
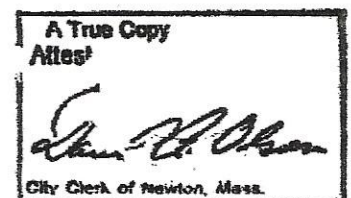


- i. Site Plan, signed and stamped by Joseph R. Porter, Professional Land Surveyor, dated June 12, 2017 revised August 31, 2017, and October 12, 2017.
 - ii. Grading, Drainage, and Utility Plan, signed and stamped by Joseph R. Porter, Professional Land Surveyor, dated June 12, 2017 revised August 31, 2017.
 - iii. Detail Sheet, signed and stamped by Joseph R. Porter, Professional Land Surveyor, dated June 12, 2017 "as may further be revised in accordance with the site plan referenced in Condition #1.1.iii
- b. Architectural Plans, entitled "Park View Building" 386-390 Watertown Street, signed and stamped by Ronald F. Jarek, Registered Architect, consisting of the following fourteen (14) sheets, last revised October 12, 2017:
- i. Sheet A-0 Title Sheet, dated revised
 - ii. Sheet A-1 General Notes and Materials
 - iii. Sheet A-2 Basement Floor Plan
 - iv. Sheet A-3 Ground Floor Plan
 - v. Sheet A.4 Second Floor Plan
 - vi. Sheet A.5 Third Floor Plan
 - vii. Sheet A-6 Roof Plan
 - viii. Sheet A-7 Unit Plans
 - ix. Sheet A-8 Front and Rear Elevations
 - x. Sheet A-9 Side Elevations
 - xi. Sheet A.10 Detail Sheet
 - xii. Sheet A.11 Exterior Perspectives
 - xiii. Sheet A-12 3D Street View
 - xiv. Sheet LA-1 Landscape Plan
2. In accordance with the City's Inclusionary Zoning Ordinance (§5.11.4), two (2) of the residential units in the Project shall be made available to households earning up to 80% of Area Median Income (AMI), as designated by the U.S. Department of Housing and Urban Development, adjusted for household size. As proposed in the Preliminary Inclusionary Housing Plan, one (1) of these units shall be made available to households earning up to 80% AMI, and (1) of these units shall be made available to households earning up to 50% AMI. Monthly housing costs (inclusive of heat, hot water, electricity, water and sewer, and one parking space) shall not exceed 30% of the applicable monthly income limit for that unit. The Inclusionary Units shall be designated as Local Preference units, as permitted and defined by the Massachusetts Department of Housing and Community Development (DHCD).
3. To the extent permitted by applicable regulations of DHCD, the Inclusionary Units shall be eligible for inclusion on the State's Subsidized Housing Inventory (SHI) as Local Action Units

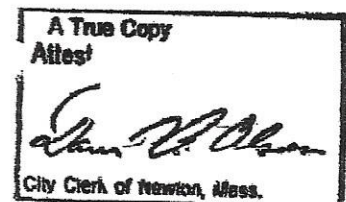
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through DHCD's Local Initiative Program. Prior to the issuance of any Building Permits for the construction of the Project, the Petitioner, City, and DHCD will enter into a Regulatory Agreement and Declaration of Restrictive Covenants, in a form approved by the Law Department, which will establish the affordability restriction for the Inclusionary Units in perpetuity.

4. Prior to the issuance of any Building Permits for the construction of the Project, the Petitioner shall provide a final Inclusionary Housing Plan and Affirmative Marketing and Resident Selection Plan for review by the Director of Planning and Development. The Inclusionary Housing Plan and Affirmative Marketing and Resident Selection Plan must meet the requirements of DHCD's guidelines for Affirmative Fair Housing Marketing and Resident Selection and be consistent with §5.11.9. of the Newton Zoning Ordinance. The Inclusionary Housing Plan and Affirmative Marketing and Resident selection plan should treat the units the same with respect to Affirmative Marketing and advancing Fair Housing in Newton. In accordance with DHCD's current guidelines, the units will be affirmatively marketed and leased through a lottery.
5. Prior to the issuance of any Building Permit, the petitioner shall provide a final Operations and Maintenance Plan (O&M) for stormwater management to the Engineering Division of Public Works for review and approval. Once approved, the O&M must be adopted by applicant, and recorded at the Middlesex Registry of Deeds. A certified copy of the O&M shall be submitted to the Engineering Division of Public Works.
6. Prior to the issuance of any Building Permit, the petitioner shall provide a final plan showing the combination of the two lots the Engineering Division of Public Works for review and approval. Once approved, the Plan must be recorded at the Middlesex Registry of Deeds. A certified copy of the Plan shall be submitted to the Engineering Division of Public Works.
7. Prior to the issuance of any Building Permit, the petitioner shall provide a lighting plan for the parking facility showing compliance with Section 5.10.A of the Newton Zoning Ordinance to the Director of Planning and Development and the Commissioner of Inspectional Services for review and approval.
8. All residential units will conform to the Massachusetts Architectural Access Board (MAAB) requirements for "Group 1" units. In addition, per MAAB guidelines, 5% of the units shall be designed as "Group 2A" units, which are designed spatially for immediate wheelchair use.
9. The trash and recycling disposal shall be handled by a private entity and collection shall be scheduled at such times to minimize any disruption of the on-site parking.
10. All on-Site landscaping associated with this Special Permit/Site Plan Approval shall be installed and maintained in good condition. Any plant material that becomes diseased or dies shall be replaced on an annual basis with similar material.




