



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: November 17, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: 55 Colella Rd LLC, Applicant
Michael Lohin, Developer
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request for a special permit to alter and extend a nonconforming residential use and for height and number of stories

Applicant: 55 Colella Rd LLC	
Site: 55 Colella Road	SBL: 84015 0001
Zoning: BU1	Lot Area: 7,541 square feet
Current use: Single-family dwelling	Proposed use: 2-unit dwelling

BACKGROUND:

The property located at 55 Colella Road consists of a 7,541 square foot corner lot improved with a two-story single-family dwelling constructed in 1949 in the Business 1 zoning district. The petitioner proposes to raze the dwelling and construct a two-unit dwelling with two garage parking stalls and two surface stalls. The property will be accessed by two curb cuts, one on Colella Road and the other on Hanson Road. To construct the project as proposed, the petitioner requires a special permit.

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

- Zoning Review Application, prepared by Michael Lohin, Developer, dated 7/22/2020, revised 2/17/2021
- Proposed Conditions Plan, signed and stamped by Clifford E. Rober, surveyor, dated 5/11/2020, revised 11/4/2020, 5/11/2021, 10/27/2021
- Architectural Plans and Elevations, signed and stamped by Timothy B. Mulligan, architect, dated 7/18/2020, revised 11/4/2020, 2/12/2021, 7/23/2021, 10/19/2021

- FAR worksheet, submitted 7/22/2020, revised 2/18/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to raze the existing nonconforming two-story single-family dwelling and construct a two-unit 2.5-story dwelling in the BU1 zoning district. A special permit is required to alter and extend the nonconforming residential use per sections 4.4.1 and 7.8.2.C.2.
2. Section 4.1.3 allows for a maximum height of 24 feet and two stories by right, up to 36 feet and three stories by special permit. The petitioner proposes a 2.5 story structure with 28.3 feet in height, requiring a special permit.

BU1 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	7,541 square feet	No change
Setbacks			
• Front (Colella Rd)	10 feet	27 feet	15.2 feet
• Front (Hanson Rd)	10 feet	NA	16.2 feet
• Side	14.2 feet (1/2 height)	36.4 feet	14.3 feet
• Rear	0 feet	22.5 feet	5.1 feet
Building Height	up to 36 feet (special permit)		28.6 feet
Stories	up to 3 (special permit)	2	2.5 stories
Lot Area Per Unit	1,200 square feet	7,541 square feet	3,770.5 square feet
FAR	1.0	NA	.76

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.4.1 §7.8.2.C.2	Request to alter and extend a nonconforming residential use	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	To allow a 2.5 story structure with 28.6 feet in height	S.P. per §7.3.3