

NARRATIVE APPRAISAL REPORT

&

VALUATION ANALYSIS

PROPERTY

Residences at Acorn Park Site
15.6 Acres of Land
1, 37 Acorn Park Road
Belmont & Cambridge, Massachusetts
DCR FILE NO.: P-000610 & P-000611

DATE OF VALUATION

March 29, 2011

PREPARED FOR

Brenda Griffiths
Assistant Director of Operations
Commonwealth of Massachusetts
Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114-2119

Town of Belmont
c/o Jay Szklut
Planning & Economic Development Manager
455 Concord Avenue
Belmont, MA 02478

PREPARED BY

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March 30, 2011

Brenda Griffiths
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Commonwealth of Massachusetts
Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114-2119

Town of Belmont
c/o Jay Szklut
Planning & Economic
Development Manager
455 Concord Avenue
Belmont, MA 02478

RE: *Residences at Acorn Park Site*
15.6 Acres of Land
1, 37 Acorn Park Road
Belmont & Cambridge, Massachusetts
Files #P-610, P-611

Dear Ms. Griffiths & Mr. Szklut:

In fulfillment of our agreement, as outlined in the letter of engagement dated February 23, 2011, we are pleased to transmit the appraisal report detailing our estimate of the market value of the fee simple interest in the above referenced property. This self-contained appraisal report sets forth the value estimate, together with supporting data and reasoning which forms the basis for our conclusions.

The subject of this report is 15.6 acres of *Belmont Uplands* zoned land, located at the corner of Acorn Park Road and Frontage Road in Belmont, Massachusetts on the Cambridge city line. Of the 15.6 acres, 12.9 acres are within Belmont, and 2.7 acres are within Cambridge. The site consists of approximately 8.5 acres of forested uplands and 7.1 acres of wetlands.

The site has been approved under Massachusetts General Laws Chapter 40B for a 299 rental housing project. The development will feature five, 4 story buildings over ground level parking garages.

This appraisal has been completed using the following *extraordinary assumption*:

- The estimated value of the property is based upon the *extraordinary assumption* that all pending appeals of the approvals that have been issued thus far will be settled within the coming weeks and that a building permit allowing for the 299 unit rental development will be issued at this time.

As a result of our analysis, it is our opinion that the market value of the subject property as of March 29, 2011, subject to the definitions, limiting conditions and certifications set forth in the attached report are as follows:

THIRTEEN MILLION FIVE HUNDRED THOUSAND (\$13,500,000) DOLLARS

This letter must remain attached to the report in order for the value opinion set forth to be considered valid.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ch', with a long horizontal flourish extending to the right.

Christopher H. Bowler, MAI, SRA
Massachusetts Certified General
Real Estate Appraiser #495

A handwritten signature in blue ink that reads 'Jonathan H. Avery' in a cursive script.

Jonathan H. Avery, MAI, CRE
Massachusetts Certified General
Real Estate Appraiser #26

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SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

PROPERTY ADDRESS: 1, 37 Acorn Park Road
Belmont & Cambridge, Massachusetts

OWNER OF RECORD: AP Cambridge Partners ii, LLC c/o
O'Neill Properties

DATE OF VALUE ESTIMATE: March 29, 2011

LAND AREA:

12.9 acres	Belmont
2.7 acres	Cambridge
15.6 acres	Total

EXISTING IMPROVEMENTS: None – vacant land.

ZONING: *Apartment House-Belmont Uplands*; Subject to a
Comprehensive Permit issued via M.G.L. Chapter
40B.

HIGHEST AND BEST USE: Development of 299 residential apartment units in
accordance with the plans that have been proposed
and approved (subject to pending appeals).

EXTRAORDINARY ASSUMPTION: The estimated value of the property is based
upon the *extraordinary assumption* that all pending appeals of the approvals that have
been issued thus far will be settled within the coming weeks and that a building permit
allowing for the 299 unit rental development will be issued at this time.

VALUE ESTIMATE: **\$13,500,000**

APPRAISED BY: Christopher H. Bowler, MAI, SRA
Jonathan H. Avery, MAI, CRE
Avery Associates
Post Office Box 834
282 Central Street
Acton, MA 01720

SUBJECT PROPERTY PHOTOGRAPHS

Residences at Acorn Park - Site
Acorn Park Road
Belmont, Cambridge, MA
Photos Taken by C. Bowler (3/29/11)



Aerial Photo of Site Provided by Mass GIS/Google Earth.



View Looking NW at the Belmont Portion of the Site.

SUBJECT PROPERTY PHOTOGRAPHS

Residences at Acorn Park - Site
Acorn Park Road
Belmont, Cambridge, MA
Photos Taken by C. Bowler (3/29/11)



Street Scene Looking Northerly Along Acorn Park Road.



Street Scene Looking South Along Acorn Park Road.

SUBJECT PROPERTY PHOTOGRAPHS

Residences at Acorn Park - Site
Acorn Park Road
Belmont, Cambridge, MA
Photos Taken by C. Bowler (3/29/11)



View Looking SW at the Wetlands-Cambridge Portion of the Site at the Bend in Acorn Park Road.



View Looking NE, Across the Little River, at the Subject Site. Photo Taken From “Hill Estates” Apartment Complex off of Brighton Ave.

NARRATIVE APPRAISAL REPORT

PURPOSE OF THE APPRAISAL: The purpose of this appraisal is to estimate the market value of the fee simple interest in the subject property as of March 29, 2011. In estimating this value it has been necessary to make a careful physical inspection of the property, a review of existing zoning by-law, a review of the proposed plans, and existing approvals, and an analysis of current market conditions and how they relate to and affect the subject property.

The definition of market value and fee simple can be found in the Addenda section to this report.

INTENDED USE OF REPORT: The intended use of this appraisal is to estimate the market value of the subject property for its possible acquisition by the Massachusetts Department of Conservation and Recreation (DCR) and the Town of Belmont.

INTENDED USERS OF REPORT: The Massachusetts Department of Conservation and Recreation (DCR) and the Town of Belmont.

INTEREST VALUE: Fee Simple.

DATE OF VALUATION: The effective date of valuation of this appraisal is March 29, 2011. All data, analysis, and conclusions are based upon facts in existence as of the date of valuation.

DATE OF REPORT: March 30, 2011.

SCOPE OF THE APPRAISAL: Christopher H. Bowler, MAI, SRA inspected the subject property on several occasions, most recently March 29, 2011. Photographs of the property were taken at this time. Jonathan H. Avery, MAI, CRE inspected the site from the roadway on March 26, 2011.

In addition to the inspections, Mr. Bowler:

- Reviewed extensive files on the subject property and the proposed rental development available at the Belmont Planning & Economic Development department. These documents include the approvals, plans, financial projections, costs, deeds.
- Discussed the subject property and the approvals status with Belmont Town Planner Jay Szklut.
- Reviewed extensive media articles pertaining to the subject development dating back 5 years.
- Obtained additional information regarding the property from the Belmont and Cambridge Assessors' Departments, and the Middlesex South Registry of Deeds.
- Gathered information on comparable land sales that were proposed and/or approved for multi family rental development at the time of their sales in the Greater Boston area.

- Confirmed and analyzed the data and applied the Sales Comparison Approach in order to estimate the market value of the subject property.

DESCRIPTION OF REAL ESTATE APPRAISED

LEGAL DESCRIPTION - The subject of this report is 15.6 acres of *Belmont Uplands* zoned land, located at the corner of Acorn Park Road and Frontage Road in Belmont, Massachusetts on the Cambridge city line. Of the 15.6 acres, 12.9 acres are within Belmont, and 2.7 acres are within Cambridge. The site consists of approximately 8.5 acres of forested uplands and 7.1 acres of wetlands.

The following are the address, assessor's and legal references for the property:

<u>Address</u>	<u>Town</u>	<u>Assessors</u>		<u>Size of</u>	<u>Current</u>	<u>Legal</u>
		<u>Map</u>	<u>Lot</u>	<u>Parcel (ac)</u>		
1 Acorn Park Road	Belmont	40	1	12.90	AP Cambridge Partners II LLC	30386/260
37 Acorn Park Road	Cambridge	267	1-239	2.70 ^^	AP Cambridge Partners II LLC	30386/260
Total				15.60		

^^ This parcel is currently part of a larger 9.23 acre assessors parcel in Cambridge comprised primarily of wetlands.

The subject property is part of a larger 41+ acre property, that included an older office/R&D building, purchased by AP Cambridge Partners II (O'Neill Properties) from Arthur D. Little, Inc. in June of 1999 for a total of \$18.4 million. O'Neill subsequently sold off most of the property, that included development parcels, to Bulfinch Properties in early 2000. The property that O'Neill did retain includes the subject and mostly wetland parcels in Cambridge.

A copy of the deed listed above can be found in the Addenda to this report.

Approval Status: The Town of Belmont issued a Comprehensive Permit allowing for a 299 unit rental development on the subject site to O'Neill Properties in February of 2007. A copy of this decision can be found in the Addenda to this report. The Massachusetts Department of Environmental Protection issued a Superceding Order of Conditions in May of 2010 allowing for the development in and around the wetlands and floodplains in the area.

It should be noted that the Mass DEP decision has been appealed by two local environmental groups.

Before a building permit can be issued, the following is needed:

- Resolution of the DEP appeal.
- Information to Belmont Planning on the sewer connection, and a \$382,500 payment to the Town of Belmont if this town's system is used for connection.
- Report by a third party consultant on storm water design.
- Completion of the conservation restriction on the areas outside of the main building envelope.

Affordability Requirement: Per the Comprehensive Permit, 20% of the units must be reserved for rental to households making no more than 50% of the median income for the area.

TAXES AND ASSESSMENT - The following is the current assessment and tax burden for the subject:

<u>Address</u>	<u>Town</u>	<u>Assessors</u>		<u>Size of</u>	<u>Fiscal</u>	<u>Total</u>	<u>Tax Rate</u>	<u>R.E.Taxes</u>
		<u>Map</u>	<u>Block</u>	<u>Parcel (ac)</u>	<u>Year</u>	<u>Assessment</u>	<u>(per \$000)</u>	<u>Due</u>
1 Acorn Park Road	Belmont	40	1	12.90	2011	\$ 12,431,000	\$ 13.24	\$ 164,586.44
37 Acorn Park Road	Cambridge	267	1-239	2.70	2011	\$ 402,200 ^^	\$ 8.16	\$ 3,281.95
Totals						\$ 12,833,200		\$ 167,868.39

^^ This parcel is currently part of a larger 9.23 acre assessors parcel in Cambridge comprised primarily of wetlands.

Comment: The total assessment and tax burden in Cambridge reflects the entire 9.23 acre parcel from which the subject 2.7 acres is derived.

Based upon a review of the estimated value contained in this report it is our opinion that the current tax assessment is fair and reasonable.

LOCATION DESCRIPTION – Town - The majority portion of the subject property is located in the eastern Middlesex County community of Belmont. Surrounding communities are Arlington on the north; Cambridge on the east; Watertown on the south; Waltham on the southwest; and Lexington on the west. Its population per the 2000 US Census was 24,194. This is down 2.13% from the 1990 figure. The estimated population per a 2007 Mass Department of Revenue census was 23,356. Downtown Boston is 7 miles southeast of Belmont Center.

Belmont is a small (4.6 square miles), affluent bedroom community located 7 miles northwest of Boston. It is a town with little to no industry, contains no liquor stores, and has on a couple of restaurants that serve liquor. It is a ‘boring’ town by most residents own admissions, and they want to keep it that way.

The town has a quaint shopping center district and an excellent school system that routinely ranks in the top 10 of the state by any measure of excellence. Over 95% of Belmont High graduates go on to a 4 year college. The Belmont High School campus is one of the more attractive ones in the Commonwealth, located off of Concord Avenue, east of the town center. The four elementary schools have all been re-habbed or re-built within the past 10 years.

The desirable features referenced above do not come cheaply. Belmont has become a home for the affluent with an average sales price for a single family home of \$726,545 over the previous 12 months, and \$417,816 for condominiums, according to MLS statistics.

Economic Conditions: When completing an appraisal of real property it is necessary to have a proper perspective of economic conditions as of the date of valuation. Economic conditions play a significant role in the price paid for real estate at any given time.

As the first quarter of 2011 nears a conclusion, the recovery from the “Great Recession”, which lasted over a year between 2008 and 2009, continues. But the recovery is stubbornly slow and is characterized by very little job growth and continued high unemployment. We look at several key economic indicators to measure the health of the economy as of the date of valuation:

THE ECONOMY

The Gross Domestic Product (*total market value of the goods and services produced by a nation's economy during a specific period of time*) figures for the most recent four quarters and previous 6 years are shown below.

U.S. ECONOMIC GROWTH (growth in the GDP)

	Annualized Growth Rate
2010 Quarter 4	3.2% <i>preliminary</i>
2010 Quarter 3	2.6%
2010 Quarter 2	1.7%
2010 Quarter 1	3.7%
2009 Annual	-2.4%
2008 Annual	0.4%
2007 Annual	2.2%
2006 Annual	3.3%
2005 Annual	3.2%
2004 Annual	3.9%

(Gross Domestic Product is the total market value of the goods and services produced by a nation's economy during a specific period of time).

Growth has been positive now for the past five quarters. However, to recover from a recession and return to low unemployment, GDP growth typically must be in the 5%+ range on an annualized basis. Growth in the last 4 quarters has averaged 2.8%. This low growth is the reason that unemployment remains high as will be seen below.

EMPLOYMENT/JOB GROWTH

			Boston-Camb- Quincy Metro	
<u>Unemployment Rate</u>	<u>Town of Belmont</u>	<u>Middlesex County</u>	<u>NECTA</u>	<u>Mass.</u>
Feb-11	5.0%	7.0%	7.8%	8.3%
Jan-11	5.2%	6.5%	7.1%	8.3%
Feb-10	6.3%	7.7%	8.6%	8.8%

			Boston-Camb- Quincy Metro	
<u># Employed (000's)</u>	<u>Town of Belmont</u>	<u>Middlesex County</u>	<u>NECTA</u>	<u>Mass.</u>
Feb-11	11.99	770.55	2,347.85	3,211.60
Jan-11	11.99	776.56	2,365.15	3,208.30
Feb-10	11.89	761.59	2,317.08	3,175.70

(Source: Mass Department of Employment & Training)

	New Jobs Created	Unempl. Rate
<u>United States</u>		
Feb-11	192,000	8.9%
Jan-11	63,000	9.0%
Dec-10	152,000	9.4%
Nov-10	93,000	9.8%
Oct-10	210,000	9.6%
Sep-10	(41,000)	9.6%
Aug-10	(1,000)	9.6%
Jul-10	(66,000)	9.5%
Jun-10	(175,000)	9.5%
May-10	432,000	9.7%
Apr-10	313,000	9.9%
Mar-10	208,000	9.7%
	108,000	(Per month average over past 12 months).

(Source: US Bureau of Labor Statistics)

As with the GDP figures the employment figures, while showing growth, are a disappointment coming out of a recession. Typically, post-recession job growth exceeding 500,000 per month is common. The average over the past 12 months is just 108,000 per month. Most economists indicate that job growth in the vicinity of 150,000 per month is needed just to keep up with population growth. Not only do the recent figures not meet this, but they do not come close to reaching the 500,000 mark that would give a substantial positive boost to the economy.

CONSUMER SENTIMENT

CONSUMER CONFIDENCE INDEX

2011	Mar-11	63.4
	Feb-11	72.0
	Jan-11	64.8
2010	Oct-10	50.2
	Jul-10	48.5
	Apr-10	57.7
	Jan-10	56.5
2009	Oct-09	48.7
	Jul-09	46.6
	Apr-09	40.8
	Jan-09	37.4
2008	Oct-08	38.0
	Jul-08	51.9
	Apr-08	62.8
	Jan-08	87.3
2007	Oct-07	95.6
	Jul-07	111.9
	Apr-07	106.3
	Jan-07	110.2

(Source: The Conference Board)

The consumer confidence data shown above portrays the ups and downs of the economy over the past 3+ years. The index data is shown quarterly since January of 2007. The most recent figure is decline after 3 straight monthly increases. The reason for the drop in confidence was the perception among consumers of a return of inflation combined with a stagnant job market. Per the Conference Board a reading above 90 translates into an economy on solid footing while a reading above 100 reflects strong economic growth. So while confidence may be on the rise it is still well below the levels which suggest a strong economy.

STOCK MARKET, INTEREST RATE, & COMMODITY TRENDS

	Beginning Price <u>1-Jan-11</u>	Closing Price <u>29-Mar-11</u>	Change Since <u>1/1/2011</u>
Dow Jones Industrial	11,578	12,279	6.06%
Wilshire 5000	13,290	13,941	4.90%
S&P 500	1,258	1,319	4.88%
NASDAQ	2,653	2,757	3.93%
10 Year Treasury	3.31%	3.45%	14.0 basis pts.
London Gold \$ fix/oz	1,422	1,420	-0.14%
Crude Oil \$ per barrel	91.40	104.54	14.38%

Thus far in 2011, the stock market is off to a positive start, up nearly 5% in terms of the S&P 500. For all of 2010 the S&P was up 12.78%. This marked the second straight year of double digit gains in the S&P after a disastrous 2008 which saw a decline approaching 40%.

The stock market has long been considered a pre-cursor to future economic activity, which means the unimpressive GDP and employment may be ready to turn more positive.

MULTI FAMILY & INVESTMENT R.E. MARKETS

The following are excerpts from the 2011 *Marcus & Millichap Market Forecast* for the Greater Boston Apartment sector:

A faster pace of job growth, a decline in rental construction, and improving vacancy and rent trends will place Boston among the top performing apartment markets in the country in 2011. Following a solid rebound in hiring last year, employers will step up the pace as demand for goods and services strengthens in the months ahead. Job gains will occur in most employment segments, with the professional and business services and education and health services sectors expected to each grow nearly 3 percent. Demand for rental housing will improve with the employment market. Vacancy will decrease to the low-3 percent range in core urban submarkets, down from more than 5 percent during the recession. In the suburbs, where more than 60 percent of jobs in the metro exist, vacancy will dip below 6 percent, enabling operators to significantly reduce concessions by the second half of 2011.

As Boston remains a large, primary market with diverse demand drivers, local apartments will generate considerable interest when listed. Generally, cap rates ranged from about 6.2 percent to 7.0 percent at the end of last year. Low interest rates and intensified bidding will maintain downward pressure on cap rates throughout the first half of 2011, encouraging owners to explore sales. Local investors will leverage price adjustments to expand portfolios, focusing on small properties in the city of Boston and near-in suburbs. Institutions and REITS, which increased activity in the second half of 2010, will target large, high-quality properties in the suburbs. The probability that more intense bidding for these assets will drive up prices as the year progresses may compel many of these investors to seek lower-priced opportunities in other markets.

2011 Market Outlook

- **2011 NAI Rank: 3, Up 5 Places.** Low housing affordability and above-average employment growth pushed Boston to the third position in this year's NAI.
- **Employment Forecast:** In 2011, employment will expand 2 percent, or by 49,000 positions, compared with a 1.5 percent increase nationwide. Last year, local employers created 37,500 jobs.
- **Construction Forecast:** Rental stock will grow only 0.3 percent in 2011 as 600 units are completed, one of the lowest totals in the past 10 years. Slightly more than 1,000 rentals were delivered in 2010.
- **Vacancy Forecast:** Waning construction and accelerated job growth will support a 100 basis point decline in vacancy this year to 4.5 percent. The release of pent-up demand generated a 90 basis point decrease in the vacancy rate during 2010.
- **Rent Forecast:** In 2011, asking rents will climb 3.5 percent to \$1,777 per month, while concessions will burn as effective rents advance 4.5 percent to \$1,697 per month.
- **Investment Forecast:** Additional loosening of the capital markets will support strong bids among local buyers for small properties in the city of Boston. Investors seeking stable suburban assets will focus on the Mass Pike and Route 9 corridors.

The recently released MIT Commercial Property Price Index shows an increase in the 'apartment properties' category of +17.45% between the fourth quarter of 2009 and the fourth quarter of 2010. Over the past five years, however, the index suggests a 14% drop in the prices paid for apartment properties. This index tracks transactions of properties from the National Council of Real Estate Investment Fiduciaries (NCREIF) and includes office, industrial, retail and apartment properties. The data from this index is as follows:

Year	Q	All		Office		Industrial		Retail		Apartment	
		Properties	Year over Year % Change	Properties	Year over Year % Change	Properties	Year over Year % Change	Properties	Year over Year % Change	Properties	Year over Year % Change
2005	4	182.45	-----	234.29	-----	211.91	-----	202.49	-----	273.61	-----
2006	4	214.00	17.29%	275.85	17.74%	255.27	20.46%	220.93	9.11%	275.29	0.61%
2007	4	211.05	-1.37%	306.30	11.04%	253.36	-0.75%	216.48	-2.02%	297.48	8.06%
2008	4	179.75	-14.83%	248.82	-18.77%	209.67	-17.24%	196.68	-9.15%	248.87	-16.34%
2009	4	139.25	-22.53%	180.47	-27.47%	160.83	-23.29%	154.11	-21.65%	200.33	-19.50%
2010	4	166.06	19.26%	203.08	12.53%	184.98	15.01%	156.67	1.66%	235.29	17.45%
Total 5 Year Change			-8.98%		-13.32%		-12.71%		-22.63%		-14.00%

The information provided by the Marcus & Millichap report, combined with the data from the index above, suggests that the apartment property investment market has turned the corner from the slump of the past few years. A dearth of construction, a lack of alternative investments, and a slowly recovering economy has created an environment in which prices for well located, Class A apartment properties are on the rise and cap rates are declining.

COMMENTS/CONCLUSIONS: The following conclusions are drawn based upon the data and observations cited above:

- The economy is in a state of fragile recovery. The recovery which began in the 4th quarter of 2009 has never really taken off and is characterized by slow growth and continued high unemployment.
- Consumer confidence still remains at levels suggesting a troubled economy.
- The ‘for sale’ residential market is struggling again after having begun a strong rebound in 2009. The ‘rebound’ benefited from the first time buyer \$8,000 federal income tax credit and historically low mortgage rates. The federal tax credit ended in the Spring of 2010. Developers and statistics reveal that the 2nd half of 2010 saw a return to slumping conditions. Inventories are rising and small prices declines have returned.
- Of all the sectors of the r.e. development markets, the Apartment (rentals) sector is faring the best as the first quarter of 2011 concludes. There has been a dearth of apartment construction over the past 4 years yet the demand to rent apartments has grown as the home ownership market suffers through a foreclosure crisis.

