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**James Freas**  
Acting Director

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**PUBLIC HEARING/WORKING SESSION MEMORANDUM**

**DATE:** May 1, 2015  
**MEETING DATE:** May 5, 2015  
**TO:** Land Use Committee of the Board of Aldermen  
**FROM:** James Freas, Acting Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
Stephen Pantalone, Senior Planner  
**CC:** Petitioner

In response to questions raised at the Land Use Committee public hearing, and/or staff technical reviews, the Planning Department is providing the following information for the upcoming public hearing/working session. This information is supplemental to staff analysis previously provided at the public hearing.

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**PETITION #59-15**

**1765 Beacon Street**

Request for Special Permit/Site Plan Approval to create an accessory apartment in a single-family dwelling.

The Land Use Committee (the "Committee") held a public hearing on April 14, 2015, which was held open so that the petitioner could provide a floor plan that clearly identifies the size of the accessory apartment. The petitioner submitted a revised floor plan (**ATTACHMENT A**) with the measurements and the size of each room. The size of the proposed accessory apartment is 1,191 square feet.

**Recommendation.**

The Planning Department finds the petition to be complete and recommends approval of the special permit with conditions.

**ATTACHMENTS**

**ATTACHMENT A:** Floor Plan

**ATTACHMENT B:** Draft Board Order



**1 FIRST FLOOR PLAN - ACCESSORY APARTMENT**

LIMIT OF WORK LINE: - - - - -  
 TOTAL SQUARE FOOTAGE: 1190.8 SF

AREA-1	BEDROOM: 11'-10" x 22'-4"	264.74 SF
AREA-2	LIVING ROOM/STUDIO: 28'-13" x 22'-4"	628.60 SF
AREA-3	KITCHEN: 17'-4" x 10'-6"	183.13 SF
AREA-4	EATING NOOK: 5'-2" x 8'-3" + 3'-11" x 4'-4"	60.88 SF
AREA-5	BATHROOM: 9'-8" x 5'-6"	53.45 SF
TOTAL SQUARE FOOTAGE: 1190.80 SF		

#59-15

CITY OF NEWTONIN BOARD OF ALDERMEN

May 18, 2015

## ORDERED:

That the Board, 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 an accessory apartment in a single-family dwelling, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The site is an appropriate location for an accessory apartment, as it meets the requirements of the Newton Zoning Ordinance. (§30-24(d)(1))
2. The proposed accessory apartment will not adversely affect the neighborhood, as the structure already exists and the increase of one unit will have a minimal impact on the neighborhood. (§30-24(d)(2))
3. There will be no nuisance or serious hazard to vehicles or pedestrians, as there is adequate parking on the site. (§30-24(d)(3))

PETITION NUMBER: #59-15

PETITIONER: Yong Mou Chen

LOCATION: 1765 Beacon Street, Ward 4, on land known as SBL 55, 9, 4 containing approx. 20,800 sq. ft. of land

OWNER: Yong Mou Chen

ADDRESS OF OWNER: 1765 Beacon Street  
Newton, MA 02468

TO BE USED FOR: Accessory Apartment

EXPLANATORY NOTES: §30-8(d)(1), §30-8(d)(1)(c), and §30-22, to create an accessory apartment in a single-family dwelling.

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. Existing Site Plan, prepared by Darlow Christ Architects, dated March 4, 2015.
  - b. Floor Plans and Elevations, prepared by Darlow Christ Architects, containing the following sheets:
    - i. A-0.1 – Door and Window Schedules, dated March 4, 2015,
    - ii. A-1.1 – Floor Plans: First and Second, dated March 4, 2015,
    - iii. A-1.1A – First Floor Accessory Apartment Plan, dated April 23, 2015
    - iv. A-1.1B – First Floor Accessory Apartment Square foot Calculations, dated April 23, 2015
    - v. A-2.1 – Reflected Ceiling Plans: First and Second, dated March 4, 2015,
    - vi. A-3.1 – Sections, dated March 4, 2015,
    - vii. A-5.1 – Exterior Elevations, dated March 4, 2015,
    - viii. A-7.1 – Interior Elevations, dated March 4, 2015,
2. The accessory apartment may not be held in separate ownership from the principal structure/dwelling unit.
3. The owner of the single-family dwelling shall occupy either the main dwelling unit or the accessory apartment, and the owner shall file an annual affidavit with the Commissioner of Inspectional Services attesting to this fact prior to July 1 of every year.
4. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
  - a. Recorded a certified copy of this Board Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Filed a copy of such recorded Board Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. Obtained a written statement from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1.
5. No Final Inspection/Occupancy Permit for this Special Permit/Site Plan Approval shall be issued until 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 engineer certifying compliance with Condition #1.

- b. Submitted to the Commissioner of Inspectional Services and City Engineer, and the Department of Planning and Development, final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.