

**SCHLESINGER AND  
BUCHBINDER, LLP**

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RACHAEL C. CARVER  
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**BY HAND**

Ms. Nadia Khan  
Committee Clerk  
Newton City Council  
1000 Commonwealth Avenue  
Newton, MA 02459-1449

TELEPHONE (617) 965-3500  
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OF COUNSEL  
ROBIN GORENBERG

E-Mail: [sjbuchbinder@sab-law.com](mailto:sjbuchbinder@sab-law.com)

September 11, 2017

RECEIVED  
Newton City Clerk  
2017 SEP 11 PM 2:38  
DAVID A. OISON, CMC  
Newton, MA 02459

Re: Petition of Langley Montrose LLC/392-396, 400, and 402-404 Langley Road

Dear Nadia,

Enclosed please find an original special permit application and an original general 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. A copy of the zoning review memorandum.
3. Set of plans and renderings prepared by Perkins Eastman dated September 7, 2017 and consisting of twenty-one sheets.
4. Floor plans prepared by Perkins Eastman dated September 8, 2017 consisting of five sheets as follows:
  - A-00 Garage Plan
  - A-01 Level 1 Plan
  - A-02 Level 2 Plan
  - A-03 Level 3 Plan
  - A-04 Roof Plan
5. Site plans prepared by VTP Associates, Inc. consisting of six sheets as follows:
  - Existing conditions site plan dated April 27, 2017, revised August 21, 2017
  - Proposed conditions site plan dated June 6, 2017, revised August 21, 2017
  - Parking plan dated September 5, 2017
  - Zoning Plan dated June 6, 2017, revised August 21, 2017
  - Area Plan dated July 20, 2017, revised September 7, 2017
  - Plan of Land, Newton, Massachusetts (perimeter plan for zone change) dated September 7, 2017

**SCHLESINGER AND BUCHBINDER, LLP**

Ms. Nadia Kahn

September 11, 2017

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6. Landscape and planting plan prepared by G2 Collaborative dated September 8, 2017 consisting of two sheets.

I have also enclosed a large (24 x 36) set of architectural and engineering plans, a CD containing electronic copies of the aforementioned plans, and 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.

Sincerely,



Stephen J. Buchbinder

SJB/mer  
enclosures

cc: (By Hand, w/enclosures)

Mr. Barney Heath (w/large set of plans and CD)

Mr. John Daghlian, Associate City Engineer (w/large set of plans)

Ouida C. M. Young, Associate City Solicitor

(By First Class Mail, w/enclosures)

Assistant Chief Gino Lucchetti

Mr. Nino Micozzi

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:

3.4.1; 4.1.2.B.1; 5.1.4; 5.1.8.A; 5.1.8.B.1; 5.1.8.B.2; 5.1.8.B.6; 5.1.8.C.2; 5.1.9.A; 5.1.9.B; 5.1.10; 5.1.13; 7.3.3; 7.4; and 7.8.2.C.2

RECEIVED  
NEWTON CITY Clerk  
2017 SEP 11 PM 2:38  
DAVID A. OLSON, CMC  
NEWTON, MA 02459

PETITION FOR:  Special Permit/Site Plan Approval  
 Extension of Non-Conforming Use and/or Structure  
 Site Plan Approval

STREET 392-396, 400, and 402-404 Langley Road WARD 6  
SECTION(S) 65 BLOCK(S) 010 LOT(S) 001,008, and 0030  
APPROXIMATE SQUARE FOOTAGE (of property) 79,636 (combined) ZONED MR2 and BU1  
TO BE USED FOR: multi-family dwellings

CONSTRUCTION: new building: wood framed bearing walls on structural concrete basement slab with brick veneer  
existing buildings: concrete walls with brick veneer

EXPLANATORY REMARKS: Special permit relief sought for (1) multi-family dwellings pursuant to Section 3.4.1; (2) gross floor area in excess of 20,000 square feet pursuant to Section 4.1.2.B.1; (3) legalization of nonconforming setback pursuant to Sections 3.4.1 and 7.8.2.C.2 (see M.G.L. Chapter 40A, Section 7); (4) reduction of required parking to 1.25 parking stalls per unit pursuant to Sections 5.1.4 and 5.1.13; (5) parking in the side setback pursuant to Sections 5.1.8.A and 5.1.13; (6) waiver of parking stall dimensional requirements pursuant to Sections 5.1.8.B.1, 5.1.8.B.2, and 5.1.13; (7) waiver of requirements for end stalls pursuant to Sections 5.1.8.B.6 and 5.1.13; (8) waiver of minimum aisle width pursuant to Sections 5.1.8.C.2 and 5.1.13; (9) waiver of perimeter screening requirements pursuant to Sections 5.1.9.A and 5.1.13; (10) waiver of interior landscaping requirements pursuant to Sections 5.1.9.B and 5.1.13; and (11) waiver of lighting and surfacing requirements pursuant to Sections 5.1.10 and 5.1.13.

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.

