

CITY OF NEWTON  
IN BOARD OF ALDERMEN

October 2, 2013

ORDINANCE NO. A-27

BE IT ORDAINED BY THE BOARD OF ALDERMEN  
OF THE CITY OF NEWTON AS FOLLOWS:

Section 30 of the Revised Ordinances of Newton, 2012, as amended, be and is hereby further 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," by changing certain boundaries from present zoning district as described below:

Change the following described real estate now in a Public Use District to a Mixed Use 3/Transit Oriented District, identified by the City of Newton as Section 42, Block 11, Lot 3A, the parcel contains 408,466 square feet more or less and is shown on a Plan entitled "The Station at Riverside, Proposed Rezoning Plan Change" prepared by Vanasse Hangen Brustlin, Inc., dated August 28, 2012, the parcel is situated on the westerly side of Grove Street and Southerly side of the Massachusetts Bay Transportation Authority (MBTA) Greenline in the City of Newton, in the County of Middlesex and the Commonwealth of Massachusetts bounded and described below.

This Change of Zone Order accompanies Special Permit #258-12(2). The benefits of this zone change shall only vest if Special Permit #258-12(2) is approved and vested in accordance with the provisions of condition 3(a) of Special Permit #258-12(2).

BEGINNING AT A POINT ON THE WESTERLY SIDELINE OF GROVE STREET AND THE SOUTHERLY SIDELINE OF THE MBTA GREENLINE RIGHT-OF-WAY AND BEING THE NORTHEAST CORNER OF THE PROPERTY HEREIN DESCRIBED; THENCE

S 9° 56'29" W                    A DISTANCE OF TWELVE AND FIFTY SIX HUNDREDTHS FEET  
(12.56') TO A POINT; THENCE

S 25° 18'49" W                    A DISTANCE OF TWO HUNDRED THIRTEEN AND NINETY FIVE  
HUNDREDTHS FEET (213.95') TO A POINT, THE LAST (2)  
COURSES BY THE WESTERLY SIDELINE OF GROVE STREET;  
THENCE

S 34° 43'23" W                    A DISTANCE OF EIGHTY FOUR AND NINETY SIX HUNDREDTHS  
FEET (84.96') TO A POINT; THENCE

SOUTHWESTERLY                AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE  
HAVING A RADIUS OF FIVE HUNDRED FIVE AND NO  
HUNDREDTHS FEET (505.00'), A LENGTH OF FORTY EIGHT AND

EIGHTY SIX HUNDREDTHS FEET (48.86') TO A POINT; THENCE

SOUTHWESTERLY AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF FOUR THOUSAND THIRTY FOUR AND NO HUNDREDTHS FEET (4,034.00'), A LENGTH OF EIGHTY SIX AND THIRTY SIX HUNDREDTHS FEET (86.36') TO A POINT; THENCE

S 23° 06'56" W A DISTANCE OF SIXTY FIVE AND FORTY ONE HUNDREDTHS FEET (65.41') TO A POINT; THENCE

S 17° 28'20" W A DISTANCE OF FORTY NINE AND FOUR HUNDREDTHS FEET (49.04') TO A POINT; THENCE

SOUTHWESTERLY AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF FOUR THOUSAND SEVEN HUNDRED SIXTY FIVE AND THIRTY HUNDREDTHS FEET (4,765.30'), A LENGTH OF THREE HUNDRED THIRTY FOUR AND FORTY SEVEN HUNDREDTHS FEET (334.47') TO A POINT; THENCE

SOUTHWESTERLY AND CURVING TO THE RIGHT ALONG THE ARC OF A CURVE HAVING A RADIUS OF ONE THOUSAND AND NO HUNDREDTHS FEET (1,000.00'), A LENGTH OF FORTY TWO AND TEN HUNDREDTHS FEET (42.10') TO A POINT; THENCE

S 23° 58'55" E A DISTANCE OF TWO HUNDRED TWENTY SIX AND EIGHTY HUNDREDTHS FEET (226.80') TO A POINT AT THE WESTERLY SIDELINE OF GROVE STREET; THENCE

N 66° 47'52" W A DISTANCE OF FIVE HUNDRED THIRTY ONE AND SEVENTY EIGHT HUNDREDTHS FEET (531.78') TO A POINT, BY LAND NOW OR FORMERLY BH NORMANDY OWNER, LLC; THENCE

N 11° 48'59" W A DISTANCE OF THREE HUNDRED FORTY FOUR AND NINETY THREE HUNDREDTHS FEET (344.93') TO A POINT; THENCE

NORTHWESTERLY AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF TWO THOUSAND ONE HUNDRED AND NO HUNDREDTHS FEET (2,100.00'), A LENGTH OF EIGHTY THREE AND FOUR HUNDREDTHS FEET (83.04') TO A POINT, THE LAST (2) COURSES BY THE EASTERLY SIDELINE OF ROUTE 95; THENCE

N 75° 55'04" E A DISTANCE OF SEVENTY NINE AND THIRTY SIX HUNDREDTHS FEET (79.36') TO A POINT; THENCE

S 62° 35'09" E A DISTANCE OF ONE HUNDRED THIRTY FIVE AND NINETY FIVE HUNDREDTHS FEET (135.95') TO A POINT; THENCE

S 35° 37'38" E A DISTANCE OF ONE HUNDRED THIRTY SIX AND SEVENTY

FIVE HUNDREDTHS FEET (136.75') TO A POINT; THENCE

NORTHEASTERLY AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF EIGHTY SIX AND FIFTY HUNDREDTHS FEET (86.50'), A LENGTH OF ONE HUNDRED FIFTY ONE AND THIRTY HUNDREDTHS FEET (151.30') TO A POINT; THENCE

N 44° 10'25" E A DISTANCE OF FORTY SIX AND FORTY EIGHT HUNDREDTHS FEET (46.48') TO A POINT; THENCE

NORTHEASTERLY AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF EIGHTY EIGHT AND TWELVE HUNDREDTHS FEET (88.12'), A LENGTH OF THIRTY EIGHT AND NO HUNDREDTHS FEET (38.00') TO A POINT; THENCE

N 25° 09'34" E A DISTANCE OF THREE HUNDRED THIRTY ONE AND SIXTY FIVE HUNDREDTHS FEET (331.65') TO A POINT; THENCE

S 64° 45'37" E A DISTANCE OF TWO HUNDRED EIGHTEEN AND SEVENTY THREE HUNDREDTHS FEET (218.73') TO A POINT; THENCE

N 25° 14'23" E A DISTANCE OF FOUR HUNDRED SEVENTEEN AND THIRTY FIVE HUNDREDTHS FEET (417.35') TO A POINT, THE LAST (9) COURSE RUNNING THROUGH SAID LOT; THENCE

S 56° 17'51" E A DISTANCE OF ONE HUNDRED ELEVEN AND THIRTY SEVEN HUNDREDTHS FEET (111.37') TO THE POINT OF BEGINNING, BY THE SOUTHERLY SIDELINE OF THE MBTA GREENLINE RIGHT-OF-WAY.

Approved as to legal form and character:

DONNALYN B. LYNCH KAHN  
City Solicitor

Under Suspension of Rules  
Readings Waived and Adopted  
21 yeas 0 nays 1 absent (Alderman Lappin) 1 recused (Alderman Sangiolo) 1 vacancy

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor

Date \_\_\_\_\_