

CITY OF NEWTON  
LEGAL NOTICE  
TUESDAY, AUGUST 13, 2013

Public hearings will be held on Tuesday, August 13, 2013 at 7:00 PM, second floor, NEWTON CITY HALL before the LAND USE COMMITTEE of the BOARD OF ALDERMEN for the purpose of hearing the following petitions, at which time all parties interested in these items shall be heard. Notice will be published Tuesday, July 30, 2013 and Tuesday, August 6, 2013 in The Boston Globe and Wednesday, August 7, 2013 in the Newton Tab, with a copy posted online @[www.ci.newton.ma.us](http://www.ci.newton.ma.us) and in a conspicuous place at Newton City Hall.

- #229-13      NEEDHAM CHESTNUT REALTY, LLC, petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and for a NONCONFORMING STRUCTURE to demolish an existing single-story building of approximately 14,084 s.f. and construct a new single-story building containing approximately 7,140 s.f. to be used for retail and restaurant purposes and to waive certain dimensional requirements such as minimum aisle wider, lighting, loading docket, interior landscaping, etc. at 170 NEEDHAM STREET, Ward 8, on land known as SBL 83, 28, 2 containing approx. 24,422 s.f. of land in a district zoned MIXED USE 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-13(b), (b)(1) and (5), 30-19(m), 30-19(h)(3), (j)(1), (l) of the City of Newton Rev Zoning Ord, 2012.
- #230-13      FALLON CUSTOM HOMES/CELINE GREGOIRE & YVES RAYMOND petition for a SPECIAL PERMIT/SITE PLAN APPROVAL/EXTENSION of a NONCONFORMING STRUCTURE to enclose an existing open porch to create a mudroom of approximately 122 s.f. and to build a new enclosed basement staircase, which will increase the Floor Area Ratio from .46 to .48, exceeding the .39 maximum allowed by right, at 31 LORING STREET, Ward 7, Newton Centre, on land known as SBL 73, 29, 5, containing approximately 11,374 s.f. of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(b), 30-15(u) 30-15 Table A of the City of Newton Rev Zoning Ord, 2012.
- #231-13      JAMES KOERT, CU, INC. d/b/a/ MyGym/DAN WOOLEY & JOHN FINLEY III, TRUSTEES c/o CREATIVE DEVELOPMENT CO., LLC, petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to locate a for-profit physical educational use for children at 30 OSSIPPEE ROAD/70 LINDEN STREET, Ward 5, Newton Upper Falls, on land known as Sec. 51, Blocks 34 and 35, Lots 1 and 2 in a district zoned MANUFACTURING. Ref: Sec 30-24, 30-23 and 30-5(b)(2) of the City of Newton Rev Zoning Ord, 2012.
- #232-13      TRACY & LARRY RICHMOND petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 3-car attached garage and add second-floor space and expand the kitchen, increasing the Floor Area Ratio from .28 to .35, where .29 is allowed by right, at 38 BEECHCROFT ROAD, Ward 7, on land known as SBL 72, 35, 2, containing approximately 19,058 s.f. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15(u), 30-15 Table A.
- #233-13      DAVID SANDS, TRUSTEE of 37 BALDPATE HILL ROAD NOMINEE TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING STRUCTURE in order to expand an existing mudroom and to construct a rear addition to the first and second floors, increasing the Floor Area Ratio from .36 to .41, where .29 is allowed by right, at 37 BALDPATE HILL ROAD, Ward 8, on land known as SBL 82, 25, 52, containing approximately 23,455 s.f. of land in a district zoned SINGLE RESIDENCE 1. 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.

- #234-13 PETER G. SMICK petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to widen an existing driveway to allow side-by-side parking for two cars in the front setback including the removal of an existing retaining wall at 48 SUMMIT STREET, Ward 1, Newton, on land known as SBL 12, 21, 28, containing approximately 5,010 s.f. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-19(g)(1), 30-19(m) of the City of Newton Rev Zoning Ord, 2012.
- #235-13 JACOB & ASSOCIATES INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NONCONFORMING USE/STRUCTURE for the addition of a canopy over gasoline pumps and if necessary for a freestanding sign at an existing gasoline service station at 1232-1236 WASHINGTON STREET, Ward 3, West Newton, on land known as SBL 31, 4, 14, containing approximately 20,933 s.f. of land in a district zoned BUSINESS 1. Ref: Sec. 30-24, 30-23, 30-21(a)(2)a), and 30-20(l) of the City of Newton Rev Zoning Ord, 2012.
- #218-13(2) FALLON DEVELOPMENT INC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a rear lot subdivision to construct two single-family dwellings, including if necessary relief to locate the proposed rear house further away from the proposed rear lot line at 131 OTIS STREET, Ward 2, Newtonville, on land known as SBL 24, 12, 16, containing approximately 48,677 sq. ft. of land, in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-15(r), 30-15(r) Table 4 Footnote 3 of the City of Newton Rev Zoning Ord, 2012.
- #236-13 CHARLES RIVER COUNTRY CLUB petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE to expand the existing clubhouse loggia by approximately 427 s.f.; to add a Bag Room (approximately 1,080 s.f.) adjacent to the 1<sup>st</sup> fairway; to expand the props shop (approximately 43 s.f.), to expand the second floor Pub over the props shop by approximately 951 s.f. , and to fill in on each of three levels at the left of the building (approximately 819 s.f.), all of which proposed changes will bring the building interior up to current regulations and codes, making it more accessible, and define separation of users and service providers at 483 DEDHAM STREET, Ward 8, on land known as Sec 83 and 84, Blocks 34, 35, 36, Lots 1 and 4, containing approximately 6,466,022 s.f. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-21(a)(2)a), 30-21(b), 30-8(b)(5) of the City of Newton Rev Zoning Ord, 2012 and special permit nos.136-10, 261-96, 48-87, 36-74, and #108006.
- #237-13 SEVENTY FIVE to SEVENTY SEVEN AUBURN ST. TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to reconfigure an existing two-family dwelling into three units with a 2-car garage and to construct two additional attached dwelling units with 2-car garages at the rear for a total of five units at 75-77 AUBURN STREET, Ward 3, Auburndale, on land known as SBL 33, 6, 42, containing approximately 31,437 square feet of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-15 Table 1, 30-9(b)(5), (b)(5)(a) and (b)(5)b), of the City of Newton Rev Zoning Ord, 2012.

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