PETITIONER (PRINT) Langley Montrose LLC  
SIGNATURE *Stephen J. Buchbinder*  
Stephen J. Buchbinder, Esquire, Attorney for Nino Micozzi, Manager, Langley Montrose LLC

ADDRESS 159 Cambridge Street, Allston, MA 02134  
TELEPHONE N/A E-MAIL N/A

RECEIVED  
Planning & Development  
Department Endorsement  
SEP 11 2017

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

**ADDRESS** 1200 Walnut Street, Newton, Massachusetts 02461-1267

**TELEPHONE** (B) 617-965-3500 (C) 617-538-7392 **E-MAIL** sjbuchbinder@sab-law.com

**PROPERTY OWNERS** Langley Montrose LLC (392-396 and 402-404 Langley Road) and

Langley Farlow LLC (400 Langley Road)

**ADDRESS** 159 Cambridge Street, Allston, MA 02134

**TELEPHONE** N/A **E-MAIL** N/A

**SIGNATURE OF OWNER** *Stephen J. Buchbinder*

Stephen J. Buchbinder, Esquire, Attorney for  
Nino Micozzi, Manager, Langley Montrose LLC and Langley Farlow LLC



# City of Newton, Massachusetts

Department of Planning and Development

1000 Commonwealth Avenue, Newton, Massachusetts 02459

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1086  
www.newtonma.gov

Setti D. Warren  
Mayor

## GENERAL PERMIT APPLICATION

James Freas  
Acting Director

PROJECT #: \_\_\_\_\_ ZONING DISTRICT: MR2 and BU1 DATE RECEIVED: \_\_\_\_\_

PROJECT DESCRIPTION: See attached.

### PROPERTY LOCATION INFORMATION

STREET ADDRESS: 392-396, 400, and 402-404 Langley Road CITY/ZIP: 02459

LEGAL DESCRIPTION (SECTION, BLOCK, LOT): Section 65, Block 010, Lots 001, 008, and 0030

### PROPERTY OWNER INFORMATION

NAME: Langley Montrose LLC (392-396 and 402-404 Langley Road) PHONE: N/A

NAME: Langley Farlow LLC (400 Langley Road)

MAILING ADDRESS: 159 Cambridge Street, Allston, MA 02134 E-MAIL ADDRESS: N/A

### PROPERTY OWNER CONSENT

I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows:

1. This application for a land use permit or administrative approval for development on my (our) property is made with my permission
2. I (we) grant permission for officials and employees of the City of Newton to access my property for the purposes of this application.

X *Stephen J. Buchbinder* 9-8-17  
 Stephen J. Buchbinder, Esquire, Attorney for (Date)  
 Nino Micozzi, Manager, Langley Montrose LLC and Langley Farlow LLC

NOTICE: The City of Newton staff may need access to the subject property during regular business hours and will attempt to contact the applicant/agent prior to any visit. Further, members of a regulatory authority of the city may visit the property as well.

### APPLICANT/AGENT INFORMATION

NAME: Stephen J. Buchbinder, Esquire, Schlesinger and Buchbinder, LLP

BUSINESS PHONE: 617-965-3500 CELL PHONE: 617-538-7392

MAILING ADDRESS: 1200 Walnut Street, Newton, MA 02461-1267 E-MAIL ADDRESS: sjbuchbinder@sab-law.com

X *Stephen J. Buchbinder* 9-8-17  
 (Application/Agent Signature) (Date)

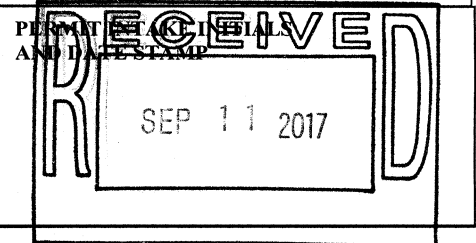
NOTICE: The applicant/agent is the primary contact and may be any individual representing the establishment or property owner. The applicant/agent must also be legally authorized to make decisions on behalf of the Property Owner(s) in regards to the application.

-----OFFICE USE ONLY BELOW THIS LINE-----

### CHECK APPROPRIATE PERMIT OR REVIEW PROCESS (CHECK ALL BEING SUBMITTED)

<input type="checkbox"/>	Zoning Review Application	<input type="checkbox"/>	Comprehensive Permit
<input type="checkbox"/>	Administrative Site Plan Review	<input type="checkbox"/>	Variance Application
<input type="checkbox"/>	Sign Permit	<input type="checkbox"/>	Historic Preservation Review
<input type="checkbox"/>	Special Permit/Site Plan Approval	<input type="checkbox"/>	Conservation Commission Review
<input type="checkbox"/>	Fence Appeal	<input type="checkbox"/>	Other, describe

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**General Permit Application  
Langley Montrose LLC/392-396, 400, and 402-404 Langley Road**

Project Description

The locus is comprised of three lots. 392-396 Langley Road contains 55,159 square feet of land in an MR-2 zone and is improved with two apartment buildings containing 30 units. 400 Langley Road contains 7,348 square feet of land, is located in an MR-2 zone, and is improved with a two-family dwelling. 402-404 Langley Road contains 17,130 square feet of land, is located in a BU-1 zone, and is improved with an apartment building containing 16 units. The total combined area of the three lots is 79,636 square feet. The applicant plans to (1) demolish the existing two-family home at 400 Langley Road and construct a new multifamily dwelling which would contain 20 apartments, (2) combine all three lots into a new single lot, and (3) seek a change of zone to MR-3.