

**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:**

30-11(d)(9); 30-15, Table 3; 30-19(c)(2)a); 30-19(d)(13); 30-19(m); 30-21(b); 30-23; 30-24

**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 # \_\_\_\_\_

STREET 95-97 Elm Street WARD 3  
SECTION(S) 33 BLOCK(S) 013 LOT(S) 00011  
APPROXIMATE SQUARE FOOTAGE (of property) 3,506 ZONE Business 1

RECEIVED  
NEWTON CITY DEPT  
2015 FEB 10 PM 3:09  
David A. Olson, City Clerk  
Newton, MA 02459

TO BE USED FOR: A restaurant of 146 seats.

CONSTRUCTION: interior renovations and small additions to building

EXPLANATORY REMARKS: The petitioner seeks a special permit for: 1) the extension of a nonconforming structure for FAR and side setback pursuant to Sections 30-15, Table 3 and 30-21(b); 2) the extension of a nonconforming restaurant with more than 50 seats pursuant to Section 30-11(d)(9) and Section 30-21(b); 3) a waiver of 11 required parking stalls required by Sections 30-19(d)(13) and Section 30-19(c)(2)(a) pursuant to Section 30-19(m).

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) Curtis P. O'Hara, John O'Hara and Karl J. O'Hara, Trustees of the BB&G Realty Trust

SIGNATURE *Stephen J. Buchbinder* PHONE N/A E-MAIL N/A  
Stephen J. Buchbinder, Esquire, its attorney duly authorized

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 Curtis P. O'Hara, John O'Hara and Karl J. O'Hara, Trustees of the BB&G Realty Trust

OWNER'S ADDRESS 1185 Walnut Street, Newton, MA 02465

SIGNATURE OF OWNER *Stephen J. Buchbinder*  
Stephen J. Buchbinder, Esquire, its attorney duly authorized

DATE January 5, 2015

