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James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: May 11, 2015

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Alexandra Ananth, Chief Planner for Current Planning

Cc: G. Michael Peirce, Attorney  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: **Request to extend a nonconforming two-family use to a three-family use in a Manufacturing district, as well as various waivers from the parking requirements**

Applicant: 111-113 Adams Street LLC	
Site: 111-113 Adams Street	SBL: 14008 0044
Zoning: MAN	Lot Area: 8,225 square feet
Current use: Two-family dwelling with office	Proposed use: Three-family dwelling with office

### BACKGROUND:

The property at 111-113 Adams Street consists of an 8,225 square foot lot improved with a two-family residence constructed prior to 1900 in the Manufacturing zoning district. Prior to the applicant's purchase of the property, two additional dwelling units were created without the benefit of building permits, for a total of four units, as well as 240 square feet of office space, which is a legal use in the district. Board Order #249-62 was issued in April 1962 allowing for the addition of four rooms to the building, though this permit classified the structure as a two-family dwelling at the time. The applicant would like create a legal third dwelling unit, which is an extension of the nonconforming two-family use.

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

- Zoning Review Application, prepared G. Michael Peirce, attorney, dated 3/20/2015
- Board Order #249-62
- Floor Plans, prepared by David Morton, architect, dated 3/15/2015
- Area Plan, prepared by VTP Associates, dated 8/29/2014
- Topographic Site Plan, prepared by VTP Associates, dated 8/25/2014

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2015 MAY 12 AM 11:25  
DAVID A. OLSON, CMO  
NEWTON, MA 02459

11. Section 30-19(i) requires that parking lots with more than five stalls be screened from abutting properties and streets utilizing landscaping and fencing. This section requires a minimum five foot wide strip of vegetation and/or fencing. To the extent that the property does not meet the perimeter screening requirements of Section 30-19(i), a special permit is required per Section 30-19(m).
12. Section 30-19(j) requires security lighting for parking facilities with more than five stalls. To the extent that the existing parking lot is nonconforming relative to the lighting requirements of Section 30-19(j), a special permit is required.
13. The submitted plans are not clear as to conformance with the surfacing, curbing and striping requirements of Section 30-19(j)(2). To the extent that the lot is nonconforming with regard to this section, a special permit is required.

MAN Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	8,225 square feet	No change
Setbacks			
• Front	25 feet	30.3 feet	No change
• Side	16.9 feet (½ building height)	19.8 feet	No change
• Rear	16.9 feet (½ building height)	21 feet	No change
Building Height	24	33.86 feet	No change
Max Number of Stories	2	2	No change
Parking stalls	7		12

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-21(b)	To extend a nonconforming two-family use in a Manufacturing district	S.P. per §30-24
§30-19(h)(1) §30-19(m)	To locate parking in a setback	S.P. per §30-24
§30-19(h)(2) §30-19(m)	To waive the minimum dimensional requirements for parking stalls	S.P. per §30-24
§30-19(h)(3)a §30-19(m)	Waive minimum aisle width for two-way traffic	S.P. per §30-24
§30-19(h)(4)a §30-19(m)	Waive minimum entrance drive width	S.P. per §30-24
§30-19(i) §30-19(m)	Waive the screening requirements for parking lots greater than five stalls	S.P. per §30-24
§30-19(j)(1) §30-19(m)	Waive the lighting requirements for parking lots greater than five stalls	S.P. per §30-24

30-19(j)(2) 30-19(m)	Waive the surfacing, curbing and striping requirements for a parking lot greater than five stalls	S.P. per §30-24
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