



CITY OF NEWTON, MASSACHUSETTS

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Setti D. Warren
Mayor

ZONING BOARD OF APPEALS

Diane Vezeau, Board Clerk

REVISED

AGENDA – February 24, 2015 ZBA Meeting

A hearing will be held with the Newton Zoning Board of Appeals on Tuesday, February 24, 2015, at 7:00 p.m. in the Aldermanic Chambers, Room 207 (formerly Room 201), Newton City Hall, 1000 Commonwealth Avenue, Newton Centre, Massachusetts on the following petitions:

- #1-15** from Neal Kenslea and Kathleen Kenslea of 20 Kingston Road, Newton, Massachusetts, 02461, requesting a variance from Section 30-15, Table 1 of the Newton Zoning Ordinances, which establishes a maximum of 2.5 stories for single dwelling units to allow a two-story addition at the rear of the home, which will result in 3.5 stories. The property is located in a Single Residence 2 District.
- #3-15** from Yakov Dorfman and Nelly Veksler, 28 Lincoln Road, Newton, MA, appealing the November 21, 2014 Decision of the Commissioner of the Inspectional Services Department alleging violations of the Newton Zoning Ordinance at 28R Lincoln Road, Newton. The Notice of Violation alleges: 1. Illegal apartments (1); 2. Creation of a dwelling unit without a building permit; 3. Illegal wall construction without a permit; 4. Kitchen installed without a permit; 5. Plumbing installed without permits; 6. Electrical installed without permits; 7. Inadequate smoke and carbon monoxide detectors; and 8. Non-compliant means of egress at stairway. The property is located in a Multi Residence 2 District.
- #4-15** from Pamela Dudley Burton, 149 Wiswall Road, Newton, Massachusetts, 02459, requesting a variance of 18" (inches) from the front setback requirements of the Newton Revised Ordinances Section 30-1., Table One to accommodate a new front door overhang supported by two (2) columns. Plans for the overhang and columns were submitted in July and permitted and approved by the City, after which the applicant instructed her builder to begin construction resulting in a front setback of 23' (feet)-6" (inches). The property is located in a Single Residence 2 District.

Prior to the public hearings on these petitions, the Board will address the following two administrative items on its agenda:

1. Annual election of officers, in accordance with § 30-27 of the Newton Zoning Ordinance; and
2. Consider proposed amendments to the Rules of the Newton Zoning Board of Appeals, Art. II, § 2, as shown on the attached.

PLEASE NOTE: The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact John Lojek, at least two days in advance of the meeting: jllojek@newtonma.gov, or 617-796-1064. For Telecommunications Relay Service dial 711.

SECTION 2. FILING

Before a petition for a variance or comprehensive permit will be advertised and heard, complete copies of such petition, together with such other information and plans as prescribed by the Board, must be filed in the office of the Board's Clerk no later than the posted hearing closing date. In the case of an appeal of a decision of the Commissioner, such materials must first be filed with the City Clerk and then with the Board's Clerk. Hearing closing dates, information required by the Board and parties to whom it must be distributed are set forth in the Board's instructions, which are available at www.newtonma.gov, or at the Department of Inspectional Services. The Clerk's and or the Chairman's discretion shall be exercised in determining completeness of the petition or appeal and he or she shall notify the applicant of this decision.

The Board will accept additional written materials from any interested party up to five business days before the scheduled hearing date. Materials submitted thereafter will be accepted at the discretion of ~~of~~ the Chairman, subject to overrule by sitting members of the Board, and upon such other terms and conditions as they may determine.

All written materials or communications to the ZBA in any format must contain the name and address of the individual or entity that submitted the materials or communications in order to be considered by the Board and/or made a part of the official record.