



Marc C. Laredo
Mayor

City of Newton
Department of Planning and Community
Development

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Katie Whewell
Acting Director

PUBLIC HEARING MEMORANDUM

DATE: February 20, 2026

TO: City Council

FROM: Katie Whewell, Acting Director of Planning and Development
Cat Kemmett, Acting Chief Planner for Current Planning
Sondria Berman, Senior Planner

SUBJECT: **Petition #94-26** Request for SPECIAL PERMIT/SITE PLAN APPROVAL to raze the existing dwelling and construct a new single-family dwelling exceeding the maximum allowable Floor Area Ratio ("FAR") at 11 Richfield Road, Ward 3, West Newton, on land known as Section 32 Block 04, Lot 13, containing approximately 10,256 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 3.1.3, 3.1.9, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Application Materials: <https://newtonma.portal.opengov.com/records/910118>

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



11 Richfield Road

Background:

On September 30, 2025, the Land Use Committee (“LUC”) opened the public hearing for petition #264-25 for 11 Richfield Road to allow the construction of a single-family dwelling that exceeds the maximum allowable Floor Area Ratio (“FAR”), proposing .60 where .38 is the maximum allowed. The Land Use Committee (“LUC”) voted to continue the hearing, and on December 9, 2025, voted in favor of the petitioner’s request to withdraw without prejudice, allowing the petitioner additional time to revise plans based on the LUC’s feedback.

Proposal:

The petitioner is seeking to raze the existing building and construct a new single-family dwelling. The new home will be a 4,760 square foot single-family dwelling that needs relief for FAR, which is proposed at .46, where .38 is the maximum allowed as of right.

Project Updates:

The proposed site plan, dated February 2, 2025 and revised through December 12, 2025 incorporates many of the comments and suggestions for improvement made by LUC members during the applicant’s previous hearing for petition #264-25.

The following project updates have been made:

- Request to exceed FAR to .46 from the existing .24, where .38 is the maximum allowed as of right. The requested FAR relief of .46 is a notable reduction from the .60 previously requested under petition #264-25.
- The total proposed square footage calculated under the FAR worksheet for the dwelling has been reduced to 4,748 square feet from the original proposal of 6,168 square feet under petition #264-25.
- Setbacks for the proposed single-family dwelling are compliant with the Newton Zoning Ordinance (“NZO”) and do not require relief, consistent with the original proposal under petition #264-25. The revised site plans, however, note increases with each of the setback distances from what was originally proposed under petition #264-25.
- The height and stories for the proposed dwelling have been reduced to 33.9 feet and two stories, respectively, compared to the original petition #264-25 proposal of 34.6 feet and 2.5 stories.
- Lot coverage has increased slightly to 29.5% from the originally proposed 28%, where 30% is the maximum allowed as of right.
- Open Space has reduced slightly to 70.5% from the originally proposed 72%, where 50% is the minimum required.
- Retaining walls under four feet in height have been added to the rear portion of the home that includes a walk-out basement (3.9 feet in height) as well as to the right side of the front of the home (2 feet in height).

Summary Analysis:

Planning notes that the petitioner’s proposal to raze the existing single-family dwelling and construct a new single-family home meets all zoning requirements with the exception of FAR. The petitioner’s revisions to the original site plans from petition #264-25 show a notable reduction in the amount of FAR relief requested from the original request of .60 to the current request of .46, where .38 is the maximum allowed as of right. Additionally, the applicant has made improvements to the overall size and massing of the dwelling compared to the original site plan, reducing the height and number of stories to 33.9 feet and two stories, respectively, resulting in the proposed dwelling reflecting the same number of stories (two) as the existing dwelling. Finally, the proposed dwelling meets the dimensional setbacks of a through lot inclusive of two front setbacks minimums of 25 feet and side setbacks of 7.5 feet, while increasing the setback distances on all sides from those originally proposed in petition #264-25. While the proposed dwelling will remain one of the larger homes on Richfield Road compared to abutting single-family residences to the east and west, the differences in topographical elevations along Richfield Road coupled with reductions in the FAR, height, stories and massing make this proposal more comparable and compatible in size with the surrounding neighborhood than that originally proposed in petition #264-25.

