



2023 00030340

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Page: 1 of 6 03/29/2023 03:59 PM

#23-23(A)

#23-23(B)

697 Washington Street

RECEIVED

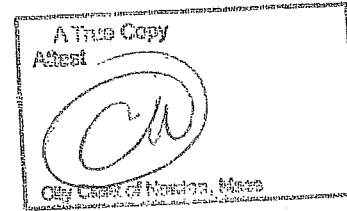
MAR 29 PM 4:44

CITY CLERK

CITY OF NEWTON

IN CITY COUNCIL

February 21, 2023



ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the Site, as defined below, will be in harmony with the conditions, safeguards, and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #289-18, which allowed a co-located marijuana establishment, by eliminating Condition 11, which limited the amount of marijuana that can be purchased per visit, and modifying Condition 7 to allow employees to park on site in four designated parking stalls in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee, through its Chairman, Councilor Richard Lipof.

1. The specific site is an appropriate location for the amendments to Council Order #289-18 because the amendments do not require additional zoning relief and would eliminate inconsistencies with state law. (§7.3.3.C.1)
2. The amendments to Council Order #289-18 will not adversely affect the surrounding neighborhood because the petitioner's on-site parking facility has sufficient capacity to meet the demand of the operation and to accommodate four dedicated employee parking stalls. (§7.3.3.C.2)
3. The amendments to Council Order #289-18 will not create a nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved because the existing parking is underutilized. (§7.3.3.C.4)

PETITION NUMBER:

#23-23 (A) and (B)

26401 - 209

PETITIONER:

Garden Remedies, Inc.

LOCATION: 697 Washington Street, on land known as SBL 23, 19, 1b,
containing approximately 16,669 square feet of land

OWNER: 697 Washington Street Realty Trust, Mark Donato, Trustee

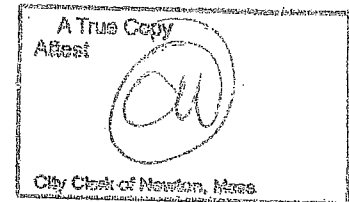
ADDRESS OF OWNER: 1211 Washington Street
Newton, MA 02465

TO BE USED FOR: Co-located marijuana establishment

CONSTRUCTION: Brick

EXPLANATORY NOTES: Amendments to Council Order #289-18 regarding retail
transaction limits and on-site parking for employees

ZONING: Business Use 2 District



Approved subject to the following Conditions.

This Special Permit/Site Plan Approval amends Council Order #289-18 by removing the condition limiting the amount of marijuana that can be purchased per visit and modifying the condition limiting employee parking. All other conditions of Council Order #289-18 and Council Order #215-21(A), #215-21(B), #215-21(C) remain in full force and effect.

1. Condition #7 shall be modified by deleting "The petitioner shall implement a Transportation Demand Management Plan to prevent employees from occupying parking stalls both in the surface parking facility and on-street parking stalls" and replace it with "The petitioner shall implement a Transportation Demand Management Plan to prevent employees from occupying on-street parking stalls."
2. Condition #11 shall be deleted in its entirety.

Under Suspension of Rules

Readings Waived and Extension of Time Approved

19 Yeas, 0 Nays, 5 Absent (Councilors Krintzman, Leary, Noel, Gentile and Grossman)

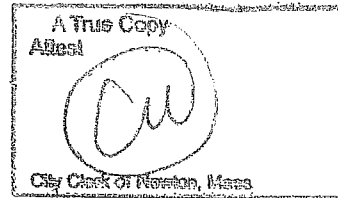
The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on February 23, 2023. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:



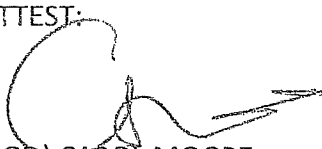
(SGD) CAROL MOORE

Clerk of the City Council



I, Carol Moore, as the Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on February 23, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE

Clerk of the City Council

LOCATION: 697 Washington Street, on land known as SBL 23, 19, 1b, containing approximately 16,669 square feet of land

OWNER: 697 Washington Street Realty Trust, Mark Donato, Trustee

ADDRESS OF OWNER: 1211 Washington Street
Newton, MA 02465

TO BE USED FOR: Co-located marijuana establishment

CONSTRUCTION: Brick

EXPLANATORY NOTES: Amendment to Council Order #289-18 to update sign plan

ZONING: Business Use 2 District

Approved subject to the following Conditions.

This Special Permit/Site Plan Approval amends Council Order #289-18 by changing the referenced sign plan associated with the project. All other conditions of Council Order #289-18 and Council Orders #215-21(A-C) and #23-23 (A) and (B) remain in full force and effect.

1. Condition #1(f) shall be deleted and replaced with the following, "Sign Plan, prepared by Wass-Arthur Signs, dated 2023.

Under Suspension of Rules

Readings Waived and Extension of Time Approved

City Council Approved: 24 Yeas, 0 Nays

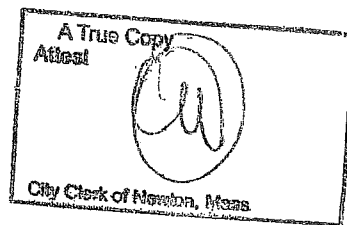
The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on March 8, 2023. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:



(SGD) CAROL MOORE

Clerk of the City Council



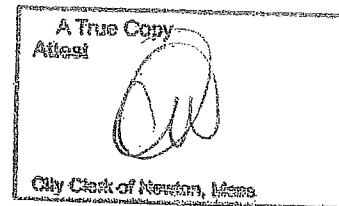
I, Carol Moore, as the Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on March 8, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE

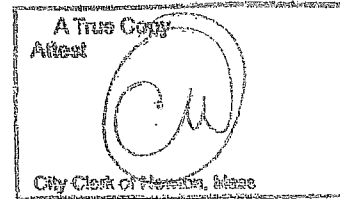
Clerk of the City Council



CITY OF NEWTON

IN CITY COUNCIL

March 6, 2023



ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the Site, as defined below, will be in harmony with the conditions, safeguards, and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #289-18, which allowed a co-located marijuana establishment, to revise the reference to a sign plan in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee, through its Chairman, Councilor Richard Lipof.

1. The specific site is an appropriate location for the amendment to Council Order #289-18 because the proposed sign plan complies with the Zoning Ordinance and is consistent with sign plans previously reviewed and approved by the UDC. (§7.3.3.C.1)
2. The amendment to Council Order #289-18 will not adversely affect the surrounding neighborhood because the proposed sign plan complies with the Zoning Ordinance and is consistent with sign plans previously reviewed and approved by the UDC. (§7.3.3.C.2)
3. The amendment to Council Order #289-18 will not create a nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved because no changes are proposed to the site that would negatively impact access. (§7.3.3.C.4)

PETITION NUMBER: #23-23(C)

PETITIONER: Garden Remedies, Inc.