



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 6, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Jason Rosenberg, Attorney representing applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request to allow a rear-lot subdivision**

Applicant: Fallon Development Inc	
Site: 131 Otis Street	SBL: 24 12 16
Zoning: SR2	Lot Area: 48,677 square feet
Current use: Vacant	Proposed use: Two single family dwellings

BACKGROUND:

The lot at 131 Otis Street was created in 1957. The prior owner of the property demolished an existing single family dwelling. A building permit was obtained to build one large single family dwelling, and a foundation was built. However, after erecting a few stud walls, the prior owner abandoned the project and left the site as it presently exists. The applicant proposes to remove the foundation and structures on the property and build two houses in accordance with Section 30-15(r) of the Newton Zoning Ordinance.

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

- Zoning Review Application, prepared by Jason Rosenberg, Attorney, dated 5/3/13
- Proposed Site Plan, prepared by Keith LaBlanc Landscape Architecture, dated 4/10/13
- Architectural Plans-Front House, prepared by Jan Gleysteen Architects, Architect, dated 4/9/13 including;
 - First Floor Plans
 - Exterior Elevations
 - Second Floor Plan

Proposed Rear Lot (Lot 2), per Section 30-15 Table 4

SR2 Zone	Required/Allowed	Proposed
Lot Size	18,000 square feet	28,526 square feet
Frontage	100 feet*	+/- 170 feet*
Vehicle Access	20 feet	49.78 feet
Setbacks		
• Front	30 feet	31.1 feet
• Side	23 feet	23 feet
• Rear	23 feet	24.4 feet
FAR	0.20	0.19
Building Height	36 feet	27.2
Maximum Stories	2.5	2
Max. Lot Coverage	17%	14.3%
Min. Open Space	65%	72%
Build Factor	25 max	18.44

* May be measured along the rear lot line of the lots in front with a special permit from the Board of Aldermen under Section 30-15(r)(1).

2. The applicant proposes to create a rear lot per Section 30-15(r). To subdivide the land as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(r)(2)a).
3. To satisfy the minimum frontage requirement, the applicant must obtain a special permit per Section 30-15(r)(1) to measure lot frontage along the rear line of the lots in front.
4. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§30-15(r)(2)a)	Allow the subdivision of a rear lot	S.P. per §30-24
§30-15(r)(1)	Allow frontage to be measured along the rear line of the lots in front	S.P. per §30-24

- Third Floor Plan
- Architectural Plans – Rear House, prepared by Patrick Ahearn, Architect, dated 3/29/13 including;
 - Proposed Areas
 - Proposed First Floor Plan
 - Proposed Second Floor Plan
 - Proposed Front Exterior Elevation
 - Proposed Left Exterior Elevation
 - Proposed Rear Exterior Elevation
 - Proposed Right Exterior Elevation
- Drainage Calculations, signed and stamped by Michael Kosmo, Civil Engineer, dated 5/2/13
- Site Plan of Land, signed and stamped by Bruce Bradford, Surveyor, dated 5/2/13
- Area Plan, signed and stamped by Bruce Bradford, Surveyor and Michael Kosmo, Civil Engineer, dated 5/2/13

ADMINISTRATIVE DETERMINATIONS:

1. The two proposed lots are located in the SR2 zone. The front lot (Lot 1) must comply with the dimensional standards of Section 30-15, Table 1 for a post-1953 lot. The rear lot (Lot 2) must comply with the dimensional standards of Section 30-15, Table 4 (see chart below).

Front Lot (Lot 1) per Section 30-15 Table 1

SR1 Zone	Required/Allowed	Proposed
Lot Size	15,000 square feet	20,699 square feet
Frontage	100 feet	139.18 feet
Setbacks		
• Front	30 feet	31.9 feet
• Side	15 feet	19.7 feet
• Rear	15 feet	51.8 feet
Building Height	36 feet	33.6 feet
Maximum Stories	2.5	2.5
Max. Lot Coverage	20%	16.4%
Min. Open Space	65%	74%
Build Factor	25 max	11.04