

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE AGENDA

TUESDAY, DECEMBER 15, 2009

**7:00 PM – PLEASE NOTE TIME**

Room 222

- #244-09      S. R. WEINER ASSOCIATES INC./CHESTNUT HILL SHOPPING CENTER, LLC/C&R REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL and EXTENSION OF NONCONFORMING USE for restaurants in excess of 50 seats; to increase the number of seats in two existing legal nonconforming restaurants currently having in excess of 50 seats; to permit a new restaurant over 50 seats and an associated request for a parking waiver at 1-27-33-35 BOYLSTON STREET, Ward 7, CHESTNUT HILL, on land known as Sec 63, Blk 37, Lot 25, 26, 27, 18A, containing approx 767,306 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-11(d)(9), 30-19(d), 30-19(m) of the City of Newton Rev Zoning Ord, 2007 and Special Permit nos. 401-03, 317-03, 317-03(6).
- #208-09      TREXLER M. & JUDITH W. TOPPING petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to re-grade portions of a yard for retaining walls/berms and landscape areas in excess of 4 feet at 132 FARLOW ROAD, Ward 7, NEWTON, on land known as Sec 72, Blk 35, Lot 10, containing approx 62,378 sf of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 30-24, 30-23, 30-5(b)((4) of the City of Newton Rev Zoning Ord, 2007.
- #272-09      HERRICK ROAD REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to erect at 39 HERRICK ROAD, Ward 6, NEWTON CENTRE (Lot 7) a 3-story mixed-use building containing 4 dwelling units and ground floor commercial space with a 75-seat restaurant, with underground parking and associated parking waivers (allow 1¼ parking spaces per housing unit; allow off-street parking facilities to be located on a separate lot; waive 9 parking spaces; waive 3 bicycle parking spaces; allow frontage to be measured along a public footway) and to construct a retaining wall greater than 4 feet within the rear/side setbacks and waive 18 existing parking spaces on Lot 7 Herrick Road, on land known as Sec 61, Blk 35, Lots 6 and 7, in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19(d)(2), (8), (9), 30-19(f)(1), (2), 30-19(k), 30-19(m), 30-15(b)(2), 30-15 Table 3, 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.

Respectfully submitted,  
George E. Mansfield, Chairman

