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Newton City Clerk

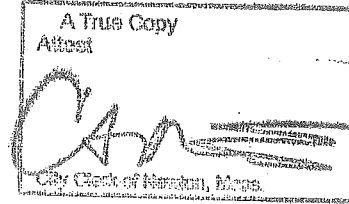
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Petition #36-23
255-257 Newtonville Avenue

CITY OF NEWTON

IN CITY COUNCIL

February 21, 2023



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 Special Permit #48-16 to modify the site plan and architectural plans to allow the installation of solar arrays on the roof of the structure, 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 Manufacturing (MAN) zoning district is an appropriate location for the proposed roof top solar arrays. (§7.3.3.C.1)
2. The proposed roof top solar arrays will not adversely affect the neighborhood. (§7.3.3.C.2)
3. The proposed roof top solar arrays 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: #36-23

PETITIONER: CS SDP Newtonville LLC

LOCATION: 255-257 Newtonville Avenue, Newtonville, Ward 2, on land known as Section 12 Block 16 Lot 08, containing approximately 76,000 sq. ft. of land

OWNER: CS SDP Newtonville LLC

ADDRESS OF OWNER: P.O. Box 320099
Alexandria, VA 22320

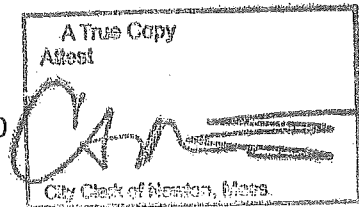
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TO BE USED FOR: Three-story self-storage facility

CONSTRUCTION: Masonry

EXPLANATORY NOTES: Special Permit per §7.3.3 to:
• amend Special Permit #263-20

ZONING: Manufacturing (MAN) District



Approved subject to the following conditions:

1. All conditions set forth in Special Permit/Site Plan Approval #48-16 shall remain in full force and effect except as modified by the following:
 - a. A set of plans entitled "Cubesmart Solar 117 CS SDP Newton LLC, 255 Newtonville Ave, Newton, MA 02458," as revised through February 15, 2023, prepared by Louth Callan Renewables, stamped and signed by Richard A. Volkin, Registered Professional Engineer comprised of the following sheets:
 - i. T-001 Title Sheet
 - ii. T-002 General Notes
 - iii. A-101 Site Plan
 - iv. A-102 String Layout
 - v. A-103 Array Dimension
 - vi. A-104 Array Access Plan
 - vii. M-201 Mounting Details
 - viii. E-301 Line Diagram
 - ix. E-302 Electrical Elevations
 - x. E-303 Electrical Elevations
 - xi. E-304 Electrical Elevations
 - xii. E-305 Grounding And Electrical Details
 - xiii. E-306 System Labeling 1
 - xiv. E-307 System Labeling 2
 - xv. R-401 Inverter Datasheet
 - xvi. R-402 Module Datasheet
 - xvii. R-403 Other Resource Documents
2. No building permit (other than a demolition permit) and unless otherwise specified shall be issued by the City pursuant to this Special Permit/Site Plan Approval unless all applicable terms and conditions have been complied with and the Petitioner has:

- a. Recorded a certified copy of this Special Permit/Site Plan Approval at the Middlesex South Registry of Deeds and filed proof of such recording with the City Clerk and submitted a copy with the building permit application.
 - b. Submitted a landscaping plan to the City's Superintendent of Urban Forestry for review and approval. Said plan shall be consistent with the plan cited in Conditions #1(xi) and (xii) of Special Permit #48-16 to the greatest extent possible.
 - c. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
3. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
- 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 registered professional engineer certifying compliance with Condition #1.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by a registered professional engineer.
 - c. Filed with the City Clerk and the Department of Inspectional Services a statement by the Director of Planning and Development and the Superintendent of Urban Forestry approving final location, number and type of plant materials, final landscape features and fencing.

Under Suspension of Rules

Readings Waived and Extension of Time Approved

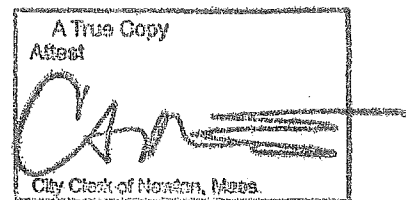
19 Yeas, 0 Nays, 5 Absent (Councilors Krintzman, Leary, Noel, Gentile and Grossman)

The undersigned hereby certifies that the foregoing copy of the decision of the Newton City Council granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the City Clerk on February 23, 2023. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:

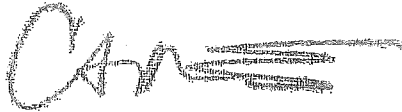

(SGD) CAROL MOORE

Clerk of the City Council



I, Carol Moore, as the Clerk of the City Council and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that twenty days have elapsed since the filing of the foregoing decision of the Newton City Council in the Office of the City Clerk on February 23, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE

Clerk of the City Council

