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ZONING BOARD OF APPEALS
Adrianna Henriquez, Board Clerk

DETAILED RECORD OF THE PROCEEDINGS AND DECISION

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2-18 Petition of Newton Housing Authority (“NHA” or the “Applicant”) applying to the Zoning Board of Appeals of the City of Newton, Massachusetts, pursuant to General Laws, Chapter 40B, Sections 20 through 23, as amended, for the issuance of a Comprehensive Permit authorizing the applicant to construct fifty-five (55) one-bedroom rental apartments (the “Project”) on a portion of land located at 83-127 and 106-128 John F. Kennedy Circle in Newton, Massachusetts (the “Site”). Twenty-one (21) units will be affordable to households at or below 60% of Area Median Income, eleven (11) units will be affordable to households at or below 30% of Area Median Income and twenty-three (23) units will be affordable to households at or below 99% Area Median Income. The property is located in a Multi-Residence 2 Zoning District.

The Zoning Board of Appeals for the City of Newton (the “Board”) held a duly noticed public hearing on Wednesday, June 6, 2018 at 7:00 p.m. in the War Memorial at Newton City Hall, 1000 Commonwealth Avenue, Newton, Massachusetts. A second session of the public hearing was held on July 16, 2018 at 7:00 p.m. in the City Council Chambers at Newton City Hall.

The following members of the Board were present and voting:

- Brooke K. Lipsitt, Chairman
- Barbara Huggins Carboni
- Stuart Snyder
- Michael Rossi
- Treff LaFleche
- Lei Reilley (Present as a non-voting member)

Due notice of the application and the public hearing was given to all applicable local boards and city departments. Due notice of the public hearing was given by mail, postage prepaid, to all “parties in interest” in accordance with Massachusetts General Law Chapter 40A, Section 11 by publication in the *Newton TAB*, a newspaper of general circulation in Newton, Massachusetts, on May 23, 2018 and May 30, 2018.

The following documents were submitted by the Applicant and/or entered into the record at the public hearing:

1. Application for Comprehensive Permit submitted May 10, 2018
2. Memorandum from the City's Department of Planning and Development, dated June 1, 2018 and July 10, 2018
3. Updated Sheet C-100 Jackson Road Variances dated May 17, 2018.
4. Revised Layout & Materials Plan (C-102) dated May 31, 2018, prepared by Wayne A. Keefner, Professional Engineer
5. Revised Layout & Materials Plan (C-103) dated May 30, 2018, prepared by Wayne A. Keefner, Professional Engineer
6. Photometrics Plan (C-106) issued for review on May 31, 2018
7. Hydrant Flow Test Summary by Allen & Major Associates, Inc., dated July 20, 2017
8. Newton Fire Department stamped approval of site plan dated June 1, 2018
9. Memorandum of Sustainable Features dated May 29, 2018, from Ahmed Idris of Baker Wohl Architects
10. Proposed Plant Selections for Haywood House prepared by Schreiber Associates
11. Letter from Allan & Major, dated June 18, 2018 summarizing proposed drainage improvements
12. Shadow Study by Baker-Wohl Architects, dated July 09, 2018
13. Letter of support from Andrea Forsythe of 172 Chapel Street
14. Letter of support from Councilor Alison M. Leary & Councilor Maria Scibelli Greenberg
15. Letter of support from Fran Godine of 19 Crofton Road
16. Letter of support from U-CHAN and Engine 6 submitted by Kathy Laufer of 26 Mosman Street
17. Letter of support from Lynne Sullivan of 201 Chapel Street
18. Letter of support from the Fair Housing Committee signed and submitted by Chair Philip B. Herr
19. Letter of support from Steven Ascher of 30 Wiltshire Road
20. Letter of support from Sue Dickinson of 93 Waban Park
21. Letter of support from League of Women Votes of Newton (LWVN) submitted by President Susan Flicop
22. Letter of support from Tamara Bliss of 9 Lewis Street
23. Packet of 37 support letters submitted by the Newton Housing Authority (NHA) submitted June 6, 2018
24. Petition with 150 signatures in support submitted by the NHA June 6, 2018
25. Draft Construction Management Plan, updated
26. Parking Summary for Jackson Gardens and Haywood House, dated June 6, 2018
27. Memorandum from Louis M. Taverna, P.E., City Engineer, dated June 5, 2018
28. Draft Decision submitted by the City's Department of Planning and Development

THE PUBLIC HEARING

At the opening session of the public hearing on June 6, 2018, Attorney Alan Schlesinger, Schlesinger and Buchbinder, LLP, 1200 Walnut Street, spoke on behalf of the Applicant. Attorney Schlesinger provided an overview of the Project and described the zoning relief and non-zoning relief that the Applicant is requesting from the Board.

