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August 6, 2012

BY HAND

Ms. Linda Finucane
 Chief Committee Clerk, Newton Board of Aldermen
 1000 Commonwealth Avenue
 Newton, MA 02459-1449

Re: 41, 55 and 71 Needham Street

Dear Linda,

Enclosed please find an original special permit application together with thirteen packets of information relative to the above matter consisting of the following:

1. A copy of the special permit application.
2. "ALTA/ACSM Land Title Survey – Lands of 41 Needham Street LLC, 55 Needham Street LLC, & H&J Newton, LLC" by Doucet Survey Inc. consisting of two sheets dated May 21, 2012.
3. Civil Plans by Tighe & Bond Consulting Engineers consisting of ten (10) sheets dated August 6, 2012.
4. Architectural plans by Prellwitz / Chilinski Associates Inc. consisting of four (4) sheets dated August 3, 2012.

I have also enclosed a check in the amount of \$750.00 representing the filing fee.

Please feel free to call me if you have any questions respecting the foregoing.

Very truly yours,


 Alan J. Schlesinger

enclosures

cc: (By Hand, w/enclosures)

Ms. Eve Tapper, Chief of Current Planning, Planning and Development Department
 Mr. John Lojek, Commissioner, Inspectional Services Department
 Mr. John Daghlian, Associate City Engineer
 Ms. Ouida Young, Associate City Solicitor
 (By First Class Mail, w/enclosures)
 Assistant Chief Paul Chagnon, Newton Fire Department

RECEIVED
 Newton City Clerk
 2012 AUG 6 PM 3:23
 David A. Olson, CMC
 Newton, MA 02459

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:

30-13(b)(1); 30-13(b)(4); 30-13(b)(5); 30-13(d)(1); 30-19 (m) as to 30-19 (d), 30-19(h)(3) a), 30-19 (i) (1) a)(ii) and 30-19(l); 30-20(l); 30-21(b); 30-24

PLEASE CHECK ALL REQUESTED APPROVALS THAT APPLY:

- Special Permit/Site Plan
- Site Plan Only 30-13 (f)(1)
- Extension of Non-Conforming Use(s) and/or Structure(s) Amendment of Board Order

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 David A. Olsan, Clerk
 Newton, MA 02459

STREET 49 Needham Street / 55 Needham Street / 71 Needham Street WARD _____
 SECTION(S) 51 BLOCK(S) 28 LOT(S) _____
 APPROXIMATE SQUARE FOOTAGE (of property) 11,775sf / 19,625sf / 27,475sf (total: 58,875sf) ZONE Mixed Use 1
 TO BE USED FOR: retail / service/ restaurant space

CONSTRUCTION: construction of two new, single story commercial buildings with spaces for retail and/or restaurant uses

EXPLANATORY REMARKS: Special permit sought: (1) for retail store pursuant to Section 30-13(b)(1); (2) for services businesses pursuant to Section 30-13 (b) (4); (3) for one or more restaurants containing up to 150 seats pursuant to Section 30-13(b)(5); (3) for site plan approval pursuant to Section 30-13 (f) (1); (4) for waivers under Section 30-19 (m) as to to twenty (20) parking stalls pursuant to Section 30-19(d); aisle width requirements of Section 30-19(h)(3); fence location of Section 30-19(i)(1)a)(ii) the lighting requirements for parking facilities of greater than five stalls pursuant to Section 30-19 (j) the one required loading dock facility pursuant to Section 30-19(l); (5); (5) a free standing sign pursuant to Section 30-20(l); (6) extension of non-conformities under Section 30-21 (b); (7) site plan approval under Section 30-24.

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) Needham Street Village Shops LLC
 SIGNATURE [Signature] PHONE (781) 863-1800 x17 E-MAIL LBierbrier@BierbrierDevelopment.com
 ADDRESS c/o Bierbrier Development Inc., 420 Bedford Street, Lexington, MA 02420
 ATTORNEY Alan J. Schlesinger, Esquire PHONE 617-965-3500 E-MAIL aschlesinger@sab-law.com
 ADDRESS 1200 Walnut Street, Newton, Massachusetts 02461-1267

PROPERTY OWNERS Needham Street Village Shops, LLC (49-55 Needham) H&J Newton LLC (for 71 Needham Street)
 OWNER'S ADDRESS c/o Bierbrier Development, Inc., 71 Needham Street Newton 02464

SIGNATURE OF OWNER (49 - 55 Needham Street) [Signature]
 SIGNATURE OF OWNER (71 Needham Street) [Signature]
 DATE August, 2012

PLANNING AND DEVELOPMENT
 DEPARTMENT ENDORSEMENT
 RECEIVED
 AUG - 6 2012
 CITY OF NEWTON
 PLANNING & DEVELOPMENT