

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the 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 Special Permit #106-13 to allow for construction of an additional garage bay (§4.4.1), as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Councilor Richard Lipof:

1. The site in a Business 2 (BU2) zoning district is an appropriate location for the proposed addition containing a third auto service bay as its design and use are consistent with the surrounding commercial area. (§7.3.3.C.1)
2. The proposed addition containing a third auto service bay will not adversely affect the neighborhood as its design and use are consistent with the surrounding commercial area. (§7.3.3.C.2)
3. The proposed addition containing a third auto service bay will not create a nuisance or serious hazard to vehicles or pedestrians. (§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)

PETITION NUMBER: #296-21

PETITIONER: A & L Auto Service, LLC

LOCATION: 414 Watertown Street, on land known as Section 14, Block 15, Lot 24, containing approximately 10,992 square feet of land

OWNER: A & L Auto Service, LLC

ADDRESS OF OWNER: 414 Watertown Street
Newton, MA 02458

TO BE USED FOR: One-story addition to be used as a third auto service bay

EXPLANATORY NOTES: Special permit per §7.3.3 to amend Council Order #106-13 to allow for construction of an additional garage bay (§4.4.1)

ZONING: Business 2 (BU2)

The conditions set forth in a prior special permit for this property, Special Permit #106-13, remain in full force and effect except as modified herein.

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 entitled "Certified Plot Plan, Newton, Massachusetts, Showing Proposed Conditions at #414 Watertown Street," prepared by VTP Associates, Inc., dated January 11, 2021, signed and stamped by Joseph R. Porter, Professional Land Surveyor (Sheet 1 of 1)
 - b. a set of architectural plans entitled, "414 Watertown Street, Newton, MA, Proposed Garage Bay Extension," prepared by Ronald F. Jarek, Architect, dated March 22, 2021, signed and stamped by Ronald F. Jarek, Registered Architect, comprised of the following sheets:
 - i. Title Sheet, Notes and Legend (A-0)
 - ii. General Notes, Materials List, & FAR Calcs (A-1)
 - iii. Existing Plans and Elevations (EX-1)
 - iv. Construction Plan and Site Plan (A-2)
 - v. Proposed Elevations (A-3)
 - vi. Section, Details and Framing Plan (A-4)
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. 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.

- d. Obtained a written statement from the Department of Planning and Development that confirms plans submitted with any building permit are consistent with plans approved in Condition #1.
3. No Certificate of Occupancy for the buildings and uses 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 professional engineer or surveyor and a registered architect certifying substantial 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.