

City of Newton Planning and Development

Petition: #447-22

Special Permit/Site Plan Approval to raze existing building and construct a 9-unit residential dwelling; to allow ground floor residential use with residential above; to allow a three-story structure with 36 feet in height; to allow an FAR of 1.20; to allow assigned parking stalls; to allow outdoor parking within five feet of a residential building; ~~to allow restricted end stalls~~; to allow a reduced maneuvering aisle width; to reduce the driveway width for two-way traffic; to waive perimeter screening, to waive lighting , **and to waive two parking stalls**

December 13, 2022



106 River Street

Zoning Relief

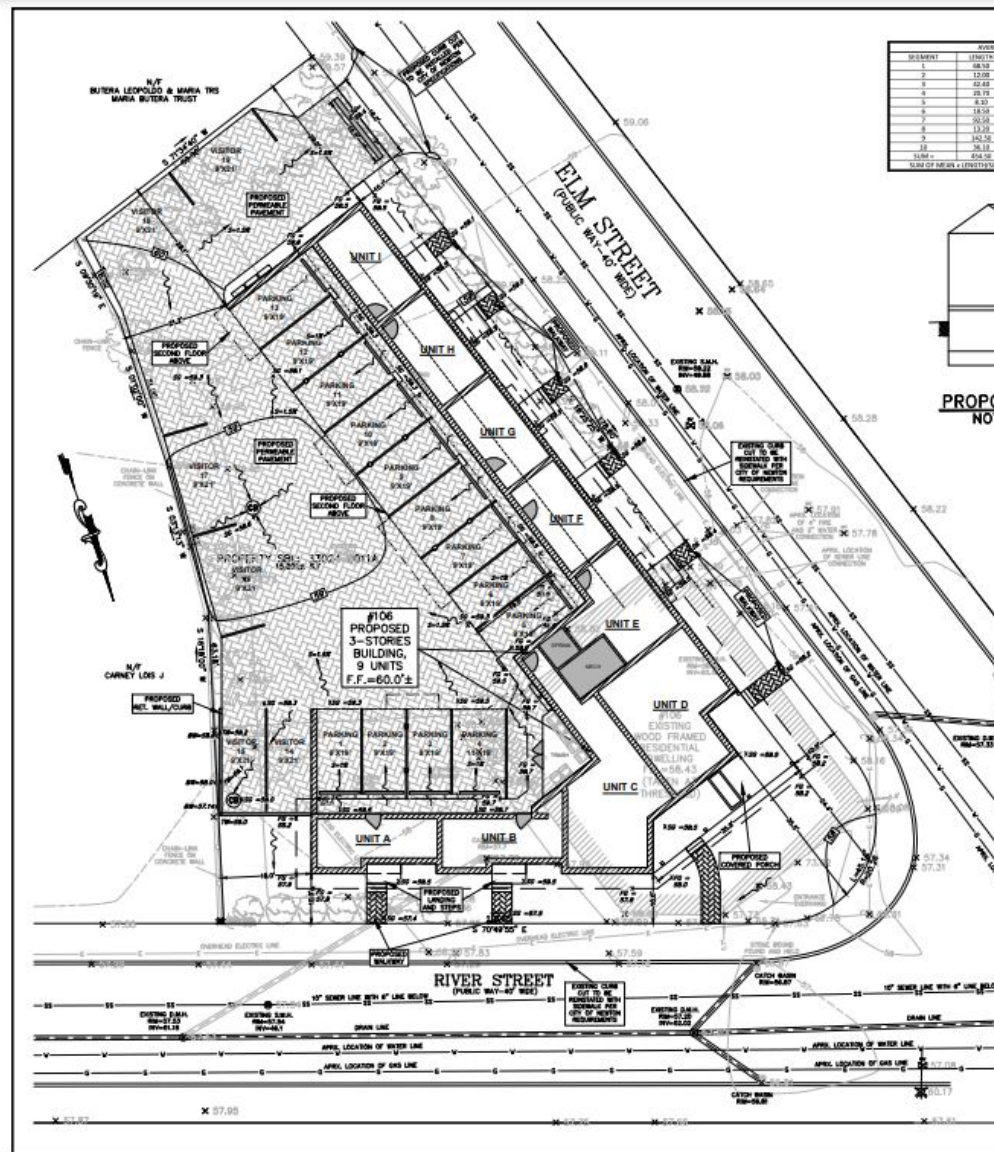
Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§4.4.1	Request to allow ground floor residential use with residential above	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	Request to allow a three-story structure with 36 feet in height	S.P. per §7.3.3
§4.1.3	Request to allow an FAR of 1.20	S.P. per §7.3.3
§5.1.3.E §5.1.13	Request to allow assigned parking stalls	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive two parking stalls	S.P. per §7.3.3
§5.1.8.A.2 §5.1.13	Request to allow outdoor parking within five feet of a residential building	S.P. per §7.3.3
§5.1.8.C §5.1.13	Request to allow a reduce maneuvering aisle width	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
§5.1.9 §5.1.13	Request to waive perimeter screening	S.P. per §7.3.3
§5.1.10 §5.1.13	Request to waive lighting	S.P. per §7.3.3

