

SCHLESINGER AND BUCHBINDER, LLP
ATTORNEYS AT LAW

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
RACHAEL C. CARVER
ADAM M. SCHECTER

1200 Walnut Street
Newton, Massachusetts 02461-1267
Telephone (617) 965-3500

www.sab-law.com
Email: kadams@sab-law.com

June 15, 2020

BY ELECTRONIC MAIL

Ms. Nadia Khan
Chief Committee Clerk
Land Use Committee
Newton City Council
1000 Commonwealth Avenue
Newton, MA 02459-1449

Re: Petition of Zdorovie Senior Services, LLC/141-145 California Street

Dear Nadia,

Enclosed please find a signed special permit application and general permit application together with the following additional information relative to the above matter consisting of the following:

1. A copy of the Zoning Review Memorandum.
2. Architectural Plans including:
 - a. 141 California Street (Existing) prepared by Dooling and Company Architects dated January 14, 2020.
 - b. 141 California Street (Proposed) prepared by RAV and Associates dated April 30, 2020.
 - c. 143 California Street (Existing) prepared by Dooling and Company Architects dated January 4, 2020.
 - d. 143 California Street (Proposed) prepared by Dooling and Company Architects dated February 10, 2020.
 - e. 145 California Street (Existing) prepared by RAV and Associates dated June 8, 2020.
 - f. 145 California Street (Proposed) prepared by RAV and Associates dated June 8, 2020.
 - g. 149 California Street (Existing) prepared by RAV and Associates dated May 27, 2020.
 - h. 149A California Street (Existing) prepared by RAV and Associates dated May 1, 2020.
3. Site plan entitled "Existing Conditions for #141-149A California Street" by VTP Associates dated April 29, 2020.
4. Site plan entitled " Proposed Conditions for #141-149A California Street " by VTP Associates dated May 16, 2020.
5. Van Pick up and Drop off Schedule

I will deliver the \$750 filing fee to the drop box outside City Hall.

Ms. Nadia Khan
June 15, 2020

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It is my understanding that this application constitutes a Major Project since there is a parking waiver request of 18 stalls. As such, the Rules of the City Council would preclude docketing this application for hearing in July or August. However, please accept this request for a suspension of the rules in this instance. The underlying application is for an expansion of an existing adult day care facility. The current program is run out of one building, and passenger vans transport all of the clients to and from their homes every day. The proposed program will be run out of three buildings on the site, and additional vans will similarly transport all of the clients to and from their homes every day. The onsite parking will be adequate for the needs of the program's employees. Therefore, it is our expectation that this project will not have a major impact on the surrounding area, and for that reason, we are seeking to have the petition marked for a hearing in July or August.

I have prepared this application in accordance with your instructions. If I can provide any additional information or copies please let me know, and as always, please feel free to call me if you have any questions respecting the foregoing.

Sincerely,

Katherine Braucher Adams

Katherine Braucher Adams

enclosures

cc: (By Electronic Mail, w/enclosures)
Mr. Neil Cronin, Chief Planner
Mr. John Daghlian, Associate City Engineer
Jonah Temple, Assistant City Solicitor
(By First Class Mail, w/enclosures)
Mr. Max Mazaev



City of Newton, Massachusetts

Department of Planning and Development

1000 Commonwealth Avenue, Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1086
www.newtonma.gov

Ruthanne Fuller
Mayor

Barney Heath, Director

GENERAL PERMIT APPLICATION

PROJECT #: _____ ZONING DISTRICT: MAN _____ DATE RECEIVED: _____

PROJECT DESCRIPTION: Expansion of existing adult daycare center located at 149A California Street into 141, 143, 145 and 149 California Street

PROPERTY LOCATION INFORMATION

STREET ADDRESS: 141-145 California Street CITY/ZIP: Newton, 02459

LEGAL DESCRIPTION (SECTION, BLOCK, LOT): Section 11 Block 1 Lot 1A

PROPERTY OWNER INFORMATION

NAME: Mazzi Realty, LLC PHONE: N/A

NAME: _____

MAILING ADDRESS: 34 Peregrine Road, Newton MA 02459 E-MAIL ADDRESS: N/A

PROPERTY OWNER CONSENT

I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows:

1. This application for a land use permit or administrative approval for development on my (our) property is made with my permission
2. I (we) grant permission for officials and employees of the City of Newton to access my property for the purposes of this application.

X Max Mazaev for Mazzi Realty, LLC _____

(Date) 6/15/20

NOTICE: The City of Newton staff may need access to the subject property during regular business hours and will attempt to contact the applicant/agent prior to any visit. Further, members of a regulatory authority of the city may visit the property as well.

APPLICANT/AGENT INFORMATION

NAME: Katherine Braucher Adams Schlesinger and Buchbinder, LLP _____

BUSINESS PHONE: 617-965-3500 CELL PHONE: _____

MAILING ADDRESS: 1200 Walnut Street, Newton, MA 02461-1267 E-MAIL ADDRESS: kadams@sab-law.com

X Katherine Braucher Adams _____

(Application/Agent Signature)

_____ 6/15/20 _____

(Date)

NOTICE: The applicant/agent is the primary contact and may be any individual representing the establishment or property owner. The applicant/agent must also be legally authorized to make decisions on behalf of the Property Owner(s) in regards to the application.

