

CITY OF NEWTON

IN CITY COUNCIL

May 16, 2016

RECEIVED  
Newton City Clerk  
2016 MAY 18 PM 2:14  
David A. Olson, Clerk  
Newton, MA 02459

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 for exceptions to and waivers from certain parking regulation, including a waiver of 21 parking stalls, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Marc Laredo:

1. The requested exceptions related to the number of parking stalls, parking stall dimensions and maneuvering aisle width requirements are appropriate as the parking areas have existed for many decades in their current condition, the existing number of stalls are sufficient to meet expected demand, and any occasional spillover can be accommodated by existing on-street parking. Furthermore, such exceptions would be in the public interest and provide for the protection of environmental features by reducing the amount of unnecessary paving on the site. (§5.1.4, §5.1.8.B.1, §5.1.8.B.2, §5.8.1.C.1, §5.8.1.C.2 and §5.1.13).
2. The requested exceptions related to parking stalls located in the front and side setbacks and within five feet of a building containing dwelling units, as well as parking lot screening, interior landscaping and lighting requirements are appropriate as they reflect long-standing existing conditions on a property where no new construction or other physical changes are being contemplated. (§5.1.9.A, §5.1.10, and §5.1.13).

PETITION NUMBER: #130-16

PETITIONER: The Roman Catholic Archbishop of Boston, a Corporation Sole

LOCATION: 260, 270 and 280 Elliot Street, Newton Upper Falls, on land known as Section 51 Block 37 Lots 1, 1A, 2

OWNER: The Roman Catholic Archbishop of Boston, a Corporation Sole

ADDRESS OF OWNER: c/o RCAB Real Estate, 66 Brooks Drive, Braintree, MA 02184

TO BE USED FOR: Parking

CONSTRUCTION: n/a

EXPLANATORY NOTES: Special Permits per §7.3.3:

- to waive 21 parking stalls (§5.1.4, §5.1.13);
- to allow parking in the front and side setbacks (§5.1.8.A.1, §5.1.13);
- to allow parking within five feet of a building containing dwelling units (§5.1.8.A.2, §5.1.13);
- to waive parking stall dimensions (§5.1.8.B.1, §5.1.8.B.2, §5.1.13);
- to waive minimum maneuvering aisle width (§5.1.8.C.1, §5.1.8.C.2, §5.1.13);
- to waive the parking lot screening requirements (§5.1.9.A; §5.1.13);
- to waive the interior landscaping requirements (§5.1.9.B; §5.1.13);
- to waive parking lot lighting requirements (§5.1.10; §5.1.13).

ZONING: Multiple Residence 1 (MR-1) District

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 plan entitled "Area Plan- 260, 270 & 280 Elliot Street, Roman Catholic Archdiocese of Boston, Mary Immaculate of Lourdes Parish, Newton, Mass.; prepared by Medford Engineering & Survey, Angelo B. Veneziano Associates, dated March 15, 2016 and signed and stamped by Richard J. Mede, Jr., Professional Land Surveyor on March 3, 2016.
  - b. A plan entitled "Existing Conditions Plan- 260, 270 & 280 Elliot Street, Roman Catholic Archdiocese of Boston, Mary Immaculate of Lourdes Parish, Newton, Mass.; prepared by Medford Engineering & Survey, Angelo B. Veneziano Associates, dated March 15,

2016 and signed and stamped by Richard J. Mede, Jr., Professional Land Surveyor on March 3, 2016.

- c. A plan entitled "Proposed Conditions Plan- 260, 270 & 280 Elliot Street, Roman Catholic Archdiocese of Boston, Mary Immaculate of Lourdes Parish, Newton, Mass.;" prepared by Medford Engineering & Survey, Angelo B. Veneziano Associates, dated March 15, 2016 and signed and stamped by Richard J. Mede, Jr., Professional Land Surveyor on March 3, 2016.
  - d. A plan entitled "Church Plan- 1<sup>st</sup> Floor, The Archdiocese of Boston, Mary Immaculate of Lourdes, 270 Elliot Street, Newton MA 02464," Sheet A-1, prepared by JQW Architecture LLC, dated January 8, 2016, stamped and signed by John O. Williamson, Registered Architect.
  - e. A plan entitled "Church Plan- Lower Level, The Archdiocese of Boston, Mary Immaculate of Lourdes, 270 Elliot Street, Newton MA 02464, Sheet A-2, prepared by JQW Architecture LLC, dated July 15, 2013, stamped and signed by John O. Williamson, Registered Architect.
  - f. A plan entitled "Rectory Plans, The Archdiocese of Boston, Mary Immaculate of Lourdes, 270 Elliot Street, Newton MA 02464, Sheet A-3, prepared by JQW Architecture LLC, dated January 8, 2016, stamped and signed by John O. Williamson, Registered Architect.
2. The petitioner shall record a certified copy of this –Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County and file a copy of such recorded Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  3. The petitioner shall submit a Final Landscape Plan, which shall include perimeter screening and the number and location of the bicycle parking facilities required by NZO §5.1.11, for review and approval by the Director of Planning and Development.
  4. The petitioner shall install the landscaping and bicycle parking facilities shown in the Final Landscape Plan, and submit evidence thereof to the Director of Planning and Development, within one year of the date of the recording of a certified copy of this Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
  5. The landscaping shown on the approved Final Landscaping Plan shall be maintained in good condition by the petitioner and shall be replaced in a timely manner with similar materials as necessary.

Under Suspension of Rules

Readings Waived and Approved

21 yeas 0 nays 3 absent (Councilors Albright, Baker, Lappin)

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 May 18, 2016. 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.

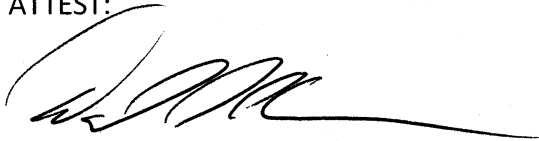
ATTEST:



(SGD) DAVID A. OLSON, City Clerk  
Clerk of the City Council

I, David A. Olson, 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 5/15 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) DAVID A. OLSON, City Clerk  
Clerk of the Council