

# City of Newton Planning and Development

## **Petition: #457-22**

Special Permit/Site Plan Approval to raze two dwellings, merge two-lots and construct a six-unit multifamily dwelling with below grade parking accommodating 12 vehicles in addition; to allow ground floor residential use with residential above; to allow a three-story structure with 36 feet in height; to extend a nonconforming side setback; to extend a nonconforming rear setback; to allow an FAR of 1.47; to allow a reduced parking stall width; to allow restricted end stalls; to reduce the driveway width for two-way traffic and to allow a retaining wall exceeding four feet in height within a setback

**November 1, 2022**



**416 and 418 Langley Road**

# Zoning Relief

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.4.1	Request to allow ground floor residential use with residential above	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	Request to allow a three-story structure with 36 feet in height	S.P. per §7.3.3
§4.1.3 §7.8.2.C.2	Request to extend a nonconforming side setback	S.P. per §7.3.3
§4.1.3 §7.8.2.C.2	Request to extend a nonconforming rear setback	S.P. per §7.3.3
§4.1.3	Request to allow an FAR of 1.47	S.P. per §7.3.3
§5.1.8.A.1 §5.1.13	Request to allow a reduced parking stall width	S.P. per §7.3.3
§5.1.8.B.6 §5.1.13	Request to allow restricted end stalls	S.P. per §7.3.3
§5.1.8.D.1 §5.1.13	Request to reduce the driveway width for two-way traffic	S.P. per §7.3.3
§5.4.2.B	Request to allow a retaining wall exceeding four feet in height within a setback	S.P. per §7.3.3

# Criteria to Consider

When reviewing this request, the Council should consider:

- The site in a Business 1 (BU1) zoning district is an appropriate location for the project as designed with three-stories and 36 feet in height, a floor area ratio (FAR) of 1.47, ground floor residential use with residential above, and a retaining wall exceeding four feet in height within a setback (§7.3.3.C.1)
- The project as designed with three-stories and 36 feet in height, a floor area ratio (FAR) of 1.47, ground floor residential use with residential above, and a retaining wall exceeding four feet in height within a setback, will adversely affect the neighborhood (§7.3.3.C.2)
- The project as designed with three-stories and 36 feet in height, a floor area ratio (FAR) of 1.47, ground floor residential use with residential above, and a retaining wall exceeding four feet in height within a setback, will create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)

