

# SPECIAL PERMIT APPLICATION

## TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for 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 SECTIONS OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

Please see attached Exhibit A.

- PETITION FOR:  Special Permit/Site Plan Approval  
 Extension of Non-conforming Use and/or Structure  
 Site Plan Approval

STREET 40 Williston Road WARD 4  
SECTION(S) 43 BLOCK(S) 28 LOT(S) 6  
APPROXIMATE SQUARE FOOTAGE (of property) 25,099 SF ZONED SR3  
TO BE USED FOR: Rear Lot Subdivision

CONSTRUCTION: Woodframe construction

EXPLANATORY REMARKS: Please see attached Exhibit A.

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) Lauren Brooks and David Brooks

SIGNATURE *L Brooks*

ADDRESS 40 Williston Road, Newton, MA

TELEPHONE \_\_\_\_\_ Email \_\_\_\_\_

ATTORNEY Laurance S.L. Lee, of Rosenberg, Freedman & Lee LLP

ADDRESS 246 Walnut Street, Suite 201, Newton, MA 02460

TELEPHONE 617-964-7000 Email LLEE@RFL-LAW.COM

PROPERTY OWNER Lauren & David Brooks

ADDRESS 40 Williston Road, Newton, MA

TELEPHONE \_\_\_\_\_ Email \_\_\_\_\_

SIGNATURE OF OWNER *L Brooks*

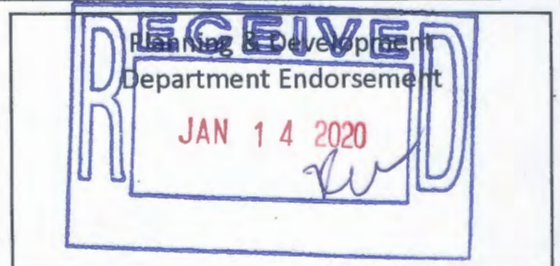


Exhibit A to Special Permit Application

For 40 Williston Road, Newton (Auburndale), MA ("Property")  
(SBL: 43028 0006)

Special Permit Relief Requested:

<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§3.1.5 §3.1.10.A	Request to allow a rear lot subdivision	S.P. per §7.3.3
§3.1.3 §3.1.9	Request to exceed FAR (front lot)	S.P. per §7.3.3
§3.1.5 §3.1.10.C.1	Request to exceed FAR (rear lot)	S.P. per §7.3.3
§5.4.2.B	Request to allow a retaining wall greater than four feet in height in the setback	S.P. per §7.3.3

Petitioner further requests Sections 3.1.5, 3.1.10 and 7.8.2 of the Newton Zoning Ordinances for extension of non-conforming height of the existing house of 39.3 feet and 3-story building, and relief from Sections 3.1.5, 3.1.9, and 3.1.10 of the Newton Zoning Ordinances for exceeding maximum FAR for the existing house and for the proposed rear lot house. Petitioner further requests relief from the City of Newton Zoning Ordinances as the City Council may deem necessary or desirable.

Project Description and Site Information/Explanatory Remarks:

The Property consists of approximately 25,099 SF of land and located in an SR3 zoning district. The proposal is a rear-lot subdivision which involves the preservation of the existing single-family house and to erect one single-family house in the rear lot. The Property is situated in the village of Auburndale and a short walk to the Riverside Station.