

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 waive six parking stalls as recommended by the Land Use Committee for the reasons given by the Committee, through its Chair, Andrea Kelley:

1. The site in a Mixed Use 2 district is an appropriate location for the proposed parking waivers because it is in an area with public transit options available as an alternative to driving. (§7.8.2.C.1)
2. The proposed parking waivers will not adversely affect the neighborhood because the nature of the daycare use means that much of the parking is only required temporarily for pickup and drop off, and there is adequate long-term parking for staff. (7.3.3.C.2)
3. There will not be a nuisance to vehicles or pedestrians because the existing curb cuts and access points 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 six parking stalls is in the public interest because constructing additional parking stalls would require an increase in impervious paving on the site and on-site parking is available. (§5.1.13)

PETITION NUMBER: #203-24

PETITIONER: GJE & MJ & HM TRS, BROADWAY SAUGUS TRUST, AND SULLIVAN TRUST T/C

LOCATION: 66 Needham Street, Ward 8, Newton Highlands, on land known as Section 83 Block 11 Lot 18A, containing approximately 25,753 sq. ft. of land

OWNER: GJE & MJ & HM TRS, BROADWAY SAUGUS TRUST, AND SULLIVAN TRUST T/C

ADDRESS OF OWNER: PO Box 122
Newton MA 02456

TO BE USED FOR: To allow a daycare use requiring a waiver of 6 parking stalls.

RELIEF GRANTED: Special Permit per §7.3.3 to waive 6 parking stalls (§5.1.4; §5.1.13)

ZONING: Multi-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. A site plan signed and stamped by Edmond T. Spruhan, Registered Civil Engineer, and Christopher C. Charlton, Professional land Surveyor, dated November 29, 2023 and revised April 26, 2024.
2. The day care center shall be limited to 110 students and 18 staff members on site at any one time. If the petitioner would like to increase the number of students or staff, they must seek an amendment to this special permit.
3. 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. Provided a site circulation plan for review and approval by the Director of Planning and Development demonstrating safe access and egress for cars and associated signage prior to receiving a certificate of occupancy.

- c. 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.