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Director

ZONING REVIEW MEMORANDUM

Date: January 8, 2018

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: Newton Housing Authority
Alan Schlesinger, Attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request to amend Special Permit #515-61**

Applicant: Newton Housing Authority	
Site: 83-127 and 106-128 John F Kennedy Circle	SBL: 12001 0029 and 12001 0032
Zoning: MR2	Lot Area: 124,061 square feet
Current use: Multi-family housing	Proposed use: No change

BACKGROUND:

The Newton Housing Authority (NHA) property on John F Kennedy Circle is comprised of two lots totaling 124,061 square feet in the Multi Residence 2. A special permit was granted in 1961 authorizing the Newton Housing Authority to construct 64 units of housing for low income elderly citizens in five garden apartment style buildings, plus a community building. The project was also granted a variance from various parking and dimensional requirements at that same time. In 1963, the City laid out and took Cook Street (Extension), now known as John F. Kennedy Circle which runs through the NHA site and created the two separate lots (lots 29 and 32) on which the housing development now exists.

The NHA now proposes to carve off a 26,336 square foot lot from the easterly portion of the existing lot along Jackson Road to construct an additional 55 units of housing for elderly persons in a multi-family dwelling. The NHA will leave the existing 64 units in place, and construct the proposed housing through a Comprehensive Permit from the Zoning Board of Appeals. To accommodate the Comprehensive Permit project, the NHA proposes to amend the existing approved site plan, special permit and variance.

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

- Zoning Review Application, prepared by Alan Schlesinger, dated 12/7/2017
- Site Survey, signed and stamped by Allen & Major Associates, surveyor, dated 7/25/2017
- Special Permit #515-61, dated 10/2/1961
- Variance #27-61, dated 9/28/1961
- Civil Layout Plan, prepared by Baker/Wohl, architects, submitted 12/7/2017

ADMINISTRATIVE DETERMINATIONS:

1. The entire NHA property received Special Permit #515-61 in 1961 for the construction of 64 low-income elderly housing units on an area of 124,061 square feet of land. The NHA proposes to carve 26,336 square feet of land off of the larger parcel on the easterly portion of the property along Jackson Road to construct 55 additional housing units in a single multi-family dwelling with an ANR plan. While the 64 units of existing housing will remain unchanged, the change to the parcel requires an amendment to the approved site plan and special permit.
2. The original 64-unit project received variances from required setbacks for several buildings, as well as a variance to allow a reduction in the required number of parking stalls. The NHA intends to address the required amendments to the variances when before the Zoning Board of Appeals for the Comprehensive Permit.
3. To the extent that any setback from the existing buildings on the original project site are made non-compliant by the removal of the proposed project site, the NHA will seek relief from the Zoning Board of Appeals either through the Comprehensive Permit process, or an amendment to the existing variances granted by Variance #27-61.
4. To the extent that any front setback dimensions were made nonconforming by the taking of JFK Circle, a request to extend such nonconformities is required as is deemed necessary.

Zone MR2	Required/Allowed	Compliance
Lot Area	10,000 square feet	No change
Lot Area Per Unit	3,000 sf/unit	Allowed by variance; to be amended
Max Lot Coverage	30%	Yes
Min Open Space	50%	Yes
Frontage	80 feet	Yes
Front Setback	25 Feet	Nonconforming by taking of JFK Cr; to be extended by City Council
Side Setback	7.5 feet	Variance amendment required by ZBA
Rear Setback	15 feet	Yes
Height	36 feet	Yes
Stories	3	Yes

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
	Request to amend Special Permit #515-61	
§7.8.2.C.2	Request to extend nonconforming front setbacks (as deemed necessary)	S.P. per §7.3.3