



CITY OF NEWTON, MASSACHUSETTS

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Setti D. Warren
Mayor

ZONING BOARD OF APPEALS

Diane Vezeau, Board Clerk

Zoning Board of Appeals

REVISED

AGENDA

Tuesday, March 24, 2015

The Newton Zoning Board of Appeals will hold a public meeting on Tuesday, March 24, 2015, at 6:00 p.m. in Room 205 (formerly 202), Newton City Hall, 1000 Commonwealth Avenue, Newton Centre, Massachusetts, prior to its regularly scheduled public hearing on the following :

1. The purpose of the meeting is to be briefed on the litigation currently pending before the Housing Appeals Committee of the Massachusetts Department of Housing and Community Development involving 135 Wells Avenue, LLC, and Marcus Lang Investments, LLC.
2. Pursuant to G.L. c. 30A, s. 21(a)(3), the Board may vote to meet in Executive Session to discuss strategy with respect to litigation, involving 135 Wells Avenue, LLC, and Marcus Lang Investments, LLC if an open meeting may have a detrimental effect on the litigating position of the public body, and the chair so declares.

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: jlojek@newtonma.gov, or 617-796-1064. For Telecommunications Relay Service dial 711.

**Diane Vezeau
Board Clerk**

Hearings will be held with the Newton Zoning Board of Appeals on Tuesday, March 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:

- #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.
- #5-15** Philip Leung, Trustee of Pacific Home Realty Trust of P. O. Box 590518, Newton, Massachusetts, 02459, filed an appeal pursuant to M.G.L. c. 40A, §§ 8 and 15 and Sec. 30-27 (b) (1) b) of the City

of Newton Zoning Ordinances of the January 14, 2014 [issued January 14, 2015] Decision of the Acting Commissioner of the Inspectional Services Department that the lot in the Petitioner's land was not a buildable lot because it contained less than the required 10,000 square feet. The property is located at 330 Langley Road, Lot B, Hamlet Street, Newton, Massachusetts, in a Multi Residence 1 District.

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**Diane Vezeau
Board Clerk**

#6-15 Simon and Kirsten Levy, 53 Garland Road, Newton Centre, Massachusetts, requesting a three foot (3') variance from the twenty five foot (25') front setback requirements of Section 30-15, Table 1 of the Newton Zoning Ordinances in order to enclose the front landing, resulting in a front yard setback of 22 feet. The property is located in a Single Residence 2 District.

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#2-15 Marcus Lang Investments LLC (Hereinafter "the applicant") applying pursuant to General Laws, Chapter 40B, Section 20 through 23, as amended, for the issuance of a Comprehensive Permit authorizing the applicant to construct five (5) condominium units to be known as Goddard Village on land located between 37 and 55 Goddard Street (said parcel being more specifically identified by the Assessor's Office as Property SBLK 83033 0030) in Newton, Massachusetts, between Winchester Street and Christina Street. The property is located in a Single Residence 3 district. This matter was opened on January 6, 2015 and continued to March 24, 2015. **On March 10, 2015, the ZBA filed an interlocutory appeal pursuant to 760 CMR 56.03(8)(c). The hearing on this matter has been stayed until the conclusion of the appeal, pursuant to 760 CMR 56.03(8)(c).**

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