 as a social club called The North Gate Club. The structure was sold in 1924 to the International Order of Odd Fellows, who operated it as a fraternal club until 1954, when it was sold to the Knights of Columbus. The Knights of Columbus operated it as a Fraternal Benevolent Association until 2014, when it was acquired by the current owner.

The property was originally 41,500 square feet. A 1946 variance for a subdivision created four house lots and the remaining 14,120 square foot subject property.

A clubhouse currently requires a special permit, however the use of the property predates this requirement, and is therefore a nonconforming use in the Single Residence 3 district. The applicant proposes to convert the existing clubhouse building into five residential units with six parking stalls garaged beneath the building and three surface stalls. One of the units will be universally accessible,

with an associated accessible parking stall. The units range in size from 450 square feet to 1,709 square feet.

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

- Zoning Review Application, prepared Terry Morris, attorney, dated 4/27/2015
- Existing conditions site plan, signed and stamped by Verne T. Porter, surveyor, dated 11/4/2014
- Photos
- Architectural drawings, signed and stamped by Ron Jarek, architect, dated 4/22/2015
 - Proposed basement floor plan
 - Proposed first floor plan
 - Proposed second floor plan
 - Proposed attic plan
 - Proposed roof plan
 - Proposed front elevation
 - Proposed right side elevation
 - Proposed left side elevation
 - Proposed rear elevation
 - Proposed cross section
 - Typical sections and details
 - Existing basement floor plan
 - Existing elevations

ADMINISTRATIVE DETERMINATIONS:

1. The property was the site of a social club, the North Gate Club, and then later the Knights of Columbus. A club or clubhouse requires a special permit in the SR3 district per Section 30-8(b)(5). The clubhouse use predates zoning, and is legally nonconforming.

The applicant intends to convert the existing structure into five residential units. A multi-family dwelling is not permitted in this district.

To convert the existing structure to a five-unit multi-family dwelling requires a special permit to change from one nonconforming use to another, per Section 30-21(b).

2. The five proposed dwelling units will require ten parking stalls per Section 30-19(d)(2), which requires two stalls for each dwelling unit. The applicant is proposing to create a basement level parking facility with six stalls and bicycle parking. Two surface stalls are proposed for the southern portion of the property, as well as one accessible surface stall on the north side for use by the accessible unit.

A total of nine parking stalls are proposed for the site, where ten are required. Given the relatively small size of the some of the units, a waiver of one stall is requested.

3. Section 30-19(g)(1) requires that no parking be located within any setback distances from a street or sidelines. The surface parking stalls proposed at the southern end of the property are within the front setback and require a special permit.

4. Section 30-24(f) details the inclusionary zoning provisions of the Ordinance. Section 30-24(f)(3) states that where a special permit is required for development, inclusionary units shall be provided equaling no fewer than 15% of the number of dwelling units added to development. The applicant is proposing 5 new dwelling units, which has an inclusionary zoning requirement of one unit. The applicant may provide one unit at 80% of the area median income per Section 30-24(f)(1)(b)ii), or may make a cash payment pursuant to Section 30-24(f)(4).

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-21(b)	To change a nonconforming clubhouse use to a multi-family use	S.P. per §30-24
§30-19(d)(2)	To waive one parking stall	S.P. per §30-24
§30-19(g)(1) §30-19(m)	To locate parking in a setback	S.P. per §30-24
§30-24(f)	Inclusionary Housing requirements	