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James Freas
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ZONING REVIEW MEMORANDUM

Date: April 13, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Anthony DePasquale, Applicant
Packard Cove Associates, LLP
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to waive 5 parking stalls and associated parking lot requirements

Applicant: Anthony DePasquale	
Site: 339 River Street	SBL: 44015 0013
Zoning: BU2	Lot Area: 10,150 square feet
Current use: Garage/rental truck facility	Proposed use: Restaurant with up to 42 seats (30 permanent, 12 seasonal)

BACKGROUND:

The property at 339 River Street consists of a 10,150 square foot pie-shaped lot improved with a commercial building built in 1950. The site was used as a rental truck depot and a vehicle repair shop. The applicant intends to repurpose the building to be used as a deli with sit-down and take-out service. To start, the applicant intends to have 21 seats, with 12 seasonal outdoor seats, and would like to be able to expand to up to 42 seats total (30 indoors, 12 outdoors).

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

- Zoning Review Application, prepared by Tony DePasquale, applicant, dated 3/9/2014
- Existing Conditions and Proposed Parking Plan, signed and stamped by Verne T. Porter, dated 12/24/2014, revised 3/24/2015
- Proposed Equipment Plan, prepared by Ron Jarek, architect, undated

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to create 11 parking stalls on the site, where none formally existed with the previous uses.
2. The applicant is proposing 30 permanent indoor seats, and 12 seasonal outdoor seats for a total of 42 seats. Pursuant to Section 30-19(d)(13), a restaurant requires one stall for every 3 seats, and one stall for every three employees at the largest shift. With 42 seats, and no more than six employees, the applicant requires 16 parking stalls. The applicant is proposing 11 stalls on the site, and requires a waiver of five parking stalls per Section 30-19(m).
3. The applicant is proposing to locate four of the 11 parking stalls within the front setback, and six of the 11 are proposed within the side setback. Per Section 30-19(h)(1), a special permit is required to locate parking within a required setback.
4. Section 30-19(h)(3)b) requires a minimum maneuvering aisle width of 20 feet for two-way traffic in a parking lot. The applicant is proposing a 14.5 foot wide aisle in front of the building. A special permit is required to waive the minimum aisle width of 20 feet per Section 30-19(m).
5. There are two entrances on the property, one approximately 32 feet wide, and the other approximately 28 feet wide. Section 30-19(h)(4)b) allows for a maximum width of 25 feet. A special permit to allow the wider entrances is required per Section 30-19(m).
6. There are two parking stalls, intended for employee parking, which will be boxed in by tandem parking. Section 30-19(h)(5)a) requires a special permit for tandem parking.
7. Section 30-19(i)(1) requires perimeter screening via landscaping and fencing. No landscaping is proposed at this time. To the extent that the proposed parking does not meet the requirements of Section 30-19(i)(1), a special permit is required.
8. Parking facilities are required to provide adequate security lighting per Section 30-19(j). To the extent that the proposed parking does not meet the requirements of this section, a special permit is required.

9. See "Zoning Relief Summary" below:

Zoning Relief Required

<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-19(d)(13), §30-19(m)	Parking waiver of 5 parking stalls	S.P. per §30-24
§30-11(h)(1), §30-19(m)	To allow parking in the front and side setbacks	S.P. per §30-24
§30-19(h)(3)b), §30-19(m)	To allow a 14.5 foot wide maneuvering aisle	S.P. per §30-24
§30-19(h)(4)b), §30-19(m)	To allow a driveway entrance in excess of 25 feet	S.P. per §30-24
§30-19(h)(5)a), §30-19(m)	To allow tandem parking	S.P. per §30-24
§30-19(i)(1), §30-19(m)	To waive the parking lot screening requirements	S.P. per §30-24
§30-19(j), §30-19(m)	To waive parking lot lighting requirements	S.P. per §30-24