



Ruthanne Fuller
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

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: April 21, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Norton Point Warren Street LLC
David Oliveri, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow four single-family attached dwellings

Applicant: Norton Point Warren Street LLC	
Site: 145 Warren Street	SBL: 61039 0010
Zoning: MR1	Lot Area: 23,399 square feet
Current use: Single-family dwelling	Proposed use: Four single-family attached dwellings

BACKGROUND:

The property at 145 Warren Street consists of 23,399 square feet and is improved with a single-family dwelling built in 1916 and a detached accessory building in the MR1 zoning district.

The petitioners propose to add one unit directly to the back rear of the existing dwelling, and construct two additional units behind them. The front and rear units are connected by a ground level shared garage with a courtyard space above it.

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

- Zoning Review Application, prepared by David Oliveri, dated 11/9/2020
- Elevations and sections, signed and stamped by Andrew Consigli, architect, dated 11/9/2020
- Zoning Plan, signed and stamped by Joseph R. Porter, surveyor, dated 11/4/2020

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to construct four single-family attached dwellings in the Multi Residence 1 zoning district. Per section 3.4.1, a special permit is required to construct attached dwellings in the MR1 district.
2. Section 3.2.4 requires a 25-foot setback for attached dwellings. The petitioners intend to preserve the existing historically significant single-family dwelling and make rear additions. The existing structure does not meet the 25-foot side setback requirement with setbacks of 14.4 feet on the westerly side and 23 feet on the easterly side. The proposed additions result in a decrease of the western side setback to 17.3 feet and the eastern side setback to 18.6 feet. Section 3.2.4 allows the City Council to grant exceptions to the dimensional standards of the section if it is determined that literal compliance is impractical due to the nature of the use, or the location, size, frontage, depth, shape or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features.
3. The proposed additions result in a lot coverage of 33.6%, which exceeds the allowable 25% per section 3.2.4 requiring a waiver.
4. The petitioners propose to utilize and extend the existing driveway along the eastern property line to serve all four units which is less than 10 feet from the boundary. Per section 6.2.3.B.2, no driveway may be located within 10 feet of a side or rear lot line requiring a waiver.
5. Section 5.1.4 requires two parking stalls per dwelling unit. The petitioner proposes to construct parking for the units in a garage below the living space accommodating seven stalls, where eight is required. A special permit per section 5.1.13 is required to waive one parking stall.
6. Per section 5.1.8.B.3 requires one accessible parking stall for parking facilities with 6-25 stalls. The proposed facility will have seven stalls requiring one accessible parking stall, necessitating a waiver from this provision per section 5.1.13.
7. Section 5.1.8.D. 1 requires a driveway width of 20 feet for two-way traffic. The proposed driveway is 18 feet wide at its narrowest, requiring a waiver per section 5.1.13.
8. Retaining walls are proposed at the eastern and western property boundaries, as well as directly behind the proposed rear addition. The eastern and western walls are located within the required 25-foot setback. The eastern wall reaches a maximum height of 6 feet and the western has a maximum height of four feet. Per section 5.4.2.B, a retaining wall four feet or more in height in the setback requires a special permit.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	23,399 square feet	No change
Frontage	80 feet	90 feet	No change
Setbacks			
• Front	25 feet	26.6 feet	No change
• Side	25 feet	14.4 feet	No change
• Side	25 feet	23 feet	18.6 feet
• Rear	25 feet	170.8 feet	51.1 feet
Building Height	36 feet	24.34 feet	29.42 feet
Max Number of Stories	2.5 (3 by special permit)	1	2.5
Lot Coverage	25%	12.9%	33.6%
Open Space	50%	77.2%	53%
Lot Area Per Unit	4,000 square feet	23,399 square feet	5,850 square feet

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Requested Relief</i>	<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To reduce required side setback	S.P. per §7.3.3
§3.2.4	To increase allowed lot coverage	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within 10 feet of the side lot line	S.P. per §7.3.3
§5.1.4 §5.1.13	To waive one parking stall	S.P. per §7.3.3
§5.1.8.B.3 §5.1.13	To waive the requirement for one accessible parking stall	S.P. per §7.3.3
§5.1.8.D. 1 §5.1.13	To allow for a reduced driveway width	S.P. per §7.3.3
§5.4.2.B	To allow retaining walls of four feet or more in height within a setback	S.P. per §7.3.3