



Ruthanne Fuller  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

**#264-21**

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Barney S. Heath  
Director

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## PUBLIC HEARING MEMORANDUM

Public Hearing Date:	August 24, 2021
Land Use Action Date:	November 9, 2021
City Council Action Date:	November 15, 2021
90-Day Expiration Date:	November 22, 2021

DATE: August 20, 2021

TO: City Council

FROM: Barney S. Heath, Director of Planning and Development  
Neil Cronin, Chief Planner  
Michael Gleba, Senior Planner

SUBJECT: **Petition #264-21** for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a circular driveway with less than 12' in width at 680 Beacon Street, Ward 6, Newton Centre, on land known as Section 61 Block 38 Lot 14, containing approximately 16,722 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 5.1.7.C, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

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The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



680 Beacon Street

## EXECUTIVE SUMMARY

The subject property at 680 Beacon Street consists of a 16,722 square foot lot in a Single Residence 2 (SR2) zoning district improved with a single-family dwelling constructed in 1939 with an attached garage.

The petitioners propose to construct a semi-circular driveway in front of the dwelling. An existing driveway entrance on the right side of the property would remain as is and new paving would be installed across the front of the property, leading to a new, additional curb cut to be located on the left (east) side of the property. The proposed new section of driveway would have a 9-foot entrance width where 12 feet is the minimum allowed per Section 5.1.7.C of the Newton Zoning Ordinance (NZO), requiring a special permit.

The Planning and Public Works departments have concerns regarding the proposed driveway's location adjacent to an existing traffic signal control box at the front of the property and the signal box's impact on site lines.

### I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Council should consider whether:

- literal compliance with the requirement that entrance and exit drives not be less than 12 feet in width (§5.1.7.C) is impracticable due to the nature of the use, or the location, size, width, 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 (§5.1.7.C, §5.1.13)

### II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

#### A. Neighborhood and Zoning

The subject property is located on the south side of Beacon Street where Grant Avenue intersects it from the north. The site is developed with a single-family dwelling as are most of the properties to the immediate east and north; two-family dwellings are more common to the south. This is largely reflected in the neighborhood's zoning, with most properties along both sides of Beacon Street zoned Single Residence 1 (SR1) or Single Residence 2 (SR2), with a few Multi Residence 2 (MR2) and Business 2 (BU2) properties to the located west, and the area to the south zoned Multi Residence 1 (**Attachments A&B**).

#### B. Site

The subject property consists of a 16,722 square foot lot improved with a single-family dwelling with an attached garage. The lot is generally level with an approximately 6-foot upward grade at its rear. Vehicular access is provided by a paved driveway and associated curb cut on the right (west) side of the property. The remaining portions of the site include lawn area and mature trees and shrubs.

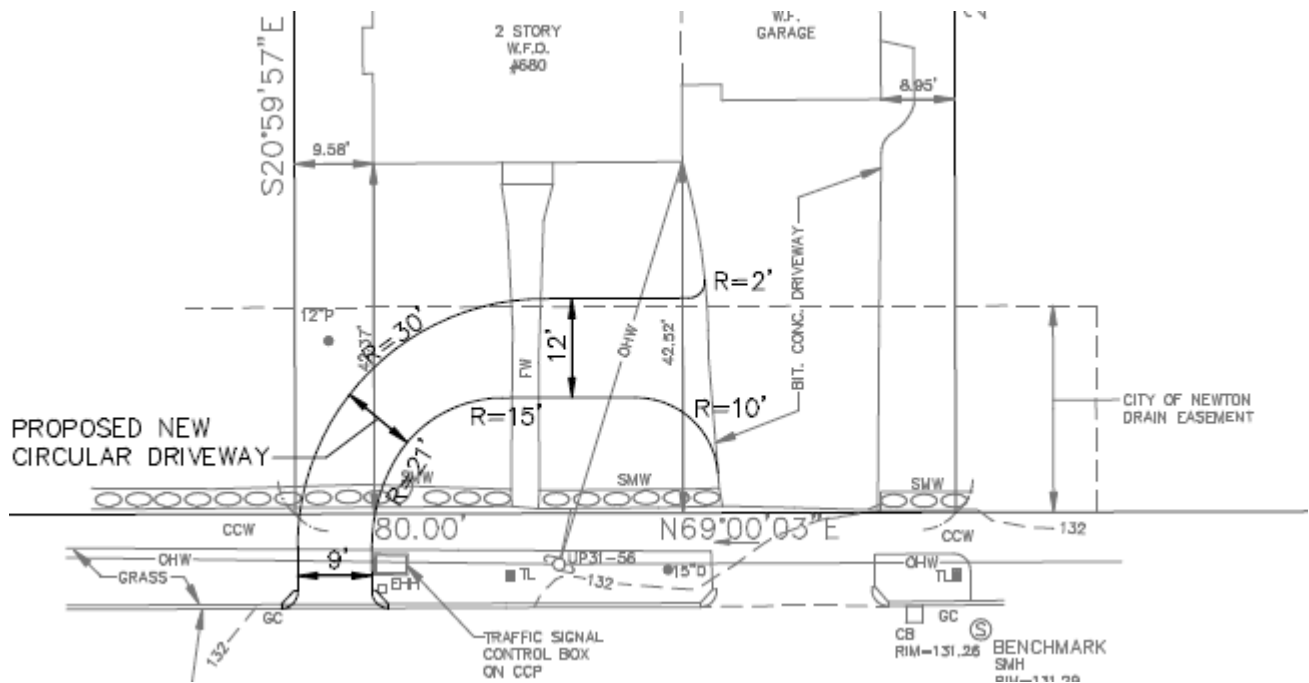
### III. PROJECT DESCRIPTION AND ANALYSIS

