

RECEIVED

2023 NOV -8 PM 2: 28

CITY OF NEWTON

IN CITY COUNCIL

CITY CLERK
NEWTON, MA. 02459

November 6, 2023

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON AS FOLLOWS:

Section 30 of the Revised Ordinances of Newton, as amended, be and is hereby amended by amending sheets of plans entitled "City of Newton, Massachusetts, Amendments to Zoning Plans, adopted July 21, 1951, as amended from time to time," and the City of Newton Official Zoning Map as shown and maintained as part of the City's Geographic Information System (GIS), as amended from time to time, by changing certain boundaries from present zoning district as described below:

Zone Change Area

Change the following described real estate: all of the land located at 11 Florence Street and 318 Boylston Street also identified as Section 82, Block 4, Lots 0049 and 0047, 11 Florence Street currently zoned Multi Residence 1 to Business Use 4 and 318 Boylston Street currently zoned Business Use 2 to Business Use 4 further described as follows:

Beginning at a point of curvature on the westerly sideline of Florence Street , being monumented by a stone bound, thence;

- S 51°53'03" E a distance of One Hundred Sixty One and Forty Eight Hundredths feet (161.48') by said sideline of Florence Street to a point; thence
- S 15°35'23" W a distance of Two Hundred Forty One and Seventy Four Hundredths feet (241.74') to a point; thence
- S 66°18'03" W a distance of Sixty Nine and Thirty Two Hundredths feet (69.32') to a point; thence
- S 40°03'53" W a distance of Forty Seven and Sixty Nine Hundredths feet (47.69') to a point; thence
- S 61°20'53" W a distance of Seventy One and Thirteen Hundredths feet (71.13') to a point; thence
- N 71°15'07" W a distance of Sixty Four and Thirty Five Hundredths feet (64.35') to a point; thence

- N 12°37'11" E a distance of Three Hundred Four and Ninety Six Hundredths feet (304.96') to a point; thence
- N 10°49'12" E a distance of Eighty One and Sixty Six Hundredths feet (81.66') to a point; thence
- N 79°55'02" W a distance of Seventy Six and Twenty Four Hundredths feet (76.24') to a point; thence
- S 16°13'58" W a distance of Three and No Hundredths feet (3.00') to a point; thence
- N 73°37'35" W a distance of Twenty Four and Eighty Six One Hundredths (24.86') to a point; thence
- N 10°43'58" E a distance of Fifty and One Hundredths feet (50.01') to a point; thence
- Northeasterly and curving to the right along the arc of a curve having a radius of Twenty and Nineteen Hundredths feet (20.19'), a length of Twenty Five and Eighty One Hundredths feet (25.81') the last two (2) courses by the easterly sideline of Gasbarri Avenue to a point; thence
- N 83°57'58" E a distance of Nineteen and Twelve Hundredths feet (19.12') by the southerly sideline of Boylston Street (Route 9) to a point; thence
- Easterly and curving to the right along the arc of a curve having a radius of Eighty Nine and Thirty Five Hundredths feet (89.35'), a length of Thirty Nine and Fifty Nine Hundredths feet (39.59') and a chord length of Thirty Nine and Twenty Seven Hundredths feet (39.27') with a chord bearing of S 83°22'37" E to a point; thence
- Southeasterly and curving to the right along the arc of a curve having a radius of Three Hundred Five and Fifty Hundredths feet (305.50'), a length of One Hundred and Eighty Seven Hundredths feet (100.87') and a chord length of One Hundred and Forty One Hundredths feet (100.41') with a chord bearing of S 61°20'35" E to the point of beginning, the last two (2) courses by the westerly sideline of Florence Street.

Zone change areas "A" and "B" total 82,945 square feet or 1.904 acres more or less, and are shown on the plan entitled "Zone Change Plan, Sunrise of Chestnut Hill, 11 Florence Street,

Newton, MA" dated July 7, 2021, revised October 18, 2021, March 15, 2022, and August 22, 2022 and prepared by VHB.

This change of zone Order accompanies Special Permit #356-22. The benefits of this change may only be exercised in accordance with the terms of such Special Permit #356-22, as defined therein.

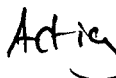
To the extent any provision of this change of zone Order shall be deemed invalid or unenforceable, all remaining provisions shall remain in full force and effect regardless of such invalidity or unenforceability.

Under Suspension of Rules
Readings Waived and Approved
22 yeas 1 nays (Councilor Ryan) 1 absent (Councilor Markiewicz)

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 November 8, 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 November 8, 2023 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



(SGD) CAROL MOORE

Aetys Clerk of the City Council