

SPECIAL PERMIT APPLICATION

TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for a 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 SECTION(S) OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED

5.1.8.A.1; 5.1.9.A; 5.1.9.B.1; 5.1.9.B.2; 5.1.9.B.3; 5.1.9.B.4; 5.1.10.A.1; 5.1.13; 5.4.2.B; 7.3; 7.4

RECEIVED
Newton City Clerk
2018 MAY 11 PM 3:29
David A. Olson, Clerk
Newton, MA 02455

- PETITION FOR: [X] Special Permit/Site Plan Approval
[] Extension of Non-Conforming Use and/or Structure
[] Site Plan Approval
[X] Amendment to Board Order #167-14

STREET 697, 691, and 681 Washington Street, and 2 Court Street WARD 2

SECTION(S) 23 BLOCK(S) 019 LOT(S) 0001, 0001A, 0001B, 0023

APPROXIMATE SQUARE FOOTAGE (of property) 16,669 square feet ZONED BU2

TO BE USED FOR: Registered Marijuana Dispensary ("RMD") and Recreational Marijuana Establishment ("ME") and associated parking facility of up to 16 parking stalls

CONSTRUCTION: concrete

EXPLANATORY REMARKS: Special permit sought for (1) amendment to Board Order #167-14 to (a) allow the retail sale of recreational marijuana together with medical marijuana; (b) delete Condition #3 regarding customer appointments; (c) amend Condition #4 to allow the petitioner to have up to 12 employees at any one time; (d) amend the hours of operation listed in Condition #5 to allow the petitioner to operate from 9AM to 9PM on weekdays and from 12PM to 6PM on Sundays; and (e) expansion of premises to include additional space; (2) waivers for parking facility requirements pursuant to Section 5.1.13 as follows: (a) allow parking in a front setback (Section 5.1.8.A.1) (b) interior landscaping (Section 5.1.9.B.1); (c) interior planting area (Section 5.1.9.B.2); (d) tree planting (Section 5.1.9.B.3); (e) bumper overhang area landscaping (Section 5.1.9.B.4); and (f) 1-foot candle lighting (Section 5.1.10.A.1; (3) retaining walls over 4 feet in height pursuant to Section 5.4.2.B; (); and (4) a waiver of 5 parking stalls to the extent necessary.

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.

CO-PETITIONER (PRINT) Garden Remedies, Inc.

SIGNATURE [Signature]
By: Stephen J. Buchbinder, its attorney duly authorized

ADDRESS 697 Washington Street, Newton, MA 02458

TELEPHONE N/A E-MAIL N/A

CO-PETITIONER AND PROPERTY OWNER (PRINT) 697 Washington Street Realty Trust, Mark F. Donato, Trustee

SIGNATURE [Signature]
By: Stephen J. Buchbinder, his attorney duly authorized

ADDRESS 1211 Washington Street, Newton, MA 02465

TELEPHONE N/A E-MAIL N/A

ATTORNEY Stephen J. Buchbinder, Esquire, Schlesinger and Buchbinder, LLP

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Planning & Development
Department Endorsement
MAY 11 2018
Planning NSC