Richard Kronish, 22 Chestnut Terrace, Chairman of the NHA's Board of Commissioners, discussed the history of the NHA and its role in providing affordable housing.

Amy Zarechian, the NHA's Executive Director, explained some of the details of the Project, the need for affordable housing and community outreach efforts and community support concerning the Project.

Vince O'Donnell, a member of the NHA's Board of Commissioners, further discussed community support for the Project and explained how the Project will be financed.

The Applicant's architect, Ahmed Idris, Baker Wohl Architects, presented the site plan and described the proposed buildings. The Applicant's landscape architect, Kathy Schreiber, Schreiber Associates, Wayland, presented the landscape plan and answered questions from the Board.

The following members of the public spoke in support of the Applicant's request for a Comprehensive Permit:

- Nancy Zollers, reading a letter from Tamara Bliss, 9 Lewis Street
 - Philip Herr, 20 Marlboro Street
 - Bob Burke, Dickerman Road
 - Anita Sheehan, 72 Thurston Road
 - Dave Nazzaro, 21 Parker Street
 - Sheila Decter, 13 Ransom Road
 - Kevin McCormick, 52 Madison Avenue
 - Lynn Weissberg, 52 Madison Avenue
 - Jeanne Stickland, Executive Director, Newton Community Development Foundation, 425 Watertown Street
 - Gregory Khrapunovich, 73 West Street
 - Carol Fulton, 8 Mount Ida Street, #6, expressed concerns about potential flooding
-
- Jodi Newcorn, 214 Pearl Street, #2, expressed concern regarding the height of the building and flooding.

The City's Chief Planner for Current Planning, Jennifer Caira, presented an analysis of the Project and answered questions from the Board.

After these presentations, the Board discussed, asked questions and/or requested additional information concerning numerous aspects of the project, including: the relationship of the Project

to the Jackson Gardens property; the capacity of the Laundry Brook Culvert; the use of abutting land owned by the Parks and Recreation Department; adequacy of snow storage; current and future parking needs and utilization; construction management and staging; and sustainability features and certification thereof.

On the second night of the public hearing, July 16, 2018, Attorney Schlesinger presented revised plans, highlighted specific details of the Project and responded to the Board's previous comments and questions.

The City Engineer, Lou Taverna, explained the need for sewer infiltration/inflow ("I/I") mitigation, the basis for the City's I/I policy and how the I/I fee is calculated. Mr. Taverna orally presented the Board with his revised fee calculation for the Project.

The following members of the public spoke in response to the Applicant's request for a Comprehensive Permit:

- Reverend Howard Haywood, 49 Walker Street
- Jodi Newcorn, 214 Pearl Street, #2

Reverend Haywood spoke in support of the project and the need for affordable housing for the elderly. Ms. Newcorn, an abutting property owner, reiterated her concern regarding the height of the building, shadows and potential for sewer overflow.

At the continued hearing, the Board discussed at length the calculation and imposition of the I/I fee and addressed other aspects of the Project, including snow storage and the required amount of parking. A motion was made by Treff LaFleche to close the public hearing. The motion was duly seconded by Barbara Huggins Carboni and passed five in favor, zero opposed.

FINDINGS

On the basis of the documents, testimony and all of the information presented at the public hearing and contained within the public record, the Board makes the following findings:

1. The Board finds that the Applicant has complied with all rules and regulations of the City of Newton as they pertain to the application for a comprehensive permit.
2. The Board finds that the Applicant is qualified pursuant to 760 CMR 56.04 in that:
 - a. the Applicant is a public agency as defined in 760 CMR 56.04;
 - b. on January 2, 2018, DHCD issued a Project Eligibility Letter to develop 55 one-bedroom units for seniors and the disabled, 32 of which would be affordable at no more than 60 percent of area median income (AMI),

