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2023 DEC -6 PM 4:45

#340-23

32 Needham Street

CITY CLERK  
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

December 4, 2023

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 indoor vehicle sales and service 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 to allow indoor vehicle sales and service because the site is located on a commercial corridor and abuts other commercial and auto-oriented uses. The indoor vehicle sales will be limited to a small showroom area and have lower customer volume resulting in less parking demand. (§7.3.3.C.1)
2. The proposed indoor vehicle sales and service use will not adversely affect the neighborhood because the business frontage is located on an active commercial corridor and adjacent to automotive uses. (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)

PETITION NUMBER: #340-23

PETITIONER: Safi Barqawi

LOCATION: 32 Needham Street, Ward 8, Newton Highlands, on land known as Section 83 Block 11, Lot 14, containing approximately 14,865 sq. ft. of land

OWNER: 32 Needham Street Trust

ADDRESS OF OWNER: 115 Winchester ST  
Newton, MA 02461

TO BE USED FOR: To allow indoor vehicle sales and service.

RELIEF GRANTED: Special Permit per §7.3.3:

- To allow indoor vehicles sales and service (§4.4.1; §6.3.36)

ZONING: Mixed Use 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. Floor plans and elevations, signed and stamped by Paul R. Lessard, architect, dated 9/14/2023.
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.

Under Suspension of Rules  
Readings Waived and Extension of Time Approved  
23 yeas 0 nays 1 absent (Councilor Noel)

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 December 6, 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 December 6, 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