

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 the conversion of an internal garage to living space requiring a waiver of two parking stalls for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The specific site is an appropriate location for the conversion of garage to habitable space requiring a waiver for two parking stalls as the undersized lot presents significant limitations to adding habitable space or parking stalls. (§7.3.3.C.1)
2. The conversion of garage to habitable space requiring a waiver for two parking stalls and as developed and operated will not adversely affect the neighborhood as the site is removed from commercial corridors and high-traffic streets. (§7.3.3.C.2)
3. There will be no nuisance or serious hazard to vehicles or pedestrians created by the conversion of garage to habitable space requiring a waiver of two parking stalls as there are no changes to the site circulation proposed. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved in the conversion of garage to habitable space requiring a waiver for two parking stalls as there are no proposed changes to the sites access or circulation. (§7.3.3.C.4)
5. Literal compliance is impracticable due to the nature of the use, or the location, 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 as the lot is undersized at 5,101 square feet and features a steep grade that makes expanding the driveway impractical and expanding the existing two-family dwelling otherwise would require additional zoning relief. (§5.1.13)

PETITION NUMBER: #329-24

PETITIONER: Yanting and Zhen Sun

LOCATION: 15-17 Playstead Street

OWNER: Yanting and Zhen Sun

ADDRESS OF OWNER: 15-17 Playstead Street  
Newton, MA 02458

TO BE USED FOR: Two-family attached

RELIEF GRANTED: Special Permit to waive two parking stalls (§5.1.4, §5.1.13,  
and §7.3.3)

ZONING: Multi-Residence 1

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. Plot Plan signed and stamped by Bruce Bradford, Registered Land Surveyor, as revised June 18, 2024.
2. 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.
3. 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 building permit record statements by a professional land surveyor (or professional engineer) certifying compliance with Condition #1.

- b. Submitted final as-built survey plans in digital format, stamped, and signed by a professional land surveyor or professional engineer, as applicable.