- c. the Applicant has site control as evidenced by virtue of six deeds being:
 - i. Deed of Alfred J. Traversi and Doroty R. Traversi dated December 14, 1961 recorded with Middlesex County (Southern District) Registry of Deeds in Book 9954 Page 209
 - ii. Deed of Gail F. Holden dated December 26, 1991 recorded with said Deeds in Book 9960 Page 256;
 - iii. Deed of Joseph Grasso and Viola Grasso dated January 17, 1962 recorded with said Deeds in Book 9972 Page 332;
 - iv. Deed of Annie M. Flannery and Elizabeth C. Fannery dated December 18, 1961 recorded with said Deeds in Book 9956 Page 1711;
 - v. Deed of Sara Yanco dated December 11, 1961 recorded with said Deeds in Book 9954 Page 206;
 - vi. Deed of Alfred J. Traversi Executor of the Estate of Mary Traversi dated April 30, 1962 recorded with said Deed in Book 10031 Page 367.
3. The Board finds that the City Council has approved a Special Permit and Site Plan Approval amendment permitting the creation of the parcel for this Project by carving out a portion of the Jackson Gardens property at the same location and the creation of additional parking spaces.
4. As conditioned by the decision of this Board, the proposed development is consistent with local needs and will provide housing for low-income seniors, an underserved population.
5. The Board acknowledges the City Engineer's recommendation for an Inflow & Infiltration (I&I) fee of \$120,120, calculated based on 55 bedrooms at a rate of 65 gallons per bedroom per day and a 4:1 removal ratio and a rate of \$8.40 per gallon in accordance with the City's

policy in effect at the time of filing of the application for the Comprehensive Permit, and determines that due to the affordable nature of the project the fee shall be reduced to \$50,000 paid over a period of 5 years.

6. The Board finds that the parking requirement for affordable elderly housing in the Newton Zoning Ordinance is too high due to a transcription error during recodification of the Zoning Ordinance, that the proposed project exceeds the intended requirement of the ordinance and that the proposed parking ratio maintains the parking ratio of the existing affordable senior housing at the Jackson Gardens site.
7. The Applicant will work with the Parks and Recreation Commission to make improvements to the City-owned land along Jackson Road, including, but not limited to, seating, walkways, tree plantings, and removal of invasive species.

DECISION

Pursuant to G.L. c. 40B, after a public hearing and discussion of the merits of the Applicant's request for a Comprehensive Permit, and based on the presentations made by the Applicant during the public hearing, upon a motion by Treff LaFleche seconded by Michael Rossi, the Board voted (5-0) to grant a Comprehensive Permit to the Applicant, encompassing the enumerated waivers set forth herein and subject to the following conditions of approval set forth below.

CONDITIONS

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this comprehensive permit shall be located and constructed consistent with the following, except as amended to show additional snow storage for the eight-stall surface parking area:
 - a. Special Permit Set, Prepared by Baker Wohl Architects and Allen & Major Associates, Inc.:
 - i. C-101 - Erosion Control Plan, dated 3/27/2018

- ii. C-102 and C-103 - Layout and Materials Plan, dated 6/18/2018
 - iii. C-104 – Grading and Drainage Plan, dated 6/18/2018
 - iv. C-105 – Utility Plan, dated 3/27/2018
 - v. C-106 – Photometrics Plan, dated 5/31/2018
 - vi. L1 – Landscape Plan, dated 3/27/2018
 - vii. C-501 – C506 – Details, dated 3/27/2018
 - viii. A-0.01 – Gross Area Plans, dated 5/01/2018
 - ix. A-2.10 – A-2.60 – Floor Plans, dated 5/01/2018
 - x. A-3.00 – A.302 – Elevations, dated 5/01/2018
 - xi. A-0.03 – Site Signage, dated 7/09/2018
- b. Haywood House Plant List, prepared by Schreiber and Associates, Landscape Architects, undated
 - c. Sustainable Features memo, prepared by Baker Wohl Architects, dated 5/29/2018
2. To the extent that the plans referenced in Condition 1 above differ from the plans approved as part of Special Permit #71-18, the Applicant shall request a consistency ruling from the Commissioner of Inspectional Services.
 3. Prior to the issuance of any building permits, the Applicant shall submit a complete set of architectural plans including elevations, signed and stamped by an architect, dimensioned site plans, engineering plans, storm water drainage plans, landscaping plans, utility plans, signed and stamped by a professional engineer, consistent with the plans and materials referenced in Condition 1 above.

