

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 Council Order #360-14 to allow a free standing sign, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The specific site is an appropriate location for the free standing sign because there are other free standing signs along the Needham Street Corridor (§7.3.3.C.1);
2. The free standing sign will not adversely affect the neighborhood due to the presence of signs on Needham Street and the sign provides wayfinding for travelers on Needham Street (§7.3.3.C.2);
3. The free standing sign 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); and
5. The nature of the use of the premises, the architecture of the building, or its location with reference to the street is such that free-standing signs or exceptions should be permitted in the public interest (§5.2.13).

PETITION NUMBER: #360-14 (3)

PETITIONER: Ronald Cahaly

LOCATION: 112 Needham Street, Section 83, Block 12, Lot 7, containing approximately 7,500 square feet

OWNERS: 112 Needham Street LLC

ADDRESS OF OWNERS: 112 Needham Street  
Newton, MA 02464

TO BE USED FOR:	Commercial
CONSTRUCTION:	No site work
EXPLANATORY NOTES:	To amend Council Order #360-14 to allow for a free-standing sign
ZONING:	Mixed Use 2 District

The prior special permit for this property is as follows: Council Order #360-14, which authorized a two and a half story building with an FAR of no more than 1.5, a building height of up to 36 feet, and extension of reconstruction of a nonconforming structure, waiver of one parking stall, waiver of end stall maneuvering space requirement, and a waiver of off-loading requirements. The conditions set forth in Council Order #360-14 remain in full force and effect.

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. Plot Plan "As Built Sign 112 Needham Street" dated November 1, 2017; revised November 27, 2018 signed and stamped by Scott D. Cameron, Professional Land Surveyor
2. The sign shall not be illuminated at any time.
3. 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 Board 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 Board Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. 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.
4. No Certificate of Occupancy/Final Inspection 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 registered architect or surveyor certifying substantial compliance with Condition #1.