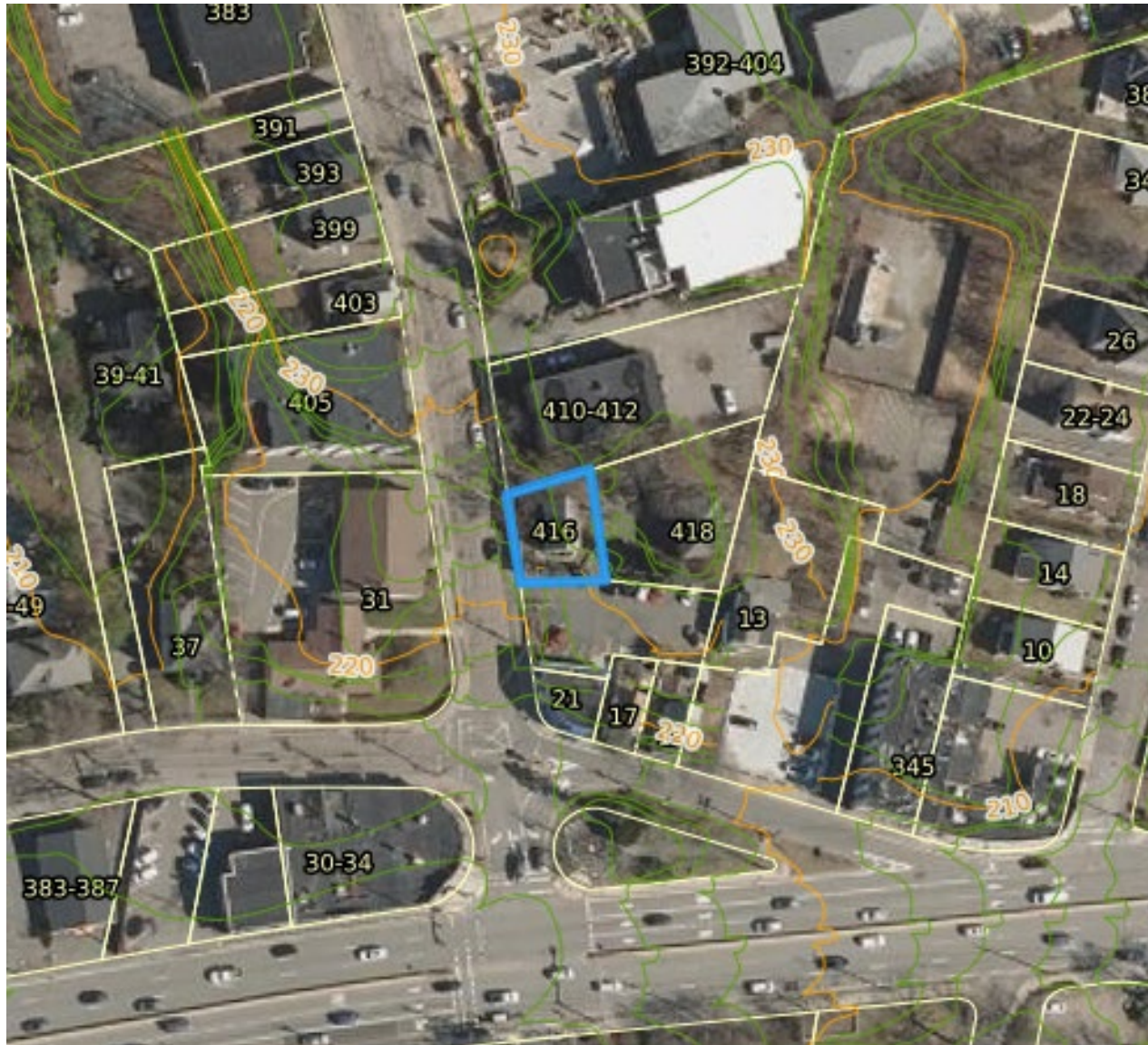
(cont.)

# Criteria to Consider

When reviewing this request, the Council should consider (*cont.*):

- The proposed extension of nonconforming side and rear setbacks would be substantially more detrimental than the existing nonconforming setbacks to the neighborhood (§4.1.3, §7.8.2.C.2)
- Literal compliance with applicable parking facility requirements requiring a minimum driveway width of twenty feet for two-way traffic, minimum parking stall widths and restricted end stalls, is impracticable due to the nature of the use, 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 (§5.1.13)

# Aerial Map



# Zoning



## ATTACHMENT B

### Zoning

### 416 Langley Road

*City of Newton,  
Massachusetts*

-  Multi-Residence 1
-  Multi-Residence 2
-  Multi-Residence 3
-  Business 1
-  Business 2
-  Public Use



The information on this map is Geographic Information System (GIS) data. 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

0 12.5 25 50 75 100 Feet

Map Date: October 26, 2022

# Land Use

## ATTACHMENT A

### Land Use

### 416 Langley Road

*City of Newton,  
Massachusetts*

#### Land Use

#### Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Commercial
-  Industrial
-  Mixed Use
-  Open Space
-  Nonprofit Organizations
-  Vacant Land