Each of these factors has been taken into consideration with the valuation of the subject property.

THE NEIGHBORHOOD

The subject property is located in the northeast corner of Belmont, at the corner of Acorn Park Road and Frontage Road (Route 2 access road). A portion of the property is in Cambridge. The Arlington Town line is 200 feet to the north.

The subject is located in the Alewife area, centered around the Alewife MBTA Red Line subway and bus station which is 0.7 miles east of the subject. Surrounding the station to the west and south are two office/R&D parks and an industrial park. Within these parks are over 1.5 million square feet of class A&B office and R&D space and over 1.2 million sq ft of older industrial space. New Boston Properties has received approval to re-develop a portion of the industrial park into 260 rental apartment units.

North of the subject on Route 2 is a bowling alley/sports complex, a 116 room motel, and a dilapidated former nightclub property that is nearing approval for re-development into 227 rental apartment units.

Abutting the subject to the west and south is the 115 acre Alewife Brook Reservation owned and maintained by the Massachusetts DCR. Within this reservation is Little Pond and to the south is the Little River that flows into the Alewife Brook. Across the Little River from the subject is the 390 unit Hill Estates apartment complex. This complex was constructed in the late 1960's/early 1970's and feature brick, garden style and townhouse units. Across Acorn Park Road from the subject is a wetlands parcel.

Spy Pond in Arlington is ¼ mile north, across Route 2.

From an apartment development site standpoint, the location of the subject is considered good. It is convenient to major highways, public transportation and employment centers.

PROPERTY DESCRIPTION: The subject of this report is 15.6 acres of *Belmont Uplands* zoned land, located at the corner of Acorn Park Road and Frontage Road in Belmont, Massachusetts on the Cambridge city line.

Of the 15.6 acres 12.9 acre are within Belmont, and 2.7 acres are within Cambridge. The site consists of approximately 8.5 acres of forested uplands and 7.1 acres of wetlands. A portion of the wetlands are located on the easterly side of Acorn Park Road.

The site has 357.76' of frontage on Frontage Road and 625 feet on Acorn Park Road. Elevations on site range from 8' above sea level in the western, southern wetlands portion of the land, to 23' above sea level within the forested uplands.

The main building area of the site will be the 8.5 acres of uplands. The remainder of the site is wetlands and within the boundaries of the 100 year flood plain per FEMA panel #250 17C 419E dated June 4, 2010.

The site has access to municipal water and sewer lines, both in Belmont and Cambridge. The current plan for the proposed development is to connect to the Belmont system in conjunction with a \$382,500 mitigation payment.

Other utilities to the site include natural gas, electricity, telephone, and cable TV.

Proposed Development: The 299 approved rental units will be constructed within five separate 4 story buildings. Of the 299 units 20 will be studios; 156 will be one bedroom units; 107 will be two bedroom units; and 16 will be three bedroom units.

There will be 250 underground/garage parking spaces and 214 surface spaces.

The maximum gross floor area will be 337,884 sq ft.

As part of the development a conservation restriction will be imposed on 7.91 acres of the site, consisting mainly of the wetlands.

Site plans, topo plans, flood maps, and plans for the proposed development can be found in the Addenda to this report.

Consideration of Hazardous Substances in the Appraisal Process

Although no specific geotechnical engineering data has been provided, it is our assumption that the property is free and clear of any hazardous wastes or contaminating substances, as specified in applicable municipal, state and federal regulations or laws. In the event that this is not the case, the value as estimated herein may vary to the extent of contamination and the cost of cleanup.

As of March 29, 2011, the subject property is not included as either a contaminated site or a location to be investigated by the Bureau of Waste Site Cleanup of the Department of Environmental Protection, Commonwealth of Massachusetts. It is our assumption in this report, therefore, that the subject site is not a contaminated site. However, if the subject site is found to be contaminated, the value estimate contained herein will change.

Zoning

The subject is located in the *Apartment House-Belmont Uplands* zoning district of the Town of Belmont. Attached, multi family housing is allowed within this district. However, the Comprehensive Permit issued under Chapter 40B overrides all local zoning use and dimensional requirements. The proposed use is legal and conforming according to the by-laws of Chapter 40B of the general laws of the Commonwealth of Massachusetts.

HIGHEST AND BEST USE

The Dictionary of Real Estate Appraisal, Fifth Edition defines highest and best use as "the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible and results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility and maximum profitability."

Given the current favorable market conditions in the rental housing market, and the lack of favorable conditions in virtually all other sectors of the real estate development markets, it is our opinion that the highest and best use of the subject property is for the 299 unit rental housing development on site as proposed and approved.

Belmont has not had development of new market rate rental housing of over 25 units in the past 30+years. It is a desirable place to live, yet the existing rental housing stock is primarily within wood frame two and three unit structures along with a handful of 40+ year old brick, garden style complexes. A rental development on the subject site would benefit from a Belmont address, but have all the conveniences of urban living with the location near the Alewife T Station, major highways, and office parks.

VALUATION

In order to estimate the value of the 15.6 acre site approved for 299 units of rental housing the Sales Comparison Approach has been utilized. Because the subject is vacant land which produces no measurable income, neither the Cost Approach nor Income Approach were applicable.

The Sales Comparison Approach is based upon the principle of substitution, that is, when a property is replaceable in the market, its value tends to be set at the cost of acquiring an equally desirable substitute property assuming no costly delay in making the substitution. Since few properties are ever identical, the necessary adjustments for differences between comparable properties and the subject property are to a certain extent a function of the appraisers experience and judgment.

A search for sale of sites purchased for rental housing development was conducted in Greater Boston from the present dating back approximately 36 months for comparison to the subject. Due to a lack of sales similar in size to the subject, the search period was extended slightly beyond this time frame.

The following are details on 7 comparables that are considered most similar to the subject of the 12-15 initially reviewed, followed by a comparison grid.

Pending Land Sale No. 1



Property Identification

Record ID	929
Property Type	Residential Land, Multi Family Development Site
Address	30-50 Mill Street, Arlington, Middlesex County, Massachusetts 02474

Sale Data

Grantor	Cambridge Savings Bank
Grantee	Wood Partners
Closing Date	May 01, 2011
Property Rights	Fee simple
Marketing Time	3 months
Conditions of Sale	Arms length
Financing	Cash or equivalent
Sale History	No prior sale of property in previous 60 months

Pending Land Sale No. 1 (Cont.)

Verification Seller; Cambridge Savings; Confirmed by Christopher Bowler

Contract Price \$5,250,000

Cash Equivalent \$5,250,000

Land Data

Zoning B2A, Business

Topography Generally level

Utilities All available

Shape Generally rectangular

Flood Info Abuts, but not in flood zone

Land Size Information

Gross Land Size 3.870 Acres or 168,577 SF

Planned Units 116

Front Footage 80 ft Total Frontage: 80 ft Mill Street

Indicators

Sale Price/Gross Acre \$1,356,589

Sale Price/Gross SF \$31.14

Sale Price/Planned Unit \$45,259

Sale Price/Front Foot \$65,625

Remarks

Pending sale of the former Brighams headquarters off of Mill Street abutting the Arlington High School campus. Site went under agreement in 12/09. A 56,200 sq ft block building will need to be razed to allow for development. Approvals received in mid March 2011 for a 5 story, 116 unit garden style apartment complex along with a 16,000 sq ft retail/office building. Of the 116 units, 17 must be designated as affordable. Building will contain ground level parking garage. Buyer paid cost of gaining approvals. Buyer allocated \$30 per sq ft of allowed floor area, or \$480,000 to the approved retail building portion of the purchase.

Land Sale No. 2



Property Identification

Record ID	930
Property Type	Residential Land, Multi Family Development Site
Address	100 River's Edge Drive, Medford, Middlesex County, Massachusetts 02155

Sale Data

Grantor	PL 100 Rivers Edge Drive
Grantee	Residences at Rivers Edge, LLC
Sale Date	April 16, 2008
Deed Book/Page	510040/531
Property Rights	Fee simple
Conditions of Sale	Arms length
Financing	Cash or equivalent
Sale History	Seller bought site same day for \$10,118,275
Verification	Buyer; Criterion Development; 781-890-5600, Confirmed by Christopher Bowler

Sale Price	\$13,291,500
Cash Equivalent	\$13,291,500

Land Data

Zoning	C, Commercial
Topography	Generally level
Utilities	All available
Shape	Irregular
Fencing	Abuts, but no in flood zone

Land Size Information

Gross Land Size	3.690 Acres or 160,736 SF
Allowable Units	222
Front Footage	250 ft Total Frontage: 250 ft Rivers Edge

Land Sale No. 2 (Cont.)

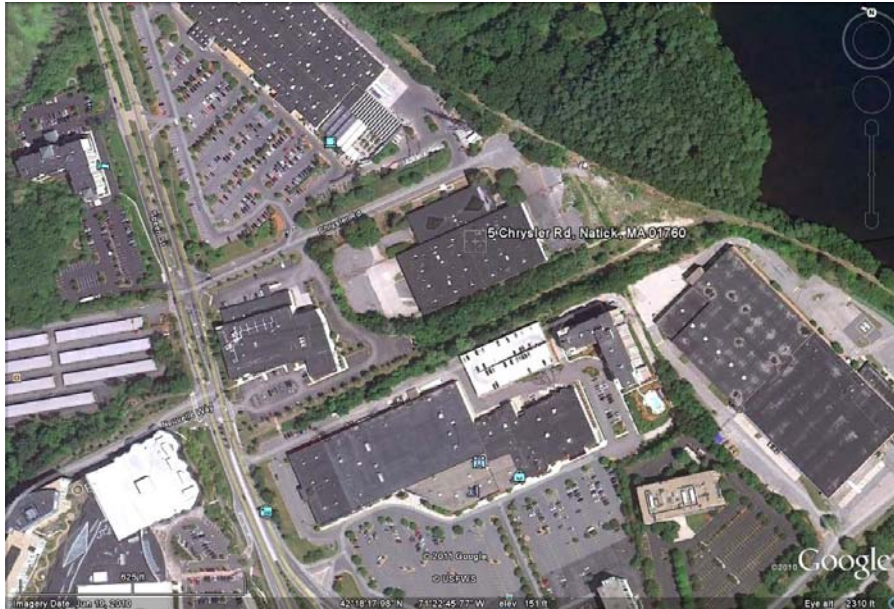
Indicators

Sale Price/Gross Acre	\$3,602,033
Sale Price/Gross SF	\$82.69
Sale Price/Allowable Unit	\$59,872
Sale Price/Front Foot	\$53,166

Remarks

Sale of a site fully approved for a 222 unit garden style apartment building. Site is located closed to the Wellington MBTA train station and abuts the Malden River. Seller closed on the site on the same day for \$10,118,275. Seller had gone through the time and expense of gaining approvals for the development and then sold off site with approvals in hand to Criterion Development for \$13,291,500. Difference in price suggests a premium of 31% for the site with approvals in hand. May be overstated since the \$10.118 price was negotiated several years back.

Land Sale No. 3



Property Identification

Record ID	723
Property Type	Residential Land, Multi Family Development Site
Address	5 Chrysler Road, Natick, Middlesex - South County, Massachusetts

Sale Data

Grantor	Gateside Natick LLC, GBR Chrysler Rd LLC
Grantee	Chrysler Apartments LLC
Sale Date	January 14, 2008
Deed Book/Page	50592/1
Recorded Plat	17/5F
Property Rights	Fee simple
Conditions of Sale	Arms length
Financing	Conventional; 50% ltv from Webster Bank
Sale History	No prior sale in previous 36 months
Verification	Seller - Josh Katzen; Confirmed by Christopher Bowler
Sale Price	\$12,500,000
Cash Equivalent	\$12,500,000

Land Data

Zoning	I2, Industrial
Topography	Generally level, but slopes to the rear
Utilities	All available
Shape	Irregular
Fencing	Not in designated flood zone

Land Size Information

Gross Land Size	6.460 Acres or 281,398 SF
Useable Land Size	5.740 Acres or 250,034 SF , 88.85%
Planned Units	404
Front Footage	708 ft Chrysler Road

Land Sale No. 3 (Cont.)

Indicators

Sale Price/Gross Acre	\$1,934,985 Actual
Sale Price/Gross SF	\$44.42 Actual
Sale Price/Useable Acre	\$2,177,700 Actual
Sale Price/Useable SF	\$49.99 Actual
Sale Price/Planned Unit	\$30,941 Actual

Remarks

Generally level site at the end of Chrysler Road in Natick, just in off of Speen Street. Access to the Mass Pike is 1 mile north; Route 9 is 1/2 mile south. Across Street is the expanded Natick Mall complex. This site purchased with preliminary approvals in hand for two, 11 story buildings that will each contain 202 apartment units for a total of 404. An existing 89,000+ sq ft industrial building will be razed as part of the development. Approvals will require a 25% affordable requirement. Buyer to finish the approval process. Development will require partial structured parking.

Land Sale No. 4



Property Identification

Record ID 724
Property Type Residential Land, Multi Family Development Site
Address Canton Street, Randolph, Norfolk County, Massachusetts 02368

Sale Data

Grantor Randolph Property Holding LLC
Grantee Avalon Blue Hills Inc.
Sale Date September 14, 2007
Deed Book/Page 25164/32
Property Rights Fee simple
Conditions of Sale Arms length
Financing Cash sale
Sale History No prior sale in previous 36 months
Verification Buyer - Avalon Bay Communities; Confirmed by Christopher Bowler

Sale Price \$11,000,000
Cash Equivalent \$11,000,000

Land Data

Zoning R, Residential
Topography Rolling
Utilities All available
Shape Irregular
Flood Info Not located in designated flood zone

Land Size Information

Gross Land Size 23.200 Acres or 1,010,592 SF
Useable Land Size 18.000 Acres or 784,080 SF , 77.59%
Planned Units 276
Front Footage 1281 ft Total Frontage: 1281 ft Canton

Land Sale No. 4 (Cont.)

Indicators

Sale Price/Gross Acre	\$474,138 Actual
Sale Price/Gross SF	\$10.88 Actual
Sale Price/Useable Acre	\$611,111 Actual
Sale Price/Useable SF	\$14.03 Actual
Sale Price/Planned Unit	\$39,855 Actual
Sale Price/Front Foot	\$8,587 Actual

Remarks

Site located south of Canton Street just west of the Route 24 intersection. Site purchased, and price based upon, all approvals in place. Construction set to begin March of 2008 for "Avalon at Blue Hills". The development does require a 25% affordable component if rents set at 80% of median. If set at 60% of median, the percentage of affordable units can go down to 20%. Units will be in 2 and 3 story, wood frame walk-up structures.

Pending Land Sale No. 5



Property Identification

Record ID	931
Property Type	Residential Land, Multi Family Development Site
Address	Summit Drive, Wakefield, Middlesex County, Massachusetts

Sale Data

Grantor	Appleton Wakefield Development, LLC
Grantee	Legacy Park Apartments
Closing Date	May 01, 2011
Property Rights	Fee simple
Marketing Time	1 year
Conditions of Sale	Arms length
Financing	Cash or equivalent
Sale History	No prior sale in previous 60 months
Verification	Seller; Appleton-Drake; Confirmed by Christopher Bowler

Contract Price	\$2,560,000
Cash Equivalent	\$2,560,000

Land Data

Zoning	Residential
Topography	Sloping
Utilities	All available
Shape	Elliptical
Flood Info	Not in designated flood zone

Land Size Information

Gross Land Size	4.180 Acres or 182,081 SF
Allowable Units	128
Front Footage	118 ft Total Frontage: 118 ft Summit Drive

Pending Land Sale No. 5 (Cont.)

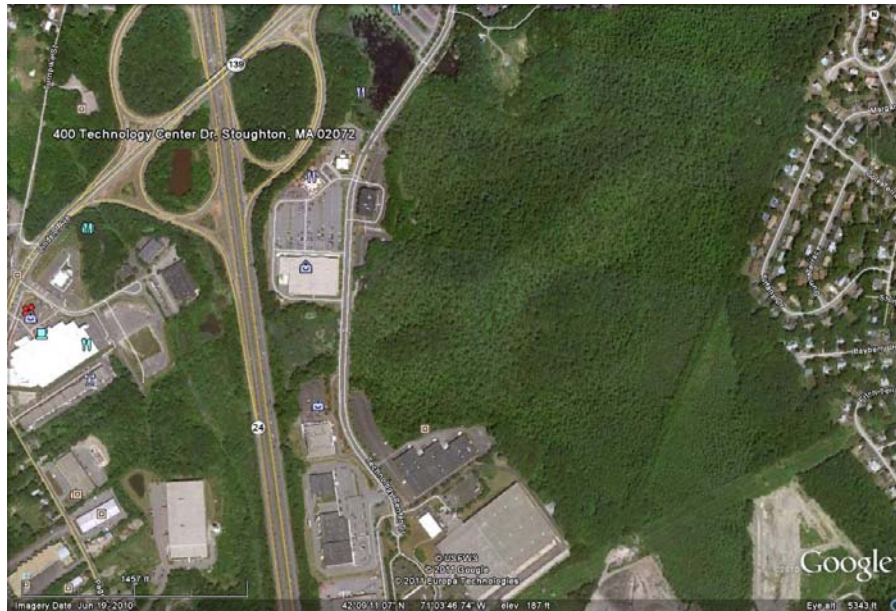
Indicators

Sale Price/Gross Acre	\$612,440
Sale Price/Gross SF	\$14.06
Sale Price/Allowable Unit	\$20,000
Sale Price/Front Foot	\$21,695

Remarks

Pending sale of a 4.18 acre site adjacent to an I-95 off ramp and the Reading town line. Abuts an existing condo complex. Site is sloping and has difficult access issues. This site is selling with approvals in hand for a 128 unit development via Chapter 40B, with a 20 or 25% affordable component depending upon the rent structure of the affordable units. The 3 buildings will require substantial ground level parking garages, greatly increasing the cost of development.

Land Sale No. 6



Property Identification

Record ID	803
Property Type	Multi Family Development Site
Address	400 Technology Center Drive, Stoughton, Norfolk County, Massachusetts

Sale Data

Grantor	TW Conroy LLC/Terence Conroy, Jr.
Grantee	Stoughton Residential LLC/Hanover Company
Sale Date	May 15, 2008
Deed Book/Page	25763/567
Recorded Plat	106-3
Property Rights	Fee Simple
Financing	Cash Sale
Sale History	No Sale in previous 60 months
Verification	T. Conroy/Conroy Dev.; Other sources: Comps/Assessor/Deed, Confirmed by Richard Bernklow

Sale Price	\$7,979,460
Cash Equivalent	\$7,979,460

Land Data

Zoning	Highway Business, Industrial
Topography	Mostly Level
Utilities	All Public
Dimensions	Irregular
Shape	Irregular

Land Size Information

Gross Land Size	13.080 Acres or 569,765 SF
Allowable Units	240

Land Sale No. 6 (Cont.)

Indicators

Sale Price/Gross Acre	\$610,050
Sale Price/Gross SF	\$14.00
Sale Price/ Unit	\$33,248

Remarks

This is an apartment site located in the Stoughton Technology Center. The property received a 40B Comprehensive permit for creation of 240 apartments with 180 market rate and 60 affordable. The seller paid for all costs of the approvals and the sales price reflects the price per unit along with reimbursed costs. The project was proposed for development in 2006 and received approval in 2007 (Bk 25605, Pg 59). The site was considered for a cinema complex in the late 1990's, but was restricted from any cinema use by 2001 agreement.

Land Sale No. 7



Property Identification

Record ID	932
Property Type	Residential Land, Multi Family Development Site
Address	25 Stagecoach Road, Stoughton, Norfolk County, Massachusetts

Sale Data

Grantor	Stagecoach Road, LLC
Grantee	South Wood Alta Indian Woods, LLC
Sale Date	February 03, 2010
Deed Book/Page	27437/352
Property Rights	Fee simple
Conditions of Sale	Arms length
Financing	Cash or equivalent
Sale History	No prior sale in previous 60 months
Verification	Buyer; Wood Partners; Confirmed by Christopher Bowler

Sale Price	\$3,900,000
Cash Equivalent	\$3,900,000

Land Data

Zoning	GB and RC, General Business
Topography	Gentle slopes
Utilities	All available
Shape	Irregular
Flood Info	Not in designated flood zone

Land Size Information

Gross Land Size	8.600 Acres or 374,616 SF
Allowable Units	154

Land Sale No. 7 (Cont.)

Indicators

Sale Price/Gross Acre	\$453,488
Sale Price/Gross SF	\$10.41
Sale Price/Allowable Unit	\$25,325

Remarks

Sale of an 8.6 acre site approved for development of a 154 unit apartment complex consisting of 3, four story garden style buildings. Located off of Route 128 in mixed use commercial, residential area. There is a 25% affordable requirement per the Chapter 40B approvals that allow for the 154 units.

