



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: August 2, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Paulita Davey and Michael Jolly, Applicants
Terrence P. Morris, Attorney
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to further increase nonconforming FAR

Applicant: Paulita Davey and Michael Jolly	
Site: 107 Hobart Road	SBL: 61006 0001
Zoning: SR1	Lot Area: 10,729 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 107 Hobart Road consists of a 10,729 square foot corner lot improved with a single-family dwelling constructed in 1904. The petitioners propose to raze an existing wood deck on the side and rear of the dwelling and construct a two-story side addition with a 317 square foot footprint. The proposed changes will further increase the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared by Terrence P Morris, attorney, submitted 6/2/2021
- Plan of Land – Existing Conditions, signed and stamped by Verne T. Porter, surveyor, dated 6/1/2021
- Plan of Land – Proposed Conditions, signed and stamped by Verne T. Porter, surveyor, dated 6/1/2021, revised 7/26/2021
- FAR calculation and floor plans, signed and stamped by David Grover, architect, dated 5/11/2021
- Plans and elevations, prepared Slocum Hall Designs, architect, dated 4/22/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners intend to construct a two-story addition with 157 square feet within the basement. The addition adds 696 square feet resulting in a total of 5,179 square feet. The existing nonconforming FAR is .41, where .32 is the maximum allowed per section 3.1.9. The proposed addition further increases the nonconforming FAR to .48, requiring a special permit pursuant to Sections 3.1.3, 3.1.9 and 7.8.2.C.2.

SR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	10,729 square feet	No change
Frontage	100 feet	100 feet	No change
Setbacks <ul style="list-style-type: none"> • Front (Hobart Rd) • Front (Bishopsgate Rd) • Side • Rear 	25 feet 25 feet 12.5 feet 25 feet	20.7 feet 45.7 feet 23.7 feet 8.9 feet	No change No change 20 feet No change
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	42.35 feet	42.35 feet
FAR	.32	.41	.48
Max Lot Coverage	20%	17.3%	19.5%
Min. Open Space	65%	67.6%	68.3%

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 nonconforming FAR	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