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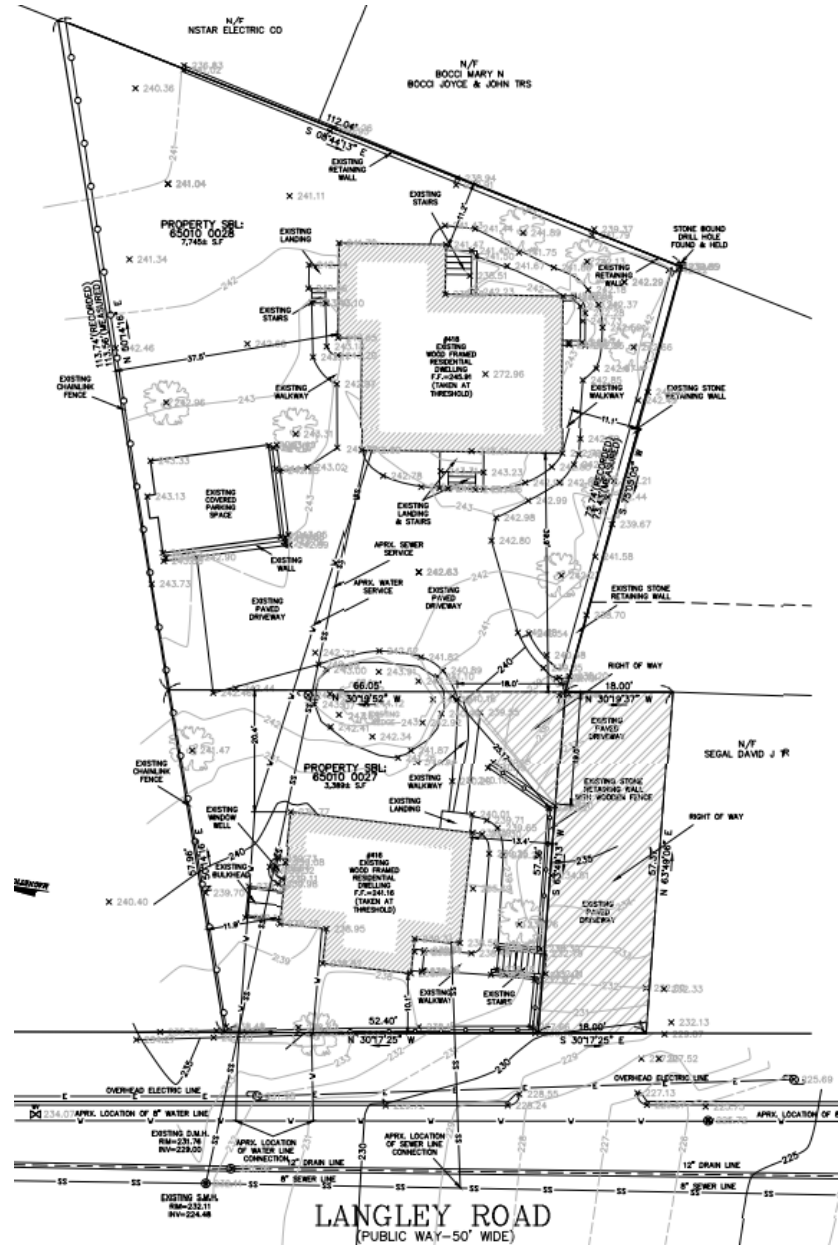
CITY OF NEWTON, MASSACHUSETTS  
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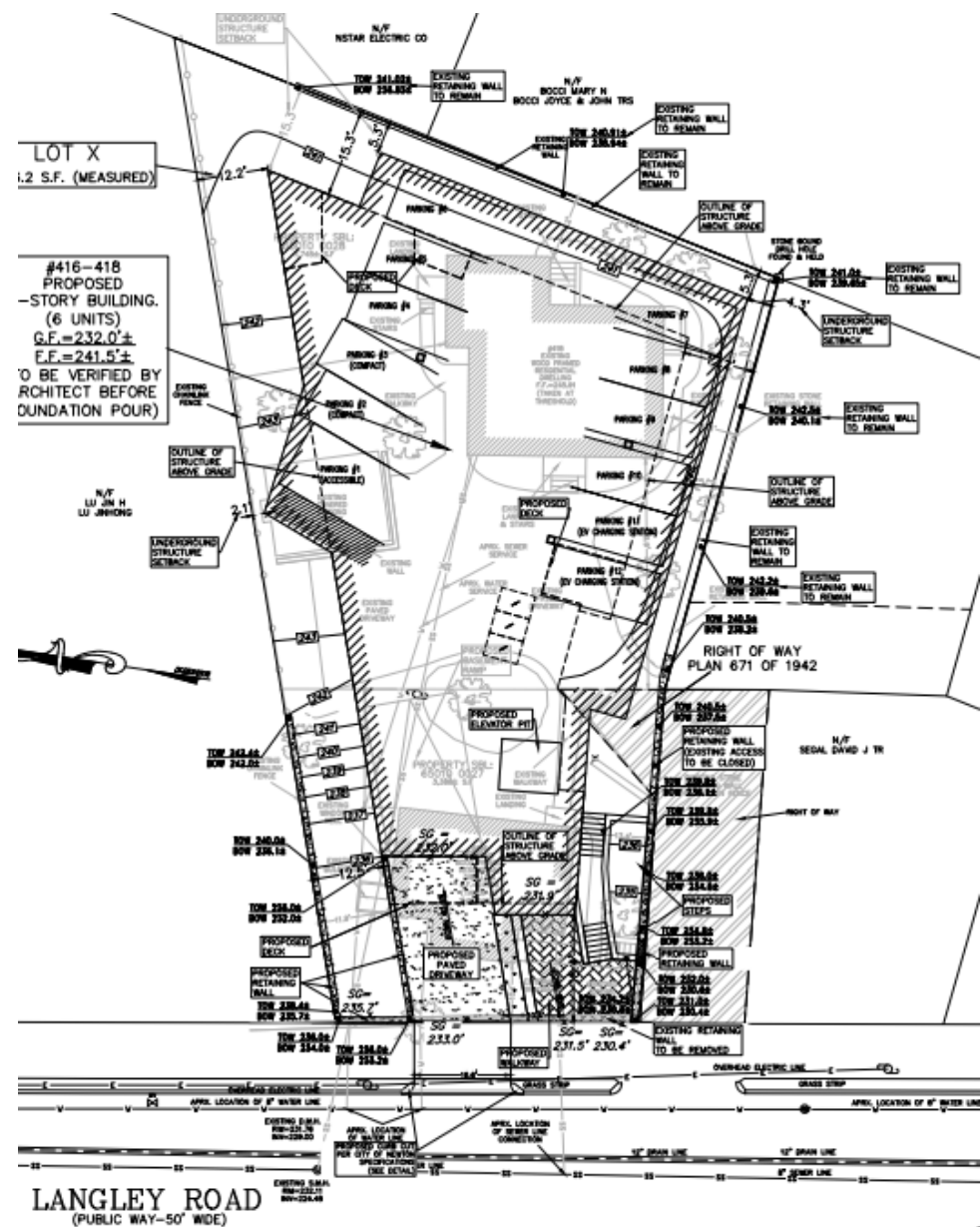
# Plans- existing







