

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 amend the site plan approved by Special Permit Board Order #14-20 (which allowed parking accessory to a manufacturing use in a residential district (§5.1.6.C) and parking in front and side setbacks, and granted exceptions to certain parking facility interior landscaping and lighting requirements) and to allow a free-standing sign (§§5.2.3, §5.2.8, §5.2.13), as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The specific site is an appropriate location for the proposed free-standing sign as it provides directional assistance to drivers travelling to occupants of the site. (§7.3.3.1)
2. The proposed free-standing sign will not adversely affect the neighborhood. (§7.3.3.2)
3. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.3)
4. There will be no nuisance or serious hazard to vehicles or pedestrians associated with the proposed free-standing sign. (§7.3.3.4)
5. Given the location of the commercial structure on the lot and its distance from Newtonville Avenue, the installation of the proposed free-standing sign is in the public interest as it provides directional assistance to drivers travelling to the site. (§5.2.13.A)

PETITION NUMBER: #14-20(2)

PETITIONER: POFCO Newtonville Ave LLC

LOCATION: 287 and 289 Newtonville Avenue, on land known as Section 22 Block 01 Lots 13 and 17, containing approximately 72,643 square feet of land

OWNER: POFCO Newtonville Ave LLC

ADDRESS OF OWNER: 234 Congress Street
Boston, MA 02110

TO BE USED FOR: Externally lit free-standing sign

CONSTRUCTION: Metal sign on fixed concrete base

EXPLANATORY NOTE: Special Permit per §7.3.3 to:
- amend Special Permit #14-20
- allow a free-standing sign (§§5.2.3, §5.2.8, §5.2.13)

ZONING: Manufacturing (MAN) and Multi-Residence 1 (MR1)

Approved, subject to the following conditions:

1. All conditions set forth in Special Permit/Site Plan Approval #14-20 shall remain in full force and effect with the exception that a free-standing sign may be constructed and located consistent with the following plans:
 - a. A sign design entitled "Project: 0820_07 Peabody Office-Newtonville Signage, 287 Newton Ave, Newton, MA," prepared by Boston Building Wraps, dated January 12, 2012, Revision #5.
 - b. A plan with the notation "Single Sided Sign, Corner of Newtonville & Albany, Approximate Placement Shown," showing the proposed location of the free-standing sign near the corner of Newtonville Avenue and Albany Street.
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
 - a. Recorded 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.
 - 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. Provided a Final Site Plan for review and approval by the Department of Planning and Development, Engineering Division of Public Works and Fire Department.
 - d. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
 - e. Obtained a written statement from the Planning Department that confirms the Building Permit plans are consistent with plans approved in Condition #1 including all dimensional requirements.

3. No Occupancy Permit/Final Inspection for the use covered by this Special Permit/Site Plan Approval shall be issued until the petitioner has:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect or engineer certifying compliance with Condition #1.
 - b. Submitted to the Department of Inspectional Services and the Department of Planning and Development a final as-built survey plan in paper and digital format.