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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 2, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Ali Kiapour, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to allow a retaining wall exceeding 4 feet in height within a setback

Applicant: Ali Kiapour	
Site: 17 Wallace Street	SBL: 83034 0018
Zoning: SR3	Lot Area: 5,000 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 17 Wallace Street consists of a 5,000 square foot lot improved with a single-family residence constructed in 1950. The petitioner seeks to construct a retaining wall at the rear of the property exceeding four feet in height within the side and rear setbacks, requiring a special permit.

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

- Zoning Review Application, prepared by Ali Kiapour, applicant, dated 7/13/2020
- Existing Conditions Site Plan, prepared by Peter Nolan & Associates, surveyors, dated 6/10/2020
- Proposed Conditions Site Plan, prepared by Peter Nolan & Associates, surveyors, dated 6/10/2020

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner seeks to construct a retaining wall with a maximum height of 12 feet for 50 feet along the entire rear property line. The proposed wall will be located within the side and rear setbacks. Per section 5.4.2.B, a special permit is required to allow a retaining wall in excess of four feet in height within a setback.

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.2.B	Request to allow a retaining wall exceeding four feet in height within a setback	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 (Thirteen 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