# Plans-below grade



# Elevations



# Landscaping Plan



# Photos



# Photos



# Photos



# Findings

- + *The site in a Business 1 (BU1) zoning district is an appropriate location for the project as designed with three-stories and 36 feet in height, a floor area ratio (FAR) of 1.47, ground floor residential use with residential above, and a retaining wall exceeding four feet in height within a setback given the mixed-use nature of the neighborhood which includes other multifamily dwellings (§7.3.3.C.1)*
- + *The project as designed with three-stories and 36 feet in height, a floor area ratio (FAR) of 1.47, ground floor residential use with residential above, and a retaining wall exceeding four feet in height within a setback, will not adversely affect the neighborhood (§7.3.3.C.2)*
- + *The project as designed with three-stories and 36 feet in height, a floor area ratio (FAR) of 1.47, ground floor residential use with residential above, and a retaining wall exceeding four feet in height within a setback, will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)*
- + *Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)*



# Findings (cont.)

- + *The proposed extension of nonconforming side and rear setbacks would not be substantially more detrimental than the existing nonconforming setbacks to the neighborhood (§4.1.3, §7.8.2.C.2)*
- + *Literal compliance with applicable parking facility requirements requiring a minimum driveway width of twenty feet for two-way traffic, minimum parking stall widths and restricted end stalls, is impracticable due to the nature of the use, 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 (§5.1.13)*

# Conditions

- + Plan Referencing Condition
- + Operations & Management Plan (O&M)
- + Construction Management Plan (CMP)
- + Rodent control
- + *(Blasting language; Vibration control)*
- + Standard Final Inspection/Certificate of Occupancy Condition