14. The Petitioner shall be responsible for securing and paying police details that may be necessary for traffic control throughout the construction process as required by the Police Chief.
15. The Petitioner shall be responsible for repairing any damage to public ways and property caused by any construction vehicles. All repair work shall be done prior to the issuance of a final Certificate of Occupancy, unless the Commissioner of Public Works determines that the damage to the public way is so extensive that it limits the use of the public way. In such case the repair work must be initiated within one month of the Commissioner making such determination and shall be conducted consistent with City Construction Standards, and shall be completed within an appropriate time frame, as determined by the Commissioner.
16. At the Petitioner's sole expense, the Petitioner shall locate all utility service lines on site underground, including any utility service lines along the Project's frontage on Watertown Street if such lines are present, subject to necessary approvals from utility companies.
17. No building permit for the vertical construction of the Project shall be issued pursuant to this Special Permit/Site Plan approval until the Petitioner has:
 - a. Recorded a certified copy of this Council order with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded Council 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 the final building permit plans and façade elevations are consistent with plans approved in Condition #1.
 - d. Submitted a final Inclusionary Housing Plan for review and approval by the Director of Planning and Development that is certified as compliant by the Director of Planning and Development with the information required to be included in such Plan pursuant to §5.11.9. of the Zoning Ordinance.
 - e. Submitted final engineering, utility, and drainage plans, and an Operations and Maintenance plan for Stormwater Management, for review and approval by the City Engineer. A statement certifying such approval shall have been filed with the City Clerk, the Commissioner of Inspectional Services, and the Director of Planning and Development.
 - f. Submitted a final plan of land, recorded at the Middlesex Registry of Deeds, to the Engineering Division of Public Works in accordance with Condition #6.
 - g. Submitted a lighting plan of the parking facility to the Commissioner of Inspectional Services and the Director of Planning and Development in accordance with Condition #7.
 - h. Submitted a final Construction Management Plan (CMP) for review and approval



by the Commissioner of Inspectional Services in consultation with the Director of Planning and Development, the Fire Department, the Commissioner of Public Works, the City Engineer, and the Director of Transportation.

- i. Submitted to the Law Department copies of fully executed Regulatory Agreements and Affordable Housing Restriction for all Deed Restricted Units, as described in Conditions 2 through 4.
18. No final occupancy permit for the use 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 and civil engineer certifying compliance with Condition #1.
 - b. Submitted to the Department of Inspectional Services, the Department of Planning and Development, and the Engineering Division final as-built survey plans in paper and digital format.
 - c. 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 for the project site have been constructed to standards of the City of Newton Public Works Department.
 - d. Filed with 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.
 - e. Provided evidence satisfactory to the Law Department that the Regulatory Agreements for all Deed Restricted Units have been recorded at the Southern Middlesex District Registry of Deeds and/or Southern Middlesex Land Court, as appropriate.
 - f. Deed Restricted Units shall be constructed and available for occupancy coincident with market rate units; such that no more than four market rate units may receive occupancy permits until the corresponding affordable unit has received its occupancy permit.
 - g. The Commissioner of Inspectional Services may issue one or more certificates of temporary occupancy for portions of the buildings, including both the residential and commercial space, prior to installation of required on-site landscaping/ exterior hardscape improvements required per the approved plans, Prior, however, to issuance of any temporary certificate of occupancy pursuant to this condition, the Commissioner of Inspectional Services shall require that the Petitioner first file a bond, letter of credit, cash or other security in the form satisfactory to the Law Department in an amount not less than 135% of the value of the aforementioned remaining improvements.

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