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#255-24

1150-1152 Walnut Street

CITY CLERK
NEWTON, MA. 02459

CITY OF NEWTON

IN CITY COUNCIL

July 8, 2024

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 for a free-standing sign, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

1. The site in the Business Use 2 (BU2) zone is an appropriate location for the proposed free-standing sign due to its location in a commercial center and village center where a variety of signs are present. (§7.3.3.C.1)
2. The proposed sign as designed will not adversely affect the neighborhood because the proposed sign is limited to seventeen square feet and appropriately designed to support the use as an office. (§7.3.3.C.2)
3. The proposed free-standing sign will not create a nuisance or serious hazard to vehicles or pedestrians because it will aid in wayfinding for visitors to the site and eliminate potential confusion for visitors to the site due to lack of signage. (§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. The proposed exceptions to the sign ordinance should be permitted and are appropriate due to the nature of the use of the premises and are in the public interest because the site is located within a BU2 zone and by-right options for permanent signs per Section 5.2.6 are not appropriate for the site. (§5.2.13)

PETITION NUMBER: #255-24

PETITIONER: Robert Joyce

LOCATION: 1150-1152 Walnut Street, Newton Highlands, on land known as Section 52 Block 21 Lot 01, containing approximately 8,596 sq. ft. of land

OWNER: Robert Joyce

ADDRESS OF OWNER: 1150 Walnut Street
Newton Highlands, MA 02461

TO BE USED FOR: Office

RELIEF GRANTED: Special Permit for a free-standing sign (§5.2.13.A)

ZONING: Business 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. Site Plan and proposed sign location prepared by Peabody Construction Company dated August 20, 1993 as edited by Robert Joyce and submitted May 17, 2024
 - b. A sign plan prepared by Mike Millman submitted May 15, 2024.
2. No building/sign permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - a. Recorded a certified copy of this order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Obtained a written statement from the Planning Department that confirms the building/sign permit plans are consistent with plans approved in Condition #1.
3. No Final Inspection for a sign covered by this special permit/site plan approval shall be issued until the petitioners have:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development statements by a licensed design

professional that the signs have been installed to comply with applicable building codes.

- b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by the sign installer.

Under Suspension of Rules
Readings Waived and Approved
22 yeas 0 nays 2 absent (Councilors Downs and Wright)

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 July 10, 2024. 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.

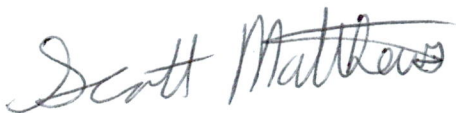
ATTEST:



(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 July 10, 2024 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE
Assistant Clerk of the City Council