Date of Valuation		29-Mar-11	(annualized)		29-Mar-11		-3%		SUBJECT		COMP 1		COMP 2		COMP 3		COMP 4		COMP 5		COMP 6		COMP 7								
Market Conditions Adjustment										1,37 Acorn Park Road Belmont, Cambridge		30-50 Mill Street Arlington		100 Rivers Edge Medford		5 Chrysler Rd Natick		Canton St Randolph		Summit Dr Wakefield		400 Tech Dr Stoughton		25 Stagecoach Stoughton							
PURCHASE PRICE (adjusted for improvements contr.)		Fee Simple		\$5,250,000		Similar		\$13,291,500		Similar		\$12,500,000		Similar		\$11,000,000		Similar		\$2,560,000		Similar		\$7,979,460		Similar		\$3,900,000		Similar	
REAL PROPERTY RIGHTS CONVEYED																															
FINANCING TERMS																															
ADJUSTED PRICE																															
CONDITIONS OF SALE																															
ADJUSTED PRICE																															
SALE DATE/MARKET CONDITIONS		29-Mar-11		Includes Retail Bid (\$480,000)		Arms Length 0%		\$13,291,500		Arms Length 0%		\$12,500,000		Arms Length 0%		\$11,000,000		Arms Length 0%		\$2,560,000		Arms Length 0%		\$7,979,460		Arms Length 0%		\$3,900,000			
ADJUSTED PRICE				PENDING		0%		16-Apr-08		Arms Length 0%		14-Jan-08		Arms Length 0%		14-Sep-07		Arms Length 0%		PENDING		Arms Length 0%		15-May-08		Arms Length 0%		3-Feb-10			
ADJUSTED PRICE		289.0		\$4,770,000		0%		-9%		Arms Length 0%		-10%		Arms Length 0%		-11%		Arms Length 0%		0%		Arms Length 0%		-8%		Arms Length 0%		-3%			
SIZE OF PARCEL (units allowed)				116.0		222.0		222.0		Arms Length 0%		404.0		Arms Length 0%		276.0		Arms Length 0%		128.0		Arms Length 0%		240.0		Arms Length 0%		154.0			
PRICE PER ALLOWED UNIT				\$41,121		\$64,571		\$64,571		\$27,965		\$35,622		\$20,000		\$30,383		\$24,452													
LOCATION		Good		Slightly Inferior		Similar		Similar		Slightly Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior			
SOLD WITH APPROVALS ?		Approvals in Place		No, Inferior		Yes, Similar		Yes, Similar		No, Inferior		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar			
UTILITIES AVAILABLE		All available		Similar		Similar		Similar		Similar		Similar		Similar		Similar		Similar		Similar		Similar		Similar		Similar		Similar			
STRUCTURED PARKING REQUIRED ?		Yes		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Similar		Yes, Ext, Inferior		No, Superior		No, Superior		No, Superior		No, Superior			
ADVERSE SITE CONDITIONS		Wetlands, flood plain		Demo Required, Sim		None, Superior		None, Superior		Demo Required, Sim		Wetlands, Similar		Wetlands, Similar		Wetlands, Similar		Wetlands, Similar		Slope, inferior		None, Superior		None, Superior		None, Superior		None, Superior			
SIZE (# of units, scope of development)		298 units, large		116 units, sm, Superior		222 units, Similar		222 units, Similar		404 units, Similar		276 units, Similar		128 units, sm, Superior		240 units, Similar		154 units, sm, Superior		240 units, Similar		154 units, sm, Superior		154 units, sm, Superior		154 units, sm, Superior		154 units, sm, Superior			
OVERALL COMPARISON TO SUBJECT				Slightly Inferior		Slightly Superior		Slightly Superior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior		Inferior			

Sales Data Analysis – The 7 sales analyzed and researched were compared to the subject on a price per allowed/approved unit basis as shown on the preceding grid. This is the most common unit of comparison between buyers and sellers of this type of land in the area.

With each sale the property rights sold were the fee simple rights. As we are estimating the same, no adjustments were required in this category.

In terms of financing all sales were purchased with either cash or market rate financing. No below or above market seller financing was involved.

In terms of conditions of sale, all were ‘arm’s length’ and required no adjustments for this. However, Comparable #1 was sold not only with the approval for 116 rental units, but also the approval for a 16,000 sq ft retail/office building. The buyer reported that they allocated \$30 per sq ft of allowed area for this component, meaning \$480,000 was attributable to this component of the sale. Since we want to isolate what is paid for just the residential rental apartment site component, the \$480,000 was deducted from the sale price.

As for market conditions, adjustments to the sales are definitely needed. Referencing the MIT/CRE index, prices for apartment properties have declined a total of 14% over the past five years, which generally includes the time frame in which all of the comparable sales occurred. This amounts to approximately -3% per year, which is what we have used for a market condition/time adjustment for this analysis.

After making the market conditions adjustment and the one adjustment to comparable #1 for conditions of sale, categories considered for comparison to the subject were:

Location
Approval Status
Utilities Available
Structured Parking Required
Adverse Site Conditions
Size and Scope of the Development Parcel

The comparison to the subject via these categories will be completed using a *qualitative* analysis. This is appropriate here because the sales did not allow for specific *quantitative* adjustments to be derived.

The prices per allowed unit, adjusted for market conditions, ranged from \$20,000 to \$54,571.

In terms of *location*, the subject is considered ‘good’. It has a Belmont address and convenience to major roadways, public transportation and employment centers. Comparable #2, located on the banks of the Malden River, was similar in location. All other sales were inferior to a degree in terms of location when compared to the subject.

With the subject property and the extraordinary assumption used in this report, all approvals are in place. This is significant. Consider that Sale #2 sold for over a 30% premium over the price paid for the site with no approvals in place. Comparables #2, #4, #5, #6, and #7 sold with approvals in place. Comparables #1 and #3 did not.

For the *utilities available* category the comparables and the subject were all similar.

A development requiring *structured parking* is more expensive to develop than a similar project that does not, all other items held equal. When the cost of improvements is higher, the price paid for the land will generally be lower. Of the 7 sales, #4, #6, and #7 did not require structured parking. The remainder did. However, #5 required extensive structured parking, with two of the buildings requiring multiple floor parking garages due to the slope of the site. This will increase costs drastically. It is for this reason primarily that #5 sold at the lowest per unit.

In terms of *adverse site conditions* that may increase the cost of construction, and thus reduce the value of the land, the subject has on site and abuts extensive wetlands. Low elevations will require the construction of a sewer pump station. Connection to the Belmont sewer system will cost \$382,500 in mitigation fees alone or nearly \$1,300 per unit. Comparable sites either had no adverse conditions or similar items, such as the requirement to demolition existing commercial buildings.

Finally, *size* is considered. Larger sites in terms of # of allowed units, tend to sell for less on a per allowed unit basis than similar sites that are simply smaller. The inverse is also true. A site with 400 allowed units will most often sell for less on a per allowed unit basis than a smaller site next door that is only approved for 100 units if all other factors are held equal.

From this qualitative analysis we have a 'bracket' within which the subject per acre value must fall. It must be higher than the \$41,121 indicated by the highest of the comparables rated 'slightly inferior' to the subject. Conversely, the lowest per acre price from a comparable that is superior to the subject is \$54,571 (Comp #2). Therefore the price per allowed unit should fall between \$41,121 and \$54,571.

Summary

Based upon an analysis of these sales and the factors discussed above, it is our opinion that an appropriate indicator for the 15.6 acre subject property is \$45,000 per allowed unit. Thus, the indicator for the subject property via the Sales Comparison Approach, as of March 29, 2011, is as follows:

# of Allowed Rental Units	299	x	\$	45,000	=	\$	13,455,000
				ROUNDED		\$	13,500,000

RECONCILIATION

The final step in estimating the market value of the subject property is a correlation of the value from each of the approaches utilized in the appraisal process. In order to estimate the value of the 15.6 acre subject property a Sales Comparison Approach has been utilized. Because the subject is essentially vacant land which produces no measurable income, neither the Cost Approach nor Income Approach were applicable.

The Sales Comparison Analysis presented in this report is considered a reliable indicator of the market value of the property. Seven comparables, all of which were sold for development of residential apartment complexes were compared to the subject on a price per allowed unit basis. Each sale was adjusted for market conditions. We then completed a qualitative analysis comparing the comparables to the subject for location, approval status, structured parking requirements, adverse site conditions, and size. After analysis, we deemed \$45,000 per allowed rental unit as a reasonable indication for the subject property. The value estimate via this approach was \$13,500,000.

Based upon the analysis and conclusions presented in this report, and the extraordinary assumption cited earlier, it is our opinion that the market value of the subject property, as of March 29, 2011, is:

THIRTEEN MILLION FIVE HUNDRED THOUSAND (\$13,500,000) DOLLARS

CERTIFICATION OF VALUE

We certify that, to the best of our knowledge and belief,...

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal unbiased professional analyses, opinions, and conclusions.
- we have no present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
- our compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of this report.
- our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Mr. Bowler and Mr. Avery are currently certified under the voluntary continuing education program of the Appraisal Institute.
- Christopher H. Bowler, MAI, SRA made a personal inspection of the property that is the subject of this report. Jonathan H. Avery, MAI, CRE did not personally inspect the property.
- no one provided significant professional assistance to the persons signing this report.
- the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

This appraisal has been completed using the following *extraordinary assumption*:

- The estimated value of the property is based upon the *extraordinary assumption* that all pending appeals of the approvals that have been issued thus far will be settled within the coming weeks and that a building permit allowing for the 299 unit rental development will be issued at this time.

Based upon the data presented in this report, it is our opinion that the market value of the fee simple interest in the subject property, subject to the definitions, limiting conditions and certifications set forth in the attached report, as of March 29, 2011, is:

THIRTEEN MILLION FIVE HUNDRED THOUSAND (\$13,500,000) DOLLARS



Christopher H. Bowler, MAI, SRA
Massachusetts Certified General
Real Estate Appraiser #495



Jonathan H. Avery, MAI, CRE
Massachusetts Certified General
Real Estate Appraiser #26

ADDENDA

SUBJECT PROPERTY DEEDS

QUITCLAIM DEED

Arthur D. Little Real Estate Corporation, a Delaware corporation, of Cambridge, Middlesex County, Massachusetts, successor-by-merger to Acorn Properties, Inc., a Massachusetts corporation (see Certificate of Merger filed with Middlesex South Registry District of the Land Court as Document No. 735435 and with Middlesex South Registry of Deeds in Book 18741, Page 7), for consideration paid and in full consideration of Sixteen Million Eight Hundred Fifty-nine Thousand Seven Hundred Thirty-five Dollars (\$16,859,735.00), grants to AP Cambridge Partners, LLC, a Delaware limited liability company, having an address of 395 Arsenal Street, Watertown, Massachusetts 02472, with Quitclaim Covenants, the following described premises:

Nine parcels of land, with any buildings or improvements thereon, situated in Cambridge and Arlington, Middlesex County, Massachusetts (the "Premises") all as more fully described on Exhibit A attached hereto and made a part hereof, being shown as Lots 1, 2, 3, 4, 7, 12, 13, 14, and 15, on a plan entitled "Plan of Land in Arlington, Belmont and Cambridge, Massachusetts, prepared for Arthur D. Little, Inc. by Boston Survey Consultants" dated October 31, 1978, recorded with Middlesex South District Deeds at the end of Book 13674 (referred to in said Exhibit A as the "Master Plan").

For Grantor's title to Parcels 1 and 2 see deed to Acorn Properties, Inc. dated November 10, 1978 recorded with said Deeds in Book 13581, Page 194; for Grantor's title to Parcels 3 and 4 see Certificate of Title No. 156651 in Registration Book 913, Page 101 at Middlesex South Registry District of the Land Court; for Grantor's title to Parcel 5 see deed to Acorn Properties, Inc. dated November 10, 1978 recorded with said Deeds in Book 13581, Page 202; for Grantor's title to Parcel 6 see deed to Acorn Properties, Inc. dated November 10, 1978 recorded with said Deeds in Book 13581, Page 209; for Grantor's title to Parcels 10 and 12 see deed from Metropolitan Life Insurance Company dated July 22, 1997 recorded with said Deeds in Book 27506, Page 106; and for Grantor's title to Parcel 11 see Certificate of Title No. 208889 in Registration Book 1174, Page 139.

The Premises are conveyed subject to, and as the case may be, with the benefit of the rights, easements, covenants, agreements, restrictions, reservations, orders and takings set forth or referred to in the Deeds and the Certificate of Title referenced in the preceding paragraph, all insofar as the same are now in force and applicable.

The Premises are also conveyed subject to two Orders of the City Council of Cambridge relating to Acorn Park, one dated June 27, 1960 recorded with said Deeds in Book 9626, Page 13 and one dated March 13, 1961 recorded with said Deeds in Book 9774, Page 547; to a Zoning Decision by the City of Cambridge, Board of Zoning Appeal, Notice of which is dated June 13, 1990 recorded with said Deeds in

Property Address: Acorn Park, Cambridge and Arlington, MA
882 28.00

MSD 07/02/99 01:16:02

* Dup In Lo Reg

Book 20595, Page 391; and to a Zoning Decision by the City of Cambridge Board of Zoning Appeals, Case No. 6301, Notice of which is dated September 16, 1991 recorded with said Deeds in Book 21415, Page 563.

Grantor hereby certifies that the Premises together with the premises conveyed by Grantor to AP Cambridge Partners II, LLC by deed of even delivery and filed for registration and recorded herewith constitute all or substantially all of the assets of Grantor located within the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, Arthur D. Little Real Estate Corporation has caused this Deed to be executed by its Secretary, on this 24th day of June, 1999.

Arthur D. Little Real Estate Corporation

By:

Samuel J. Gallo
Name: Samuel J. Gallo
Title: Secretary

Hereunto duly authorized

*Massachusetts Excise Tax
Stamps in the amount
of \$70,888.60 attached to
duplicate original in
Registered Land.*

Commonwealth of Massachusetts

Suffolk, ss.

June 24, 1999

Then personally appeared the above-named Samuel J. Gallo, as aforesaid and acknowledged the foregoing instrument to be the free act and deed of Arthur D. Little Real Estate Corporation, before me

[Signature]
Notary Public

My Commission Expires: 7-7-2000

/LegalCN/William_Lawson/Legal/MPF_DOCS/land/da.mpl

EXHIBIT A

Lots 1, 2, 3, and 4

Four contiguous parcels of land in Cambridge, Arlington.
(the last two being registered land) situated on the
Northerly side of said Acorn Park bounded and described as
follows:

Parcel 1

SOUTHERLY by Acorn Park by three lines measuring respectively
121.70 feet, 205.26 feet and 98.84 feet;
WESTERLY by land of Marshall B. Dalton and others, Trustees,
193.45 feet;
NORTHERLY by Lot Y4 as shown on the plan hereinafter
mentioned by two lines measuring respectively 119
feet and 15.48 feet;
NORTHEASTERLY 45.38 feet;
NORTHWESTERLY again, 295.58 feet, said last two lines being along
land of Marshall B. Dalton and others, Trustees,
shown on said plan as a parcel containing 7,001
square feet, and being the Parcel 2 herein
described;
NORTHERLY again, by Lot 337 as shown on said plan, 37.27
feet; and
EASTERLY by land now or late of New England Mutual Life
insurance Company, 329.27 feet.

Said parcel is shown on a "Plan of Land in Cambridge and
Arlington, Massachusetts", dated May, 17, 1956, by William S.
Crocker, Inc., Civil Engineers, recorded with said Deeds as Plan
No. 251 of 1957, in Book 8915, Page 81, and the same contains
according to said Plan 119,627 square feet.

Parcel 2

SOUTHWESTERLY 45.38 feet;
SOUTHEASTERLY 295.58 feet; said two lines being along land now of
Marshall B. Dalton and others, Trustees, shown on
said plan as land of West Cambridge Trust, and
being the first parcel herein described;
NORTHERLY by Lot 342 as shown on Land Court Subdivision Plan
4351², being Parcel 3 herein described, by two
lines measuring respectively 60.73 feet and 123.34
feet;
NORTHWESTERLY by Lot 340 as shown on Land Court Subdivision Plan
4351², being Parcel 4 herein described, 81.98 feet
NORTHWESTERLY, more WESTERLY by Lot X3 as shown on Land Court
Subdivision Plan 4351², 64.19 feet;

Said parcel is shown on said plan dated August 17, 1956 as the parcel containing 7001 square feet.

Parcel 3

NORTHERLY on land now or late of Bolton, being Lot 341 on Land Court Subdivision Plan 4351², 236.14 feet;
 SOUTHERLY by what was known as the Northerly line of Alewife Brook Parkway, being Parcel 2 herein described, by two lines measuring respectively 60.73 feet and 123.34 feet; and
 SOUTHWESTERLY by Lot 340 as shown on said Plan, being Parcel 4 herein described, 61.13 feet.

Said parcel is shown as Lot 342 on said Subdivision Plan 4351², filed in the South Registry District of Middlesex County with Certificate of Title No. 97885, comprises the premises described in said Certificate of Title.

Parcel 4

SOUTHERLY by what was known as the Northerly line of Alewife Brook Parkway, being Parcel 2 herein described, 81.98 feet;
 NORTHWESTERLY by Lots Y3 and Y2 as shown on Plan hereinafter mentioned, 54.61 feet; and
 NORTHEASTERLY by Lot 339 on said Plan, a portion of which comprises Parcel 3 herein described, 61.13 feet.

Said parcel is shown as Lot 340 on Subdivision Plan 4351^Y filed in said Registry District with Certificate of Title No. 93873, and comprises the premises described in said Certificate of Title.

The aforesaid four contiguous parcels are shown as Lot 1 containing 119,627± square feet; Lot 2 containing 7,001± square feet; Lot 3 containing 2,912± square feet; and Lot 4 containing 1,634± square feet respectively on the Master Plan.

Lot 7

Parcel 5

A certain parcel of land situated on the Southerly and Easterly sides of Acorn Park and at the Southeasterly corner of Acorn Park and Concord Turnpike, partly in Cambridge and partly in Arlington, both in Middlesex County, Massachusetts, with the buildings thereon situated and bounded and described as follows:

NORTHERLY by Acorn Park by three lines measuring respectively
 39.65 feet, 209.61 feet, and 289.04 feet;
 WESTERLY by said Acorn Park by two lines measuring
 respectively 309.53 feet and 63.35 feet;
 NORTHWESTERLY on the junction of Acorn Park and Concord Turnpike
 by a curved line having a radius of 30 feet,
 50.79 feet;
 NORTHERLY again, on Concord Turnpike 39.67 feet;
 SOUTHERLY by land of the Commonwealth of Massachusetts,
 66.17 feet;
 EASTERLY by the same land by two lines measuring
 respectively about 390 feet and 225.70 feet;
 SOUTHERLY again, by the same land, by three lines measuring
 respectively 239.60 feet, 282.46 feet, and 58.57
 feet.
 WESTERLY again, by land now or late of Kingman and others,
 Trustees, 113.12 feet;
 NORTHERLY again, by land now or late of New England Mutual
 Life Insurance Company, 159.96 feet; and
 WESTERLY again, by the same land, 125 feet.

Said premises comprise a portion of the premises shown on the
 following three plans; one dated May 4, 1953, by William S.
 Crocker, Civil engineer, recorded with Middlesex South District
 Deeds, Book 8110, Page 322, as Plan #1334 of 1953; one dated
 August 17, 1956, by William S. Crocker, Inc., Civil Engineers,
 recorded with said Deeds, Book 8915, Page 81, as Plan #251 of
 1957; and one dated December 10, 1959, by William S. Crocker,
 Inc., recorded with said Deeds, Book 9608, Page 81, as Plan #843
 of 1960, and said premises contain according to said plans about
 125,497 square feet.

The aforesaid parcel is shown as Lot 7 containing 125,504± square
 feet on the Master Plan.

Lot 12

Parcel 6

A certain parcel of land with the buildings thereon situated on
 the Northerly side of Acorn Park, in Cambridge, Middlesex County,
 Massachusetts, bounded and described as follows:

SOUTHERLY by Acorn Park by two lines measuring respectively
 52.86 feet and 77.15 feet;
 WESTERLY by land of New England Mutual Life Insurance
 Company 126.34 feet;

NORTHERLY by the same land, 130 feet; and
 EASTERLY by the same land, 125 feet.

Said premises are shown on a plan marked "Plan of land in Cambridge, Mass." dated Dec. 10, 1959, Revised Feb. 26, 1960, by William S. Crocker, Inc." recorded with Middlesex South District Deeds, Book 9608, Page 67, and contain according to said plan, 16,285 square feet.

The aforesaid parcel is shown as Lot 12 containing 16,285± square feet on the Master Plan.

Lots 13, 14, and 15

Parcel 10

A certain parcel of land with the buildings thereon situated on Concord Turnpike and on Acorn Park, partly in Cambridge and partly in Arlington, both Middlesex County, Massachusetts, bounded and described as follows:

NORTHERLY on Concord Turnpike, 1.83 feet;
 NORTHEASTERLY on the junction of Concord Turnpike and Acorn Park by a curved line having a radius of 30 feet measuring 43.45 feet;
 EASTERLY on Acorn Park 327.96 feet;
 SOUTHEASTERLY on the same by a curved line having a radius of 30 feet measuring 39.41 feet;
 SOUTHERLY on the same 323.47 feet;
 WESTERLY on other land of Gerald W. Blakeley, Jr. et als Trustees, 329.27 feet;
 NORTHERLY on registered land of Marshall B. Dalton and others, Trustees, being Lot 337 as shown on Land Court Subdivision Plan 4351W and a part of Lot F as shown on Land Court Subdivision Plan 4351L, by two lines measuring respectively 336.51 feet and 99.75 feet; and
 WESTERLY on the same land 43.45 feet.

Said parcel is shown on a plan designated "West Cambridge Industrial Center, Arlington and Cambridge, Mass." dated May 4, 1953, by William S. Crocker, Civil Engineer, recorded with said Deeds in Book 8110, Page 322, as Plan No. 1334 of 1953, and contains according to said plan 135,000 square feet.

Excluded from said Parcel 10 hereinabove described is a certain parcel of land with the buildings thereon situated on the Southerly side of Acorn Park, in Cambridge, Middlesex County, Massachusetts, bounded and described as follows:

SOUTHERLY by Acorn Park by two lines measuring respectively 52.86 feet and 77.15 feet;
 WESTERLY by land of New England Mutual Life Insurance Company 126.34 feet;
 NORTHERLY by the same land, 130 feet; and
 EASTERLY by the same land, 125 feet.

Said premises are shown on a plan marked, "Plan of Land in Cambridge, Mass.", dated Dec. 10, 1959, Revised Feb. 26, 1960, by William S. Crocker, Inc., recorded with Middlesex South District Deeds, Book 9608, Page 67, and contain according to said plan 16,285 square feet.

