

SPECIAL PERMIT APPLICATION

TO THE NEWTON CITY COUNCIL

The undersigned hereby makes application for 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 SECTIONS OF THE ORDINANCES FROM WHICH RELIEF IS REQUESTED:

Please see attached Exhibit A. This is an amendment to the Special Permit application previously filed.

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

STREET 383-387 Boylston Street, Newton, MA (SBL: 650110004) WARD 6

SECTION(S) 65 BLOCK(S) 11 LOT(S) 4

APPROXIMATE SQUARE FOOTAGE (of property) 14,866 SF ZONED BU1

TO BE USED FOR: Multi-family residential

CONSTRUCTION: Concrete foundation and woodframe construction (subject to change)

EXPLANATORY REMARKS: Please see attached Exhibit A.

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) Barbara & Gerald Baratz Revocable Trusts

SIGNATURE *[Signature]* See enclosed authorization.

ADDRESS 383-387 Boylston St, Newton

TELEPHONE See below Email _____

ATTORNEY Laurance S.L. Lee, of Rosenberg, Freedman & Lee LLP

ADDRESS 246 Walnut Street, Suite 201, Newton, MA 02460

TELEPHONE 617-964-7000 Email LLEE@RFL-LAW.COM

PROPERTY OWNER Barbara & Gerald Baratz Revocable Trusts

ADDRESS 383-387 Boylston St, Newton

TELEPHONE _____ Email _____

SIGNATURE OF OWNER *[Signature]* See authorization enclosed.

Planning & Development
Department Endorsement

Exhibit A to Special Permit Application
Property Address: 50 Jackson Street (a/k/a 383-387 Boylston Street), Newton, Massachusetts
Section: 65, Block: 11, Lot: 4

Special Permit Relief Requested:

Zoning Relief Required		
Ordinance		Action Required
§4.4.1	Request to allow ground floor residential use	S.P. per §7.3.3
§4.1.2.B.1	Request to allow a building with more than 20,000 square feet	S.P. per §7.3.3
§4.1.2.B.3 §4.1.3	Request to allow a three-story structure with 36 feet in height	S.P. per §7.3.3
§4.1.3	Request to allow an FAR of 1.50	S.P. per §7.3.3
§4.1.3 §7.8.2.C.2	Request to alter and extend a nonconforming side setback	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive 6 parking stalls	S.P. per §7.3.3
§5.1.8.B.1 §5.1.13	Request to reduce the width of parking stalls	S.P. per §7.3.3
§5.1.8.D.2 §5.1.13	Request to allow a driveway width exceeding 25 feet	S.P. per §7.3.3
§5.4.2	Request to allow a retaining wall greater than four feet in height within the setback	S.P. per §7.3.3

Sec. 5.1.12.D.5 Request to allow temporary off-street loading in driveway. Petitioner further requests relief from Sections 7.3 and 7.4 of City of Newton Zoning Ordinances as the City Council may deem appropriate and necessary.

Sec. 5.1.8.D.1 and 5.1.13 - Request to reduce the driveway width for two-way traffic and temporary off-street loading facility

Project Description:

The Property consists of approximately 14,866 SF of land by deed in an BU-1 zoning district. The proposal is to demolish the two commercial buildings and to erect one 12-unit multi-family residential dwelling building, 3 stories (flat roof) plus an underground garage consisting of 18 parking spaces including 1 HP parking space.

There will be 10 “flats” and 2 “townhouse” units; each unit will have 3 bedrooms with the townhouse units having a home office space.

The Property is situated on Route 9 (Boylston Street) and Jackson Street. The immediate area is comprised of single- and two-family residential houses, apartments owned by the Newton Housing Authority, and commercial office buildings.

Newton Historical Commission did not find the two existing commercial buildings to be historically significant – decision enclosed.