

# SPECIAL PERMIT APPLICATION

RECEIVED

2022 MAR 31 PH 4: 17

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:**

Sections 6.10.3.D and 4.4.1 to allow for a Marijuana Retailer, which is allowed for by special permit pursuant to Section 7.3.3.

Please see the enclosed Attachment A for a full list of sections of the Ordinance from which relief is requested.

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

STREET 1185 Chestnut Street WARD 5

SECTION(S) 51 BLOCK(S) 045 LOT(S) 0009

APPROXIMATE SQUARE FOOTAGE (of property) 17,091 SF ZONED BU2

TO BE USED FOR: The petitioner proposes to modify the existing 7,880 SF standalone building and parking lot to allow for the use of the premises as an Adult Use Marijuana Retailer. Please see the enclosed narrative documents outlining the proposed modifications to the property and operational protocols to be followed on the site.

CONSTRUCTION: Please see the enclosed Site Plans, Floor Plans, and Exterior Renderings.

EXPLANATORY REMARKS: Please see the enclosed narrative documents outlining the proposed modifications to the property and operational protocols to be followed on the site.

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) Nuestra, LLC

SIGNATURE [Signature]

ADDRESS 198 Tremont Street, Suite 228, Boston, MA 02116

TELEPHONE Counsel: (508) 353-8570 Email Counsel: philsilverman@vicentesederberg.com

ATTORNEY Phil C. Silverman, Vicente Sederberg LLP

ADDRESS 2 Seaport Lane, 11th Floor, Boston, MA 02210

TELEPHONE (508) 353-8570 Email philsilverman@vicentesederberg.com

PROPERTY OWNER 1185 Chestnut St Trust, Kegagioglu Panagiotis, Trustee

ADDRESS 1185 Chestnut Street, Newton, MA 02464

TELEPHONE 617 331-8227 Email Mary Hutz, @ Global 0314

SIGNATURE OF OWNER [Signature]

Planning & Development  
Department Endorsement

## Attachment A: List of Zoning Relief Requested

<b>Zoning Relief Required</b>		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§6.10.3.D §4.4.1	To allow a marijuana retailer	S.P. per §7.3.3
§5.1.8.A.1 §5.1.13	To allow parking within the side setback	S.P. per §7.3.3
§5.1.8.B.2 §5.1.13	To allow parking stalls with reduced length	S.P. per §7.3.3
§5.1.8.D.1 §7.8.2.C.2	To alter and extend the nonconforming driveway width	S.P. per §7.3.3
§5.1.9.A §5.1.13	To waive perimeter screening requirements	S.P. per §7.3.3
§5.1.10 §5.1.13	To waive the lighting requirements	S.P. per §7.3.3
§6.10.3.E.15	To waive the 25% façade transparency requirement	S.P. per §7.3.3