Parcel 11 (registered land)

A parcel of land with the buildings thereon situated on Concord Turnpike, partly in Arlington and partly in Cambridge both in Middlesex County, Massachusetts, bounded and described as follows:

NORTHEASTERLY by the Southwesterly line of Concord Turnpike 408.69 feet;
 EASTERLY by land formerly of Herbert F. Allen and now of New England Mutual Life Insurance Company, 43.45 feet;
 SOUTHERLY by what was formerly the Northerly line of Alewife Brook Parkway, being formerly land of the Commonwealth of Massachusetts and in part land of said New England Mutual Life Insurance Company and land of Gerald W. Blakeley, Jr. and others Trustees, 473.53 feet; and
 NORTHWESTERLY by lot 338 as shown on the plan hereinafter mentioned 222 feet.

Said parcel is shown as Lot 337 on said plan.

All of said boundaries are determined by the land Court to be located as shown on a subdivision plan, as approved by the Land Court, filed in the Land Registration Office, a copy of which numbered 4351W is filed in the South Registry District of Middlesex County with Certificate of Title No. 81357 in Registration Book 537, Page 7, being the same premises described in Certificate of Title No. 81357 in said Registry District.

BK30386PG251

Parcel 12

A parcel of land situated on the Southerly side of Acorn Park in Cambridge, Middlesex County, Massachusetts, bounded and described as follows:

NORTHERLY	by Acorn Park, 160 feet;
EASTERLY	by other land of Marshall B. Dalton et al, Trustees, 125 feet;
SOUTHERLY	by the same land 159.96 feet; and
WESTERLY	by land now or late of Kingman and others, Trustees, 125 feet.

Said premises are shown on a plan marked "Plan of Land in Cambridge, Mass." dated Dec. 10, 1959, by William S. Crocker, Inc. recorded with said Deeds Book 9608, Page 81, as Plan 843 of 1960 and contain 19,189 square feet according to said plan.

The aforesaid three parcels are shown as Lot 13 containing 118,715+ square feet; Lot 14 containing 49,972+ square feet; and Lot 15 containing 19,189+ square feet respectively on the Master Plan.

There is included in this conveyance and Grantor grants to AP Cambridge Partners, LLC Grantor's title in and to the fee and soil of that portion of Acorn Park in Arlington lying between Lots 7 and 13 as shown on the Master Plan.

QUITCLAIM DEED

Acorn Properties III, Inc., a Massachusetts corporation, of Cambridge, Middlesex County, Massachusetts for consideration paid and in full consideration of Three Hundred Ninety-six Thousand Eight Hundred Twenty-two Dollars (\$396,822.00), grants to AP Cambridge Partners, LLC, a Delaware limited liability company, having an address of 395 Arsenal Street, Watertown, Massachusetts 02472, with Quitclaim Covenants, the following described premises:

Two parcels of land with any buildings or improvements thereon situated in Cambridge, Middlesex County, Massachusetts (the "Premises") all as more fully described on Exhibit A attached hereto and made a part hereof.

For Grantor's title see Certificate of Title No. 182949, in Registration Book 1044, Page 199.

Grantor hereby certifies that the Premises constitute all or substantially all of the assets of Grantor located within the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, Acorn Properties III, Inc. has caused this Deed to be executed by its Clerk on this 24 day of June, 1999.

*Massachusetts Excise Tax
stamps in the amount
of \$1,810.22 attached to
duplicate original in
Registered Land.*

Acorn Properties III, Inc.

By: *Samuel J. Gallo*
Name: Samuel J. Gallo
Title: Clerk

Hereunto duly authorized

Commonwealth of Massachusetts

Suffolk, ss.

June 24, 1999

Then personally appeared the above-named Samuel J. Gallo, as aforesaid and acknowledged the foregoing instrument to be the free act and deed of Acorn Properties III, Inc., before me

[Signature]
Notary Public

My Commission Expires:

7-7-2000

* Dup In Lo Reg

MSD 07/02/99 01:16:03 883 25.00
Property address: 199 Concord Turnpike, Cambridge, MA

EXHIBIT A

That certain parcel of land situated in Cambridge in the County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

SOUTHEASTERLY by lot F as shown on plan hereinafter mentioned, one hundred and thirty-five feet;

SOUTHWESTERLY, eighty feet, and

SOUTHEASTERLY, fifteen feet, by lot X² on said plan;

SOUTHWESTERLY by lot Y¹ on said plan, ninety feet;

NORTHWESTERLY by lot W on said plan, one hundred and fifty feet; and

NORTHEASTERLY by lots R and Q on said plan, one hundred and seventy feet.

Said parcel is shown as lot X¹ on said plan.

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 530, Page 158 with Certificate 80108 (Plan 4351V).

Together with the right to use the right of way twenty feet wide and one hundred eighty feet long extending Northwesterly from the said premises to the State Highway as shown on said plan, in common with others entitled thereto, for all purposes for which private ways are commonly used in the City of Cambridge.

Also another certain parcel of land in said Cambridge, bounded and described as follows:

SOUTHWESTERLY by lot Y as shown on plan hereinafter mentioned, seventy and 98/100 feet;

NORTHWESTERLY by lot P on said plan, one hundred and fifty feet;

NORTHEASTERLY by lot R on said plan, seventy and 98/100 feet; and

SOUTHEASTERLY by lot X on said plan, one hundred and fifty feet.

Said parcel is shown as lot W on said plan.

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 495, Page 381, with Certificate 74199 (Plan 4351V).

Said lots X¹ and W are subject to and have the benefit of those matters set forth in Certificate 91043 in Registration Book 585, Page 93, at said Registry District, to the extent the same are still in force and effect.

Said Lot X¹ is also subject to the following matters of record:

(1) Order by the City of Cambridge dated June 29, 1959 and registered as Document 343901, for a drain and sewer;

(2) Easement granted to the City of Cambridge dated September 29, 1959 and registered as Document 349600 for a drain or sewer and water pipe; and

(3) Easement granted to Cambridge Electric Light Company dated July 30, 1959 and registered as Document 350198 for underground conduit and wires.

QUITCLAIM DEED

Acorn Properties IV, Inc., a Massachusetts corporation, of Cambridge, Middlesex County, Massachusetts for consideration paid and in full consideration of Seven Hundred Forty-three Thousand Four Hundred Forty-three Dollars (\$743,443.00), grants to AP Cambridge Partners, LLC, a Delaware limited liability company, having an address of 395 Arsenal Street, Watertown, Massachusetts 02472, with Quitclaim Covenants, the following described premises:

Six parcels of land, with the buildings and improvements thereon, situated in Cambridge, Middlesex County, Massachusetts (the "Premises") all as more fully described on Exhibit A attached hereto and made a part hereof, being shown as Lots 5, 6, 8, 9, 10, and 11 on a plan entitled "Plan of Land in Arlington, Belmont and Cambridge, Massachusetts, prepared for Arthur D. Little, Inc., by Boston Survey Consultants" dated October 31, 1978, recorded with Middlesex South District Deeds at the end of Book 13674 (referred to in said Exhibit A as the "Master Plan").

For Grantor's title to Parcel 1, 2 and 6 described in said Exhibit A, see deed from Arthur D. Little Real Estate Corporation dated June 10, 1988 recorded with said Deeds in Book 19119, Page 375 and for Grantor's title to Parcels 3, 4, and 5 described in Exhibit A see Certificate of Title No. 182951, in Registration Book 1045, Page 1 at Middlesex South Registry District of the Land Court.

The Premises are conveyed subject to a Grant of Easement from Gerald W. Blakely, Jr., et al, Trustees of West Cambridge Trust to Cambridge Electric Light Company and the New England Telephone and Telegraph Company dated May 25, 1953 recorded with said Deeds in Book 8110, Page 321; an Order of the City Council of Cambridge relating to Acorn Park which Order is dated March 13, 1961, recorded with said Deeds in Book 9774, Page 547; an Order of Conditions issued by the Cambridge Conservation Commission Dep. File No. 123-95 recorded in Book 22895, Page 353 and filed as Document 895359, as amended by Amended Order of Conditions recorded in Book 24282, Page 187 and filed as Document 938616 and by Second Amended Order of Conditions recorded in Book 25352, Page 107 and filed as Document No. 973949; an Order of Conditions issued by the Cambridge Conservation Commission Department File No. 123-112 recorded in Book 25803, Page 279, as affected by Certificate of Compliance recorded in Book 28699, Page 162.

*Dup In Lo Reg

MSD 87/82/99 01:16:04
Property address: 45 Acorn Park, Cambridge, MA

EXHIBIT AParcel 1

A parcel of land on the Southerly side of Acorn Park (formerly called Burton Street) in said Cambridge shown on Plan of West Cambridge Industrial Center, Arlington and Cambridge, Massachusetts, dated May 4, 1953 by William S. Crocker, Civil Engineer, said Plan being recorded with said Deeds Book 8110, Page 322, bounded and described as follows:

NORTHERLY on Acorn Park (as laid out and shown on said Plan which layout has since been changed Northerly of its location on said Plan);
 EASTERLY on land of Eugene A. Kingman, et al Trustees 219.72 feet;
 SOUTHERLY on land of the Commonwealth of Massachusetts, 91.43 feet; and
 WESTERLY on the same 218.82 feet.

Containing according to said Plan, 19,950 feet.

The aforesaid parcel is shown as Lot 5 containing 19,950± square feet on the Master Plan.

Parcel 2

A parcel of land in said Cambridge bounded and described as follows:

Beginning at a point in the western end of Acorn Park, thence running by a line in Acorn Park as now laid out, south 89° 26' 46" east a distance of 85.15 feet; thence about easterly by a curved line with a radius of 2168.28 feet, by a line in Acorn Park, as now laid out, a distance of 209.61 feet; thence turning and running southwesterly by the southeasterly line of Acorn Park as now laid out and by land now or formerly of Marshall B. Dalton et als, Trustees, a distance of 287.36 feet thence turning and running north 16° 22' 16" west by land now or formerly of the Commonwealth of Massachusetts and the end of Acorn Park as now laid out a distance of 38.10 feet to the point of beginning.

Said parcel is shown on a plan designated "Plan of Land in Cambridge and Arlington, Massachusetts" dated August 17, 1956, by William S. Crocker, Inc., Civil Engineers, recorded with said Deeds, Book 8915, Page 81 and contains according to said Plan, 3,727 square feet.

Excluded, however, from Parcel 2 hereinabove described is a portion which is bounded and described as follows:

A triangular parcel of land situated on the Southerly side of said Acorn Park bounded and described as follows:

NORTHEASTERLY by said Acorn Park, 199.65 feet;
 SOUTHERLY by a lot containing 18,016 square feet of land on a plan hereinbelow referred to, being land now or formerly of Marshall B. Dalton et als Trustees, 195.99 feet; and
 WESTERLY by the remainder of the second parcel above described being a lot containing 2,541 square feet shown on the plan hereinafter mentioned, 18.40 feet.

Said parcel is shown on a plan entitled "Plan of Land in Cambridge, Mass." dated Dec. 10, 1959 by William S. Crocker, Inc. recorded with said Deeds Book 9608, Page 81 and containing according to said plan, 1,179 square feet more or less.

The aforesaid parcel is shown as Lot 6 containing 2,541± square feet on the Master Plan.

Four contiguous parcels of land (the first three being registered) situated on the northerly side of said Acorn Park, bounded and described as follows:

Parcel 3

SOUTHEASTERLY by land now or formerly of The Commonwealth of Massachusetts-Metropolitan District Commission-Alewife Brook Parkway, 460.82 feet;
 SOUTHERLY by lot 1 as shown on plan hereinafter mentioned 120.64 feet;
 WESTERLY by land now or formerly of Lancaster H. Heustis, 637.31 feet; and
 NORTHEASTERLY by lands now or formerly of First National Stores, Inc. and of Franklin Wyman et al., 712.37 feet.

Said parcel is shown as lot 2 on said plan.

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 592, Page 155, with Certificate 92505.

Parcel 4

SOUTHERLY by the Northerly line of Alewife Brook Parkway, 134.48 feet;
 SOUTHWESTERLY by land now or formerly of Henry O. Cushman, 111.64 feet;
 NORTHWESTERLY by lot P as shown on plan hereinafter mentioned, 57.83 feet; and
 NORTHEASTERLY by lot Y³ on said plan, 195.60 feet.

Said parcel is shown as Lot Y⁴ on said plan.

Parcel 5

SOUTHERLY by the Northerly line of Alewife Brook Parkway,
64.19 feet;
SOUTHWESTERLY by lot Y⁴ as shown on said plan hereinafter
mentioned, 195.60 feet;
NORTHWESTERLY by lot P on said plan, 100 feet;
NORTHEASTERLY by lots W and X¹ on said plan, 160.98 feet;
SOUTHEASTERLY 25 feet; and
NORTHEASTERLY 80 feet, by lot Y² on said plan; and
SOUTHEASTERLY by lot 338 on said plan, 29.61 feet.

Said parcel is shown as lot Y³ on said plan.

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 537, Page 6, with Certificate 81356.

Parcel 6 - *Recorded Land*

That parcel beginning at a point in Cambridge in the Westerly boundary of land now or late of Gerald W. Blakeley, Jr., et als, Trustees, distant 193.45 feet on bearing south 16° 22' 16" east from the easterly corner of land now or late of Marshall B. Dalton, et als, Trustees (Land Court Case No. 25650);

Thence running north 89° 26' 46" west by land now or formerly of the Commonwealth of Massachusetts a distance of 478.21 feet to land now or late of said Dalton, et als, Trustees;

Then turning and running in a northeasterly direction by a line with a radius of 5453.83 feet, a distance of 383.87 feet to a point;

Thence turning slightly and running north 65° 11' 23" east a distance of 76.95 feet to a point;

Thence turning and running south 16° 22' 16" east, a distance of 193.45 feet to the point of beginning; containing 42,868 square feet according to said plan.

The aforesaid four constituent parcels are shown as Lot 8 containing 198,340± square feet, Lot 9 containing 12,654± square feet, Lot 10 containing 21,051± square feet, and Lot 11 containing 42,868± square feet respectively on the Master Plan.

QUITCLAIM DEED

Acorn Properties II, Inc., a Massachusetts corporation, of Cambridge, Middlesex County, Massachusetts, for consideration paid and in full consideration of Four Hundred Eleven Thousand Three Hundred Eighty-one Dollars (\$411,381.00), grants to AP Cambridge Partners II, LLC, a Delaware limited liability company, having an address of 395 Arsenal Street, Watertown, Massachusetts 02472, with Quitclaim Covenants, the following described premises:

All that certain tract or parcel of land with the improvements thereon lying, situated and being in Middlesex County, Massachusetts and being more particularly described as follows:

A certain parcel of land situated on the State Highway, sometimes called the Concord Turnpike, in said Cambridge, bounded and described as follows:

NORTHEASTERLY on said State Highway, two hundred (200) feet;
 NORTHWESTERLY on the boundary line between Cambridge and Belmont, three hundred and twenty (320) feet more or less;
 SOUTHWESTERLY on the brook, two hundred and fifty-three (253) feet more or less; and
 SOUTHEASTERLY on land now or late of Dutchland Farms, Inc., three hundred and forty (340) feet more or less; containing one and 68/100 (1 68/100) acres and being shown as Lot C on a plan by Fred A. Joyce, Surveyor, dated November 9, 1936, recorded with Middlesex South District Deeds in Book 6079, Page 253.

Said premises are conveyed subject to an easement set forth in a grant to Cambridge Electric Light Company dated January 7, 1952 and recorded with said Deeds in Book 7876, Page 77 and to an Order of Conditions issued by the Cambridge Conservation Commission DEP File No. 123-100 recorded on March 31, 1994 in Book 2442, Paragraph 432, insofar as the same are now in force and applicable.

For Grantor's title see deed from Jeffrey T. Guiney, individually and as Trustee, which deed is dated July 18, 1986 and recorded with said Deeds in Book 17221, Page 267.

Grantor hereby certifies that the Premises constitute all or substantially all of the assets of Grantor located within the Commonwealth of Massachusetts.

MSD 07/02/99 01:16:05 385 25.00
 Property address: 243 Concord Turnpike, Cambridge, MA
 1876.44 ***
 *** MASS. EXCISE TAX:

IN WITNESS WHEREOF, Acorn Properties II, Inc. has caused this Deed to be executed by its Clark on this 24th day of June, 1999.

Acorn Properties II, Inc.

By:

Samuel J. Gallo
Name: Samuel J. Gallo
Title: Clark

Hereunto duly authorized

Commonwealth of Massachusetts

Suffolk, ss.

June 24, 1999

Then personally appeared the above-named Samuel J. Gallo, as aforesaid and acknowledged the foregoing instrument to be the free act and deed of Acorn Properties II, Inc., before me

[Signature]
Notary Public

My Commission Expires: 7-7-2000

/Legal/CA/Files/Lawson/Legal/WFF_DOCS/Deed1.mpf

07/02/99 1:51PM 01

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CAN CANCELLED

CAMBRIDGE
DEEDS REGIS
MIDDLE SOUTH

COMPREHENSIVE PERMIT

RECEIVED
TOWN CLERK
BELMONT, MA.

FEB 16 2 23 PM '07

DECISION

TOWN OF BELMONT, MASSACHUSETTS ZONING BOARD OF APPEALS

DECISION UPON APPLICATION OF AP CAMBRIDGE PARTNERS II, LLC FOR A COMPREHENSIVE PERMIT

FEBRUARY 16, 2007

PROCEDURAL HISTORY

1. On or about December 16, 2005, AP Cambridge Partners II, LLC (the "Applicant"), applied for a Comprehensive Permit, pursuant to Massachusetts General Laws Chapter 40B ("Chapter 40B" or the "Act"), to construct 299 units of rental housing on the west side of Acorn Park Drive in Belmont, Massachusetts (the "Project"). The Project site is within a larger parcel of land containing approximately 12.9 acres in Belmont (the "Property") and an additional 2.7 acres of land in Cambridge, Massachusetts (the "Cambridge Area"). The Property is known as Map 40, Block 1, of the Belmont Assessing Department Records. The Project is identified as "The Residences at Acorn Park" located on the south side of Frontage Road and the west side of Acorn Park Drive in Belmont, Massachusetts.

2. The Zoning Board of Appeals (the "Board"), opened a duly advertised public hearing on January 11, 2006 and continued the public hearing to the following dates:

February 15, 2006	September 5, 2006
March 22, 2006	October 4, 2006
May 4, 2006	November 1, 2006
May 31, 2006	December 6, 2006
June 28, 2006	January 3, 2007
July 26, 2006	

3. On January 3, 2007 the Board closed the Public Hearing and entered into deliberations.

4. On January 17, 2007, January 24, 2007, January 30, 2007, February 6, 2007, February 7, 2007, and February 12, 2007 the Board conducted public meetings to deliberate on this application for a Comprehensive Permit (the "Application"). The Applicant granted the Board an extension of time up to 5 P.M. on February 16, 2007 to file a written decision on the Application. On February 16, 2007, the Board voted to grant the Comprehensive Permit subject to the conditions listed below.

5. A list of the letters, reports, plans and emails received by the Board and made a part of the record is attached as Attachment B.

6. The Board retained the following consultants to assist in the review of the Application:
Civil Engineering Review: Fay, Spofford & Thorndike
Burlington, MA

Environmental Review: Wetlands & Wildlife, Inc.
(sub-contractor to FST) Ashburnham, MA

MHP Fund: Michael Jacobs
(Ch. 40B Advisor) MHJ Associates
Brookline, MA

Transportation Review: BSC Group
Boston, MA

7. In addition to having copies of the complete application available for public review at the Belmont Public Library, 336 Concord Avenue and at the Office of Community Development, 19 Moore Street, consistent with the provisions of Chapter 40B, Section 21, the Board notified the following boards, committees, and commissions of the filing of the Application by sending a copy thereof to such local boards for their recommendations, all of which have been made a part of the record of these proceedings and have been taken into consideration by the Board in rendering its decision.

Board of Selectmen
Board of Health
Planning Board
Conservation Commission
Historic District Commission
Fire Department
Police Department
Department of Public Works
Housing Trust
Building Commissioner
Uplands Advisory Committee

FINDINGS - GENERAL

1. The Applicant is qualified pursuant to 760 Code of Massachusetts Regulations ("CMR") 31.10 in that the Applicant:

- a) is or will become a "limited dividend organization" as that term is used in Chapter 40B, Section 21 and 760 CMR 31.01 in that prior to the issuance of a Building Permit it will execute a Regulatory Agreement that shall require the limiting of its profits on this Project to an annual return on equity no greater than 10%.
- b) has a determination of Project Eligibility (Site Approval) dated February 11, 2005 from MassDevelopment regarding use of the MassDevelopment Tax-Exempt Bond Program for Rental Housing establishing fundability by a subsidizing agency in compliance with 760 CMR 31.01(1)(b).
- c) has control of the site as that term is used in 760 CMR 31.01 in that a copy of the deed has been provided showing transfer of ownership from Arthur D. Little Real Estate Corporation to the Applicant, dated June 24, 1999, and recorded in Middlesex South District Registry of Deeds at Book 30386, pages 240 - 243.

2. Based on the evidence presented by the Applicant, local boards and officials, various consultants, and interested parties at the Public Hearing, the Board finds as follows:

- a) The Town of Belmont (the "Town") has not met the statutory minimum set forth in Chapter 40B, Section 20 or 760 CMR 31.04 in that (i) it does not have 10% of its total housing units available to low and moderate income households, (ii) affordable housing is not located on sites comprising 1 ½% or more of the total land area zoned for residential, commercial or industrial use, and (iii) the development of affordable homes consistent with the Application will not result in the commencement of construction of such housing on sites comprising more than 0.3% of such land area or ten (10) acres, whichever is larger, in any one calendar year.
- b) If the Applicant complies with the conditions set forth in this Decision, and only if it complies with those conditions, the Project will adequately provide for traffic circulation, storm water drainage, sewage disposal, water, open space and the environment without an undue burden on, or a threat to the public health and safety of, the Project's occupants, the surrounding neighborhood, the Town or the Town of Arlington.
- c) The Project is supported by the evidence and, as conditioned below, (i) would represent a reasonable accommodation of the regional need for low and moderate income housing, and (ii) would be consistent with local needs within the meaning of Chapter 40B, Section 20.

