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James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: December 3, 2014

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Stephen J Buchbinder, Attorney
Curtis P. O'Hara and John O'Hara, applicants
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to extend a nonconforming structure (due to FAR and side setback), a waiver of 11 parking stalls, and to extend a nonconforming use

Applicant: Paddy's Pub	
Site: 95-97 Elm Street	SBL: 33013 0011
Zoning: BU1	Lot Area: 3,506 square feet
Current use: Restaurant with 116 seats	Proposed use: Restaurant with 146 seats

BACKGROUND:

The property at 95-97 Elm Street consists of a 3,506 square foot lot improved with a 116-seat restaurant known as Paddy's Pub. A restaurant use has operated on the site since the 1930's. From approximately 1972 to 2002, the Troubador Restaurant operated on site, with 116 seats. The applicants bought the property in 2002, and maintained the same number of seats. The restaurant has used 74 seats on the first floor on a daily basis, and the remaining 42 seats on the second floor for special events.

The applicants propose to make additions to the existing nonconforming structure which will add 30 seats to the restaurant and modernize the accessibility of the building.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Stephen J Buchbinder, attorney, dated 10/20/2014
- Parking calculation
- 1976 Inspection Certificate for Troubador Restaurant

RECEIVED
Newton City Office
2015 FEB 10 PM 3:10
David A. Olson, CMC
Newton, MA 02459

5. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-15, Table 3 30-21(b)	Extend nonconforming FAR	S.P. per §30-24
§30-15, Table 3 30-21(b)	Extend nonconforming structure with regard to side setback	S.P. per §30-24
§30-19(d)(13), §30-19(c)(2)a	Parking waiver for 11 parking stalls	S.P. per §30-24
§30-11(d)(9), §30-21(b)	To extend a nonconforming restaurant with more than 50 seats	S.P. per §30-24