

Date: April 10, 2017

**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, 2015 (Zoning Ordinance) as amended, or any other sections, viz:

Petition for: Sections 3.4.1 and 7.8.2.C.2 Nonconforming Buildings, Structures or Uses;
Section 7.3.3 special permit
Section 5.1 AND 7.8.2.C.2.

Located as follows:

Street and Ward: 46 Farwell Street,

Section(s): 21

Block(s): 1

Lot(s): 14

Approximate Square Footage of lot: 8,529 sq. ft. of land

To be used for: Residential (in existing rear building), and Office (in front/main building).

Construction: Site changes pursuant to Plans and Order of Conditions issued by the City of Newton Conservation Commission

Explanatory remarks: Proposed residential use of existing rear accessory building in conjunction with pre-existing legal non-conforming office use of the main front building on the subject site. See copy of letter dated September 10, 2015 issued by Jane Santosuosso, Chief Zoning Code Official, and John Lojek, Commissioner of Inspectional Services regarding said pre-existing use. Although the proposed residential use within the site is permitted as-of-right in an MR2 zoning district the co-existence with the pre-existing non-conforming office use of the primary building requires an approval by the City Council for an extension of a non-conforming use and for the two primary uses on the site. The Applicant has sought and obtained an Order of Conditions issued by Newton Conservation Commission dated January 20, 2017 in connection with removal of portions of pavement at the rear of the premises that extend beyond the property line towards Charles River. Such work is independent of the special permit approval, however, we request the City Council to adopt the approved plans by the Conservation Commission as to landscaping and plantings.

Land referred to is located in a Multi-Residence 2 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 Attorneys Laurance Lee:

Addresses and Telephones of Petitioners:

Attorney of Record: Laurance Lee
Address and Telephone: Rosenberg, Freedman & Lee LLP
246 Walnut Street, Newtonville, Ma 02160
tel. 617-964-7000, fax 964-4025

Name of Property Owner: Brian McDonald, Trustee, of Continuous Improvement Realty Trust

RECEIVED
Newton City Clerk
2017 APR 10 PM 12:42
David A. Olson, OMC
Newton, MA 02459

RECEIVED
APR 10 2017
Planning NSC