

**SCHLESINGER AND
BUCHBINDER, LLP**
ATTORNEYS AT LAW

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
RACHAEL C. CARVER
ADAM M. SCHECTER

1200 WALNUT STREET
NEWTON, MASSACHUSETTS 02461-1267
TELEPHONE (617) 965-3500
www.sab-law.com

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Newton City Clerk
2019 FEB 15 PM 1:03
David A. Olson, Clerk
Newton, MA 02459
fschwarzer@sab-law.com

February 15, 2019

BY HAND

Mr. David A. Olson
City Clerk
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Re: #620-18 Petition of Beal Nevada Service Corporation /71 Needham Street, Newton

Dear David,

Enclosed please find a copy of the above-referenced Order which was filed with the Middlesex South Registry of Deeds on February 14, 2019 as Document No. 19293 in Book 72231, 559.

Please feel free to contact me if you have any questions.

Very truly yours,


Franklin J. Schwarzer

AJS/dc
Enclosure

cc: John Lojek, Commissioner of Inspectional Services (by hand)
Barney Heath, Director, Department of Planning and Development (by hand)
Jennifer Caira, Chief Planner (by hand)

Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

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Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com

71 Needham Street
#620-18

CITY OF NEWTON
IN CITY COUNCIL

January 22, 2019

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 Council Orders #213-12(1) and #213-12(2) to allow a bank use at 71 Needham Street as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

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1. The specific site is an appropriate location for the proposed bank because the site is located in an area containing a mix of uses and the proposed use is compatible with that mix. (§7.3.3.C.1.)
2. The proposed bank will not adversely affect the neighborhood given the mixed use nature of the area. (§7.3.3.C.2.)
3. The proposed bank will not create a nuisance or serious hazard to vehicles or pedestrians because the use does not require any alterations to the site. (§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: #620-18

PETITIONER: Beal Nevada Service Corporation

LOCATION: 71 Needham Street, Section 51, Block 28, Lot 20, containing approximately 58,875 square feet

OWNERS: Needham Street Village Shops, LLC

ADDRESS OF OWNERS: 420 Bedford Street, Lexington, MA 02420

TO BE USED FOR: Bank

Title Reference: Book 59437, Page 421
Book 59437, Page 425

A True Copy
Attest
[Signature]
City Clerk of Newton, Mass.

71 Needham Street, Newton, MA

CONSTRUCTION: One Story, multi-tenant, commercial building

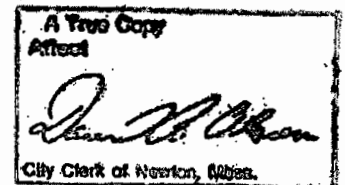
EXPLANATORY NOTES: To amend Council Orders #213-12(1) and 213-12(2) which authorized the redevelopment of the site for a mix of office, restaurant, retail, and service uses and §4.4.1 and §7.3.3 to allow a bank use.

ZONING: Mixed Use 1 District

The prior special permits for this property are as follows: Council Order #213-12(1), to construct two single story commercial buildings with an aggregate total gross area of 19,200 sq. ft.; to permit retail and/or service uses, to waive up to 6 parking stalls and certain dimensional requirements and associated landscaping, fencing, and lighting requirements for parking facilities greater than five stalls, to waive one required loading dock facility; and to allow a freestanding sign and the number of secondary signs and dimensional requirements for signs at 49, 55, and 71 Needham Street. Council Order #213-12(2), to permit a restaurant use(s) containing up to 110 seats in the multi-tenant commercial buildings authorized by Board Order #213-12(1); and to waive up to 8 parking stalls at 49, 55, 71 Needham Street. The conditions set forth in Council Orders #213-12(1) and #213-12(2) 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. As-built plan of Needham Street Village Shops dated January 23, 2015, signed and stamped by William J. Doucet, Professional Land Surveyor.
 - b. A set of architectural plans, Beal Bank-Newton MA Interior Construction – Issued for Permit dated October 2, 2018 prepared by Fusion Design Consultants, Inc. signed and stamped by James E. Duffey, Registered Architect.
 - i. Title Sheet (A0);
 - ii. Construction Plan (1A.1);
 - iii. Power/Data Plan (1A.3);
 - iv. Elevations (A6.1); and
 - v. Elevations (A6.2)
2. All signage shall be reviewed and approved by the Urban Design Commission.
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.

Under Suspension of Rules

Readings Waived and Approved

22 yeas 0 nays 2 absent (Councilors Kalis & Norton)

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 January 24, 2019. 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) DAVID A. OLSON, City Clerk
Clerk of the City Council

I, David A. Olson, 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 1/24 and that NO APPEAL of said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:

(SGD) DAVID A. OLSON, City Clerk
Clerk of the Council

