



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

James Freas  
Acting Director

**ZONING REVIEW MEMORANDUM**

Date: August 18, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Alex Peselman, applicant  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to extend nonconforming FAR**

Applicant: Alex Peselman	
Site: 5 Green Park	SBL: 73011 0003
Zoning: SR-2	Lot Area: 14,665 square feet
Current use: Single-family dwelling	Proposed use: No change

**BACKGROUND:**

The property at 5 Green Park consists of a 14,665 square foot lot on the corner of Green Park and Park Ave. It is improved with a single-family residence constructed in 1948, with a 1983 addition housing an indoor pool. The pool addition is accessed by a breezeway from a sunroom. The applicant would like to widen the breezeway to the width of the sunroom, to enclose a deck above the sunroom to be used as a closet, and to enlarge an existing mudroom. These additions further increase the already nonconforming FAR.

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

- Zoning Review Application, prepared by Alex Peselman, applicant, submitted 6/30/2015
- FAR Worksheet
- Existing Plans, prepared by RAV & Associates, dated 3/29/2015
- Proposed Alterations to Existing Plans, prepared by RAV & Associates, dated 6/25/2015

**ADMINISTRATIVE DETERMINATIONS:**

1. When the pool addition was built in 1983, the lot line opposite Green Park was treated as the side lot. The rear lot, for the purposes of determining required setbacks, is that which is opposite Park Ave.
2. The applicants' existing nonconforming FAR is .46, where .33 is the maximum allowed. The proposed addition results in an FAR of .48. A special permit pursuant to Sections 30-15(u)(2) and 30-21(b) is required.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	14,665 square feet	No change
Frontage	80 feet	160 feet	No change
Setbacks <ul style="list-style-type: none"> <li>• Front (Green Park)</li> <li>• Front (Park Ave)</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 25 feet 7.5 feet 15 feet	25.67 feet 25.67 feet 13.9 feet 26.5 feet	No change No change No change No change
Building Height	36	32 feet	No change
Max Number of Stories	2.5	2.5	No change
FAR	.33	<b>.46</b>	<b>.48</b>
Max Lot Coverage	30%	NA	27%
Min. Open Space	50%	NA	68%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15(u)(2) 30-21(b)	To extend nonconforming FAR	S.P. per §30-24