

**ROSENBERG, FREEDMAN & LEE LLP**  
ATTORNEYS AT LAW

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Of Counsel:  
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\*admitted in MA and NY  
\*\*admitted in MA, NH and NY

May 6, 2019

Nadia Khan, Clerk  
City Council  
City of Newton  
1000 Commonwealth Avenue  
Newton, MA 02459

RECEIVED  
Newton City Clerk  
2019 MAY -6 PM 4:10  
David A. O'Brien, Clerk  
Newton, MA 02459

Re: 956 Walnut Street, Newton

Dear Nadia:

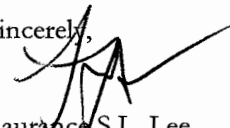
On behalf of 956 Walnut Street, LLC, the owner of 956 Walnut Street, enclosed for filing please find a completed Special Permit Application along with the following enclosures noted herein below, in connection with the proposed rear-lot subdivision of the property:

- 1) Site Plans showing existing, proposed conditions, proposed utilities with detailed sheet, prepared by Everett M. Brooks, Co.;
- 2) Landscape Plan prepared by Sangiolo Associates Architects;
- 3) Proposed architectural plans with exterior elevations, landscape plan, underground driveway plan, prepared by MDG+ LLC, as Professional Designer and Derek Rubinoff, as Architect;
- 4) Copy of Zoning Review Memorandum by Jane Santosuosso, Chief Zoning Code Official;
- 5) Check payable to the City of Newton in the amount of \$350.00.

I respectfully request that the enclosed be submitted with the City Council and for this Petition to be scheduled for the next available public hearing with the Land Use Committee.

Please call or email me with any questions. As always, thank you, for your help.

Sincerely,

  
Laurance S.L. Lee

Enclosures

cc: Neil Cronin, Senior Planner (w/enclosures)  
956 Walnut Street, LLC

# 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:

See attached Exhibit A which is made a part hereof.

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

STREET 956 Walnut Street, Newton, MA (SBL: 62004 0005)

WARD 6

SECTION(S) 62

BLOCK(S) 04

LOT(S) 05

APPROXIMATE SQUARE FOOTAGE (of property) 32,274 SF

ZONED MR1

TO BE USED FOR: Single-Family Attached Dwellings (total seven units)

CONSTRUCTION: Wood-frame construction with underground private garages.

EXPLANATORY REMARKS: See Attached Exhibit A, which is made a part hereof.

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) 956 Walnut Street LLC

SIGNATURE [Signature]

ADDRESS c/o Laurance Lee, Esq., Rosenberg, Freedman & Lee LLP (See below)

TELEPHONE 617-964-7000

Email llee@rfi-law.com

ATTORNEY Laurance Lee, Esq., Rosenberg, Freedman & Lee LLP

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

TELEPHONE 617-964-7000

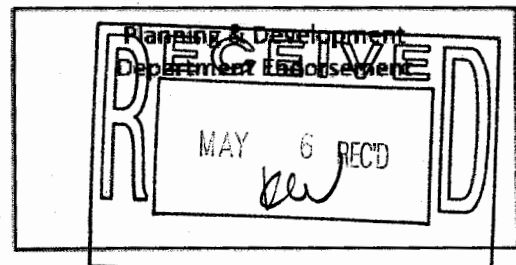
Email llee@rfi-law.com

PROPERTY OWNER 956 Walnut Street LLC

ADDRESS See above

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

SIGNATURE OF OWNER [Signature]



2019 MAY -6 PM 4:10  
PROPERTY TAX  
NEWTON CITY CLERK  
DANIEL A. GREGG, CLERK  
NEWTON, MA 02459

Exhibit A to Special Permit Application  
 For 956 Walnut Street, Newton, MA ("Property")  
 (SBL: 62004 0005)

RECEIVED  
 NEWTON CITY CLERK  
 2019 MAY -6 PM 4: 10  
 David A. O'Brien, Clerk  
 Newton, MA 02459

Reference of Sections of the Ordinances from Which Relief is Requested:

Zoning Relief Required		
Ordinance	Site	Action Required
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To reduce the frontage requirement	S.P. per §7.3.3
§3.2.4	To reduce the side setback requirement	S.P. per §7.3.3
§3.2.4	To allow a driveway in the side setback	S. P. per §7.3.3
§6.2.3.B.2		

Petitioner requests relief from: Section 3.2.4 to allow for 3 stories in the proposed buildings.

Petitioner further requests relief from Sections 7.3 and 7.4 of City of Newton Zoning Ordinances as the City Council may deem appropriate and necessary.

Explanatory Remarks/Project Description and Site Information:

The Property consists of approximately 32,274 SF of land, in an MR-1 zoning district. The proposal is to demolish the existing house and to erect seven (7) single-family attached dwellings in two buildings (one five-unit building, and one two-unit building) with an underground shared driveway that leads to individual private garages for each dwelling unit.

The Property is situated within the heart of "Four Corners", a vibrant village hub in the City of Newton, with various commercial uses such as the Whole Foods supermarket, Mobile gas station, Walgreens pharmacy, restaurants, office buildings, which are mixed in with multi- and single-family residential buildings. The Property is approximately a half-mile (10-minute walk) from the Newton Highlands Green Line station, and is on the MBTA No. 59 bus route.

The Property sits along the MWRA Sudbury Aqueduct, which provides a natural buffer between the Property and Walnut Street. An underground driveway will be utilized to gain access to underground private garages to maximize open space, reduce the removal of trees, reduce surface parking and traffic, reduce noise, and improve aesthetics of the building by the elimination of surface garage doors.

The project will add to the much-needed housing stock including one (1) affordable unit. The project has been vetted by the City's Urban Design Committee, and will meet the Massachusetts Stretch Energy codes.

RECEIVED  
Newton City Clerk

2019 MAY 15 PM 4:27

David A. Olson, Clerk  
Newton, MA 02459

Exhibit A to Special Permit Application

For 956 Walnut Street, Newton, MA ("Property")  
(SBL: 62004 0005)

Reference of Sections of the Ordinances from Which Relief is Requested:

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§3.2.4	To reduce the side setback requirement	S.P. per §7.3.3
§3.2.4	To allow a driveway in the side setback	S. P. per §7.3.3
§6.2.3.B.2		

Petitioner requests relief from: Section 3.2.4 to allow for 3 stories in the proposed buildings, and if needed, Section 5.4.2.B to allow retaining walls of four feet or more in height within a setback.

Petitioner further requests relief from Sections 7.3 and 7.4 of City of Newton Zoning Ordinances as the City Council may deem appropriate and necessary.

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