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146-17

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May 26, 2017

RECEIVED
NEWTON CITY CLERK
2017 JUN -1 AM 8:50
David A. Olsen, GMC
Newton, MA 02459

BY HAND

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

Re: Petition of Michael Rashes and Dena Rashes/93 Bellevue Street

Dear Nadia,

Enclosed please find an original special permit application together with thirteen packets of information relative to the above matter consisting of the following:

1. A copy of the special permit application.
2. A copy of the zoning review memorandum from Jane Santosuosso dated May 9, 2017.
3. A copy of Board Order #229-14.
4. As-Built Site Plan dated March 16, 2017 by Verne T. Porter, Jr., PLS.

I have also enclosed a CD containing an electronic copy of the aforementioned plan as well as a check in the amount of \$350.00 representing the filing fee.

Ms. Nadia Khan
May 26, 2017

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Please feel free to call me if you have any questions respecting the foregoing.

Very truly yours,



Stephen J. Buchbinder

SJB/mer
enclosures

cc: (By Hand, w/enclosures)
Ms. Neil Cronin, Senior Planner
Ouida C. M. Young, Associate City Solicitor
(By First Class Mail, w/enclosures)
Mr. and Mrs. Michael Rashes

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:

7.3; 7.4; Amendment to Board Order #229-14

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Newton City Clerk
2017 JUN -1 AM 8:50
David A. Olson, GMC
Newton, MA 02459

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

STREET 93 Bellevue Street WARD 1
SECTION(S) 12 BLOCK(S) 021 LOT(S) 0039 and 0040

APPROXIMATE SQUARE FOOTAGE (of property) approximately 93,923 square feet ZONED SR-2

TO BE USED FOR: a swing set

CONSTRUCTION: wood frame construction

EXPLANATORY REMARKS: The location of the swing set requires an amendment to Condition #2 of Board Order #229-14, as the Commissioner of Inspectional Services has deemed the swing set to be a structure under the Zoning Ordinance. Pursuant to Condition #2 of Board Order #229-14, no structure "shall be constructed on Lot 40." An amendment to the existing site plan is also required.

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) Michael Rashes and Dena Rashes

SIGNATURE Stephen J. Buchbinder

ADDRESS 93 Bellevue Street, Newton, MA 02458

TELEPHONE N/A E-MAIL N/A

ATTORNEY Stephen J. Buchbinder, Esquire

ADDRESS 1200 Walnut Street, Newton, Massachusetts 02461-1267

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

PROPERTY OWNER Michael Rashes and Dena Rashes

ADDRESS 93 Bellevue Street, Newton, MA 02458

TELEPHONE N/A E-MAIL N/A

SIGNATURE OF OWNER Stephen J. Buchbinder

By: Stephen J. Buchbinder, their attorney duly authorized

RECEIVED
Planning Department
Department Endorsement
MAY 31 2017
Planning NSC



City of Newton, Massachusetts

Telephone: **146-17**
(617) 796-1920
Telefax:
(617) 796-1086
www.newtonma.gov

Department of Planning and Development

1000 Commonwealth Avenue, Newton, Massachusetts 02459

RECEIVED
Newton City Clerk
2017 JUN -1 AM 8:50
Barney Heath
Director
David A. Olson, City
Newton, MA 02459

Setti D. Warren
Mayor

GENERAL PERMIT APPLICATION

PROJECT #: _____ ZONING DISTRICT: SR-2 DATE RECEIVED: _____

PROJECT DESCRIPTION: Amendment to previous Board Order to allow a swing set on Lot 40.

PROPERTY LOCATION INFORMATION

STREET ADDRESS: 93 Bellevue Street CITY/ZIP: Newton / 02458

LEGAL DESCRIPTION (SECTION, BLOCK, LOT): Section 12, Block 21, Lots 0039 and 0040

PROPERTY OWNER INFORMATION

NAME: Michael and Dena Rashes PHONE: N/A ALT. PHONE: N/A

MAILING ADDRESS: 93 Bellevue Street, Newton, MA 02458 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 Stephen J. Buchbinder 5-26-17
 Michael Rashes / Dena Rashes By: Stephen J. Buchbinder,
 their attorney duly authorized
 (Property Owner Signature) (Date)

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: Stephen J. Buchbinder, Esquire PHONE: 617-965-3500 ALT. PHONE: Cell: 617-538-7392

MAILING ADDRESS: Schlesinger and Buchbinder, LLP, 1200 Walnut Street, Newton, MA 02461-1267

E-MAIL ADDRESS: sjbuchbinder@sab-law.com

X Stephen J. Buchbinder 5-26-17
 (Application/Agent Signature) (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 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 INSTRU