-----OFFICE USE ONLY BELOW THIS LINE-----

CHECK APPROPRIATE PERMIT OR REVIEW PROCESS (CHECK ALL BEING SUBMITTED)

<input checked="" type="checkbox"/>	Zoning Review Application	<input type="checkbox"/>	Comprehensive Permit
<input type="checkbox"/>	Administrative Site Plan Review	<input type="checkbox"/>	Variance Application
<input type="checkbox"/>	Sign Permit	<input type="checkbox"/>	Historic Preservation Review
<input type="checkbox"/>	Special Permit/Site Plan Approval	<input type="checkbox"/>	Conservation Commission Review
<input type="checkbox"/>	Fence Appeal	<input type="checkbox"/>	Other, describe

Comments: _____

PERMIT INTAKE INITIALS
AND DATE STAMP

GENERAL PERMIT APPLICATION INSTR

LAND USE PERMITTING CHECKLIST (City staff, check all that apply)

In most instances, any development or land disturbance activity within the City of Newton will require some type of review and approval from the Planning Department and one of the City's regulatory authorities. In all cases, this General Permit Application must accompany all land use permitting applications. A checklist of permit forms, by regulatory authority, is provided below:

Administrative

- Administrative Site Plan
- Review of Accessory Apartment
- Wireless Facility

Land Use Committee

- Amendment to Special Permit/Site Plan
- Extension of Nonconforming Use or Building
- Site Plan Only
- Special Permit/Site Plan

Conservation Commission

- Request for Determination of Applicability
- Notice of Intent
- Abbreviated Notice of Resource Area Delineation

Urban Design Commission

- Fence Appeal
- Sign Permit

Historic Commission(s)

- Demolition Delay
- Historic District
- Landmark/Preservation Restriction

Zoning Board of Appeals

- Appeals of the ISD Commissioner
- Comprehensive Permit
- Variance Application

NOTE: The Planning Department has many handouts that provide useful information regarding each of the permitting processes above. Petitioners should also be aware that approvals from other City or State agencies may be necessary as well.

APPLICATION COMPONENTS

For each permit application, the submission of inaccurate information or an incomplete application may delay the review and approval process for said permit. The items needed for a complete application will vary by permitting process, but generally include:

FORMS: A completed General Application and the project-specific permit application form. The signature of the Property Owner (or the Owner's legal representative) and the Applicant/Agent are **mandatory** on the General Permit Application.

FEES: To process any land use permit application, it must be submitted with the appropriate fee. The permit fee will vary by permitting process. All fees are subject to change, please contact the Department of Planning to verify the current fee.

SUBMITTALS: Each permit should also be accompanied by the necessary supporting documentation. The items needed to explain a project may vary, please refer to the permit application for the typical documents submitted for each permit application or contact a city planner. All applications should be submitted in hard and digital formats.

SUBMITTING THE APPLICATION

Bring the complete application to the Planning Department (at Inspectional Services customer service counter), on the second floor of City Hall at 1000 Commonwealth Avenue. A planner will review the application, answer any questions you may have and explain the next step of the permitting process.

If you have questions about an application or application process, please call the Department of Planning at (617) 796-1120 or visit the Planning Department, Monday-Friday: 8:30 a.m. to 5:00 p.m., and Tuesday 8:30 a.m. to 8:00 p.m.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

SPECIAL PERMIT APPLICATION

TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for a permit to erect and use, to alter and use, or to make such uses as may be hereinafter specified of a building or buildings at the location and for the purpose hereinafter specified under the provisions of Chapter 30 of the Revised Ordinances, 2015, as amended, or any other sections.

PLEASE REFERENCE SECTION(S) OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

4.4.1; 5.1.3.B; 5.1.4; 5.1.8.B.1&2; 5.1.8.B.4; 5.1.8.B.6; 5.1.8.C.1; 5.1.8.D.2; 5.1.9.A&B; 5.1.10.A; 5.1.11; 5.1.13; 7.3.3

- PETITION FOR:**
- Special Permit/Site Plan Approval
 - Extension of Non-Conforming Use and/or Structure
 - Site Plan Approval
 - Amendment of Council Order #215-08(2)

STREET 141-145 California Street WARD 1

SECTION(S) 11 BLOCK(S) 001 LOT(S) 0001A

APPROXIMATE SQUARE FOOTAGE (of property) 65,568 square feet ZONED MAN

TO BE USED FOR: Adult day care center, commercial kitchen and storage

CONSTRUCTION: brick

EXPLANATORY REMARKS: Special permit sought for the operation of a for-profit educational use (4.4.1). The following waivers are also sought, to the extent necessary, pursuant to Section 5.1.13: (i) non-application of A+B=C formula (5.1.3.B); (ii) additional parking waiver of 18 stalls (5.1.4); (iii) minimum stall dimensions (5.1.8.B.1 and 2); (iv) minimum handicapped stall dimensions (5.1.8.B.4); (v) restricted end stalls (5.1.8.B.6); (vi) minimum aisle width (5.1.8.C.1); (vii) minimum driveway width (5.1.8.D.2); (viii) perimeter landscape screening (5.1.9.A); (ix) interior landscape requirements (5.1.9.B); (x) parking lot lighting requirement (5.1.10.A.); and (xi) bicycle parking facilities (5.1.11).

The undersigned agree to comply with the requirements of the Zoning Ordinance and rules of the Land Use Committee of the City Council in connection with this application.

PETITIONER (PRINT) Zdorovie Senior Services, LLC

SIGNATURE Katherine Braucher Adams 6/15/20
 By: Katherine Braucher Adams, its attorney duly authorized

ADDRESS 34 Peregrine Road, Newton, MA 02459

TELEPHONE N/A E-MAIL N/A


ATTORNEY Katherine Braucher Adams, Esquire

ADDRESS 1200 Walnut Street, Newton, Massachusetts 02461-1267

TELEPHONE 617-965-3500 E-MAIL kadams@sab-law.com

Planning & Development
 Department Endorsement

PROPERTY OWNER (PRINT) Mazzi Realty, LLC

SIGNATURE 
By: Max Mazaev, Manager

ADDRESS 34 Peregrine Road, Newton MA 02459

TELEPHONE N/A E-MAIL N/A