I. Zoning Relief Requested:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9	Request to exceed FAR	S.P. per §7.3.3

For more details around the zoning analysis please refer to **Attachment A**.

II. Criteria for Consideration per §3.1.9 and 7.3.3:

- The specific site in Single Residence 2 district is an appropriate location for the construction of the proposed single-family dwelling resulting in an FAR of 0.46 where 0.38 is the maximum allowed as of right. (§7.3.3.C.1)
- The construction of a single-family dwelling resulting in an FAR of 0.46 where 0.38 is the maximum allowed as of right as developed and operated will not adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians created by the construction of a single-family dwelling resulting in an FAR of 0.46 where 0.38 is the

maximum allowed as of right. (§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)
- The proposed FAR of .46 where .38 is the maximum allowed as of right is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood. (§3.1.3, §3.1.9)

III. Description of Existing Site and Neighborhood

The subject property consists of a 10,256 square foot through lot with frontage on both Richfield Road and Fairview Terrace. The property is located in a Single Residence 2 district in West Newton and is improved with a two-story single-family colonial-style dwelling with attached garage constructed circa 1950. The surrounding neighborhood consists of primarily residential uses within the Single Residence 2 zone and is adjacent to Multi-Residence-1 and Multi-Residence-3 zones to the north.

The topography of the site slopes downward from Richfield Street toward the Fairview Terrace frontage, for an approximate downwards grade change of eight feet. Richfield Street, which is also a dead-end roadway, has topography that also slopes downward to the east towards Chestnut Street, with homes located at the end of Richfield Street at a higher elevation than those at the beginning of the street.

IV. Planning Analysis

A. Land Use

If approved, the use of this site will remain residential.

B. Site Design

The proposed projects meets all dimensional requirements of the lot, except for the proposed FAR of .46 where .38 is the maximum allowed as of right. The proposed dwelling's FAR square footage calculation totals 4,760 square feet.

Similarly to the original proposed site plan from petition #264-25, the project will be compliant with lot size, lot coverage, frontage, open space, height, stories, and setbacks. Some of these elements are well within the bounds of compliance (as in the case with open space proposed at 70.5% from the existing 82.3% where 50% is the minimum required). However lot coverage is proposed at 29.5% where 30% is the maximum allowed as of right, and the front setback to Fairview Terrace is 25.6 feet where 25 feet is the minimum required. Planning recommends the petitioner be aware of these standards as changes to these calculations could result in additional relief.

Planning notes that the proposed setbacks have also all increased from what was originally proposed in Petition 264-25, proposing 27 feet for the front setback along Richfield Road from the originally proposed 25.5 feet; 15.2 feet for the left and right side setbacks where 8.9 feet and 11.6 feet were originally proposed, and 25.6 feet for the Fairview Terrace front setback where 25.1 feet was originally proposed. Increases in these setbacks are an improvement not only from what was originally proposed but also provide a notable improvement from the existing left (west) side setback of 8.2 feet to the proposed 15.2 feet.

Planning notes that while the proposed single-family residential use conforms with other single-family residential uses in the neighborhood, properties vary in size and height both due to the structures on site as well as the variations in topographical elevation along the street which slopes upward from the intersection of Chestnut Street westward along Richfield Road. It is important to note the proposed project, however, will maintain a maximum of 2 stories consistent with the existing dwelling, which is a reduction from the original proposal of 2.5 stories. The proposed height of the home has also decreased to 33.9 feet from the originally proposed 34.6 feet, under the 36-foot maximum allowed as of right.

The site plan notes the downward slope of the lot towards the northeast corner of the site results in elevation changes along the eastern side of the proposed dwelling. As such, retaining walls under four feet in height are proposed along the right rear corner of the home to allow for a walk-out basement and an additional retaining wall is proposed along the front right corner of the home. The retaining walls at the rear measure 3.9 feet in height, and the retaining wall at the front 2 feet in height. Finally, there is an existing four-foot retaining wall and three-foot chain link fence along the Fairview Terrace rear lot line that will remain. The existing curb cut will also remain in the same location, with the driveway slightly extended and expanded to meet the proposed attached two-car garage.

