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\*admitted in MA and NY  
\*\*admitted in MA, NH and NY

April 9, 2018

Nadia Khan, Clerk  
City Council  
City of Newton  
1000 Commonwealth Avenue  
Newton, MA 02459

Re: 156 Otis Street, Newton

Dear Nadia:

On behalf of 156 Otis Street, LLC, the owner of 156 Otis Street, enclosed for filing please find a completed Special Permit Application along with the following enclosures noted herein below, in connection with the proposed rear-lot subdivision of the property:

- 1) Existing Conditions Plan, Area Plan, Zoning Plan showing proposed conditions, Tree Removal Plan, Grading, Drainage & Utility Plan, and Erosion & Sediment Control Plan with two detail sheets, prepared by VIP Associates, Inc.;
- 2) Tree Plan prepared by Naomi J. Cottrell, Landscape Architect;
- 3) Proposed architectural plans (Basement, First Floor and Second Floor) with exterior elevations prepared by LDa Architecture & Interiors, LLP;
- 4) Copy of Zoning Review Memorandum by Jane Santosuosso, Chief Zoning Code Official;
- 5) WPA Form 5-Order of Conditions; and
- 6) Check payable to the City of Newton in the amount of \$350.00.

I respectfully request that the enclosed be submitted with the City Council and for this Petition to be scheduled for the next available public hearing with the Land Use Committee.

Please call or email me with any questions. As always, thank you, for your help.

Sincerely,

  
Laurance S.L. Lee

Enclosures

cc: Neil Cronin, Senior Planner (w/enclosures)  
156 Otis Street, LLC

RECEIVED  
Newton City Clerk  
2018 APR -9 PM 3:26  
DAVID A. OLSON, CMC  
Newton, MA 02459

# SPECIAL PERMIT APPLICATION

## TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for permit to erect and use, to alter and use, or to make such uses as may be hereinafter specified of a building or buildings at the location and for the purpose hereinafter specified under the provisions of Chapter 30 of the Revised Ordinances, 2015, as amended, or any other sections

### PLEASE REFERENCE SECTIONS OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

Sections 3.1.5 and 3.1.10 of the Newton Zoning Ordinances ("NZO") for a rear lot subdivision, and if applicable, Section 5.4.2.B of the NZO to allow for retaining walls greater than four feet within a setback; Special Permit through Sections 7.3, inclusive of Sections 7.3.3 and 7.3.4

- PETITION FOR:**
- Special Permit/Site Plan Approval
  - Extension of Non-conforming Use and/or Structure
  - Site Plan Approval

STREET 156 Otis Street WARD 2  
SECTION(S) 24 BLOCK(S) 13 LOT(S) 14A  
APPROXIMATE SQUARE FOOTAGE (of property) 43,700 (total) ZONED SR2  
TO BE USED FOR: Rear lot subdivision for a single-family dwelling house to be developed on each lot (total 2 houses); one house on each lot.

CONSTRUCTION: Wood-frame construction.

EXPLANATORY REMARKS: See Attached Exhibit A.

The undersigned agree to comply with the requirements of the Zoning Ordinance and rules of the Land Use Committee of the City Council in connection with this application.

PETITIONER (PRINT) 156 Otis Street LLC

SIGNATURE [Signature]

ADDRESS c/o Laurance Lee, Esq., Rosenberg, Freedman & Lee LLP (See below)

TELEPHONE 617-964-7000 Email llee@rfl-law.com

ATTORNEY Laurance Lee, Esq., Rosenberg, Freedman & Lee LLP

ADDRESS 246 Walnut Street, Suite 201, Newton, MA 02460

TELEPHONE 617-964-7000 Email llee@rfl-law.com

PROPERTY OWNER 156 Otis Street LLC

ADDRESS See above

TELEPHONE \_\_\_\_\_ Email \_\_\_\_\_

SIGNATURE OF OWNER [Signature]

RECEIVED  
Newton City Clerk  
2018 APR - 9 PM 3:26  
David A. Olson, MC  
Newton, MA 02459

RECEIVED  
Planning & Development  
Department Endorsement  
APR - 9 2018

Exhibit A to Special Permit Application  
For 156 Otis Street, Newton, Massachusetts

Explanatory Remarks:

The property consists of 43,700 S.F. of land, more or less, according to the site plan prepared by VTP Associates, Inc. (enclosed), and is situated in an SR-2 zoning district. The proposed “front lot” will be 18,456 SF, and “rear lot” will be 25,244 SF of land.

The site is currently improved with an existing single-family house which will be demolished. The Newton Historical Commission on May 1, 2015 found the house to be NOT historically significant. The site is one of the larger lots in the immediate area for an SR-2 zoned property. There are a number of relatively smaller SR-2 lots contiguous to the subject property along Walden Street ranging from approximately 7,000 SF to 10,000 SF. The subject property is located along the zone line between SR-1 and SR-2 zoning districts.

The proposed new houses will meet all of the zoning dimensional requirements under Section 3.1.5 and 3.1.10 for a rear lot subdivision. The subject property is suitable for this type of development as it is located in a transitional place between SR-1 and SR-2 zoning districts. The proposed subdivided lots and single-family house will be consistent and in keeping with the context of the neighborhood.

An Order of Conditions was issued by the Newton Conservation Commission on March 15, 2018.