

Date: March 7, 2014

**TO THE HONORABLE BOARD OF ALDERMEN  
City of Newton**

Ladies and Gentlemen:

The undersigned hereby makes application for permit to erect and use, to alter and use, or to make such use as may be hereinafter specified of building or buildings, at the location and for the purpose hereinafter specified under the provisions of Chapter 30 of the Revised Ordinances, 1984 (Zoning Ordinance) as amended, or any other sections, viz:

Petition for: Sections 30-21(a)(2)(b) and 30-21(b) – extension and change of non-conforming use;  
Section 30-24 special permit; and  
Section 30-23 site plan approval

Located as follows:

Street and Ward: 1545 Washington Street,  
Section(s): 33  
Block(s): 02  
Lot(s): 07  
Approximate Square Footage of lot: 10,000 sq. ft. of land

To be used for:  
Automobile service with ancillary sales business.

Construction: no exterior or interior structural changes

Explanatory remarks: Please See Rider

Land referred to is located in a Multi-Residence 1 Zoning District.

The undersigned agrees to comply with the requirements of the Zoning Ordinance and rules of the Land Use Committee of the Board of Aldermen in connection with this application.

Signature of Petitioners: \_\_\_\_\_  
by Attorney Laurance S.L. Lee:

Addresses and Telephones of Petitioners:

Attorney of Record: Laurance S.L. Lee  
Address and Telephone: Rosenberg, Freedman & Lee LLP  
246 Walnut Street, Newtonville, Ma 02160  
tel. 617-964-7000, fax 617-964-4025  
Email: llee@rfl-law.com

Name of Property Owner: Auction Direct Preowned, Inc. d/b/a Old Time Garage

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Newton City Clerk  
2014 MAR -7 PM 2:42  
David A. Olson, CMC  
Newton, MA 02459

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## Rider to Special Permit Application

Description of Proposed Restaurant

Seeking relief from the Board of Aldermen under Sections 21(a)(2)(b) and 30-21(b) extension and change of a legal non-conforming use; 30-23 Site Plan approval; and 30-24 Special Permit. The site was previously a Private Residence District and currently an MR1 zone.

Extension and change of existing legal non-conforming use of the premises as a gas station and car service/repair shop to a car service/repair shop and a car sales business. The site has been the location of a car service and gasoline selling station since at least 1922 (as noted on Special Permit No. 344-60(2)). The legal non-conforming use was extended over time as permitted by special permits granted by the Board of Aldermen. The Newton Zoning Board of Appeals granted a variance on April 26, 1960 for the purposes of including a third parcel of land that was combined with the site as being subject to the existing non-conforming use. The Board of Aldermen, in July of 1960, granted a special permit extending the non-conforming use for the entire site. In 1980, the Board of Aldermen granted a special permit for signs.

The site is improved with a single story pre-existing car service station and office with lavatories. The building recently underwent interior renovations via Building Permit No. 11120490, which work has been completed and signed off by the Inspectional Services Department.

As part of the special permit petition, the Petitioner will formally abandon the previously permitted use of the site as a gasoline station.

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