



# CITY OF NEWTON, MASSACHUSETTS

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Setti D. Warren  
Mayor

## ZONING BOARD OF APPEALS

Adrianna Henriquez, Board Clerk

### Revised Agenda 3/15/2017

**A public meeting will be held with the Newton Zoning Board of Appeals on Tuesday, March 28, 2017 at 6:30 PM** in Room 205 - to include any necessary briefing from the Law Department about items in litigation. Pursuant to G.L. c. 30A, s. 21(a)(3), the Board may vote to enter into executive session to discuss strategy with respect to litigation in the matter of 1651 Beacon Street LLC's application for a comprehensive permit and the interlocutory appeal of the Newton Zoning Board of Appeals to the Housing Appeals Committee from the January 4, 2017 determination made by the Department of Housing and Community Development ("DHCD") regarding the Board's November 28, 2016 assertion that a denial of the permit, or the imposition of conditions or requirements would be consistent with local needs on the basis that the City of Newton (the "City") has satisfied one of the statutory minima under G.L. c. 40B.

**A public hearing will be held with the Newton Zoning Board of Appeals on Tuesday March 28, 2017 at 7:00 p.m. in the City Council Chambers room 207, Newton City Hall, 1000 Commonwealth Avenue, Newton Centre, Massachusetts on the following petition:**

**#02-17** Lee P. Breckenridge and Robert A. Margo, 173 Berkeley Street, Newton, Massachusetts pursuant to M.G.L. c. 40A, § 8, and 15, appealing the January 5, 2017 issuance of a building permit by the Commissioner of Inspectional Services for construction of a new single family dwelling at 165 Berkeley Street, Newton, Massachusetts. The appellants contend that the building permit was improperly issued because a special permit is required under Section 5.4.2.B of the Newton Zoning Ordinances for retaining walls of 4 feet or more within a setback.

**#03-17** Stephen Pitrowski, Manager, Pitsick LLC, P.O. Box 270761, Boston, Massachusetts, pursuant to M.G.L. c. 40A, § 8, and 15, appealing the February 2, 2017 Order of the Commissioner of the Inspectional Services Department to remove the foundation at property located on Goddard Street, Newton, Massachusetts, known as parcel number SBL #83034 0013A. The February 2, 2017 orders Pitsick LLC to remove the foundation at said property, to restore land to a level grade, and to remove the construction fence. The Order cites violations of the State Building Code.

**Newton Tab**

**March 15th & 22nd, 2017**

**Adrianna**

**Henriquez**

**Board Clerk**

The location of this meeting is wheelchair accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA/Sec. 504 Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089.

For the Telecommunications Relay Service (TRS), please dial 711.