FINDINGS - SITE SPECIFIC

3. The Property was rezoned in 2002 at the Applicant's request from a General Residence Zoning District (two-family residential) to the Belmont Uplands District, a Zoning District that was designed specifically for the Property and consists solely of the Property. In the Belmont Uplands District, only non-residential uses are allowed, particularly, office, research and development, open space, and accessory uses. At the time of the rezoning, the Applicant indicated the intent to construct at the Property a four-story office/lab building with an accessory parking structure.

4. As a result of this rezoning, Section 6B was added to the Zoning By-Law of the Town (the "By-Law"). The dimensional regulations of Section 6B were based upon the particular features and conditions of the Property and the Cambridge Area and reflect valid health, safety, environmental, and other local concerns as to the development capacity of the Property and the Cambridge Area.

5. In connection with such rezoning, the Applicant and the Town entered into a certain Memorandum of Agreement dated May 28, 2002, and recorded with the Middlesex South District Registry of Deeds in Book 35716, Page 594 (the "MOA"). In consideration of the rezoning, the Applicant agreed in the MOA to a number of conditions, each designed to mitigate the expected consequences of development of the Property. According to the MOA, the obligations of the Applicant under the MOA shall run with the land.

6. The Applicant agreed in the MOA to preserve certain portions of the Property and the adjacent land in Cambridge as open space pursuant to a Conservation Restriction and Easement.

Although a metes and bounds legal description of the land subject to such Conservation Restriction may not have been completed, the boundaries of the restricted land were sufficiently established so that the Applicant's engineer could plot them on a plan included in the record of this Application and determine the area of the restricted land.

7. The Project encroaches in the southern and western directions into the land shown as restricted under the MOA, which encroachments, given the environmental sensitivity of such land and its proximity to resource areas, the Board finds material. Absent a release by the Town of the land subject to such encroachments, the Board raised the question of the authority of the Applicant to make any use of such land in a manner inconsistent with the Conservation Restriction, such as for any building, parking, or services areas of the Project.

8. The dimensional regulations of Section 6B and the conditions of the MOA were an integral part of the rezoning. The Applicant relies upon the rezoning in determining the acquisition value of the Property in its financial projections submitted by the Applicant to the Board.

FINDINGS - WASTEWATER

9. One of the gravest issues presented by the Project is the sewage it will generate in light of the existing sewage problems in the area during storm events. This issue was the subject of a great deal of discussion at the hearings with testimony from the public, the Applicant's consultant, Mr. Sullivan of Rizzo Associates ("Rizzo"), and the peer reviewer, Mr. Gould of Fay, Spofford & Thorndike ("FST"), who is also the Town's consultant on wastewater issues. Rizzo and FST also presented a number of written analyses. As discussed below, the Town sewer system in the adjacent area has adequate capacity to accept the additional flow during ordinary conditions. However, the nearby areas suffer "sewage discharge events" – backups – in severe storms. Numerous residents, particularly from Oliver Road and Frost Road, testified to backups over the past few years from personal experience. While the Applicant is not responsible for these existing problems, any worsening of the problem due to the Project would increase the exposure of the residents in nearby areas to raw sewage in their homes and pose a severe public health problem.

10. The projected average daily flow from the proposed 463-bedroom Project is estimated at approximately 51,000 gallons per day under Title 5 (which assumes 110 gallons per day per bedroom), but both Rizzo and FST agreed that the projected actual average daily flow is approximately half of the Title 5 number, or 25,500 gallons per day. The MOA regarding the rezoning of the Property contemplated a Title 5 average daily flow of 18,375 gallons, so it appears that the Project will generate slightly less than three times the amount of wastewater projected for the Office/R&D project contemplated by Section 6B of the By-Law.

11. The Applicant proposes to provide sewer service by the construction of a pump station and a force main along Acorn Park Drive, Frontage Road, Lake Street and Garrison Road. The force main will connect to the Town of Belmont gravity sewer at the intersection of Garrison Road and Gilmore Road. This 8" gravity sewer flows from Gilmore Road to Oliver Road and into a 15" gravity sewer in Brighton Street before discharging into the 36-inch MWRA Belmont Branch Sewer at the intersection of Brighton Street and Flanders Road. Approximately 80% (60 miles) of Belmont's sewer system is tributary to the Flanders Road connection. The 15" connection on Brighton Street is located at the furthest downstream point in the system.

12. FST constructed a computer model of the existing gravity sewer sub-system tributary to the Brighton Street connection. Based on flow-monitoring and MWRA data, FST modeled the peak flow during normal conditions with the addition of the proposed flow from the Project. FST concluded (6/23/06 letter and attachments) that during normal conditions the existing gravity sewer has sufficient capacity to accept the additional flow. However, during a storm event, the existing sewer experiences surcharge conditions (that is, exceeds capacity and backs up) without the Project and lacks capacity to accept the additional flow. In sum, without mitigation, the addition of the Project wastewater will make the existing problems worse in storm conditions.

13. Three principal ways of addressing the Project's wastewater were discussed during the hearings.¹ First, there was possibility of avoiding any Belmont connection by running the sewer from the Project to the Discovery Park pump station just south of Acorn Park Drive in Cambridge. The wastewater from that station flows through an 18" sewer which connects to the 30" branch of the MWRA Belmont Branch sewer in Cambridge approximately 2,800 feet downstream from Brighton Street. Both Rizzo and FST agreed (Rizzo 12/5/06 letter and 12/6/06 hearing; FST at the 1/3/07 hearing) that with such a connection the Project would have a "virtually negligible" impact on Belmont. Mr. Gould stated that this alternative would avoid the impact of the Project on Belmont, although it would not improve the existing situation. However, the City of Cambridge has not indicated any willingness to agree to such a connection. Since neither the Board nor the Applicant has the ability to require Cambridge to agree to such a connection, this potential solution – while preferable – is hypothetical. The Board decided to encourage the Applicant to pursue this approach by condition, but it cannot rely on it.

14. Second, the Applicant proposed and FST recommended negotiation of a payment to the Town to fund an infiltration/inflow ("I/I") removal program to help offset the proposed peak flows. FST estimated the Town's present actual cost of removing I/I to be \$1.50 per gallon and stated that on projects it had been involved in the removal ratio ranged from 4:1 to 10:1. The McLean project provided I/I mitigation at a 5:1 ratio, while the MOA provided for I/I mitigation based on the Title V number, a 5:1 removal ratio and a removal cost of \$1.26 per gallon. Municipal policy for I/I included a 5:1 ratio in 2004 (OCD letter 5/20/04). According to FST (7/26/06 hearing), the I/I ratio is greater than 1:1 because inflow accumulates faster than sewage. Based on the comments on the draft conditions, the Applicant is willing to accept an I/I mitigation based on Title V flows, a 5:1 ratio, and a \$1.50 per gallon cost. While there were discussions of other formulas for I/I, FST stated there was no precedent for them. The Board decided to require by condition an I/I payment based on Title V numbers, a 5:1 removal ratio and the present \$1.50/gallon removal cost. The Applicant's I/I payment will be \$382,500, except as provide in condition 28.

15. While an I/I mitigation payment would potentially remove infiltration and inflow from the Town's sewers and help offset the new wastewater from the Project, it is not in itself a solution. The additional sewage from the Project would still add to the overload on the sewers during storm events, when the existing system is at capacity and inflow is fastest, and the I/I payment is not targeted to these

¹ At the hearings, there was also discussion of installation of a pump in the Winn Brook area to alleviate backup problems, but FST (6/28/06 and 7/26/06 hearings) stated that this would merely move the problem from one part of the system to another. There was also discussion of the size of the 8" sewer from Gilmore to Oliver Road, but FST said that this sewer has adequate capacity: the problem is the wet weather flows from Belmont and other towns as it reaches the MWRA connector. The location of the Project is not the problem, and bypassing Oliver Road would not change the situation. A similar addition to wastewater elsewhere in Town would have the same effect.

events. In sum, this proposed mitigation, while helpful, does not directly address the critical issue of avoiding additional wastewater impact on the Town sewer system during storm events.

16. Third, the Applicant proposed to provide a holding tank to hold wastewater when the Belmont sewers approach surcharge condition. As outlined by Rizzo (11/1/06 and 12/6/06 hearings), the holding tank would have a 25,000-gallon capacity to hold one day's worth of wastewater from the Project. This approximately 10' by 45' concrete tank would be located under the parking lot to north side of the site in an area outside of the 100 year floodplain. There would be a sensor at Brighton Street that would be triggered when the flow in the 36" pipe reaches a 30" level, before the pipe reaches capacity and creates surcharge conditions. FST confirmed at the 1/3/07 hearing that when the sewer level is at 30" it is within capacity so that there would be no surcharge. When the meter is triggered, the wastewater flow from the pump station at the Project would be diverted into the holding tank. When the level in the sewer fell below the trigger level, the wastewater would be redirected to the Belmont sewer, and the holding tank would gradually empty into the sewer. If the wastewater is diverted into the holding tank for long enough to approach capacity, the holding tank would be pumped out by a septage hauler. The Applicant proposed to include this on-call service as part of its contract with a trucking company.

17. Rizzo supported this approach with an analysis of the length of surcharge events over the past five years from MWRA flow metering data (11/27/06 email). Based on data from 10/1/01 to 10/1/06, Rizzo identified eight periods when the flow in the 36" interceptor pipe flow exceeded 35", one of which (5/13-14/06) lasted over 24 hours. Using the more conservative 30" surcharge trigger level, Rizzo identified 15 surcharge periods, two of which (5/13-15/06 and 4/1-2/04) lasted more than 24 hours (26:15 and 43:30, respectively). Based on that analysis, Rizzo contended that a holding tank capacity at the 24 hour flow amount was reasonable. Rizzo stated that this was not a new technology, and the septage hauler would be placed "on alert" when a sensor in the holding tank showed that the holding tank had reached a percentage of capacity. Rizzo added that avoiding overflow would be a top priority since backup due to a full holding tank would be onsite.

18. FST reviewed and agreed that the analysis and recommended tank size were reasonable (12/1/06 email), although it noted that (a) the Applicant would need to have a septage hauler available to pump out the tank as necessary if the capacity of the holding tank is exceeded by an event lasting more than 24 hours, and (b) operating protocols and "SCADA" systems/instrumentation will be needed to activate the system. FST stated (1/3/07 hearing) that it was satisfied that the tank is large enough, and that the Title V numbers are based on private residential flows that contain an "inherent multiplier" so that half of the Title V average daily flow is an appropriate size. Review of the 100 year floodplain (at 8.2') shows that the holding tank can be located in the parking lot and that access from Frontage Road and Acorn Park Drive will not require going into the 100 year floodplain.

19. In light of FST's agreement with Rizzo's analysis, the Board was inclined to adopt a condition requiring a 25,000-gallon capacity holding tank and the septage hauler contract as proposed. However, the Board was informed by staff that the MWRA requires septage haulers to dispose of pumped septage in the municipality where the septage originated. This raised a significant concern because 80% of the Belmont system flows to the Flanders Road connector. Disposal of septage pumped from the Project's holding tank into the Belmont system during surcharge conditions would merely replicate the surcharge problem the holding tank/septage hauler contract was intended to mitigate. In these circumstances, the septage hauler trucks would have to hold the septage until the end of the

surcharge event: they would thus function as ancillary holding tanks, not an alternative method of disposing of the septage. Given that there will be periods when the capacity of the 25,000- gallon capacity tank is exceeded (as shown by the Rizzo analysis of the 2001-2006 period), the Board concluded that the 25,000 gallon capacity tank is too small. Having trucks filled with septage parked at the Project (or elsewhere in Belmont) until the surcharge event ended might be acceptable during rare events, but it is not a reasonable solution where it would have been required twice in the past five years. The Board, accordingly, concluded that the holding tank(s) should have a capacity of at least 50,000 gallons (two days of Project wastewater) so that surcharge events like those during the 2001-2006 analysis period would not require use of the septage hauler trucks as ancillary holding tanks.

20. As the I/I payment and the holding tank(s) are mitigation measures that to some extent overlap, the Board determined that a limited deduction from the I/I payment to reflect at least part of the capital costs of the holding tank(s) is appropriate.

21. The other main wastewater issue concerned the size of the force main and the pump station. FST reviewed the pump station wastewater flow calculation and design, including the peaking factor used to account for peak flows in the mornings or Super Bowl half-time. FST expressed concern over the size of the force main and the pump. Based on Technical Report #16, Guides for the Design of Wastewater Treatment Works ("TR-16"), by the New England Interstate Water Pollution Control Commissioner, an accepted industry standard for the design of wastewater systems, FST recommended (5/17/06) that the minimum force main diameter be 4" and that the pump be capable of passing a minimum 3"-diameter sphere. Rizzo contended that TR-16 permits use of smaller sizes for small residential systems and asserts that based on the 25,500 gallons per day estimated flow a 3" force main and a pump capable of passing a 2 1/2" diameter sphere are sufficient. FST responded (7/25/06 letter and 7/26/06 hearing) that not adhering to the guidelines will likely result in the need for increased maintenance and will reduce reliability. In response to concerns expressed at the hearings, FST also noted (7/25/06) that the pumping station will have two pumps (one for operation and one for backup, although they will exchange roles) and further recommended that the pumping station have emergency power to avoid overflow risk in the event of a power outage. The Applicant agreed (7/26/06 hearing) that there will be two pumps and backup power.

22. The proposed pumping station itself will only store a few hundred gallons of sewage (FST 7/25/06), so that reliability of the pump station is critical. While the redundant pump and backup power address this issue to some extent, FST is of the view that the larger force main and pump will improve reliability by minimizing the potential for clogging and recommends them under the TR-16 industry standard. The Applicant (7/26/06 hearing) advised that the additional cost of the larger pump would be less than \$50,000. The reliability is of concern even though the Applicant will be responsible for maintenance of the privately owned force main and pump. The Board accordingly determined to require the larger pipe and pump, as recommended by FST, by condition.

FINDINGS - ENVIRONMENT

23. The Application proposes five buildings (A-E) and a total of 337,884 s.f. of gross floor area ("GFA"). The western half of the Project would be surrounded by a fire road constructed using a pervious paving system. At a point, the proposed fire road behind Building B would abut the Wetlands Protection Act's 200' riverfront buffer zone of the Little River. Building B would be approximately

300' long on the side facing the River. At its closest point, Building B would be only 220 feet from the River.

24. The Project would be located squarely in the middle of the forest and surrounding ecosystems. See Epsilon's Open Space Maintenance Plan (2002) (Figure 4) and Rizzo Associates' Conservation Restriction Limits Comparison (sheet CR-1) (6/5/06). It would severely fragment that environment and habitat.

25. In the Public Hearing, the Belmont Conservation Commission submitted comments to the Board expressing serious concerns about the impacts of the Project on the surrounding environment. It noted that:

the site ... provides a vital link to the urban greenway which connects the Little River, Alewife Brook, Aberjona River, and the Mystic River to the Charles River Basin. The area is already heavily developed except for this Greenway and segmenting the green space diminishes its value to wildlife and pollution mitigation.

The Commission also noted that Little River/Alewife Brook is an impaired water body requiring a Total Maximum Daily Load Limit because of a variety of pollutants. It expressed concern that the runoff from the parking lots, via swales, detention and/or retention basins, would further degrade the water quality.

26. The Belmont Planning Board recommended that, in view of the Town's Open Space Plan of 2001, the Project be required to meet the dimensional regulations in Section 6B of the By-Law. Those regulations are a minimum open space of 65%, maximum lot coverage of 20%, maximum impervious surface of 35% and maximum GFA of 245,000 s.f.

27. The Belmont Board of Selectmen submitted comments supporting the "smallest possible development", in part because of the sensitivity of the site.

28. Other participants in the Public Hearing also objected to the impacts the Project would have on the surrounding environment. For example, the Mystic River Watershed Association echoed the characterization of the site as part of a significant greenway and habitat corridor. It also noted that "uplands abutting wetlands provide a greater range of habitat than wetlands alone, by allowing some animals who need uplands, or both wetlands and uplands, to live there" (citing its publication *An Alewife Area Ecology Guide* (Cambridge; Arthur D. Little, Inc., 1994). MyRWA also submitted its observations of water quality in the Little River and surrounding water bodies, as well as data on the pollutants in typical run-off. It noted that, for example, under DEP's Stormwater Policy, roof water is considered clean and can be infiltrated directly but often contains elevated levels of nutrients and heavy metals.

29. Most comprehensively, the non-profit organization Friends of the Uplands submitted extensive materials describing and documenting the habitat, pollution filtration and other ecological values of the Uplands, and the impacts of fragmentation and other intrusion. The Board received into the record of this Application all of these materials and finds them to be significant evidence of the environmental sensitivity of the site.

30. Based on all the evidence, including that submitted by the Applicant's consultant Epsilon, the Board finds that the silver maple forest on and adjacent to the site is remarkably intact for this region

and constitutes a rare monoculture; it is an important food source; the mixed hardwood forest and the adjacency of the two forest types is rare (perhaps unique) in the Boston area; and the wildlife includes such diverse and ecologically valuable species as otter, mink and fox; and that wildlife depends on the uplands as well as wetlands parts of the site and surrounding area. The Board walked the site and observed the condition of the forest. Based on all the evidence, the Board finds that the site constitutes an important component of contiguous regional open space and wildlife corridor, and the silver maple forest and other ecosystems on the site provide valuable wildlife habitat (both uplands and wetlands) and long-term filtering of pollutants.

31. The Board also finds that the Project would, even beyond its footprint, inevitably impair those functions and degrade the quality of the ecosystems on the site. Its impacts would be most acute between Building B and the Little River. Because of the size, orientation and proximity of that building, it will present a four-story wall of windows and noise to the riverfront area. Added to that would be significant light and noise from its parking garage, recreation on and off the fire road, and other spillover impacts. Some of the degradation might be gradual and long-term, but it would be inevitable.

32. The Board acknowledges the Conservation Restriction (the "CR") proposed by the Applicant, a small part of which would cover the area between the Project and the Little River. However, the CR would not prevent, or even mitigate, the impacts from Building B and the fire road, described above. Moreover, it would not prevent impacts to the environment from permitted uses of the CR area itself, which are likely to lead to trampling, littering and noise within and beyond the CR area.

33. The Board also acknowledges Epsilon's Open Space Maintenance Plan prepared for the R&D project in 2002. However, the Board believes that such Plan, parts of which are inapplicable to the Property and the Project, would not effectively protect these resources by itself.

34. Finally, the Board understands that the Project would not actually encroach into the riverfront area or violate any state or local regulations regarding wetlands or uplands. Nevertheless, it would blink reality to believe that the Project, and Building B in particular, would not degrade the nominally-protected ecosystems on and next to the site. The Board does not believe that such wishful thinking is required by Chapter 40B, and it unanimously finds that the Project is larger and more dense than appropriate for the site.

35. The Chapter 40B regulations, 760 CMR 31.07(2)(b), state that:

If a town ... attempts to rebut the presumption that there is a substantial regional housing need which outweighs local concerns, ...

(b) the weight of the local concern will be commensurate with ... the degree to which the natural environment is endangered ... and the degree to which the local requirements and regulations bear a direct and substantial relationship to the protection of such local concerns....

36. The Board unanimously concludes that, in order to be consistent with local needs, several conditions are required to protect the surrounding open space and habitat, particularly in the direction of the Little River. It is requiring the Applicant to prevent or minimize the impacts of the Project in that direction by including the conditions set out in this Decision regarding pets, lighting, fencing, a trail/kiosk/parking area and other issues.

37. The Board considered requiring that the Project, and specifically Building B, be moved farther from the Little River and the riverfront area. Such a condition would address those resources most directly. However, the Board is unable to determine how much farther would be necessary to protect those resources more fully or what level of protection is significant for their healthy functioning. In those circumstances, the Board felt constrained that it lacks the authority under decisions of the Housing Appeals Committee ("HAC") to require that the Project be reduced or moved significantly.

38. The Applicant recently recalculated the Project's open space and impervious surface coverage by including the Cambridge Area, pursuant to Section 6B of the By-Law. Based on that recalculation, the Project would comply with the By-Law minimum of 65% open space. It still would slightly exceed the 35% maximum impervious surface coverage regulation (35.23%), but the Applicant withdrew its request for a waiver of that regulation. The Board also considered the rear setback and GFA regulations in Section 6B of the By-Law. It again felt constrained that conditions based on those regulations would be difficult to defend under HAC decisions, even though they would help preserve not only the off-site resources threatened by the Project but also part of the silver maple forest on the site.

DECISION

Pursuant to Chapter 40B, the Board, after Public Hearing and findings of fact, grants a Comprehensive Permit to the Applicant for the construction of no more than 299 rental units, with associated infrastructure improvements, subject to the conditions listed below.

CONDITIONS

1. (A) Except as more particularly provided for in this decision, including these conditions ("Decision"), the Project shall be constructed in conformance with the following plans of record ("Project Plans"):
 - a. Residences at Acorn Park, prepared by Rizzo Associates, dated December 6, 2005, revised June 26, 2006 (except as noted below) submitted as part of the Comprehensive Permit Application. Said plans include:
 - Sheet C-1: Existing Conditions Plan
 - Sheet C-2: Layout and Materials Plan (dated September 5, 2006, with revised Zoning Summary Table submitted to the Board on February 12, 2007)
 - Sheet C-3: Grading and Drainage Plan
 - Sheet C-4: Erosion Control Plan
 - Sheet C-5: Utility Plan (as marked July 26, 2006 to reflect discussions with Fire Department)
 - Sheet C-6: Landscape Plan
 - Sheet C-7: Lighting Plan
 - Sheet C-8 through C-10: Construction Details
 - Sheet C-11: Water and Sewer Extension Plan (as marked July 26, 2006 to show redundant water mains)
 - Sheet C-12: Surface Parking Cross Sections
 - Sheet C-13: Fire Truck Turning Plan
 - Sheet A-1: Architectural Site Plan, prepared by ADD, Inc (dated 5 December 2005)

- Sheet A-2: Typical Building Plans, Building E (A Similar), prepared by ADD, Inc (dated 5 December 2005)
 - Sheet A-3: Typical Building Plans, Building B (D Similar), prepared by ADD, Inc (dated 5 December 2005)
 - Sheet A-4: Typical Building Plans, Building C, prepared by ADD, Inc (dated 5 December 2005)
 - Sheet A-5: Typical Building Sections, prepared by ADD, Inc (dated 5 December 2005)
 - Sheet A-6: Typical Building Elevations, prepared by ADD, Inc (dated 5 December 2005)
 - Sheet CR-1: Conservation Restriction Limits Comparison (dated June 5, 2006)
- b. Open Space Maintenance Plan. Belmont Uplands Site. Acorn Park Drive and Frontage Road, Belmont/Cambridge, MA, prepared by Epsilon Associates, Inc., dated September 5, 2001, revised May 17, 2002.
- c. Stormwater Management Systems narrative prepared by Rizzo Associates, dated December 9, 2005, revised June 26, 2006. Including emails and memos dated July 18, 2006 and July 19, 2006.

