

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 and to waive 11 total parking stalls as recommended by the Land Use Committee for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The site is an appropriate location for the proposed nonprofit educational use and parking waiver of three additional stalls because the site has historically accommodated a mix of complementary uses with the current parking configuration. 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 use and parking waivers will not adversely affect the neighborhood because there is adequate parking on site and in the vicinity to accommodate the proposed use and the nonprofit education use is complementary to the primary religious use. (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 and pick up and drop off times will be staggered. (§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 an additional three 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 and public transit options are also available. (§5.1.13)

PETITION NUMBER: #115-24

PETITIONER: Trustees of the Union Church in Waban

LOCATION: 14 Collins Road, Ward 5, Waban, on land known as Section 55 Block 48 Lots 36 and 37, containing approximately 41,302 sq. ft. of land

OWNER: Trustees of the Union Church in Waban

ADDRESS OF OWNER: 14 Collins Road  
Newton, MA 02468

TO BE USED FOR: To allow a non-profit educational use requiring parking waivers and a waiver of three parking stalls.

RELIEF GRANTED: Special Permit per §7.3.3:

- To allow non-profit educational use requiring a parking waiver (§4.4.1, §6.3.14.B.1.b)
- To waive three parking stalls (§5.1.4, §5.1.13)

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 Matthew J. Distefano, Professional Engineer, and Joseph R. Porter, Professional Land Surveyor, dated May 8, 2013 and revised June 20, 2013 and July 23, 2013
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.