

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
LAND USE COMMITTEE AGENDA  
TUESDAY, JANUARY 14, 2014

7:00 PM  
Aldermanic Chamber

*Public Hearings will be held on the following items:*

#330-13(2) DONNY & RAQUEL SANTANGELO petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to connect an existing two-family dwelling to an existing detached garage with living space above, which will increase the Floor Area Ratio from .47 to .62 where .48 is the maximum allowed by right, at 3-5 MILTON AVENUE, Ward 4, West Newton, on land known as SBL 44, 14, 70, 71, containing approximately 6,962 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15 Table A and 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

*NOTE: Please see the attached letter requesting to withdraw without prejudice.*

#424-13 UBC EQUITY PARTNERS, LLC/KS RETAIL MANAGE, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a future potential mixture of office, retail, services, restaurant, and storage uses, which will involve no proposed physical changes, in an existing building and to waive 37 parking stalls or to allow, if necessary, 40 off-site parking stalls in addition to the existing 185 parking stalls at 19-33 NEEDHAM STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 28, 25B, 25C, 25D, containing approximately 109,396 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-13(b)(1), (3), (4), (5), 30-19(f)(1), (2) *or* 30-19(c)(3), and 30-19(m) of the City of Newton Rev Zoning Ord, 2012.

*Note: Please see attached letter requesting the public hearing be continued to February 11.*

#405-13 SAMUEL J. & TAMI M. WALD petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to enclose space below a first floor deck in order to expand a basement play room, which will include re-building the deck, thereby increasing the Floor Area Ratio from .60 to .63, where .39 is the maximum allowed by right, at 176 HOMER STREET, Ward 6, Newton Centre, on land known as SBL 64, 32, 30, containing approximately 9,270 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u) and Table A of the City of Newton Rev Zoning Ord, 2012.

- #412-13     LOUIS FRANCHI, TRUSTEE petition for SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NON-CONFORMING USE for waivers from the parking stall requirement for up to 15 parking stalls including stall dimensions, maneuvering aisle widths, end-stall maneuvering space, minimum entrance and exit driveway widths; tandem parking; perimeter and interior landscaping requirements; lighting, curbing, surfacing, and maintenance requirements; and, parking within the setbacks for an existing commercial/warehouse/storage building at 425-433 WATERTOWN STREET, Ward 1, on land known as SBL 14, 8, 6, containing approximately 18,470 sf of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 39-19(c), (d), (h)(1),(2)a), (2)b), (2)e), (3)a), (3)b), (4)a), (5)a), (i)(1), (i)(2), (j), (m), 30-21(a)(2)a) of the City of Newton Rev Zoning Ord, 2012.
- #422-13     ARTHUR ULLIAN, BENJAMIN ULLIAN TRUST, ARTHUR, DORA & BENJAMIN ULLIAN TRUSTEES petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert an existing detached structure at 76 HYDE AVENUE into a ± 600-square-foot accessory apartment connected to the main swelling by a pergola structure, Ward 7, Newton, on land known as SBL 72, 23, 57, containing approximately 37,405 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-8(d)(2) of the City of Newton Rev Zoning Ord, 2012
- #423-13     KEY POINT PARTNERS petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a full-service veterinary hospital in an existing retail building at 215 NEEDHAM STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 28, 8G, containing approximately 70,847 sf of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 03-23, 30-13-(b)(14) of the City of Newton Rev Zoning Ord, 2012, and Special Permit #610-89.
- #425-13     LISA B. & JEFFREY B. MILLER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct a one-story addition to the kitchen at the rear of an existing single-family dwelling, which will increase the Floor Area Ratio from .43 to .47, where .46 is the maximum allowed by-right and increase the maximum lot coverage from 32% to 35%, where 30% is the maximum, at 183 ADAMS AVENUE, Ward 3, West Newton, on land known as SBL 34, 32, 10, containing approximately 4,414 sf of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(b), 30-15 Table A, 30-15(u) of the City of Newton Rev Zoning Ord, 2012.

*After the public hearings, a working session will be held in Room 222 to take up the following license renewals and any of the above petitions the committee determines is ready for discussion:*

2014 Auto Dealer Licenses

- #371-13      JACOB & ASSOCIATES  
1232 Washington Street  
West Newton 02465 (Class 2)
- #377-13      KARIM MANSOUR NEWTON CENTRE SHELL, INC.  
1365 Centre Street  
Newton Centre 02459 (Class 2)
- #380-13      NTC-NEWTON TRADE CENTER  
103 Adams Street  
Nonantum 02458
- #382-13      PARAGON GLOBAL PARTNERS, INC.  
259 Walnut Street  
Newtonville 02460 (Class 2)
- #386-13      SAM'S AUTO CENTER  
875 Washington Street  
Newtonville 02460 (Class 2)

Respectfully submitted,  
Marc C. Laredo, Chairman

# Noble and Devine, LLP

277 Auburn Street

Suite B

Newton, MA 02466

CHRISTOPHER M. NOBLE  
WALTER E. DEVINE II

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January 10, 2014

**Ms. Linda Finucane**  
Associate City Clerk  
1000 Commonwealth Avenue  
Newton Centre, MA 02459-1449

Re: SP Application: # 330-13 (2); 3-5 Milton Avenue, Donny and Raquel Santangelo

Dear Linda:

As per my discussions with John Lojek in Inspectional Services, I am hereby requesting that the above matter be withdrawn without prejudice.

John has now decided that the Application must seek relief for an increase in the existing non conforming use as a 2 family home. Although I do not share his opinion that this is the case, I want to be certain that my clients comply as best they possibly can with the city's wishes.

Steve Pantalone and Jane Santosuosso over at the planning dept have been very supportive in this ongoing saga, and have indicated that we may just have to redo the 1st page of the application and planning dept. memo and resubmit the packages as is for the February Land Use Committee meeting, I am very hopeful that this will be the case as my client's are of limited means.

Please let me know if you require anything further.

Best Regards,



Walter E Devine, II  
Atty. for the Petitioners

**SCHLESINGER AND  
BUCHBINDER, LLP**

ATTORNEYS AT LAW

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January 6, 2014

**BY HAND**

Ms. Linda Finucane  
Chief Committee Clerk, Newton Board of Aldermen  
1000 Commonwealth Avenue  
Newton, Massachusetts 02459-1449

Re: 19-33 Needham Street / Special Permit Petition #424-13

Dear Linda,

Petitioner requests a continuance of the Public Hearing on this matter from January 14, 2014 to February 11, 2014. The reason for the request is that the Planning Department has requested additional information regarding the project which, due largely to the holiday schedule, the Petitioner has not been able to provide. We are in the process of gathering this information, and hope to be able to provide it to the Planning Department shortly.

If you require any further information, please let me know.

Sincerely,



Alan J. Schlesinger

RECEIVED  
Newton City Clerk  
2014 JAN - 7 AM 11: 58  
David A. Olson, CMC  
Newton, MA 02459

cc: (By Hand,)  
Alexandra Ananth  
Daniel Sexton  
Ouida C. M. Young, Esquire  
(By First Class Mail)  
Kambiz Shabazi  
Robert Hawkins