



Setti D. Warren
Mayor

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

391-16
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: October 24, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Peter Sachs, architect
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to further increase a nonconforming two-family structure and to exceed FAR

Applicant:	
Site: 37-39 North Gate Park	SBL: 34028 0008
Zoning: SR-3	Lot Area: 8,020 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 37-39 North Gate Park consists of a 8,020 square foot corner lot improved with a two-family dwelling constructed in 1926. The applicant proposes a first floor addition to the side of the house consisting of a bedroom and living space, as well as enclosing an existing deck space on the rear of the house to create access and laundry rooms on both the first and second floors. The structure is an existing nonconforming two-family dwelling in a Single Residence 3 zoning district. To expand the nonconforming two-family use requires a special permit.

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

- Zoning Review Application, prepared by Peter Sachs, architect, submitted 9/26/2016
- FAR Worksheet, submitted 9/26/2016
- Site Plan, prepared by Peter Sachs, architect, dated 9/22/2016
- Floor Plans and Elevations, dated 9/26/2016

ADMINISTRATIVE DETERMINATIONS:

- The existing two-family dwelling is a nonconforming use in the Single Residence 3 zoning district per Section 3.4.1. The applicant intends to add living space to the first floor, as well as access and laundry rooms for the first and second floors. To expand a nonconforming use requires a special permit per Section 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	8,020 square feet	No change
Frontage	80 feet	90 feet	No change
Setbacks <ul style="list-style-type: none"> • Front (North Gate Pk) • Front (Rangley Rd) • Side • Rear 	25 feet 25 feet 7.5 feet 15 feet	19.7 feet 25.4 feet 18.7 feet 24.1 feet	No change No change 7.9 feet No change
Building Height	36		No change
Max Number of Stories	2.5	2.5	No change
FAR	.46	.35	.45
Open Space Min	50%	63.9%	56.6%
Lot Coverage Max	30%	21.7%	29%

- See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1 §7.8.2.C.2	Request to further increase nonconforming two-family use	S.P. per §7.3.3

Next Steps

Please contact a Planner by calling 617.796.1120 to obtain a copy of the Special Permit Application. If there have been any changes made to the plans since receipt of your Zoning Review Memorandum you must inform the Zoning Code Official to ensure additional relief is not required. You will need an appointment with a Planner to file your Special Permit Application. **Incomplete applications will not be accepted.**

The following must be included when filing a Special Permit Application:

2. Two (2) copies of the completed Special Permit Application (signed by property owner)
3. Filing Fee (see Special Permit Application)
4. Two (2) copies of the Zoning Review Memorandum
5. Plans (Twelve sets signed and stamped by a design professional). Each set shall contain:
 - Site Plans showing existing and proposed conditions (including topography as applicable)
 - Architectural plans showing existing and proposed conditions (including façade materials)
 - Landscape plan (as applicable)
6. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
7. One (1) copy of any previous special permits or variances on the property (as applicable)
8. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
9. Two (2) electronic copies of the application with all above attachments (USB or CD)

Copies of all plans shall either be 8.5 x 11 or 11 x 17, except as requested by staff

Special Permit Sign (\$20 fee)

Incomplete applications will delay the intake and review of your project.

Depending on the complexity of the project additional information may be requested to facilitate a full review of the application.

Has the proposed project been presented to and discussed with abutting property owners? Y/N