4. Except as expressly waived in this comprehensive permit decision, the Project shall comply with all Newton ordinances and other local rules and regulations, including the payment of all applicable permit fees.
5. Copies of all state and federal permits and approvals related to the Site or the Project shall be submitted to the City's Department of Planning and Development as well as the Law Department for review to ensure consistency and compliance with this comprehensive permit decision.
6. All units shall be deed-restricted in perpetuity. Eleven units shall be affordable to households earning up to 30% of the Area Median Income (AMI), 21 units shall be affordable to households earning up to 60% AMI, and 23 units shall be affordable to households earning up to 99% AMI, as designated by the U.S. Department of Housing and Urban Development, adjusted for household size for the Boston-Cambridge-Quincy, MA-NH HMFA. Monthly housing costs (inclusive of heat, hot water, electricity, domestic water and sewer, and one parking space, if provided) shall not exceed 30% of the applicable monthly income limit for that unit. To the extent permitted by applicable regulations of DHCD, all units shall be eligible for inclusion on the SHI.
7. Before any site clearing, grading, demolition or construction may begin on site, the Applicant shall submit a municipal lien certificate that shows all assessments and betterments have been paid in full and there are no outstanding liens on the property.
8. All construction and demolition activity shall be limited to 7AM-6PM Monday through Friday and 8AM-5PM Saturday, excluding holidays, unless extended with the approval of the Mayor.

9. Removal of any on-street parking spaces along John F. Kennedy Circle shall require approval from the Traffic Council.
10. Exterior signage shall not be illuminated.

CONDITIONS PRECEDENT TO THE ISSUANCE OF ANY BUILDING PERMIT

11. No Building Permit shall be issued pursuant to this Comprehensive Permit until the Applicant has:
 - a. recorded a certified copy of this Decision at the Middlesex County (South) Registry of Deeds and submitted copies of the recorded Decision with the City Clerk, the Clerk of the Zoning Board of Appeals, and the Department of Planning and Development;
 - b. submitted evidence of Final Project Approval by DHCD;
 - c. provided evidence of submission of the Affirmative Fair Housing Marketing and Resident Selection Plan to DHCD. The Affirmative Fair Housing Marketing and Resident Selection Plan shall meet the requirements of DHCD's Guidelines for G.L. C.40B Comprehensive Permit Projects and, to the extent permitted by law, such plan shall provide for a local preference for up to 70% of the units.
 - d. submitted final site and building plans, which shall include all required information for building code review and approval;
 - e. submitted evidence of compliance with all conditions listed in the DHCD letter of Project Eligibility/Site Approval dated January 2, 2018;
 - f. submitted a Construction Management Plan (CMP) to the Engineering Division of Public Works, the Inspectional Services Department, and the Department of Planning and Development for review and approval. At a minimum, the CMP shall address the

staging site for construction equipment, construction materials, parking of construction workers' vehicles, phasing of the project with anticipated completion dates and milestones, safety precautions, emergency contact personnel of contractor, any anticipated dewatering during construction, site safety and stability, and impact to abutting properties. Approval from the Engineering Division of Public Works and the Parks and Recreation Department shall be required for any staging, grading, or equipment crossing the City-owned land along Jackson Road. The CMP shall include a 24-hour contact number for the site supervisor/general contractor and shall identify any need for a police detail during construction;

- g. submitted a final Operations and Maintenance Plan (O&M Plan) for stormwater management to the Engineering Division of Public Works for review and approval. Once approved, the O&M must be implemented and sustained.
- h. submitted a memo to the Inspectional Services Department and the Department of Planning and Development from the Engineering Division of Public Works approving final engineering plans and details;
- i. submitted to the Fire Department for review and approval of final site and building plans, which shall include all required information on proposed sprinkler and alarm systems.
- j. submitted a final landscape plan to the Director of Planning and Development for review and approval;
- k. obtained a written statement from the Department of Planning and Development that confirms that the building permit plans are consistent with plans approved in Condition #1.

