

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site 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 allow non-profit educational uses requiring a parking waiver, to allow for-profit educational uses, to allow an agricultural use on less than three acres, and to further extend the nonconforming parking on site by waiving 12 parking stalls as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The site is an appropriate location for the proposed educational uses, agricultural use, and 12-stall parking waiver because the site has historically accommodated a mix of complementary uses without on-site parking. The uses proposed mostly operate out of the site at different times, thus resulting in a lesser parking demand than the Ordinance requires. (§7.8.2.C.1)
2. The proposed educational uses, agricultural use, and parking waiver will not adversely affect the neighborhood because peak traffic demand will not be negatively affected. (7.3.3.C.2)
3. There will not be a nuisance to vehicles or pedestrians because the existing conditions of the site will be maintained. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. A waiver of 12 parking stalls is in the public interest because constructing additional parking stalls would require an increase in impervious paving on the site and street parking is available nearby. (§5.1.13)

PETITION NUMBER: #335-23

PETITIONER: Saint John's Episcopal Church

LOCATION: 297 Lowell Avenue, Ward 2, Newtonville, on land known as Section 24 Block 14 Lot 01, containing approximately 44,854 sq. ft. of land

OWNER: St. John's Episcopal Church

ADDRESS OF OWNER: 297 Lowell Avenue
Newton, MA 02460

TO BE USED FOR: To allow for-profit educational use, non-profit educational use requiring parking waivers, an agricultural use on less than three acres, and a waiver of 12 parking stalls.

RELIEF GRANTED: Special Permit per §7.3.3 to: waive 12 parking stalls (§5.1.4, §5.1.13); allow non-profit educational uses requiring a parking waiver and for-profit educational uses (§4.4.1, §6.3.14.B.1.b, §6.3.14.B.2); and allow an agriculture use on less than three acres (§3.4.1)

ZONING: Single Residence 2

Approved, subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. A set of floor plans signed and stamped by Christopher M Dynia, Registered Architect, dated July 10, 2022
2. No building permit (other than a demolition permit) or certificate of occupancy and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:
 - a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Obtained a written statement/sign off from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.