

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

**CITY OF NEWTON  
Massachusetts**

**INTER-OFFICE CORRESPONDENCE**

**DATE:** February 19, 2021

**TO:** All Members, City Council

**FROM:** Barney S. Heath, Director of Planning and Development  
Neil Cronin, Chief Planner for Current Planning

**SUBJECT:** Special Permit #33-21, 269-287 Grove Street  
Recommitment

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Attached is the draft Council Order revised by the Planning and Law Departments per the Land Use Committee's discussion on February 9<sup>th</sup>.

**ATTACHMENTS**

**ATTACHMENT A:** Draft Council Order #33-21

CITY OF NEWTON

IN CITY COUNCIL

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 allow a laboratory and research facility use in the Business 4 (BU-4) zoning district as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The specific site in the BU-4 zone is an appropriate location for the proposed laboratory and research facility use because the site contains a 500,000 square feet commercial structure and all changes to the structure will be internal. (§4.4.1, 6.5.9.A §7.3.3.C.1);
2. The proposed research and laboratory use as developed and operated within the BU-4 zone will not adversely affect the neighborhood because the, all changes to the structure will be internal and the proposed use complies with the parking requirements of the Ordinance (§4.4.1, 6.5.9.A, §7.3.3.C.2);
3. The proposed research and laboratory use will not create a nuisance or serious hazard to vehicles or pedestrians because there will be no changes to the site (§4.4.1, 6.5.9.A §7.3.3.C.3);
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved because the use requires fewer parking stalls than the prior use (§4.4.1, 6.5.9.A §7.3.3.C.4).

PETITION NUMBER: #33-20

PETITIONER: Alexandria Real Estate Equities Inc.

LOCATION(s): 275 Grove Street, on land known as Section 43 Block 29 Lot 24, containing approximately 478,578 square feet of land.

OWNER: ARE-MA Region NO 76 LLC

ADDRESS OF OWNER: 26 N. Euclid Avenue

Pasadena, CA 91101

TO BE USED FOR: To allow the laboratory and research facility use

CONSTRUCTION: None

EXPLANATORY NOTE: §4.4.1, 6.5.9.A to allow the laboratory and research facility use in existing office building in the BU-4 zoning district.

ZONING: Business Use 4

The prior Special Permits for this site remain in full force and effect, including the conditions set forth in Council Orders #40-97 and #40-97 (2), which allowed the construction of the existing office building.

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. Floor Plans, prepared by Tria, signed and stamped by Jean E. Thacker, Registered Architect, dated December 2, 2020, showing Overall First Floor Plan, and Partial Second Floor Plan.
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
  - a. Recorded a certified copy of this order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
3. The laboratory and research facility use shall only be allowed in the areas shown on the floorplans referenced in Condition 1a.
4. An appropriate ventilation system shall be installed and approved by the Commissioner of Inspectional Services.
5. This Special Permit is being granted in connection with Petitioner's lease of the premises to Corindus, a company which develops vascular robotics. In the event that Corindus or its successor ceases to operate at all or a portion of the site, the Petitioner may relet such premises to another party for laboratory, research, and development use without the need for further relief from the City Council provided that the same:
  - a. is a technical facility consisting of laboratory space, office space, storage space, and/or space for assembly of materials for study, research and development, experimentation, and prototype development in one or more scientific fields

including, but not limited to, life sciences, biotechnology, biomedical research, robotics, renewable technology, sustainable technology, computer science, electronic technology, medicine, or similar fields;

- b. does not involve recombinant DNA research or technology at Biosafety Level 3 (BSL-3) or above and complies with the Revised Ordinances, Chapter 12, Section 12-21 et. seq. for any other use involving recombinant DNA;
- c. does not involve noxious or hazardous substances or processes above the levels permitted by applicable city, state, and federal standards;
- d. is in compliance with all other applicable city, state, and federal health and safety laws and regulations; and
- e. an appropriate ventilation system for such use is installed and approved by the Commissioner of Inspectional Services.

Determinations as to whether a proposed future use at the site complies with this Condition shall be made by the Commissioner of Inspectional Services in consultation with the Director of Planning and Development, the Fire Chief, and the Commissioner of Health and Human Services.

6. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
  - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development statements by a registered architect certifying compliance with Condition #1.