CONDITIONS RELATED TO CONSTRUCTION

12. The Applicant shall make every effort to utilize building materials and systems that are “Energy Star” certified and at a minimum, all new appliances installed shall be “Energy Star” certified.
13. The Applicant shall make every effort to reduce water use on the site, and at minimum, all new water fixtures shall have “Water Sense” labels.
14. The Applicant shall protect the existing beech tree during construction.
15. A utility plan shall be submitted showing that all utilities from the street into the property are installed underground, and located in accordance with the approved plans.
16. During construction periods of significant removal or delivery of materials to or from the site, the Applicant will arrange for necessary traffic control measures and appropriate signage, including a police detail where necessary.
17. After construction is completed, if requested by the Engineering Division of Public Works, the Applicant shall reconstruct the sidewalk and curbing along the property frontage to City standards.

CONDITIONS PRECEDENT TO THE ISSUANCE OF ANY OCCUPANCY PERMITS

18. No building or structure, or portion thereof subject to this Comprehensive Permit shall be occupied nor shall any Certificate of Occupancy be issued until:
 - a. the Applicant shall have filed with the ZBA Clerk, the Department of Inspectional Services and the Department of Planning and Development a statement by a registered architect or registered land surveyor certifying that the site and buildings have been constructed consistent with plans submitted to the Board and on file with the Clerk of the Zoning Board of Appeals;

- b. DHCD has approved the Affirmative Fair Housing Marketing and Resident Selection Plan. The Applicant shall provide evidence of such approval prior to commencing any marketing of the units;
- c. the Applicant has provided a fully executed Regulatory Agreement and Declaration of Restrictive Covenants signed by the City, the Applicant, and DHCD in a form approved by the City of Newton Law Department, which will establish the affordability restrictions in perpetuity for the twenty-one (21) affordable units at or below 60% of the Area Median Income and the eleven (11) affordable units at or below 30% of the Area Median Income;
- d. The Applicant has provided a fully executed Declaration of Restrictive Covenants signed by the City and the Applicant in a form approved by the City of Newton Law Department, which will establish the affordability restriction for twenty-three (23) units at 99% of Area Median Income;
- e. the Applicant has paid an initial payment of \$10,000 towards sewer inflow and infiltration, in accordance with Finding #4;
- f. there shall have been filed with the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that all engineering details have been constructed to standards of the City of Newton Public Works Department;
- g. there shall have been filed with the Board's Clerk and the Department of Inspectional Services a statement by the Director of Planning and Development approving final location, number and type of plant materials, final landscape features, fencing and parking areas;

the Applicant shall have recorded the Regulatory Agreement and Declarations of Restrictive Covenants at the Middlesex County (South) Registry of Deeds and submitted copies of the recorded deed restrictions to the Law Department and the Department of Planning and Development.

19. The Commissioner of Inspectional Services may issue one or more certificates of temporary occupancy of all or portions of the building prior to installation of final landscaping provided that the Applicant shall first have filed with the Director of Planning and Development a letter of credit or other security in a form satisfactory to the Director of Planning and Development in an amount not less than 135% of the value of the remaining landscaping to secure installation of such landscaping.

ONGOING CONDITIONS

20. The applicant shall pay an annual fee of \$10,000 towards sewer I&I, with the first payment due prior to issuance of a certificate of occupancy, and annually thereafter on the anniversary date of the first payment, for a period of five years and a total of \$50,000, in accordance with Finding #4.
21. The landscaping shown on the approved plan shall be maintained in good condition. The plantings shall be inspected annually and any plant material that has become diseased or dies shall be replaced in a timely manner with similar material.
22. All exterior lighting fixtures shall be residential in scale and shall be shielded or diffused as necessary to comply with lighting ordinances.
23. Unless extended by the Newton Zoning Board of Appeals upon a finding of good cause, this comprehensive permit shall lapse and become void if construction pursuant to a building permit has not begun within three years of the date on which it is filed with the

City Clerk. The Applicant shall use its best efforts to insure that the units are eligible to for inclusion on the City's Subsidized Housing Inventory as outlined in the Department of Housing and Community Development regulations, 760 CMR 56.03(2)(C); to that end, the Applicant shall attempt to secure a building permit within one year of the filing of the comprehensive permit with the City Clerk and thereafter make diligent efforts to insure that all units permitted remain continuously eligible for inclusion on the City's Subsidized Housing Inventory.

24. This comprehensive permit, and all conditions herein, shall run with the land and be binding on any successors or assigns. In the event that this Project, the comprehensive permit or any of the obligations therein are sold, transferred, sub-contracted or otherwise made the obligation(s) of an entity other than the original Applicant, the successor or subcontractor shall be bound by all of the terms and conditions of this comprehensive permit.