While the petitioner has not provided a separate proposed landscape plan, the site plan does provide some landscape details and notes four trees are to be removed in the rear yard along with some shrubs in the rear and front yard area. It is unclear based on the plans provided if any new tree plantings are proposed. Planning notes that tree-related requirements for projects are addressed through the City's Tree Ordinance, which requires an approved Tree Permit prior to receipt of a Building Permit.

V. Interdepartmental Review

Historic Preservation Division Review: The petitioner received an administrative determination for 11 Richfield Road from the Newton Historic Preservation Division on October 29, 2024 that the structure on site is not historically significant.

Engineering Department Review: This project will require a review from the City's Engineering Department to confirm compliance with the City's engineering standards and practices.

VI. PETITIONER'S RESPONSIBILITIES

This petition is considered complete.

ATTACHMENTS:

- Attachment A:** Zoning Review Memorandum, dated January 27, 2026
Attachment B: Historic Preservation Administrative Determination October 29, 2024
Attachment C: DRAFT Council Order



Marc C. Laredo
Mayor

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Katie Whewell
Acting Director

ZONING REVIEW MEMORANDUM

Date: January 27, 2026

To: Anthony Ciccariello, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Peter Tse, Applicant
Katie Whewell, Acting Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: **Request to exceed FAR**

Applicant: Peter Tse	
Site: 11 Richfield Road	SBL: 32004 0013
Zoning: SR2	Lot Area: 10,256 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 11 Richfield Road consists of a 10,256 square foot through lot improved with a single-family dwelling constructed circa 1950, with frontage on Richfield Road at the front and Fairview Terrace at the rear. The petitioner intends to raze the existing dwelling and construct a new dwelling exceeding the maximum allowable FAR, requiring a special permit.

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

- Zoning Review Application, prepared Peter Tse, applicant, dated 12/17/2025
- Site Plan Plan of Land (showing existing and proposed conditions), signed and stamped by Bruce E. Wilson Jr, surveyor, dated 11/18/2025, revisions 11/10/2025, 11/17/2025, 12/5/2025, 12/12/2025
- FAR Worksheet, signed and stamped by Robert H. Williamson, architect, submitted 12/16/2025
- Floor plans and elevations, signed and stamped by Robert H. Williamson, architect, dated 11/25/2025
- Site Plan, signed and stamped by Bruce E. Wilson Jr, surveyor, dated 2/3/2025, revised 5/1/2025, 5/19/2025, 7/10/2025, 7/31/2025

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to raze the existing single-family dwelling and construct a new two-story single-family dwelling. The new dwelling is proposed with an FAR of .46 where .38 is the maximum allowed per sections 3.1.3 and 3.1.9. A special permit to exceed FAR is required.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	10,256 feet	No change
Frontage	80 feet	83 feet	No change
Setbacks			
• Front (Richfield Rd)	25 feet	27.1 feet	27 feet
• Side	7.5 feet	8.2 feet	15.2 feet
• Side	7.5 feet	18.7 feet	15.2 feet
• Front (Fairview Terrace)	25 feet	>25 feet	25.6 feet
Height	36 feet	N/A	33.9 feet
Stories	2.5	2	No change
FAR	.38	.24	.46*
Max Lot Coverage	30%	17.7%	29.5%
Min. Open Space	50%	82.3%	70.5%

BOLD indicates a nonconformity

*Relief required

2. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9	Request to exceed FAR	S.P. per §7.3.3



Ruthanne Fuller
Mayor

City of Newton, Massachusetts

Department of Planning and Development
1000 Commonwealth Avenue Newton, MA 02459

Attachment B

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Barney S. Heath
Director

Newton Historical Commission Demolition Review Decision

Date: October 29, 2024 **Application #** HRA-24-224

Address of structure: 11 RICHFIELD RD

Type of building: House

If partial demolition, feature to be demolished is

The building or structure is:

- in a National Register historic district or in a historic district eligible for listing
- individually listed on the National Register or individually eligible for listing.
- importantly associated with historic person(s), events, or architectural or social history
- historically or architecturally important for period, style, architect, builder, or context.
- in a local historic district not visible from a public way

is **NOT HISTORICALLY SIGNIFICANT** as defined by the Newton Demolition Delay Ordinance.
Demolition is not delayed and no further review is required.