(B) For the Project to be consistent with local needs, the following dimensional regulations of Section 6B shall be complied with: (i) minimum open space of 65% in accordance with Section 6B.2(h); and (ii) maximum impervious surface coverage of 35% in accordance with Section 6B.2(k). The Project zoning summary, as recently revised, indicates compliance with said minimum open space requirement. At the February 12, 2007 meeting, the Applicant withdrew its request for an exception to said minimum impervious surface coverage requirement.

2. Prior to the issuance of a Building Permit, the Applicant (which for the purposes of these conditions shall include its successors and assigns) shall submit the following final engineered plans and supporting documentation ("Final Plans"), which plans shall be consistent with the Project Plans as modified to reflect this Decision and shall be subject to review and approval by the Board or its designee:
- a. Site Plan (including location of snow removal and/or storage, bicycle racks, and dumpster location and screening). A property line should be shown on plan, stamped by a Professional Land Surveyor.
 - b. Landscaping, screening and planting plan to include opaque barrier to the south of Parking Lot A to prevent lighting of Conservation Restriction Area south of Building A caused by vehicle headlights.
 - c. Lighting plan.
 - d. Grading plan.
 - e. Architectural plans (including floor plans, exterior materials and elevations of all facades).
 - f. Erosion Control plans.
 - g. Utilities plan including Stormwater/drainage plan.
 - h. Final Stormwater management calculations and supporting material (including soils information) demonstrating compliance with Massachusetts Department of Environmental Protection ("DEP") Stormwater Management Policy provisions.
 - i. Signage plan.
 - j. Road and sidewalk design with profiles.

3. During construction, the Applicant shall conform to all local, state, and federal laws regarding noise, vibration, dust, and blocking of any roads. The Applicant shall at all times use all reasonable means to minimize inconveniences to residents in the general area. Construction shall not commence on any day before 7:00 A.M. on weekdays, and 8:00 A.M. on Saturday, and shall not continue beyond 6:00 P.M. There shall be no construction on any Sunday or state or federal legal holiday.
4. Prior to commencing construction, the Applicant shall prepare and present to the Board or its designee, for its approval, a construction mitigation plan that shall include, but not be limited to, a phasing plan, a description of staging and storage areas, measures to control erosion and sedimentation, limitations on hours of work, a description of proposed earth removal, types and numbers of vehicles and vehicle trips involved with construction, a construction parking plan, tree and brush clearing and grading and general site mitigation measures. Construction vehicles approaching or leaving the site shall use, in the Town of Belmont, only Route 2, Route 60 (Pleasant Street), Acorn Park Drive, Frontage Road, Lake Street, Trapelo Road, and Belmont Street.
5. The Applicant shall submit draft Regulatory and Monitoring Agreements used by MassDevelopment to the Board for its review and approval. Such documents shall include the Town as a party to the Agreements with the right to enforce and impose sanctions and shall contain, at a minimum, the following terms:
 - a. no less than twenty percent (20%) of the units within the Project shall be affordable in perpetuity to households earning not more than 50 percent of Area Median Income (the "Affordable Units").
 - b. to the extent allowed by law, preference in the rental of the Affordable Units shall be given to Belmont residents. A Belmont resident shall be as determined in Section 6.10.2 (5) of the By-Law.
 - c. the Applicant shall select, with the prior approval of the Board, a Lottery Agent for the selection of the renters of the Affordable Units. Prior to conducting the Lottery, the Lottery Agent shall submit a final Lottery Plan to the Board for its review and approval.
 - d. the Monitoring Agent for the Project shall be Mass Development. In the event that Mass Development ceases to act as Monitoring Agent, the Town shall designate the Monitoring Agent. The fees of such Monitoring Agent shall be paid by the Applicant.
 - e. the Applicant shall donate to the Town profits from the Project that are in excess of those allowed by Chapter 40B as demonstrated by audit. Any excess profits shall be in an Affordable Housing Development Fund used for affordable housing purposes only.

The Applicant shall submit fully executed Regulatory and Monitoring Agreements to the Board before the issuance of a Building Permit.

6. This Project is subject to Massachusetts Environmental Policy Act ("MEPA") review, and this Decision shall not be implemented until the MEPA review has been completed. If, during the course of MEPA review, changes to the Project Plans as modified to reflect this Decision are necessitated, the Applicant shall return to the Board for a review of those changes in accordance with 760 CMR 31.03(3).
7. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall provide a

performance guarantee (which may include a covenant, bond, surety, or tripartite agreement) to the Board or its designee for completion of on-site and off-site improvements (excluding buildings), in a form acceptable to the Board. The Board shall approve both the type and amount of the performance guarantee. The amount of the performance guarantee shall be based on the costs of any improvements, as determined by the Project Engineer plus a ten percent (10%) contingency. Any such security instrument shall provide for reduction in the secured amount as the work is satisfactorily completed as indicated by Building Inspector certificates.

8.
 - a. If the Applicant must revise any of the Final Plans to comply with any other local or state or federal approvals or permits, it shall present the revised plans to the Board or its Agent for a review of those changes in accordance with 760 CMR 31.03(3).
 - b. Before the issuance of a Building Permit and before commencement of any site work (including site clearing activities), the Applicant shall certify to the Board or its designee that all local, state and federal approvals and permits required to obtain a Building Permit or commence site work have been obtained. Notice of construction activity, test borings or other such activity shall be provided to the Town's Office of Community Development at least three days prior to the commencement of such activity.
9. As set forth in 760 CMR 31.08(5), this Comprehensive Permit is granted solely to AP Cambridge Partners II, LLC, and shall not be transferred to any other person or entity without the written approval of the Board. In the event AP Cambridge Partners II, LLC sells, transfers, or assigns any of its interest in the Project, this Comprehensive Permit shall be binding upon the purchaser, transferee, or assignee. The provisions and limitations of the Limited Dividend Organization shall apply to the Project regardless of sale, transfer or assignment.
10. Annually, and immediately upon its receipt, the Applicant shall submit to the Board a copy of the audit conducted by the Monitoring Agent. The Board reserves the right to conduct an initial audit pursuant to Massachusetts Housing Partnership guidelines with the reasonable cost thereof paid by the Applicant and any other audit. The Applicant shall provide a copy of its cost certification to the Town not later than sixty (60) days after the issuance of the final Certificate of Occupancy and in no event later than the time it provides the cost certification to the Monitoring Agent.
11. The Applicant shall submit to the Board a Final As-Built site plan showing the Property line and the location of all buildings and other improvements on the Property. Said As-Built plan shall be stamped by a Professional Land Surveyor or Registered Land Surveyor and shall be submitted within 90 days of the final Certificate of Occupancy.
12. The Applicant shall pay within thirty days of receiving notice all reasonable inspection, peer review and/or legal fees for Town consultants or counsel as may be required to ensure compliance with the conditions listed herein.
13. The Applicant has requested, and the Board hereby authorizes those exceptions from the requirements of the By-Law and other local laws, rules and regulations, as listed in Attachment A, as long as the Project is constructed in accordance with the Project Plans and this Decision (including these Conditions). To the extent that the Project Plans show additional exceptions or waivers not expressly set forth in Attachment A, such exceptions or waivers were not requested

and, in any event, are denied. Minor deviations from otherwise applicable local rules may be authorized by the Board in the subsequent review and approval of Final Plans. Except as permitted by this Decision (including Attachment A), the Applicant shall be required to comply with all other applicable local bylaws, rules and regulations, as well as all applicable laws and regulations of the Commonwealth of Massachusetts and the United States of America.

Site Specific

14. The Applicant shall provide a shuttle service designed to meet the needs of employees and residents of the Project to travel from the Project to (and from) the Alewife MBTA Station and Belmont Center. The Applicant shall provide a proposed shuttle schedule and fees, if any, for non-residents to the Board for its review and comment prior to the initial Certificate of Occupancy. The proposed schedule shall address shuttle service (a) during initial occupancy and (b) when occupancy reaches 90%. Six months after the Project reaches 90% occupancy, the Applicant shall submit a report regarding the shuttle bus service which shall include, at a minimum, hourly ridership numbers during relevant periods (weekday, rush hour, evening, Saturday and Sunday/holiday), together with any proposals for modifications (increases and/or decreases) in service to reasonably reflect ridership levels during typical periods, for the Board's review and comment. Thereafter, the Applicant shall at least annually submit to the Board such a report for its review and comment.
15.
 - a. The Applicant shall provide four bicycle racks, each holding 8 bicycles, in each of Buildings A, B, D, and E. Racks shall be located in the underground parking facilities. In addition, Applicant shall provide two bicycle racks, each holding 8 bicycles, in Building C, which shall be located in the underground parking facility of that building.
 - b. The Project shall conform to either (1) or (2) herein below with appropriate signage and geometric design, but in either event shall be subject to (3) herein below:
 - (1) There shall be three driveways as follows: a central driveway for ingress to the Project only and north and south driveways for egress from the Project only, or
 - (2) There shall be only two driveways. The central driveway currently shown on the Project Plans shall be closed in a manner acceptable for emergency access by the Fire Department.
 - (3) The driveways shall be as narrow as safe driveway design and turning radius requirements will allow and any resulting reduction in paving shall be converted to pervious surfaces to the maximum extent possible.
16. Prior to receipt of a Building Permit for any buildings on the Property, the Applicant shall provide the Fire Department final plans showing the details demonstrating compliance with the following:
 - a. As requested by the Fire Department the Project shall include around the rear of Buildings B and D a fire access lane, as shown on the plans, constructed out of a pervious paving system and constructed so as to support the weight of an operating fire apparatus.
 - b. As requested by the Fire Department the Project shall be serviced by a redundant water supply connected to the Belmont water system. The redundant water lines may be

- located within the same utility trench, provided that they are separated within such trench and that the two water lines tie into the Belmont water system at different locations.
- c. Final plans shall be submitted to the Fire Department to demonstrate that the "trash rooms" will be constructed as agreed to by Applicant and the Fire Department.

Housing

17. The Project shall not exceed 299 rental units in 5 buildings consisting of 20 studio units, 156 one-bedroom units, 107 two-bedroom units, and 16 three-bedroom units. Twenty percent of each unit type shall be Affordable Units. In the event the number of units is reduced as a result of this Decision, or for any other reason, the Affordable Units shall consist of studio, one-bedroom, two-bedroom, and three-bedroom units in the same proportion as provided by the Applicant were the Project to contain 299 units.
18. The Affordable Units and the market rate units shall be distributed proportionately within the buildings of the Project and among bedroom types. The Affordable Units shall be comparable to the market-rate units in terms of location, quality, character, room size, number of rooms, amenities and external appearance. The interior finishes of and appliances in the Affordable Units shall be comparable to the interior finishes and appliances in the market-rate units. The Affordable Units shall be constructed simultaneously with the construction of the market-rate units and occupancy permits shall be issued at a proportional rate for affordable as for market rate units.
19. The affordability restrictions shall be enforceable against all subsequent owners and shall be effective in perpetuity. The calculation of affordability for the allowable monthly rent to be charged the occupants of the Affordable Units shall include all mandatory fees and standard allowances for tenant paid utilities.

Transportation

20. The Applicant shall complete the following traffic mitigation measures in accordance with the description set forth in the Traffic Impact and Access Study by Vanasse and Associates, Inc., dated January 23, 2006, as refined in the Vanasse and Associates April 28, 2006 response to comments (together, the "Vanasse Study"), and they shall be constructed prior to the issuance of the first Certificate of Occupancy for the Project.
- a. Cross Street and Brighton Street Intersection - Design and implement an optimal traffic signal timing and phasing plan to include re-striping, shared turn-lane, and an upgrade of the existing traffic signal which will accommodate pedestrian and bicycle travel in a safe and efficient manner. Prepare an evaluation of, and design, an emergency preemption system and, if feasible and approved by the Town, install said system.
- b. Lake Street and Cross Street Intersection - Re-stripe the northbound approach to provide separate left and right-turn lanes as an interim improvement measure. The Applicant shall undertake a supplemental analysis of operating conditions and safety at the intersection of Lake Street at Cross Street within one year of the issuance of the first Certificate of Occupancy for the Project. This study will consist of the collection of weekday morning (7 to 9 AM) and evening (4 to 6 PM) manual turning movement counts

at the intersection; a review of motor vehicle crash information for the most recent continuous three-year period; the completion of a detailed traffic operations analysis (LOS, delay and vehicle queuing); and the development of a conceptual improvement plan to address any safety or operational deficiencies that are identified as a result of the supplemental analysis. This information will be summarized in a report provided to the Board for planning purposes and to obtain funding to complete the identified improvements by others.

- c. Acorn Park Drive and Frontage Road Intersection - Upgrade the existing traffic signal equipment, timing and phasing as necessary to accommodate pedestrian and bicycle access to Project site. Include upgraded signs and pavement markings at intersection.
 - d. Concord Avenue and Blanchard Road Intersection - Design and implement an optimal traffic signal timing and phasing plan.
 - e. Concord Avenue at Alewife Brook Parkway - Undertake a detailed safety analysis of the rotary based on motor vehicle crash data provided by the City of Cambridge Police Department including a motor vehicle collision diagram, in order to identify any safety deficiencies that may exist at the rotary that are subject to correction. Subject to the approval of the DCR and the City of Cambridge, the Applicant will review and upgrade the signs and pavement markings at the rotary including providing advance directional signs on all approaches. Copies of the safety study will be provided to the DCR, MassHighway, the City of Cambridge, and the Town of Belmont.
 - f. Massachusetts Avenue/Lake Street and Massachusetts Avenue/Alewife Brook Parkway – Design and, subject to approval of the Town of Arlington, implement an optimal traffic signal timing and phasing plan.
 - g. All other intersection mitigation measures presented in the Vanasse Study.
21. The Applicant shall construct a sidewalk made of pervious material along the Project frontage on Acorn Park Drive that will link the Project to the existing sidewalk located along Frontage Road. The sidewalk design and construction shall meet MAAB & ADA requirements. Further, subject to being given an easement (at no acquisition charge to the Applicant) and all applicable approvals, the Applicant agrees to construct the missing segment of sidewalk between the Property and the existing sidewalk on Acorn Park Drive toward Cambridge Discovery Park. The Applicant shall submit to the Board copies of requests for easements and all applicable approvals by third parties, where necessary, prior to issuance of the first Certificate of Occupancy.
22. The Applicant will provide a weather protected waiting area for the shuttle bus within the Project which will be designed to be consistent with the architectural character and design of the buildings in the Project.
23. The Applicant's traffic mitigation measures described above in condition 20 assume that the improvements due to be made by the developer of Cambridge Discovery Park (as set forth at pages 5-6 of the Vanasse Study) will be in place when the Applicant commences implementation of its mitigation measures. If such mitigation measures of the developer of Cambridge Discovery Park are not completed when the Applicant proposes to implement its traffic mitigation measures, the Applicant will complete any or all improvements that should have been done by the developer of Cambridge Discovery Park that are not in place when the Applicant

commences work on its mitigation. The Applicant shall complete these measures before issuance of the first Certificate of Occupancy.

24. The Applicant shall be prohibited from granting easements over portions of the Property on the easterly side of Acorn Park Drive and onto the privately owned portion of Acorn Park Drive. The Applicant shall ensure access to the Project over Acorn Park Drive for school buses, police, fire and other municipal services. The Applicant shall be responsible for safe road maintenance (including but not limited to snow plowing, sanding, paving, and pothole repair) of Acorn Park Drive and shall annually file a plan for meeting this responsibility with the Town's Department of Public Works and Office of Community Development.

Infrastructure

25. The following portions of the Project shall be and shall remain forever private, and the Town shall not have, now or ever, any legal responsibility for their operation or maintenance:
 - a. stormwater management system
 - b. all driveways and parking areas and Acorn Park Drive
 - c. wastewater system to the connection on Garrison Road, including the pump station
 - d. on-site lighting
 - e. recreation and all other common areas, excluding the area subject to the Conservation Restriction (to the extent provided in the Conservation Restriction).
26. All utilities within the Property (including electric, telephone, cable, and other such lines and equipment) shall be underground.
27. a. Wastewater flows from the Project will be discharged into the Belmont wastewater collection system ("Belmont System") starting on Garrison Road. The Applicant shall install on the Property a holding tank or tanks with a total capacity of at least 50,000 gallons to detain wastewater during surcharge events in the Belmont System. The holding tank(s) shall be under the parking area and not within the 100 year floodplain. In addition, the Applicant shall establish operating protocols which are to be supported by SCADA systems/instrumentation to activate the storage system during surcharge events (i.e., when the flow level in the 36" sewer at Brighton Street exceeds 30"). As part of those operating protocols, the Applicant shall have in place and shall perpetually maintain a septage hauler contract to pump out the holding tank(s) as frequently as necessary until surcharging in the Belmont System ceases. Such septage hauler shall not dispose of septage into the Belmont System until the surcharge event is over. The Applicant shall file a current copy of the septage hauler contract with the Town's Office of Community Development before issuance of an initial Certificate of Occupancy and shall maintain a current copy on file thereafter. The design of the holding tank(s) (including the operating protocols and the SCADA systems/instrumentation) shall be subject to the approval of the Board after review by the Town's sewer consultant, currently Fay Spofford & Thorndike. The cost of the holding tank(s) will be deducted from the Inflow/Infiltration (I/I) payment made pursuant to condition 28 to the extent allowed therein. The Applicant shall file a cost certification, with supporting detail, of the cost of the holding tank(s) with the Board before issuance of the first Certificate of

Occupancy.

- b. Prior to the issuance of the Building Permit, the Applicant shall make a good faith application to the City of Cambridge for a connection to the Cambridge municipal wastewater system ("Cambridge System") in Acorn Park Drive. If such application is approved (and no appeals are filed or any such appeals are resolved successfully) and the cost and timing of such connection to the Cambridge System is no greater than the cost and timing to connect to the Belmont System (e.g. the cost to construct the sewer line from the Property to Garrison Road and the costs to comply with conditions 27.a. and 28), then the Applicant shall connect into the Cambridge System instead of connecting to the Belmont System and installing a holding tank(s).
 - c. The Applicant may, with the approval of the Board, substitute another method that achieves the same result as condition 27.a.
- 28. The Applicant shall make an I/I payment of \$382,500.00 (less the cost of the holding tank(s) described in condition 27.a. or the alternative described in condition 27.c., but in any event not less than \$300,000) to the Town of Belmont prior to the issuance of a Building Permit, provided however, in the event the Applicant is allowed to connect to the Cambridge System, then such I/I payment will not be required.
 - 29. The Applicant shall provide an Operations and Maintenance Plan (O&M Plan) for the Stormwater Drainage System to the Board prior to the issuance of the first Certificate of Occupancy. The O&M Plan shall include: monthly inspections and quarterly cleanings of catch basins, area drains, and drop inlets, and monitoring the depth of water in the infiltration /detention systems as part of the semi-annual maintenance program (and, during the first year of full occupancy, after each storm event defined as more than ½ inch of rain in a 24 hour period). The O&M Plan shall include a provision requiring the use of sand for de-icing of the travel surfaces of the Project.
 - 30. The catch basins on grade shall be designed to capture fully the 100-year storm event (6.6 inches of rainfall in a 24 hour period). Manholes for maintenance will be constructed as part of each chamber and underground detention basin. A clean out shall be installed at the location where grit chambers connect to the system.
 - 31. The Belmont Water Department shall inspect the water main installation during construction. Approval of installation by the Water Department is required prior to issuance of the first Certificate of Occupancy.
 - 32. As recommended by FST, the wastewater pump and force main to be constructed for the Project shall have a minimum diameter of 4 inches, and the pump shall be capable of passing a 3" diameter sphere. There shall be redundant pumps and an emergency power source for the pumps. Specifications for the pump and force main shall be submitted to the Board for review and approval prior to the issuance of a Building Permit.

Environmental

- 33. The Applicant shall provide to the Board a detailed site preparation plan, planting/landscaping

plan, and monitoring/maintenance plan for each flood storage area to be created, including at a minimum the detail called for in Epsilon's letter of May 24, 2006 and attachments, prior to the issuance of a Building Permit. Floodplain compensation volumes shall be at a ratio of at least 1.6:1 calculated using the current FEMA 100 year flood elevation of 8.2'.

