




**Special Permit Application**

**Applicant**

**Location**

**SP-22-110**

 Stephen Buchbinder  
 617-965-3500  
 sjbuchbinder@sab-law.com

11 FLORENCE ST  
NEWTON CENTRE, MA 02459

**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, 2017, as amended, or any other sections

true

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2022 MAY 25 PM 12:33  
CITY CLERK  
NEWTON, MA 02459

**Applicant Information**

The individual submitting this application is the agent

**Property Owner Information**

<b>Name</b>	<b>Address</b>
Seltzers Garden City, Inc.	160 Southampton Street
<b>City</b>	<b>State</b>
Boston	MA
<b>Zip Code</b>	<b>Telephone Number</b>
02118	N/A
<b>Email</b>	
N/A	

**Application Information**

<b>Petition For</b>	<b>Application Type</b>
Special Permit/Site Plan Approval	Residential
<b>Size of the main parcel (in square feet)</b>	<b>Does this involve multiple parcels?</b>
82946	Yes
<b>Are you creating any new residential units?</b>	<b>How many new residential units will be created?</b>
Yes	95
<b>Are you creating gross Floor Area?</b>	
Yes	

Please reference sections of the ordinances from which relief is requested

4.4.1; 4.1.2.B.1; 4.1.2.B.3; 4.1.3; 5.1.8.A.1; 5.1.10.A; 5.1.13; 5.2.13; 5.4.2.B; 6.2.10; 7.3.3.

**Please describe proposed project:**

Special permit sought to (i) allow an Elderly Housing with Services Facility (Sections 4.4.1 and 6.2.10.B); (ii) allow a development in excess of 20,000 square feet (Section 4.1.2.B.1); (iii) allow a five-story building (Sections 4.1.2.B.3 and 4.1.3); (iv) allow a retaining wall of greater than 4' located in a setback (Section 5.4.2.B); and (v) allow a free-standing sign (Section 5.2.13). The following waivers are also sought, to the extent necessary, pursuant to Section 5.1.13: (i) allow parking in the front setback (Section 5.1.8.A.1) and (ii) waive the one foot candle lighting requirements (Section 5.10.A.1).

**Are there any prior special permits and/or variances on the subject property?**

Yes

**Has this project been reviewed by historic?**

Yes

**Has this project been reviewed by conservation?**

No

**Does this petition require a rezoning to the Mixed Use 4 district?**

No

**Is this petition seeking to create an accessory apartment?**

No

**Is this petition seeking to create a rear lot subdivision?**

No

**Is this petition seeking to establish a Marijuana Establishment?**

No

**Does the project involve the creation or substantial alteration of 20,000 sq. ft. or more?**

Yes

**Is this petition subject to the Inclusionary Zoning section of the Newton Zoning Ordinance?**

Yes

**Does this petition create or alter an outdoor parking facility containing more than five parking stalls?**

Yes

**Does this petition increase the amount of impervious surface by more than the lesser of a) four percent of the lot size or b) 400 square feet?**

Yes

**Additional Parcels**

Parcel ID	Street Number and Name
820040047	318 BOYLSTON STREET

**Applicant Declaration**

Please review the City Council Rules and Orders (<https://www.newtonma.gov/home/showpublisheddocument/27811/637262406217830000>) before signing

**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.**

true