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May 25, 2012

BY HAND

Ms. Linda Finucane
Chief Committee Clerk, Newton Board of Aldermen
1000 Commonwealth Avenue
Newton, MA 02459-1449

RECEIVED
Newton City Clerk
2012 MAY 25 PM 3:51
David A. Olson, CMC
Newton, MA 02459

Re: Petition of O'Hara's & Sons, Inc./1181-1189 Walnut Street

Dear Linda,

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.
3. Existing Conditions – Proposed Addition Location Plan dated March 6, 2012 by Verne T. Porter, Jr., PLS.
4. Area Plan dated March 6, 2012 by Verne T. Porter, Jr., PLS.
5. Floor Plans dated March 22, 2012 consisting of two (2) sheets by DLA Architecture.

I have also enclosed a check in the amount of \$750.00 representing the filing fee.

Please note that this matter would be considered a "major project" since it involves a parking waiver in excess of five (5) stalls. Alderman Hess-Mahan has indicated that it may be possible to seek a suspension of the Rules of the Board in order that this matter could be heard over the summer.

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. Eve Tapper, Chief of Current Planning, Planning and Development Department
Mr. John Lojek, Commissioner, Inspectional Services Department
Mr. John Daghlian, Associate City Engineer
Ouida C. M. Young, Associate City Solicitor
(By First Class Mail, w/enclosures)
Assistant Chief Paul Chagnon, Newton Fire Department
(By Email, w/out enclosures)
Alderman Ted Hess-Mahan

TO THE HONORABLE BOARD OF ALDERMEN, CITY OF NEWTON:

The undersigned hereby makes application for a permit to build or alter a structure and/or use of a facility as described below in the proposed location in accordance with the provisions of Chapter 30 or any other sections of the City's current Ordinances.

PLEASE REFERENCE SECTION(S) OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

30-19(m); 30-21(b); 30-23; 30-24 ; 30-11(d)(9) BO#188-94

PLEASE CHECK ALL REQUESTED APPROVALS THAT APPLY:

- Special Permit/Site Plan
Site Plan Only
- Extension of Non-Conforming Use(s) and/or Structure(s)
- Amendment of Board Order #188-94

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 Business

STREET 1181-1189 Walnut Street WARD _____

SECTION(S) 52 BLOCK(S) 36 LOT(S) _____

APPROXIMATE SQUARE FOOTAGE (of property) 3,618 ZONE _____

TO BE USED FOR: restaurant

CONSTRUCTION: interior renovations and small addition to rear of building

EXPLANATORY REMARKS: Special permit sought for (1) a waiver of seven (7) parking stalls pursuant to Section 30-19(m) in connection with expansion of existing restaurant into adjacent space and (2) an extension of a nonconforming structure pursuant to Section 30-21(b). The site plan referenced in Board Order #188-94 will also need to be amended.

The undersigned agree to comply with the requirements of the Zoning Ordinances and Rules of the Land Use Committee of the Board of Aldermen in connection with this application.

PETITIONER (PRINT) O'Hara's & Sons, Inc.

SIGNATURE [Signature] PHONE (617) 828-3484 E-MAIL johara@oharas.us

ADDRESS 1185 Walnut Street, Newton, MA 02461

ATTORNEY Stephen J. Buchbinder, Esquire PHONE 617-965-3500 E-MAIL sjbuchbinder@sab-law.com

ADDRESS 1200 Walnut Street, Newton, Massachusetts 02461-1267

PROPERTY OWNER G and B Realty Trust, John M. O'Hara and ^{Karl J.} ~~Garth P.~~ O'Hara, Trustees

OWNER'S ADDRESS 1185 Walnut Street, Newton, MA 02461

SIGNATURE OF OWNER [Signature]

DATE May, 2012

