

Middlesex South Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number	: 152186
Document Type	: DECIS
Recorded Date	: September 08, 2015
Recorded Time	: 10:36:08 AM
Recorded Book and Page	: 66038 / 371
Number of Pages(including cover sheet)	: 4
Receipt Number	: 1857159
Recording Fee	: \$75.00

RECEIVED
NEWTON CITY CLERK
2015 SEP 11 PM 1:18
DAVID A. OLSON, OMC
Newton, MA 02459

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

RECEIVED
Newton City Clerk

#182-09(2)

2015 SEP 11 PM 1:18

Title Reference:
Book 61566.. Page 116

CITY OF NEWTON
David A. Olson, CMC
IN BOARD OF ALDERMEN Newton, MA 02459

August 10, 2015

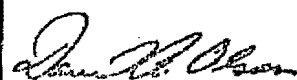
ORDERED:

That the Board, 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 the site plan approved in Special Permit #182-09, dated November 7, 2009, in order to create an additional 17 parking stalls on the site to be used for the adjacent property at 180 Needham Street, as recommended by the Land Use Committee for the reasons given by the Committee through its Chairman, Alderman Marc Laredo:

1. The existing site is nonconforming with regard to parking stalls located in the front and side setback and the aisle width. The proposed alterations to the existing parking layout and the addition of parking stalls in the setback will not be substantially more detrimental than the existing nonconforming layout is to the neighborhood. (§30-21(b))
2. The specific site is an appropriate location for 17 additional parking stalls, as it is located in an active commercial corridor with a significant parking demand. (§30-24(d)(1))
3. The proposed addition of 17 parking stalls will not adversely affect the neighborhood. The site is located in a mixed-use area with active commercial uses, and has adequate parking to meet the projected parking demand for the proposed uses. (§30-24(d)(2))
4. The proposed addition of parking stalls will not result in serious hazards to pedestrians or vehicles, as there are adequate aisle widths and parking stall dimensions. (§30-24(d)(3))
5. Access to the site is appropriate for the types and numbers of vehicles involved, as the site is located on a major commercial corridor with access to highways and public transportation, and the proposed project will not significantly affect the levels of service at surrounding intersections. (§30-24(d)(4))
6. The waiver of the number of required parking stalls for the adjacent property at 180 Needham Street in Board Order 91-15 and the waiver of certain dimensional requirements for parking facilities is in the public interest, as it preserves a greater amount of open space. The parking data indicates that there is a sufficient number of parking stalls available on the site to accommodate the additional parking demand from the proposed uses. (§30-19(m))

PETITION NUMBER: #182-09(2)

A True Copy
Attest



City Clerk of Newton, Mass.

RECEIVED
Newton City Clerk
2015 AUG 10
David A. Olson, CMC
Newton, MA

PETITIONER: 188 Needham Street Limited Partnership, 210 Needham Street Limited Partnership

LOCATION: 188-210 Needham Street, on land known as SBL 83, 28, 1, 83, 28, 83, and 83, 28, 84 containing approximately 4.75 acres of land

OWNER: 188 Needham Street Limited Partnership; 210 Needham Street Limited Partnership

ADDRESS OF OWNER: 300 3rd Avenue, Suite 2
Waltham, MA 02451

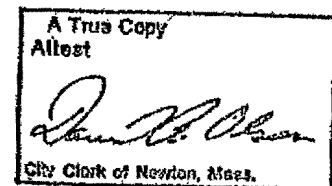
TO BE USED FOR: Non-accessory parking for 180 Needham Street, additional parking stalls and alterations to the parking facilities; changes to the approved site plan

EXPLANATORY NOTES: §30-13(b)(16), to allow non-accessory parking in connection with Board Order 91-15 (1); §30-19(h)(1), §30-21(b) and §30-19(m), to expand parking within a setback in a facility with more than five stalls; §30-19(h)(3), §30-21(b) and §30-19(m), to increase the number of parking stalls accessed by a nonconforming aisle width; §30-19(i) and §30-19(m), to waive the requirements for vegetative screening; §30-19(j) and §30-19(m), to waive lighting requirements; §30-23 amendment to site plan approval in prior Board Orders referred to in Condition 2 hereof.

ZONING: Mixed Use 1 district

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. Site Development Plans, prepared by Kelly Engineering Group, stamped and signed by Steven M. Horsfall or David Noel Kelly, Professional Engineer; dated April 10, 2015 and revised on June 1, 2015, consisting of the following eight (8) sheets.
 - i. Sheet 1 - Cover Sheet
 - ii. Sheet 2 - Vicinity Plans
 - iii. Sheet 3 - Existing Conditions Plan
 - iv. Sheet 4 - Layout and Zoning Plan
 - v. Sheet 5 - Layout and Landscaping Plan
 - vi. Sheet 6 - Site Plan
 - vii. Sheet 7 - Detail Sheet
 - viii. Sheet 8 - Detail Sheet



- b. Elevations, prepared by Form + Place, dated April 10, 2015
- c. Landscape Plan for Courtyard, prepared by Shadley Associates, dated June 19, 2015
- 2. Except as amended by this board order, all conditions of Board Orders #592-87, 195-91, 191-92, 472-92, 255-94, 299-99, 384-03, 385-03 shall remain unchanged and in effect.
- 3. The petitioner shall maintain all landscaping associated with this Special Permit/Site Plan Approval and with prior special permits in good condition. Any plant material that becomes diseased or dies shall be replaced on an annual basis with similar material.
- 4. The special permit granted hereby shall be exercised concurrently with Board Order 91-15.


Under Suspension of Rules

Readings Waived and Approved

16 yeas 0 nays 8 absent (Aldermen Baker, Blazar, Brousal-Glaser, Gentile, Harney, Kalis, Leary, and Rice)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen 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 August 12, 2015. 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.

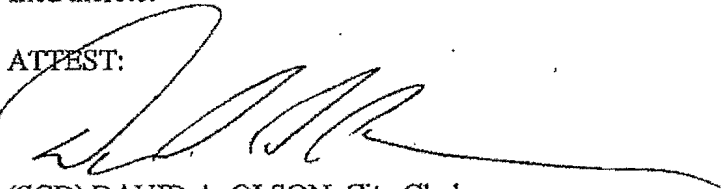
ATTEST:



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

I, David A. Olson, as the Clerk of the Board of Aldermen 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 Board of Aldermen in the Office of the City Clerk on 8/12 and that NO APPEAL to said decision pursuant to G.L. c. 40A, §17 has been filed thereto.

ATTEST:



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

