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DAVID A. OLSON, CMJ  
Newton, MA 02459

July 22, 2014

**By electronic transmission: [lfinucane@newtonma.gov](mailto:lfinucane@newtonma.gov)**  
Linda Finucane, Clerk of Committees  
Newton Board of Aldermen  
1000 Commonwealth Avenue  
Newton, MA 02459

Re: Petition of Wells Avenue Business Center, LLC  
145 Wells Avenue: Waiver of Use Restrictions

Dear Ms. Finucane:

On November 18, 2013, the Board of Aldermen approved Board Order #257-13 to remove the deed restriction, which governs uses within the Wells Avenue Office Park, to permit the use of a former commercial building as a for-profit day care center. The subject petition is to request a further relaxation of the deed restriction to permit part of the building to be used as a place of amusement, which also requires a special permit under the NZO §30-12(e)(8) and §30-24; and site plan approval in accordance with §30-23, all of which are being filed for under separate cover.

There are no planned physical changes to, or expansion of, the existing building necessary to accommodate such uses. However there are proposed changes to the design of the parking lot to increase the capacity from 30 to 45 stalls, which has recently been granted an Order of Conditions from the Conservation Commission.

It is my understanding that the Board of Aldermen next meets on Monday August 11, 2014. Please consider this letter as a request to docket the matter for referral to the Land Use Committee for action on the waiver of the aforesaid deed restriction to permit the proposed amusement center to operate at 145 Wells Ave.

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Waiver of Deed Restriction*

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Kindly let me know of any further information which you or the members of the Board of Aldermen may require in connection with this petition.

Thank you for your attention to this matter.

Very truly yours,

*Terrence P. Morris*

Terrence P. Morris

Cc: (via email)

Ouida Young, Associate City Solicitor

Alexandra Ananth, Chief Planner, Planning and Development

Andrian Shapiro

Margarita Kvacheva