Plan Revisions

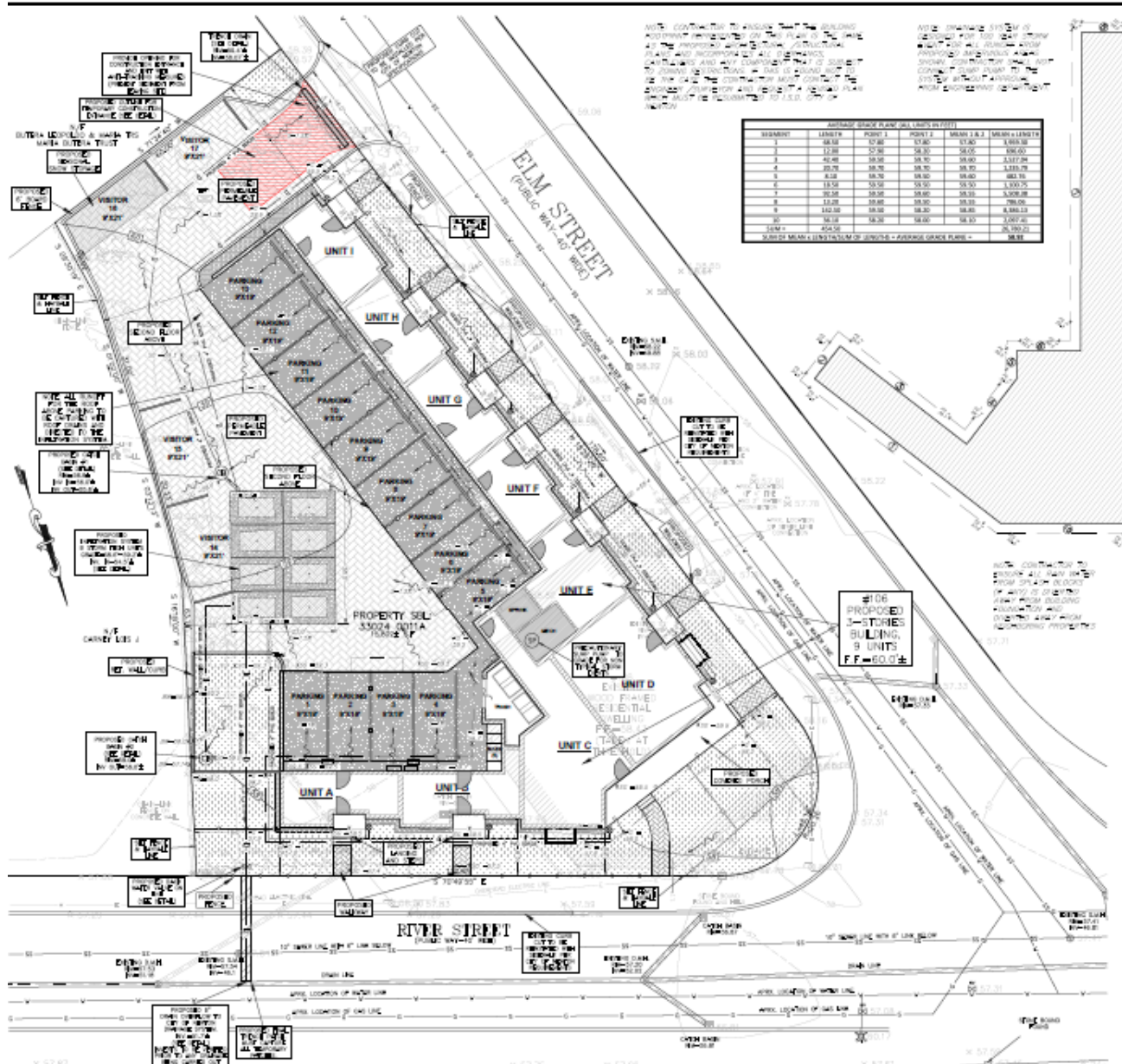
- **Removed two parking stalls**
 - As a result, additional waiver needed for two parking stalls
 - Waiver for restricted end stalls no longer needed
- Revised landscape plan
- Bike parking added
- Additional landscaping

*Previously stated 1,200 sf, miscalculated

Initially Submitted Site Plan



Revised Site Plan



Initially Submitted Landscape Plan



Revised Landscape Plan



Findings

1. The specific site is an appropriate location for the proposed nine unit building with three stories as proposed due to its location in the BU 1 zoning district and the project exceeds the required lot area per unit for residential units in the BU-1 zone. (§7.3.3.C.1)
2. The proposed nine unit building with three stories as proposed will not adversely affect the neighborhood because the neighborhood has a variety of housing types and uses. (§7.3.3.C.2)
3. The proposed nine unit building with three stories as proposed will not create a nuisance or serious hazard to vehicles or pedestrians because proposed design also brings the nonconforming front setbacks into compliance with the ordinance, increasing the site distance of the intersection and screening will be provided along the street frontage. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. Literal compliance with the driveway location in proximity to the side lot lines is impractical due to the shape of the lot. (§6.2.3.B.2)
6. Literal compliance with the required number of parking stalls in the interest of environmental features as the reduction in the number of parking stalls reduces the amount of impervious area. (§6.2.3.B.2)

Conditions

1. Plan Referencing
2. Standard Building Permit Condition
3. Rodent Control Condition
4. O&M Plan condition, should a system be required
5. Standard Occupancy Condition