34. The Applicant shall submit to the Board a management plan for the open space surrounding the Project prior to the issuance of the first Certificate of Occupancy. Any Open Space Maintenance Plan for the Project shall be in a form substantially similar to and as a minimum implement habitat enhancement measures as referenced in the previous Open Space Maintenance Plan dated May 17, 2002 prepared for the R&D Office Building. In addition the Applicant shall provide the Board with a plan showing the location of all tenant recreational areas prior to the issuance of a Building Permit.
35. The Applicant shall provide a tree cutting plan to the Board prior to commencing site work. The Applicant shall use all reasonable efforts to preserve trees. The Applicant shall, after consultation with the Tree Warden, identify all trees that are healthy and greater than 9" dbh in or within 10 feet of the work area and determine whether slight modifications in the site plan are practicable to preserve those trees. If the Applicant determines that slight site plan modifications cannot be practicably accomplished, the Board may request that additional trees (including but not limited to silver maples) be planted outside the Project area, but on the Property.
36. The Applicant shall work with the Green Roundtable to incorporate, to the greatest extent economically feasible, low impact and sustainable development principles for the construction and maintenance of the Project including, but not limited to, use of pervious pavement, and drought-resistant plants and collection of rooftop runoff for the irrigation system. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall submit to the Board the final report of the Green Round Table which will detail how the Project satisfies this condition.
37. The Applicant shall finalize, execute and record the Conservation Restriction (CR) in substantially the same form as the draft submitted to the Board on June 9, 2006. The CR will restrict approximately 7.91 acres of the 15.65 acre parcel owned by the Applicant, as generally shown on a plan entitled "Conservation Restriction Limits Comparison" drawn by Rizzo Associates, dated June 5, 2006 (CR-1). In the event the Project site shifts to the north and east as a result of this Decision, or for any other reason, then the boundaries of the CR shall shift accordingly. The Applicant shall perform all of the actions required in the CR, except that no trail, kiosk or parking area shall be constructed. The CR shall be recorded prior to the issuance of the first Certificate of Occupancy but shall be executed and delivered, subject to an escrow arrangement approved by the Board prior to the issuance of any Building Permit for the Project.
38. Prior to the first Certificate of Occupancy Applicant shall provide the Board with a snow removal plan. The Applicant's snow removal plan shall be consistent with DEP Snow Disposal Guidelines (BRPG01-01, March 8, 2001), in that landscaped areas designated on the plans as snow storage areas will be used as much as possible. Any damage occurring to such landscaped area due to snow storage shall be replaced/repaired as necessary by the Applicant consistent with BRPG01-01.

Any paved areas used for snow storage shall be graded to drain away from any wetlands and towards the site drainage system as required by BRPG01-01.


Legal


39. No dogs or cats, except seeing-eye dogs and hearing-ear dogs, shall be allowed on the Property.
40. The Board shall retain jurisdiction over the Project to ensure compliance with the terms and conditions of this Decision.
41. Subsequent to the expiration of all applicable appeal periods and, in any event, prior to the issuance of any Building Permit for the Project, the Applicant shall record this Decision in the Middlesex County South District Registry of Deeds and shall provide the Office of Community Development and the Building Inspector with a copy of this Decision endorsed with the applicable recording information.
42. This Comprehensive Permit shall expire, if the Applicant has not, for whatever cause, obtained a Building Permit for the units within three years of the date this Decision becomes final, or if the Applicant has not completed construction of the Project within five years of the date this Decision becomes final unless extended by the Board. The Decision is deemed to have become final upon the date the Decision is filed with the Town Clerk and no appeal is filed, or on the date the last appeal is decided or otherwise disposed of.

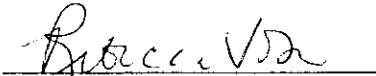
RECORD OF VOTE

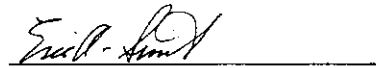
The following members of the Board attended all public hearing sessions on this Case: William D. Chin, Chairman, Arthur P. Kreiger, Rebecca Vose, Eric A. Smith, and Anthony L. Leccese.

The following members of the Board vote to grant a comprehensive permit subject to the terms of this Decision:

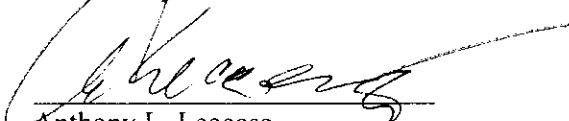

William D. Chin, Chairman


Arthur P. Kreiger


Rebecca Vose

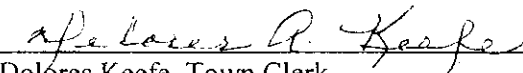

Eric A. Smith

The following member of the Board votes to grant a comprehensive permit subject to the terms of this Decision except to the extent that it permits the Applicant to construct a total of 337,884 square feet of gross floor area and to encroach into the land shown as restricted under the MOA, which he would not permit:


Anthony L. Leccese

Wherefore a Comprehensive Permit, consistent with the conditions of this Decision is granted to the Applicant.

Filed with the Town Clerk on Feb 16, 2007.


Dolores Keefe, Town Clerk

LIST OF ATTACHMENTS

Attachment A	List of Exceptions From Local By-Laws and Ordinances
Attachment B	List of Documents

ATTACHMENT A

REQUIRED EXCEPTIONS FROM LOCAL BYLAWS AND ORDINANCES RESIDENCES AT ACORN PARK "BELMONT UPLANDS" ACORN PARK DRIVE BELMONT, MASSACHUSETTS

I. ZONING BY-LAWS

- A. Belmont Uplands District: Note: The Property is in the Belmont Uplands District and §6B.9 of the By-Law pre-empts and supersedes other provisions of the By-Law. The exceptions from the Uplands District for the Project are set forth below in this section "A" and those exceptions from the other applicable sections of the By-Law (not pre-empted or superseded by §6B.9) are set forth below in section "B".

1. Use: Exception from the prohibition of residential uses set forth in §6B.1.
2. Dimensional: Exception from the following dimensional regulations of §6B.2
 - a.) Exception from §6B.2(c), minimum front set back
Required: 65' Provided: 18.5' (Building A only);
20.3' (Building E only)
 - b.) Exception from §6B.2(e), minimum rear set back
Required: 40' Provided: 27.1' (Building D only)
 - c.) Exception from §6B.2(g), maximum gross floor area
Required: 245,000 sf Provided: 337,884 sf
3. Parking: Exception from §6B.3.3, limitation on number of outdoor parking spaces, the outdoor spaces of the Project exceed the permitted 110 outdoor spaces. Outdoor parking is not to exceed 210 spaces.
4. Lighting: Exception from §6B.5., to increase the maximum of 175 watts to 400 watts, the light poles have been maintained at a lower height (15') in order to provide proper safe lighting. Proposed lighting is confined primarily to the interior of the building layout, and parking lot lighting is 175' or more from Frontage Road.
5. Design and Site Plan Review: Exception from design and site plan review under §6B.6, permit approval procedure is governed by Chapter 40B.
6. Site Plan Review Procedures: Exception from site plan review under §6B.8, permit approval procedure is governed by Chapter 40B.

B. General Zoning By-Laws NOT Superseded By Belmont Uplands District:

1. Parking:

- a.) Exception from §5.1.3(e) in accordance with note on §5.4.3(b), below
- b.) Exception from §5.1.3(g), egress location, exception from the limit of 2 driveway openings onto a street from a parking area serving more than 20 parking spaces where all driveways are not separated by 150'.

2. Landscaping:

- a.) Exception from §5.3.5, existing vegetation, exception from the retention of trees exceeding 6" dbh within 25' of the street.

3. Lighting:

- a.) Exception from §5.4.3(b), provided that spillover off the Project site will be avoided or minimized, still consistent with pedestrian and vehicle safety, and the lighting plan shall be subject to the approval of the Board.

4. Cluster Development Special Permit

- a.) Exception from cluster development special permit under §6.5, permit approval procedure is governed by Chapter 40B.

5. Floodplain District

- a.) Exception from §6.6.7, special permits, permit approval procedure is governed by Chapter 40B.

6. Design and Site Plan Review

- a.) Exception from design and site plan review under §7.3, permit approval procedure is governed by Chapter 40B.

7. Special Permits

- a.) Exception from §7.4, special permits, permit approval procedure is governed by Chapter 40B.

8. Development Impact Report

- a.) Exception from development and impact report under §7.5, permit approval procedure is governed by Chapter 40B.

II. OTHER NON-ZONING BYLAWS AND REGULATIONS

- A. Water Department Regulations. Exception to the extent Section C (paragraphs 1 through 3) of the regulations for water main pipe extension require Applicant to

increase the size of proposed water pipes to accommodate future non-Project extensions.

ATTACHMENT B: LIST OF DOCUMENTS RECEIVED

APPLICANT'S SUBMITTALS

Application and Plans
Epsilon Associates response to Conservation Commission (12/9/03)
Revised Plans (6/8/06)
Financials including Pro Forma, Market Rent Study (9/30/03) and Appraisal (9/29/06)
Financial Pro Forma (12/4/06)
Traffic Impacts and Assessment Study
Requested Zoning Waivers
Unit Mix (12/1/06)
List of Requested Exemptions

COMMENTS

TOWN BOARDS/COMMITTEES

Uplands Advisory Committee (9 comment letters)
Board of Health
Housing Trust
Historic Commission
Fire Department (4)
School Department (2)
Board of Selectmen
Community Development
Conservation Commission
Planning Board
Police Department (3/15/06)
Police Department email (12/7/06)
Police Department email (12/28/06)
Public Works Dept. (3/15/06)
Response to Fire Dept - Rizzo (7/26/06)

OTHER PUBLIC COMMENTS

Sustainable Belmont
Mystic Rvr Wtrshd Assc
Kirwan
Bishop
Brownsberger Email (3/28/06)
Ltr from Clancy (5/11/06)
Ltr from Moore (12/19/06)
Cohen Comments (8/14/06 & 10/11/06)
Sewer System, Sumner Brown, (7/10/06)
Comments to Brown - FS&T (7/25/06)
Developer Responses (8/24/06)
Working Group Notes (10/16,10/23&10/31)

APPLICANT'S RESPONSE

SEB – Bob Engler (Affordable Housing Concerns) (2/9/06)
RIZZO ASSOCIATES (Site Design and Civil Engineering) (2/28/06)
ADD INC (Architecture) (2/23/06)
VANASSE & ASSOC. (Traffic) (2/27/06)
EPSILON ASSOCIATES (Draft and Final Response)- Environment (2/20 & 4/24/06)
NUTTER McCLENNEN & FISH (40B Process and Legal) (3/22/06)

PEER REVIEWS

Traffic – BSC Group (3/16/06)
Traffic – BSC Group Review of Response (5/4/06)
Traffic – BSC Group, Final Letter (7/26/06)
Site, Stormwater & Wastewater - Fay, Spofford & Thorndike (4/27/06)

Wastewater - Fay, Spofford & Thorndike (5/17/06), not posted
 Site & Stormwater - FS&T Review of Response (6/22/06)
 Wastewater - Fay, Spofford & Thorndike (6/23/06)
 Site Supplemental - Fay, Spofford & Thorndike (7/20/06)
 Wastewater, Pumping Station - Fay, Spofford & Thorndike (7/25/06)
 Environmental - FST, Wetlands & Wildlife, (4/24/06)
 Environmental - FST, Wetlands & Wildlife Review of Response (5/31/06)
 Environmental - FST, Wetlands & Wildlife Review of Response (6/23/06)
 Environmental - FST, Wetlands & Wildlife Review of Site Change (11/27/06)
 Financial - Jacobs (12/4/06)
 Traffic (review of narrowing Acorn Park - BSC Group, (12/7/06)
 Review of Driveway Alternative - BSC Group (2/7/07 email)

RESPONSES TO REVIEWS

Traffic/BSC Group - Vanasse & Associates (4/28/06)
 Site Traffic/BSC Group - Rizzo Associates (5/3/06)
 Site & Stormwater/FS&T - Rizzo Associates (5/4/06)
 Wastewater/FS&T - Rizzo Associates (5/30/06)
 Environmental/Fay, Spofford & Thorndike - Epsilon Associates (5/24/06)
 Final Site & Stormwater/FS&T - Rizzo Associates (6/8/06), long, not posted
 Stormwater - Rizzo Associates (6/26/06)
 Driveway Entrance - Rizzo/Vanasse Associates (6/29/06)
 Stormwater, 8.2' FEMA - Rizzo Associates (7/6/06)
 Technical Calculations - Rizzo Associates (7/18/06), not posted
 Semi-annual inspection reports - Rizzo Associates (7/19/06), not posted
 Re: widening Acorn Park Dr - Vanasse Associates (11/22/06)
 Environmental Review of Revised Site Plan - Epsilon Associates (12/4/06)
 Wastewater (Cambridge vs Tank) - Rizzo Associates (12/5/06)
 Wastewater (MWRA 5 year data)- Rizzo Associates (12/6/06)
 Revised Dimensional Setbacks - Rizzo Associates (2/7/07)

OTHER REVIEWS

Wastewater - Citizens Forum, Norfolk Ram Group

COMMUNICATIONS

Alcorn
 Haller
 Flynn (2)
 First Parish Church of Cambridge
 Brownsberger email re: S. 1909
 Cambridge Conservation Commission
 Email from Gallant
 Velie/Stadler
 Town of Arlington (2)
 Dohanian
 Passero & Kirwan

Cunningham
 Marinell
 Duffy, D.
 Goldberg
 Frankel (email)
 Nuscher
 Hickey
 Hanely
 Sodini
 McGurl
 Caputo et al

Duffy/Paulsen
Baram (email)
Mass (2)
Passero (2)
Canavan
Sorkin
Connolly (2)
Hartman

Fuller
Bass
Sciascia
Lambert
Brown (2)
Petition, High School Environmental Club
Katragadda email
Belmont Board of Selectmen (1/10/07)

MISCELLANEOUS

Friends of Alewife Reservation (Large Packet
Mass (email, 3/20/06)
Nutter McClennan & Fish (4/18/06)
Nutter McClennan & Fish (5/19/06)
Uplands Alternative Group
Statement by Kit Drier
City of Cambridge Resolution, Unofficial copy
S. 1909, Unofficial Copy of Act
BSC response re: S. 1909
Rizzo Associates, re: test pit locations
Unofficial FEMA Maps submitted by Rizzo Assoc
Nutter McClennan & Fish re: comparison of CR lands
Mystic River Watershed Assoc - Water Quality Data
Petition re: MEPA Review
Kaiser - Model for Establishing Mitigation Ratio
Sewer - memo from OCD and DPW example of license
Arlington Redevelopment Board
Presentation - Katuska, Brown, etc. (12/6)
Uplands Alternative Group (10/16/06)
Board of Selectmen (10/23/06)
Email comment from Applicant (10/10/06)
Board of Selectment Motion
Applicant submittal - HAC Decisions re: schools
Memo to Soloman (9/18/06)
Bass Testimony (12/6/06)
Cmbrdge Sewer Connection 2003 - Mass
Town of Arlington
Belmont Selectmen Letter (1/10/07)

SITE PLANS

NOT FOR CONSTRUCTION
THIS DRAWING IS NOT TO BE USED FOR THE
CONSTRUCTION OF ANY STRUCTURE OR
IMPROVEMENT WITHOUT THE WRITTEN
CONSENT OF THE ENGINEER.

LEGEND

CONTOUR INTERVAL	5 FEET
SPOT ELEVATION	AS SHOWN
ROAD	AS SHOWN
RAILROAD	AS SHOWN
WATER	AS SHOWN
STONE BAND WITH DRILL HOLE	AS SHOWN
RECE LINE	AS SHOWN
CHURN MARK	AS SHOWN
PIPE HOLE	AS SHOWN
LIGHT POLE W/SHADE	AS SHOWN
WETLAND BOUNDARY	AS SHOWN
WETLAND FLAG LOCATION	AS SHOWN
WETLAND	AS SHOWN
TEST PIT LOCATION	AS SHOWN

TEST PIT DATA

TEST PIT	DEPTH (FEET)	SOIL TYPE	WATER TABLE (FEET)
TP-1	1.2	CLAY	1.0
TP-2	1.5	CLAY	1.2
TP-3	1.8	CLAY	1.5
TP-4	2.1	CLAY	1.8
TP-5	2.4	CLAY	2.1
TP-6	2.7	CLAY	2.4
TP-7	3.0	CLAY	2.7
TP-8	3.3	CLAY	3.0
TP-9	3.6	CLAY	3.3
TP-10	3.9	CLAY	3.6
TP-11	4.2	CLAY	3.9
TP-12	4.5	CLAY	4.2

Revisions

NO.	DATE	DESCRIPTION
1	06/01/00	ISSUED FOR PERMIT
2	06/01/00	ISSUED FOR CONSTRUCTION

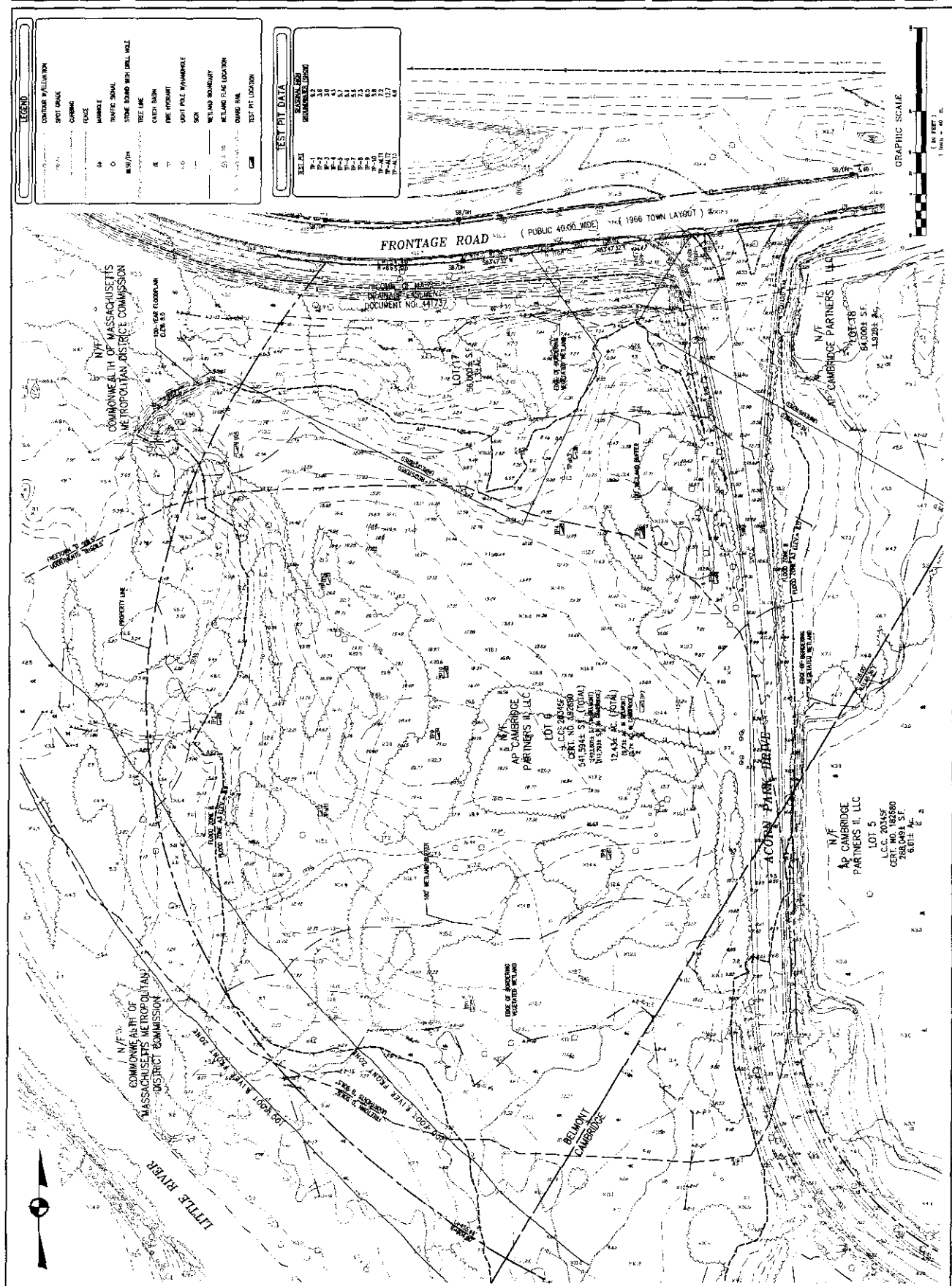
RIZZO ASSOCIATES
A LITTELL TECH COMPANY
1000 PARK DRIVE
BELLINGHAM, WA 98225-1000
PH: 360-735-1000
FAX: 360-735-1001
WWW.RIZZO.COM

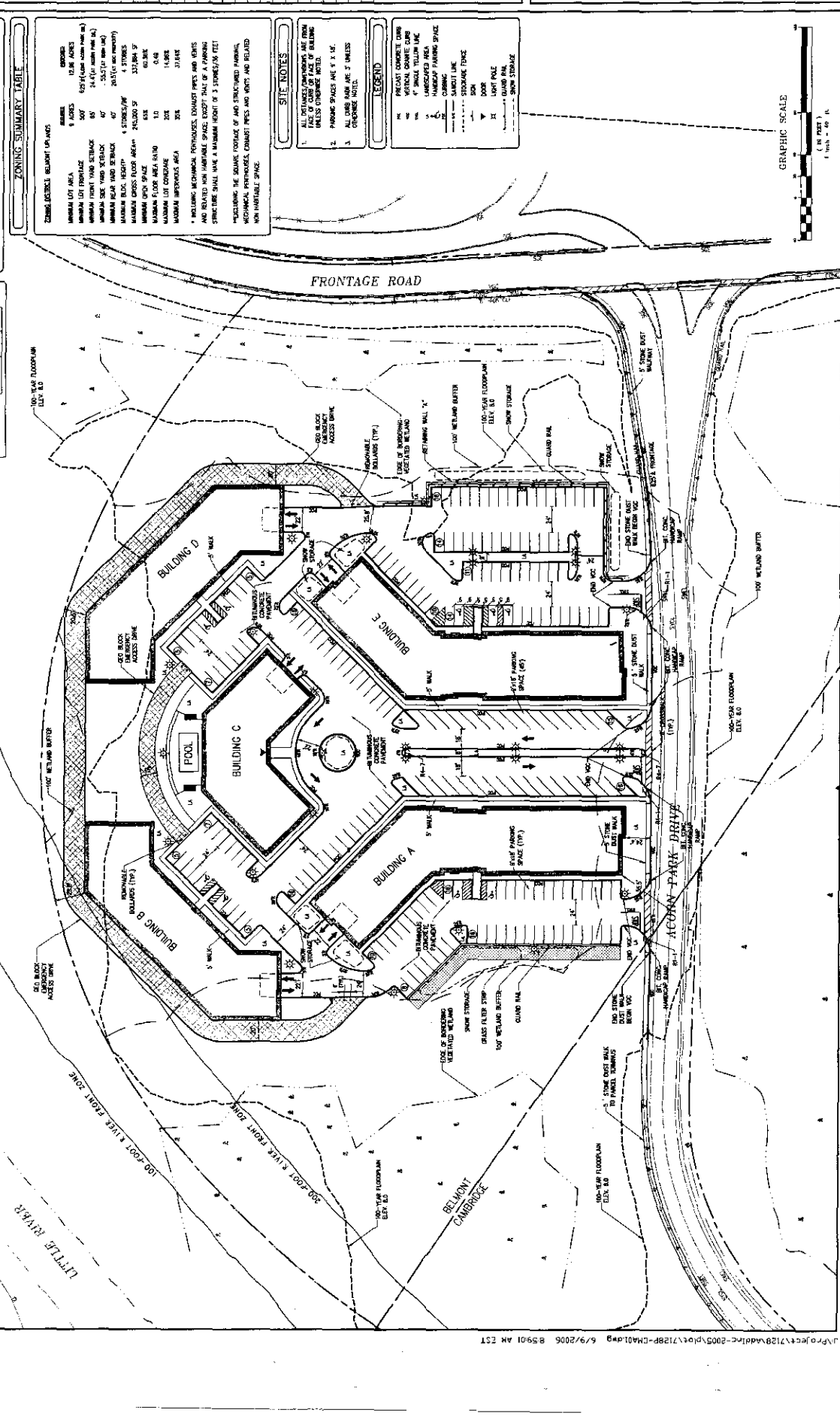
**Residences at
Acorn Park
Belmont, MA**

