

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:

30-15, Table 3; 30-19(d)(3); 30-19(d)(13); 30-19(h); 30-19(h)(2)a); 30-19(h)(2)b); 30-19(h)(2)c); 30-19(h)(2)e);

30-19(h)(3)b); 30-19(h)(4)b); 30-19(i); 30-19(i)(1); 30-19(i)(2); 30-19(j); 30-19(j)(1)a); 30-19(j)(2)e); 30-19(k)(1); 30-19(l);

30-19(m); 30-20(f)(1); 30-20(f)(2); 30-20(f)(9); 30-20(l); 30-21(b); 30-23; 30-24; 30-26(a)(1).

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 Orders #747-86 and # 810-85

STREET 399 Grove Street WARD 4

SECTION(S) 42 BLOCK(S) 011 LOT(S) 0004

APPROXIMATE SQUARE FOOTAGE (of property) 116,650 square feet ZONE BU-5

TO BE USED FOR: The property has been used, and will continue to be used, as a hotel with associated dining and recreational amenities.

CONSTRUCTION: masonry building

EXPLANATORY REMARKS: The applicant is seeking special permit relief for several improvements at the property, some immediate and some as part of the proposed Riverside Development. With respect to the former, the applicant is seeking a special permit to: (1) amend the current site plan by adding a pool deck awning; reconfiguring the delivery and trash pick-up at the front of the hotel; reconfiguring the existing parking areas; reflecting existing and proposed signage; and reflecting existing wireless communications equipment; (2) extend a nonconforming structure by adding a pool deck awning pursuant to Section 30-21(b); (3) obtain waivers pursuant to Section 30-19(m) for fifty-five (55) parking stalls (Section 30-19(d)(3) and Section 30-19(d)(13)); stall width (Section 30-19(h)(2)a)); stall depth (Section 30-19(h)(2)b)); handicap stall depth (Section 30-19(h)(2)c)); maneuvering space for end stalls (Section 30-19(h)(2)e)); maneuvering space for aisles (Section 30-19(h)(3)b)); maximum entrance and exit driveway width (Section 30-19(h)(4)b)); landscape screening (Section 30-19(i)(1)); interior landscaping (30-19(i)(2)); one foot candle lighting (Section 30-19(j)(1)a)); surfacing and curbing (Section 30-19(j)(2)e)); number of bicycle parking spaces (Section 30-19(k)(1)); and design of loading facilities (Section 30-19(l)); and (4) add three new signs and legalize two existing signs pursuant to Sections 30-20(f)(1), 30-20(f)(2), 30-20(f)(9) and Section 30-20(l).

Ultimately, the applicant anticipates that a portion of its lot will be conveyed or taken as the rear access/egress for the proposed Riverside development. This would result in an effective reduction in lot size for the property and consequently changes to the FAR and lot coverage. The applicant therefore seeks a special permit to: (6) authorize an FAR greater than 1.0 (Section 30-15, Table 3, unless exempt under Section 30-26(a)(1)); (7) obtain relief pursuant to Section 30-21(b) for the extension of the existing nonconforming lot coverage (unless exempt under Section 30-26(a)(1)); (8) obtain relief pursuant to Section 30-21(b) for the existing nonconforming building (i.e., height, number of stories and loading facility) as the building may be affected by a reduction in lot area (unless exempt under Section 30-26(a)(1)); and (9) obtain a waiver pursuant to Section 30-19(m) for twenty (20) additional parking stalls (Section 30-19(d)(3) and Section 30-19(d)(13)).

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) BH Normandy Owner, LLC

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

ADDRESS 99 Summer Street, Boston, MA 02110

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

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PROPERTY OWNER BH Normandy Owner, LLC

OWNER'S ADDRESS c/o Normandy Real Estate Partners, 99 Summer Street, Boston, MA 02110

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

DATE September 11, 2012

PLANNING AND DEVELOPMENT
DEPARTMENT ENDORSEMENT