

**THE FOLLOWING INFORMATION IS FROM THE WALTHAM  
LAW DEPARTMENT  
WHICH EXPLAINS THE “SMALL LOT OPINION”**

This memorandum is provided in response to your request that the Law Department review and update the January 6, 1988, correspondence of John Mula relative to supporting data and documentation required by the Law Department to render so-called “small-lot” opinions. This memorandum is intended to supersede said correspondence.

The following data and documentation must accompany any so-called “small-lot” request concerning the applicability of §§ 3.711 and 4.218 of the Zoning Ordinance to a particular Lot:

1. A statement from the Building Inspector concerning the following:
  - a. Identification of the zoning district in which the Lot is located;
  - b. That the opinion is being requested for a building permit application relating to a single or two-family residential use; and
  - c. That the Building Department street card for the Lot is enclosed.
2. A title search and certification which includes a copy of all documents, including but not limited to deeds, in the chain of title from the point in time the Lot was first described up to the date of certification. A copy of all plans recorded at the Registry showing the subject property. A copy of a Certification form is attached. The certification form must be executed by both the landlord and by the attorney or title examiner performing the title search. The following title information must be included in the title search/ certification:
  - a. The original recorded plan (if any) depicting the Lot as currently described.
  - b. All subsequently recorded documents, including but not limited to, all deeds and plans;
  - c. All documentation must bear recording information, including date or recording endorsed by the Registry of Deeds (hand written data provided by the title examiner, or others, is not acceptable)
  - d. If the lot is registered land all deeds and transfer certificate of title including a complete copy of the encumbrance sheets must be provided; and
  - e. If the landowner is seeking application of § 3.711 to a Lot with less than 45 ft. of frontage located in the RA-3 District, documentation is required demonstrating ownership of all adjoining lot on December 27, 1988, including separate Certification for each such lot.

**CERTIFICATION**

I, \_\_\_\_\_, attorney/ title examiner (circle one) for  
\_\_\_\_\_, Owner of the property located at  
\_\_\_\_\_, Waltham, Ma hereby certify that the attached title  
search is a full and complete record of all documents, including but not limited to,  
all deeds and plans, on file with the Middlesex South District Registry of Deeds  
for the property located at \_\_\_\_\_, Waltham, Ma, for the  
period of time from \_\_\_\_\_ through \_\_\_\_\_

\_\_\_\_\_  
Signature of attorney/ title examiner

\_\_\_\_\_  
Signature of property owner

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name, address, and telephone number  
Of attorney/ title examiner  
(typed or printed)

\_\_\_\_\_  
Name, address, and telephone number  
of landowner  
(typed or printed)

Please Note: Application will not be processed without the signatures and information requested.

**ONE COPY OF TITLE EXAM REQUIRED**

**As attorney for petitioner, and having reviewed this record/title, I hereby certify that this is a lot for a single or two family use that was lawfully laid out and recorded by plan or deed prior to May 21, 1952 or October 13, 1942 and is eligible for Old Lot exception detailed in 4.2181 or 4.2182 of the Zoning Ordinance. Please highlight in yellow which date and article.**

\_\_\_\_\_  
**Signature**