



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: June 2, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Peter Sachs, Architect
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to further increase nonconforming FAR and to allow oversized dormers in an accessory structure

Applicant: Peter Sachs	
Site: 44 Putnam Street	SBL: 32007 0016
Zoning: SR2	Lot Area: 18,193 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 44 Putnam Street consists of an 18,193 square foot lot improved with a single-family dwelling constructed circa 1886. The petitioners propose to construct a detached structure containing a first-story garage and living space above. The proposed accessory structure's dormers will exceed the by-right size limit as well as the floor area ratio, requiring a special permit.

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

- Zoning Review Application, prepared by Federico Arellano, architect, submitted 4/27/2021
- Topographic Site Plan, Existing Conditions, prepared by VTP, surveyors, dated 4/21/2021
- Topographic Site Plan, Proposed Conditions, signed and stamped by Joseph R. Porter, surveyor, dated 4/28/2021
- Architectural plans and elevations, signed and stamped by Peter Sachs, architect, dated 4/11/2021
- FAR calculation, submitted 4/27/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner seeks to construct a detached garage with home office space above. Per section 1.5.4.G.2.b, a dormer may be no wider than 50% of the length of the exterior wall of the story next below. The petitioner proposes to construct 13.2-foot-wide dormers at both ends of the 23-foot-wide structure. The proposed dormers are 57% of the width of the story next below, requiring a special permit.
2. The dwelling contains 7,001 square feet and the proposed detached structure contains a total of 1,162 square feet within one and a half stories, resulting in a total of 8,163 square feet. The nonconforming FAR is .39, where .33 is the maximum allowed. The proposed detached structure results in a FAR of .45, further increasing the nonconforming FAR, requiring a special permit pursuant to Sections 3.1.3, 3.1.9 and 7.8.2.C.2.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	18,193 square feet	No change
Frontage	100 feet	95 feet	No change
Setbacks - Principal <ul style="list-style-type: none"> • Front • Side • Side • Rear 	25 feet 7.5 feet 7.5 feet 15 feet	28.2 feet 22.6 feet 21.1 feet 88.5 feet	No change No change No change No change
Setbacks - Accessory <ul style="list-style-type: none"> • Front • Side • Side • Rear 	25 feet 5 feet 5 feet 5 feet		>100 feet >50 feet 7.5 feet 18 feet
Max Number of Stories <ul style="list-style-type: none"> • Principal • Accessory 	2.5 1.5	3.5 1.5	No change 1.5
Max Height <ul style="list-style-type: none"> • Principal • Accessory 	36 feet 22 feet	44.1 feet	No change 21.1 feet
FAR	.33	.39	.45
Max Lot Coverage	30%	12.6%	16.4%
Min. Open Space	50%	78.5%	69.4%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9 §7.8.2.C.2	Request to further increase the nonconforming FAR	S.P. per §7.3.3
§1.5.4.G.2.b	Request to allow a dormer exceeding 50% of the length of the exterior wall of the story next below	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