Determination made by:

David Lewis, Chief Preservation Planner

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CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow construction of a single-family dwelling that exceeds the maximum Floor Area Ratio (FAR) for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The specific site in Single Residence 2 district is an appropriate location for the construction of a single-family dwelling resulting in an FAR of 0.46 where 0.38 is the maximum allowed as of right as the proposed dwelling is consistent with the neighborhood residential single-family use and includes dwellings of varying sizes and elevations. (§7.3.3.C.1)
2. The construction of a single-family dwelling resulting in an FAR of 0.46 as developed and operated will not adversely affect the neighborhood as the stories and height are below what is allowed by-right, and the dwelling complies with all other dimensional standards. (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians created by the construction of a single-family dwelling resulting in an FAR of 0.46 where 0.38 is the maximum allowed as of right as the proposed site design meets all parking requirements and retains the current curb cut and driveway access to the site. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved as the proposal includes garage parking for two vehicles and complies with all parking setback requirements. (§7.3.3.C.4)
5. The proposed single-family dwelling resulting in an FAR of .46 is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood as the proposed single family use meets all other zoning requirements and is comparable to other single-family homes in the neighborhood which vary in scale and appearance due to differences in elevations along the street. (§3.1.3, §3.1.9)

PETITION NUMBER: #94-26

PETITIONER: Peter Tse

LOCATION: 11 Richfield Road, Ward 3, West Newton, on land known as Section 32 Block 04 Lot 13, containing approximately 10,256 sq. ft. of land in a district zoned SINGLE RESIDENCE 2

OWNER: Peter Tse

ADDRESS OF OWNER: 28 Wade Street
Newton, MA 02461

TO BE USED FOR: Single-Family Dwelling

RELIEF GRANTED: Special Permit per §3.1.3 and §3.1.9 to allow a structure exceeding maximum Floor Area Ratio

ZONING: Single-Residence 2

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. Site Plan set titled, "Plan of Land Newton Ma" prepared by D&L Design Group, signed and stamped by Bruce E. Wilson, P.L.S., dated 2/3/2025, and revised through 12/12/2025, consisting of pages 1-4.
 - b. Architectural Plans, titled, "New Construction Residence at 11 Richfield Rd, Newton, MA 02465," prepared by RHWA, LLC, signed and stamped by Robert H. Williamson, Professional Architect, dated 11/25/2025, containing the following sheets:
 - i. SP3.1, showing East and South Elevation,
 - ii. SP3.2, showing West and North Elevation,
 - iii. SP3.3, showing Section Elevation,
2. The Petitioner shall do the following to remediate pest and rodent activity:
 - a. Prior to issuance of any demolition or building permit, the Petitioner, at its sole cost and expense, shall hire a licensed Pest Control Operator to assess the property for pest and rodent activity and develop and implement a pest remediation action plan

to eliminate the activity and prevent off-site migration. The plan shall include the target pest, the methods for eliminating activity, and plan for preventing pest migration off-site during demolition and construction.

- b. A copy of the Pest Control inspection report and the remediation action plan shall be submitted to the Inspectional Services Department for review and approval prior to issuance of any demolition or building permit. A copy of such approval shall be provided to the Department of Planning and Development.
 - c. The Pest Control Operator shall implement the approved remediation action plan, monitor the site for the duration of the project, and take whatever action the Operator deems necessary to control pest infestation and migration.
3. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.
4. No certificate of occupancy (temporary or final) shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with for the portion of the project for which occupancy is requested and the Petitioner has:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or professional engineer certifying compliance with Condition #1 and the as-built Floor Area Ratio.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by a professional land surveyor.