

**Special Permit Application**

**SP-22-151**

Submitted On: Oct 4, 2022

**Applicant**

👤 Frank Stearns  
☎ 617 854-1406  
✉ frank.stearns@hklaw.com

**Primary Location**

199 BOYLSTON ST  
CHESTNUT HILL, MA 02467

**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, 2017, as amended, or any other sections

true

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CITY CLERK  
NEWTON, MA 02459

**Applicant Information**

The individual submitting this application is the agent

**Property Owner Information**

<b>Name</b>	<b>Address</b>
Mall at Chestnut Hill LLC	PO Box 6120
<b>City</b>	<b>State</b>
Indianapolis	IN
<b>Zip Code</b>	<b>Telephone Number</b>
46206	617 965-3038
<b>Email</b>	
jriccio@simon.com	

**Application Information**

<b>Petition For</b>	<b>Application Type</b>
Special Permit/Site Plan Approval	Commercial
<b>Size of the main parcel (in square feet)</b>	<b>Does this involve multiple parcels?</b>
324691	Yes
<b>Are you creating any new residential units?</b>	<b>Are you creating gross Floor Area?</b>
No	No

Please reference sections of the ordinances from which relief is requested

Amend Board Order #180-18

Please describe proposed project:

Board Order # 180-18 granted parking waivers and allowed non-accessory parking for third party shuttles. Condition # 5 states that "any increase in the number of stalls leased, or the number of shuttles, shall require an amendment to this Special Permit/Site Plan Approval." The city council through the PS&T Committee has granted shuttle licenses to and from this site for Brigham and Women's Hospital and for the Faulkner Hospital. Those licenses regulate the "number of shuttles" which operate to/from the Chestnut Hill Mall. The request is to amend Board Order # 180-18 to eliminate the requirement to amend the Special Permit when there is a change in the "number of shuttles" because the number of shuttle runs is fully regulated by the PS&T Committee process.

**Are there any prior special permits and/or variances on the subject property?**

Yes

**Has this project been reviewed by historic?**

No

**Has this project been reviewed by conservation?**

No

**Does this petition require a rezoning to the Mixed Use 4 district?**

No

**Is this petition seeking to create an accessory apartment?**

No

**Is this petition seeking to create a rear lot subdivision?**

No

**Is this petition seeking to establish a Marijuana Establishment?**

No

**Does the project involve the creation or substantial alteration of 20,000 sq. ft. or more?**

No

**Is this petition subject to the Inclusionary Zoning section of the Newton Zoning Ordinance?**

No

**Does this petition create or alter an outdoor parking facility containing more than five parking stalls?**

No

**Does this petition increase the amount of impervious surface by more than the lesser of a) four percent of the lot size or b) 400 square feet?**

No

### **Additional Parcels**

**Parcel ID**

65008 0099, 0099B and 0099A

**Street Number and Name**

199 Boylston

### **Applicant Declaration**

Please review the City Council Rules and Orders (<https://www.newtonma.gov/home/showpublisheddocument/27811/637262406217830000>) before signing

**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.**

true