

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 a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #185-18 to convert an office unit into a fourteenth residential unit 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 amendment to Council Order #135-18 to allow the conversion of the office unit to a fourteenth residential unit due to its location within a mostly residential building and presence of multifamily residential uses nearby. (§7.3.3.C.1.)
2. The proposed amendment to Council Order #135-18 to allow the conversion of the office unit to a fourteenth residential unit will not adversely affect the neighborhood because the neighborhood contains a mix of uses and the alterations will be internal to the building. (§7.3.3.C.2.)
3. The proposed amendment to Council Order 135-18 to allow the conversion of the office unit to a fourteenth residential unit will not create a nuisance or serious hazard to vehicles or pedestrians because the parking and driveway locations are being maintained. (§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: #488-22

PETITIONER: 429 Cherry Street LLC

ADDRESS OF PETITIONER: 429 Cherry Street
Newton, MA 02465

LOCATION: 429 Cherry Street
Newton, MA 02465

OWNER: 429 Cherry Street LLC

ADDRESS OF OWNER: 429 Cherry Street
Newton, MA 02465

TO BE USED FOR: Conversion from mixed use to residential building with fourteen residential units

EXPLANATORY NOTES: To amend special permit #185-18 to convert the office unit to a fourteenth residential unit.

ZONING: Business Use 1

The prior Special Permit for this property is Special Permit #185-18 which allowed a mixed use development with associated waivers. This special permit amends Special Permits #185-18 to allow the conversion of the office unit to a fourteenth residential unit. The conditions set forth in Special Permit #185-18 remain in full force and effect except as modified below.

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. Architectural Plans entitled, "429 Cherry Street" signed and stamped by David Barsky Registered Architect, consisting of one (1) sheet as follows:
 - A-101.2 – First Floor Plan, dated July 8, 2018, Revised April 28, 2021