

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE AGENDA

TUESDAY, MARCH 11, 2014

7:00 PM  
Aldermanic Chamber

*After the Public Hearings, the committee will convene a working session in room 222:*

*Public hearing opened on January 14, continued to February 11, continued to March 11, 2014:*

#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 April 8, 2014.*

#44-14      CAFÉ SANTIAGO, LLC/DAVID T. ZUSSMAN, TRUSTEE petition for a SPECIAL PERMIT /SITE PLAN APPROVAL to locate a restaurant of more than 50 seats, to waive the 14 parking stalls associated with the proposed restaurant, and to allow cooking classes on-site at 105 UNION STREET, Ward 6, NEWTON CENTRE, on land known as SBL 61, 36, 9, containing approximately 31,455 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-11(d)(9), (13), 30-19(c)(3) (d)(13), and (m), 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.

*Note: Please see attached letter requesting the public hearing be continued to April 8, 2014.*

#42-14      HEATHER & ALLEN SUSSMAN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to add a bay in front of the existing single-car garage to create a two-car garage and to construct additions to the first and second floors totaling approximately 800 sq. ft., which will increase the Floor Area Ratio from .28 to .43, where .39 is allowed at 58 FERNCROFT ROAD, Ward 5, Waban, on land known as SBL 53, 8, 3, containing approximately 9,483 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, 30-15(u), and 30-21(b) of the City of Newton Rev Zoning Ord, 2012/

- #139-12(2) BANK OF AMERICA, N.A./DANA J. KATZ, TRUSTEE, DK REALTY TRUST petition to AMEND special permit #139-12 (granted on 8/13/12 for a freestanding sign and a second principal sign and to waive dimensional limits) to add an additional tenant and if necessary relief for a second principal sign if the existing wall sign is deemed to be a principal sign at 176 BOYLSTON STREET, Ward 7, CHESTNUT HILL, on land known as SBL 82, 2, 18, containing approximately 64,007 sq. ft. in a district zoned BUSINESS 1 and 4. Ref: Sec 30-24, 30-23, 30-20(f)(1), (2), and (9), 30-20(l) of the City of Newton Rev Zoning Ord, 2012 and Special Permit #139-12.
- #43-14 SALOMEH SADRI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow an accessory apartment in a single-family dwelling at 21 COURT STREET, Ward 2, NEWTONVILLE, on land known as SBL 23, 16, 13, containing approximately 5,498 sq. ft. in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(h), 30-19(d)(19), 30-19(g) and (1) and (2) of the City of Newton Rev Zoning Ord, 2012.
- #387-13 SONOMA CLASSICS LLC.  
1215 Chestnut Street/145 Wells Avenue  
Newton

Respectfully submitted,

Marc C. Laredo, Chairman

**SCHLESINGER AND  
BUCHBINDER, LLP**

ATTORNEYS AT LAW

1200 WALNUT STREET  
NEWTON, MASSACHUSETTS 02461-1267

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ROBIN GORENBERG

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March 6, 2014

RECEIVED  
Newton City Clerk  
2014 MAR -6 PM 3:11  
David A. Olson, CMC  
Newton, MA 02459

**BY HAND**

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

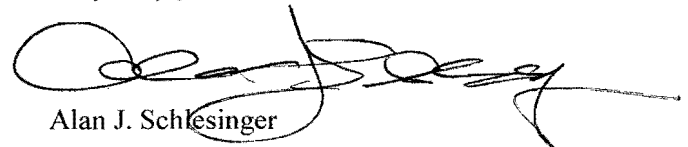
Re: 19-33 Needham Street / Special Permit Petition #424-13

Dear Linda,

The Petitioner requests a continuance of the Public Hearing on this matter from March 11, 2014 to April 8, 2014. The reason for the request is that the Petitioner is preparing to submit additional information regarding the project which the Planning Department needs additional time to review.

Please feel free to call me if you have any questions respecting the foregoing.

Very truly yours,



Alan J. Schlesinger

cc: (By Hand)

Ms. Alexandra Ananth, Chief of Current Planning, Planning and Development Department  
Ouida C. M. Young, Associate City Solicitor  
(By First Class Mail)  
Mr. Kambiz Shahbazi

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March 6, 2014

**BY HAND**

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

Re: Petition of Cafe Santiago, LLC/105 Union Street

RECEIVED  
NEWTON CITY CLERK  
2014 MAR -6 AM 11:37  
David A. Olson, CMC  
Newton, MA 02459

Dear Linda,

As you know, the above matter is scheduled for public hearing next Tuesday, March 11, 2014. My client will be renovating the space at 105 Union Street in connection with its proposed restaurant operation, and an issue has just arisen respecting the adequacy of the fire panel servicing the premises. In order to give my client sufficient time to resolve this issue with both the landlord and with the Newton Fire Department, it would be my intention to appear next Tuesday evening at the time of the scheduled public hearing in order to request a continuance until April 8, 2014, which I understand will be the next date upon which the Land Use Committee will be holding public hearings.

If you have any questions respecting the foregoing please feel free to contact me.

Sincerely,



Stephen J. Buchbinder

SJB/mer

cc: (By Email and First Class Mail)  
Mr. Donald Lang  
Mr. Joseph Porter  
Mr. and Mrs. Jakob White