

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 five parking stalls, 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 waiver of five parking stalls due to its location in the Newton Highlands Village Center and its proximity to transit. (§7.3.3.C.1.)
2. The proposed waiver of five parking stalls will not adversely affect the neighborhood due to the short-term parking needs of the use. (§7.3.3.C.2.)
3. There will be no nuisance or serious hazard to vehicles or pedestrians due to. (§7.3.3.C.3.)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved due to its location in a Village Center. (§7.3.3.C.4)
5. A waiver of five parking stalls is in the public interest due to its location in the Newton Highlands Village Center and the site's proximity to transit. (§5.1.3.E; §5.1.4; §5.1.13)

PETITION NUMBER: #176-21

PETITIONER: Hamilton Linewt Associates

ADDRESS OF PETITIONER: 39 Brighton Avenue
Boston, MA 02134

LOCATION: 47 Lincoln Street, Section 52, Block 08, Lot 1, containing approximately 6,968 square feet of land

OWNER: Hamilton Linewt Associates

ADDRESS OF OWNER: 39 Brighton Avenue
Boston, MA 02134

TO BE USED FOR: Fitness Studio

CONSTRUCTION: Interior renovations only

EXPLANATORY NOTES: Special permit to waive five parking stalls (§5.1.3.B, §5.14,
and §7.3.3)

ZONING: Business 1

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 the following plans:
 - a. "Crowe Barre Studio Floorplan" dated April 6, 2021, signed and stamped by Andrea G Zaff, Registered Architect.
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 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; and
 - c. Obtained a statement from the Director of Planning and Development that all plans are consistent with Condition #1.
3. The parking waiver of five parking stalls shall only apply to the health club use. Any change in use pertaining to this site shall require an amendment to this Council Order.
4. No occupancy permit 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 certifying compliance with Condition #1.