#### A. Land Use

The principal use of the site will remain a single-family residence.

#### B. Building and Site Design

No changes to the dwelling are contemplated by this petition. Aside from the parking and circulation changes discussed below, no other changes are proposed for the site.



**Partial site plan**

#### C. Parking and Circulation

The petitioners propose to construct a semi-circular driveway across the front of the lot that would connect the existing right-side driveway (which would remain) to a new, additional curb cut on the left side of the parcel. The proposed driveway section would have a 9-foot entrance width where 12 feet is the minimum allowed by right per Section 5.1.7.C of the NZO.

Given the concerns expressed by the Department of Public Works (discussed below), the Planning Department suggests the petitioner consider other possible driveway configuration that addresses those concerns. Also, in the event this petition was granted, the petitioner might need a license from the City to allow additional pavement to be placed within the municipal drain easement located within the front of the property.

D. Landscaping

A proposed landscape plan was not submitted as part of this petition. The area on which the proposed additional driveway space would be located appears to be the location of a large, mature tree that would likely need to be removed to accommodate the additional paved area.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment C**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- Special Permit per §7.3.3 to allow an entrance and exit drive with less than 12 feet in width (§5.1.7.C, §5.1.13)

B. Engineering Review

The Planning Department referred the proposal to the Department of Public Works who indicated significant concerns about the location of the driveway related to the having auto movements adjacent to the existing traffic signal control box located on the property's frontage, and that the control box would create sight line issues for proposed driveway.

C. Historic Review

Review of this proposal by the Newton Historic Commission is not required.

V. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

**ATTACHMENTS:**

- Attachment A:** Land Use Map  
**Attachment B:** Zoning Map  
**Attachment C:** Zoning Review Memorandum








# ATTACHMENT B

## Zoning

680 Beacon St.

City of Newton,  
Massachusetts

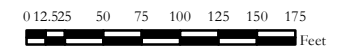


-  Single Residence 1
-  Single Residence 2
-  Multi-Residence 1
-  Multi-Residence 2
-  Business 2



The information on this map is Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS  
Mayor - Ruthanne Fuller  
GIS Administrator - Douglas Greenfield



Map Date: August 12, 2021



**Ruthanne Fuller**  
Mayor

ATTACHMENT C

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**Barney S. Heath**  
Director

**ZONING REVIEW MEMORANDUM**

Date: June 8, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Jesse Sage and Yael Hoffman Sage, Applicants  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

**RE: Request to allow a driveway with less than 12 feet in width**

Applicant: Jesse Sage and Yael Hoffman Sage	
<b>Site:</b> 680 Beacon Street	<b>SBL:</b> 61038 0014
<b>Zoning:</b> SR2	<b>Lot Area:</b> 16,722 square feet
<b>Current use:</b> Single-family dwelling	<b>Proposed use:</b> No change

**BACKGROUND:**

The property at 680 Beacon Street consists of a 16,722 square foot lot improved with a single-family dwelling constructed in 1939. The property is located opposite the opening of Grant Avenue where it connects with Beacon Street. The petitioners propose to construct a circular driveway that does not meet the minimum width requirement, which requires a special permit.

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

- Zoning Review Application, prepared by Jesse Sage, submitted 4/18/2021
- Plan of Land, signed and stamped by Stephen E. Stapinski, surveyor, dated 4/8/2021

**ADMINISTRATIVE DETERMINATIONS:**

1. The subject site is located at the intersection of Beacon Street and Grant Avenue. The petitioners propose to construct a semi-circular driveway. The existing driveway entrance will remain as is, and the proposed semi-circular driveway has a 9-foot entrance width, where 12 feet is the minimum required per section 5.1.7.C. The petitioners seek a special permit to waive the minimum width requirement per section 5.1.13.

1. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§5.1.7.C §5.1.13	Request to allow an entrance and exit drive with less than 12 feet in width	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