WAIVERS GRANTED

1. The Board grants a waiver from the following sections of the Zoning Ordinance:
 - a. Section 3.4.1, to allow the Applicant to construct multiple dwellings on one lot in an MR1 zone;
 - b. Section 5.11, to waive inclusionary zoning requirements;
 - c. Section 7.3.1, to waive the requirement to submit a model as part of the application;
 - d. Sections 7.3.3 C.5 and 7.4.5. B.8, to approve a building in excess of 20,000 square feet;

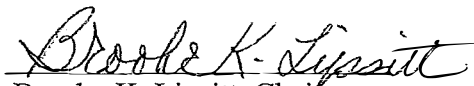
- e. Sections 7.3 and 7.4, to waive special permit review and site plan approval procedures;
- f. Section 3.2.6, to permit the lot area per unit of 479 square feet in lieu of a minimum of 3,000 square feet;
- g. Section 3.2.6, to permit the front setback of 9.3 feet in lieu of a minimum of 25 feet.
- h. Section 3.2.6, to permit the rear setback of 5.7 feet in lieu of a minimum of 15 feet;
- i. Section 3.2.6, to allow 4 stories in lieu of a maximum of 3 stories;
- j. Section 3.2.6, to allow building height of 55.78 feet in lieu of a maximum of 30 feet;
- k. Section 3.2.6, to permit open space of 27.8 per cent in lieu of a minimum of 50 per cent;
- l. Section 3.2.6, to permit lot coverage of 51.1 per cent in lieu of a maximum of 30 per cent;
- m. Section 3.2.6, to modify the side and rear setbacks for the existing Jackson Gardens buildings upon subdivision of the site;
- n. Sections 3.4.1 and 6.2.24, to allow non-accessory parking;
- o. Section 5.1.5, to waive the requirement of certification of the parking facility by the Commissioner of Inspectional Services;
- p. Section 5.1.5, to waive an application for a parking and loading facility permit;
- q. Section 5.1.4 A, to waive 34 of the 42 required parking stalls.
- r. Section 5.1.3 E, to allow assigned parking;

- s. Sections 5.1.6 A and B, to allow off-site parking;
 - t. Section 5.1.8 A.1, to allow parking in the side and front setbacks;
 - u. Section 5.1.8 A.2, to allow parking within five feet of a residential structure;
 - v. Section 5.1.9, to waive perimeter landscaping and screening requirements for a parking facility;
 - w. Sections 5.1.10 A.1 and A.2, to waive lighting requirements for an outdoor parking facility;
 - x. Section 5.1.11, to allow bicycle facilities to conform to the design shown on the submitted plans;
 - y. Section 5.1.12 D.3, to waive off-street loading requirements;
 - z. Section 5.2, to waive sign permit procedure and dimensions; and
 - aa. Section 5.4.2, to allow a retaining wall in excess of four feet in a setback.
2. The Board grants a waiver from the Rules of the Planning Board:
- a. To the extent any consent or review of the Planning Board is required under the Rules of the Planning Board acting as a Board of Survey, a comprehensive permit is granted in lieu of such approval.

WAIVERS NOT GRANTED

1. The Board does not grant a requested waiver from the following section of the Zoning Ordinance:
- a. Section 5.1.13, consent of the City Engineer to drainage of the parking facility.
2. The Board does not grant a requested waiver from the following sections of the City Ordinances of Newton:

- a. Sections 20-23 to 28, waiving light trespass provisions
 - b. Section 26, Article III, granting sidewalk crossing permits and waiving consent of the Commissioner of Public Works.
 - c. Section 29, Articles II – IV, granting permits to open streets and make utility connections.
3. The Board does not grant a requested waiver from the requirement that the applicant submit an Approval Not Required (ANR) plan to the Planning Board.


Brooke K. Lipsitt, Chairman

AYES: Brooke K. Lipsitt
Barbara Huggins Carboni
Stuart Snyder
Michael Rossi
Treff LaFleche

Copies of this decision and all plans referred to in this decision have been filed with the City Clerk.

This decision was filed with the City Clerk on _____ day of _____, 2018.

The City Clerk hereby certifies that all statutory requirements have been complied with and that 20 days have elapsed since the date of filing of this decision and no appeal, pursuant to G. L. c. 40A, §17, has been filed.

David A. Olson, City Clerk