

#27-18  
1771 Washington Street

CITY OF NEWTON  
IN CITY COUNCIL

February 5, 2018

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 further increase the nonconforming lot coverage from 20.1% to 23.8%, where 20% is the maximum allowed by-right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed increase in the nonconforming lot coverage from 20.1% to 23.8%, where 20% is the maximum allowed by-right will not be substantially more detrimental than the existing nonconforming lot coverage is to the neighborhood because a portion of the addition is located within the existing footprint of the structure and the property will remain compliant with the remaining dimensional standards of an old lot in the Single Residence 2 zone. (§3.1.3, §7.3.3, §7.4 and §7.8.2.C.2)

PETITION NUMBER: #27-18

PETITIONER: Hensin and Sandy Tsao

LOCATION: 1771 Washington Street, on land known as Section 43, Block 39, Lot 10, containing approximately 15,021 square feet of land

OWNER: Hensin and Sandy Tsao

ADDRESS OF OWNER: 1771 Washington Street  
Newton, MA 02466

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

RECEIVED  
Newton City Clerk  
2018 FEB - 7 PM 12:59  
DAVID A. OISO, Clerk  
Newton, MA 02459

EXPLANATORY NOTES: §3.1.3, §7.3.3, §7.4 and §7.8.2.C.2 to further extend a nonconforming lot coverage

ZONING: Single Residence 1 district

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, signed and stamped by John R. Hamel, Professional Land Surveyor, dated October 18, 2017
  - b. Architectural Plans, entitled "Tsao Residence Residential Renovation & Addition at 1771 Washington Street, Newton, MA", signed and stamped by Anne E. Snelling-Lee, Architect, dated February 8, 2017:
    - i. Sheet A0.1 Site Plan
    - ii. Sheet D1.0 Basement Demolition Plan
    - iii. Sheet D1.1 First Floor Demolition Plan
    - iv. Sheet D1.2 Attic/Roof Demolition Plan
    - v. Sheet D2.0 Demolition Exterior Elevations
    - vi. Sheet A1.0 Floor Plans: Small Scale Plans
    - vii. Sheet A1.1 Floor Plan: Basement Floor Plan
    - viii. Sheet A1.2 Floor Plan: First Floor Plan
    - ix. Sheet A1.3 Floor Plan: Attic Floor Plan
    - x. Sheet A1.4 Floor Plan: Roof Plan
    - xi. Sheet A1.5 Reflected Ceiling Plan: Basement Plan
    - xii. Sheet A1.6 Reflected Ceiling Plan: First Floor Plan
    - xiii. Sheet A1.7 Reflected Ceiling Plan: Attic Floor Plan
    - xiv. Sheet A2.0 Exterior Elevation: Small Scale Elevations
    - xv. Sheet A2.1 Exterior Elevation: West & East Partial Elevations
    - xvi. Sheet A2.2 Exterior Elevation: North & South Partial Elevations
2. Prior to the issuance of any building permit, the petitioner shall provide change of address confirmation from the City Engineer to Commissioner of Inspectional Services, and Director of Planning and Development
3. Prior to the issuance of any building permit, the petitioner shall provide a final site plan for review and approval by the Department of Planning and Development, Engineering Division of Public Works, and Fire Department.

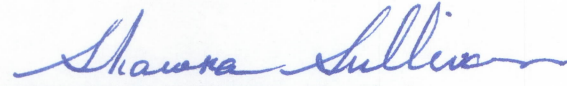


4. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
  - a. Recorded a certified copy of this board order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Filed a copy of such recorded board order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. In accordance with Condition #2, filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division confirming the change of address.
  - d. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
  - e. 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 the use covered by this special permit/site plan approval shall be issued until the petitioners have:
  - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by an architect or land surveyor certifying compliance with Condition #1.
  - 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 licensed land surveyor.

Under Suspension of Rules  
Readings Waived and Approved  
22 yeas 0 nays 2 absent (Councilors Noel and Rice)

The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on February 7, 2018. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:

  
(SGD) ~~DAVID A. OLSON~~, City Clerk  
*acting* Clerk of the City Council

I, David A. Olson, as the Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty Days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on 2/7/18 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:

*Shawna Sullivan*

(SGD) ~~DAVID A. OLSON~~, City Clerk

*acting* Clerk of the Council