

CITY OF NEWTON  
LEGAL NOTICE  
TUESDAY, OCTOBER 9, 2012

Public hearings will be held on Tuesday, October 9, 2012 at 7:00 PM, second floor, NEWTON CITY HALL before the LAND USE COMMITTEE of the BOARD OF ALDERMEN and in the case of petition #272-12(2) in conjunction with the PLANNING & DEVELOPMENT BOARD for the purpose of hearing the following petitions, at which time all parties interested in these items shall be heard. Notice will be published Tuesday, September 25 and Tuesday, October 2, 2012 in The Boston Globe and Wednesday, October 3, 2012 in the Newton Tab, with a copy posted online @[www.ci.newton.ma.us](http://www.ci.newton.ma.us) and in a conspicuous place in City Hall.

- #259-12      NINE RIPLEY LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to add an attached dwelling to an existing dwelling and to construct two additional attached dwellings for a total of four dwellings; to waive the setback requirements; allow a driveway 5 feet from a side lot line, construct a retaining wall greater than 4 feet in height within a required setback; and, to allow parking within the required side setbacks at 9 RIPLEY STREET, Ward 6, Newton Centre, on land known as SBL 65, 19, 20, containing approx. 19,367 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-9(b)(5), (b)(5)a, b), (b)(4), 30-19(g)(1), and (m) of the City of Newton Rev Zoning Ord, 2012.
- #271-12      DAVID AUTOR & MARIKA TATSUTANI petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to construct a rear addition to expand the kitchen and add a mudroom which will increase the Floor Area Ratio from .71 to .73, where .48 is allowed by right at 54 OXFORD ROAD, Ward 6, Newton Centre, on land known as SBL 62, 4, 18, containing approximately 7,681 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), 30-15(u) of the City of Newton Rev Zoning Ord, 2012.
- #149-03(4)      BERTUCCI'S COPRORATION/THE NOLAN BROTHERS petition to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL #149-03 granted on June 2, 2003 to allow a restaurant use (120 seats) in a MIXED USE 1 District and to waive the 25 parking stalls required for such use at 300 NEEDHAM STREET, Ward 8, on land known as SBL 83, 30, 11 containing 205,211 sq. ft. of land. Ref: Sec 30-24, 30-23, 30-19©, (d)(13), and (m), 30-13(b)(5) of the City of Newton Zoning Ord 2012 and Special Permit #149-03 and #149-03(2).
- #272-12(2)      BH NORMANDY OWNER, LLC petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 399 GROVE STREET, also identified as Section 42, Block 11, Lot 4, currently zoned Business 5.

#272-12

BH NORMANDY OWNER, LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for several improvements to be completed over two phases. The first phase requires a special permit to (1) amend the current site plan by adding a pool deck awning; reconfiguring the delivery and trash pick-up area 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; (3) obtain waivers for number of parking stalls and parking facility design standards including stall width, stall depth, handicap stall depth, maneuvering space for end stalls, maneuvering space for aisles, maximum width for entrance and exit driveways, landscape screening, interior landscaping, surfacing and curbing, one foot candle lighting, number of bicycle parking spaces, and design of loading facilities; and (4) authorize existing and proposed signage at 399 GROVE STREET, Ward 4.. The second phase anticipates that a portion of the applicant's lot will be conveyed or taken to provide rear access/egress to the proposed Riverside Development. This taking or conveyance would require special permit relief to (6) authorize an FAR greater than 1.0; (7) extend the existing nonconforming lot coverage; (8) obtain relief 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; and (9) obtain a waiver for number of required parking stalls; all on land known as Section 42, Block 11, Lot 4 containing approximately 116,650 square feet of land in a Business 5 Zoned district. Ref: Sections 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; and 30-26(a)(1) of the City of Newton Revised Zoning Ordinances, 2012.

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