Prepared By
Engineering
Conditions
Plan

Scale: 1"=40'
Job No: 7108
Title: SITE PLAN
Date: 06-01-00

C-1





ASSESSOR'S FIELD CARDS

Assessment Date: January 1, 2010

Parcel Information:

Location: 1 ACORN PARK RD
 Parcel ID: 40-1--
 Class: 390 Dev. Land
 Type: Commercial
 Lot Size: 561,924
 Census: 0
 Zoning: R
 Survey #: 0

Print This Page

FY 2011 Tax Rate for Belmont, MA: \$13.24

Assessed Values

2011 Market Value	
Land	\$12,431,000
Building	\$0
Other	\$0
Total	\$12,431,000

Assessment History

Year	Total Value
2011	\$12,431,000
2010	\$12,431,000
2009	\$12,516,000
2008	\$12,516,000
2007	\$13,879,000
2006	\$13,327,000
2005	\$13,381,000
2004	\$13,435,000
2003	\$11,873,000
2002	\$1,296,000
2001	\$1,008,000
2000	\$882,000
1999	\$781,000
1998	\$521,000
1997	\$521,000
1996	\$502,000
1995	\$416,000
1994	\$406,000
1993	\$427,000
1992	\$427,000
1991	\$409,300

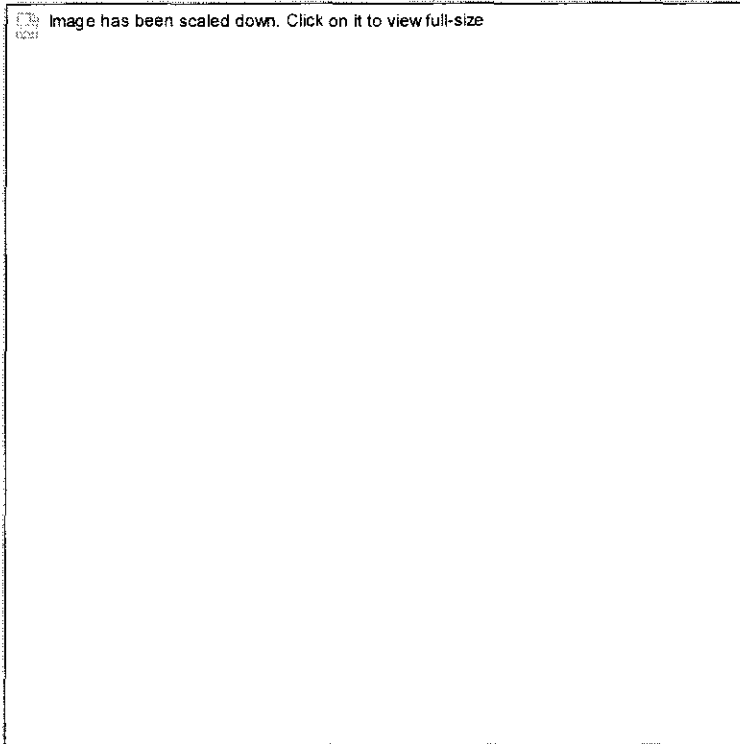
Owner Information

Name: AP CAMBRIDGE PARTNERS II LLC
 C/O ONEILL PROPERTIES

Address: 2701 RENAISSANCE BLVD 4TH FLOOR
 KING OF PRUSSIA, PA 19406

Notes: St# assigned for locational purposes only (no official # from T. Clerk). Effect. FY02 is 1.926 acres per memo from Comm. Dev. 1/16/01; was previously 1.97 acres. 1.926 acres is amt of land in Belmont only. Merged with 40-2 & 40-3 for Fy 2003.

Building Information



Area	Lower First	Second	Third	Area
1	0	0	0	0

Other Improvements

Code	Type	Qty	Year	Length	Width	Grade	Condition	Adj
1		0	0	0	0			1

Notes:

Land Description

Topography	Utilities	Street	Paved	Landlocked	No	View	Average
Level	Public	Road	Public	Sidewalk	Yes	Landscaping	
				Gas	No		

Market

Type	Description	Zone	Nhbd	Area	Infl	Traffic
0	R&D	R&D	3	222156	1.61	Average Traffic
0	Open Space	O	3	339768	1	Average Traffic

Inspection Information

Date	Inspector	Entry
6/1/1984	TWN	Not Applicable, Unimp. Parcel

Permit Information

Date	% Comp	Value	Notes
1/1/1900		0	\$0.00

Sales Information

Date	Price	Voi	Page	Seller	Valid Code
7/2/1999	\$1,588,619	1207	102	LITTLE ARTHUR D	J. undivided interest
5/10/1988	\$244,100	1043	0130		none

Disclaimer



FISCAL AFFAIRS

Printer-friendly version

[Back to the Show Property Details](#) **Property Database Search Results****37 Acorn Pk****Property Information:**

Property Class:	RES-UDV-PARK LND
State Class Code:	1322
Zoning (Unofficial):	SD-4
Map/Lot:	267.1-239
Land Area:	402,232

Property Value:

Year of Assessment:	2011
Tax District:	R7
Residential Exemption:	No
Building Value:	\$0
Land Value:	\$402,200
Assessed Value:	\$402,200
Sale Price:	\$0
Book/Page:	1230/ 57
Sale Date:	November 17, 2000
Previous Assessed Value:	\$402,200

Owner Information:

Owner(s): AP CAMBRIDGE PARTNERS LLC. TR. ACORN ,
PARK HOLDINGS REALTY TRUST
C/O ACORN PARK I REALTY TRUST
250 FIRST AVE., STE 200
NEEDHAM , MA 02494

Building Information:[< Previous Property](#)[Next Property >](#)[Back to Search Results](#)[Search Again](#)

Click on Photo to view larger image.

Related Information:

- [GIS Map of this Property](#)
- [Show PDF Map](#)
- [Taxes](#)

No Sales with comparable location and/or physical attributes were found. Assessments are based on a market analysis of all valid sales for the subject's property class and the sales displayed are for comparison purposes only.

This page contains much of the information used by the City of Cambridge to assess properties. The purpose of this information is to be used only for ad valorem taxation purposes and any other use is therefore not valid.

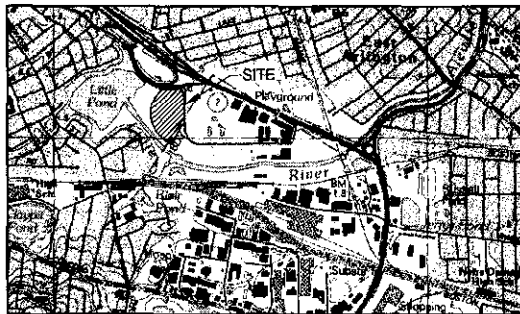
PROPOSED DEVELOPMENT PLANS

Comprehensive Permit Application Town of Belmont - Zoning Board of Appeals

December 6, 2005

Residences at Acorn Park

Acorn Park Drive
Belmont, Massachusetts



Applicant:
AP Cambridge Partners II, LLC
700 South Henderson, Suite 225
King of Prussia, PA 19406

Civil Engineer:
Rizzo Associates
One Grant Street
Framingham, MA 01701-9005

Traffic Engineer:
Vanasse & Associates, Inc.
10 New England Business Center
Andover, MA 01810

Environmental Consultants:
Epsilon Associates, Inc.
3 Clocktower Place, Suite 250
Maynard, MA 01754

Architect:
ADD INC.
210 Broadway
Cambridge, MA 02139

Legal Counsel:
Nutter, McLennen & Fish, LLP
155 Seaport Boulevard
Boston, MA 02210

Development Consultant:
Stockard Engler Brigham, LLC
10 Concord Avenue
Cambridge, MA 02138

Sheet No.	Sheet Title
	Cover Sheet
C-1	Existing Conditions Plan
C-2	Site Layout and Materials Plan
C-3	Grading and Drainage Plan
C-4	Erosion Control Plan
C-5	Utility Plan
C-6	Landscape Plan

Sheet No.	Sheet Title
C-7	Lighting Plan
C-8	Construction Details
C-9	Construction Details
C-10	Construction Details
C-11	Water and Sewer Extension Plan

Sheet No.	Sheet Title
A-1	Architectural Site Plan
A-2	Typical Plans - Building E (Building A similar)
A-3	Typical Plans - Building B (Building D similar)
A-4	Typical Plans - Building C
A-5	Typical Building Sections
A-6	Typical Building Elevations

NOT FOR CONSTRUCTION

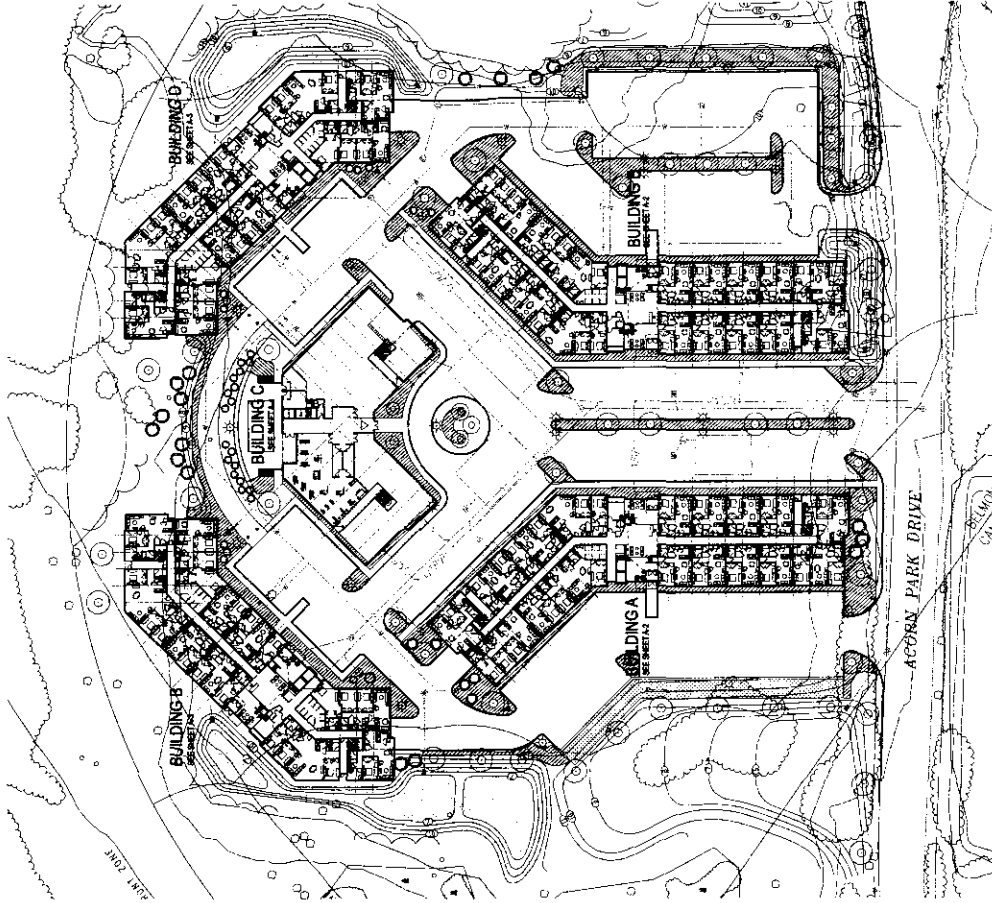
ADD Inc
270 Broadway
Cambridge MA 02139
617 254-3400
Fax 617 661-7118

[illegible]

A-1

ARCHITECTURAL
SITE PLAN

CAPO



1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 40'

1 BUILDING PLAN
SCALE: 1" = 15'
BUILDING E - GROUND FLOOR

O'Neill Properties
Planning & Development
Barnstable, MA



NOT FOR CONSTRUCTION

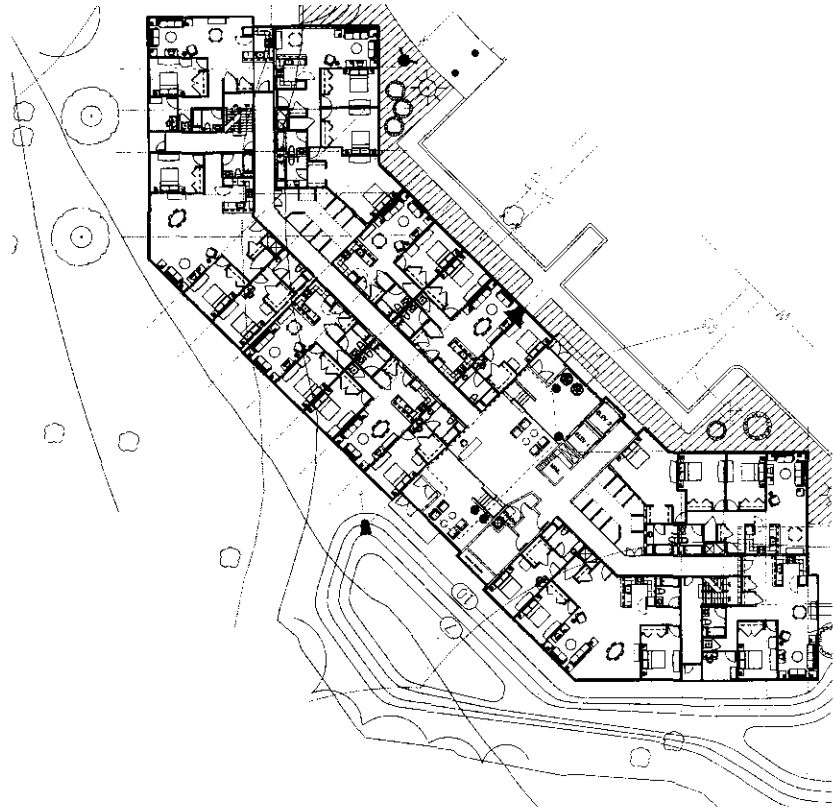
ADD Inc
28 Bailey
Cambridgeport, MA 01710
Tel: 978/877-7118



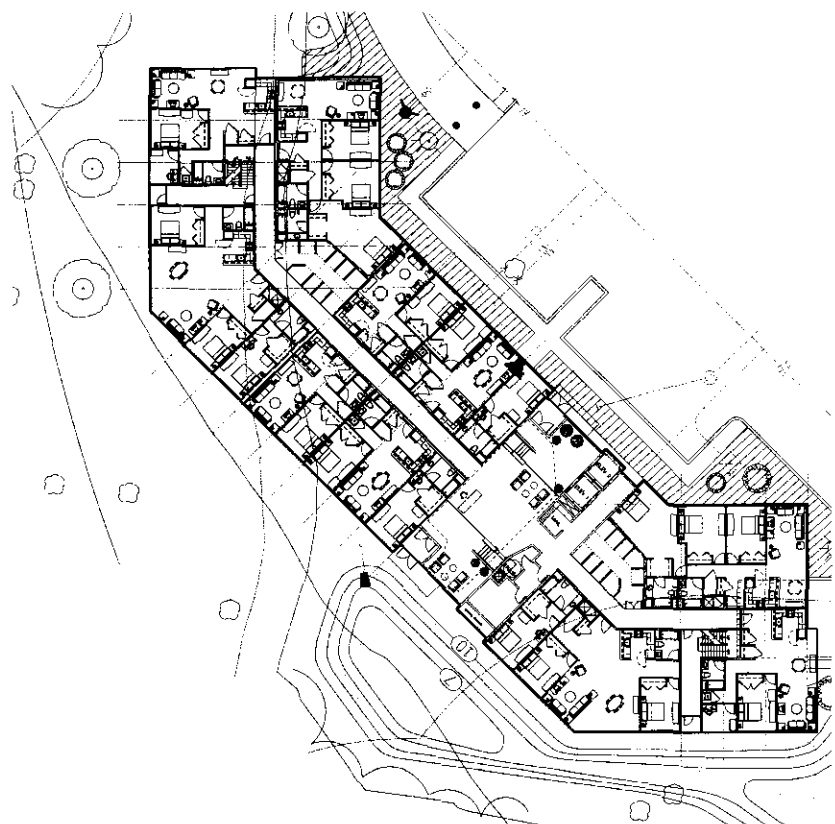
DATE	2/28/04
DATE BY	ADD
DATE	3/1/2004
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	

A-3

TYPICAL BUILDING
PLANS
BUILDING B (D SIMILAR)
Sheet



2 BUILDING PLAN
SCALE: 1" = 16'
BUILDING D - TYPICAL FLOOR



1 BUILDING PLAN
SCALE: 1" = 16'
BUILDING D - GROUND FLOOR

NOT FOR CONSTRUCTION

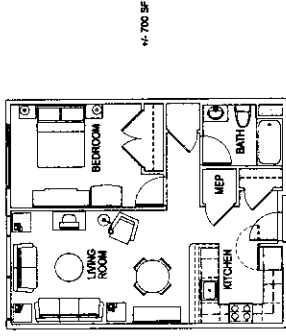
ADD INC
2000
Caitlyn St. 2120
410.731.1100
Fax 410.441.7115



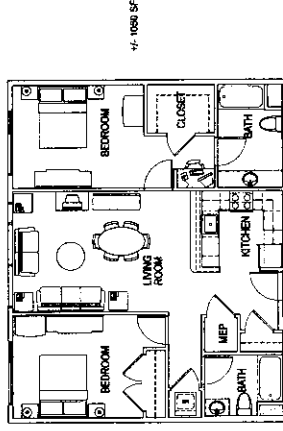
Architect	O'Neill
Date	5 December 2008
Project	
Sheet	
Scale	
Notes	

A-4

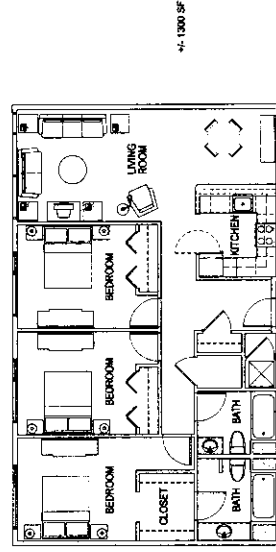
TYPICAL BUILDING
PLANS BUILDING C
TYPICAL UNIT PLANS



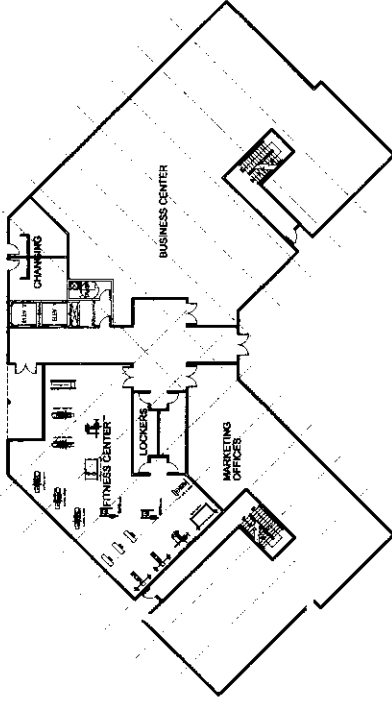
3 TYPICAL 1 BEDROOM UNIT PLAN
SCALE 3/16" = 1'
TYPICAL FOR ALL BUILDINGS



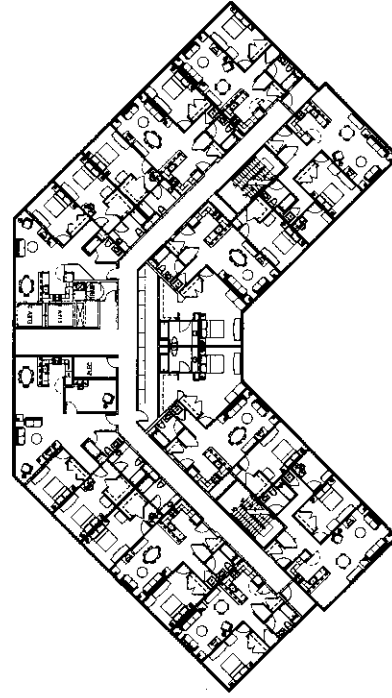
4 TYPICAL 2 BEDROOM UNIT PLAN
SCALE 3/16" = 1'
TYPICAL FOR ALL BUILDINGS



5 TYPICAL 3 BEDROOM UNIT PLAN
SCALE 3/16" = 1'
TYPICAL FOR ALL BUILDINGS



1 BUILDING PLAN
SCALE 1" = 16'
BUILDING C GROUND FLOOR



2 BUILDING PLAN
SCALE 1" = 16'
BUILDING C TYPICAL FLOOR



NOT FOR CONSTRUCTION

ADD Inc
710 Broadway
Cambridge, MA 02129
617-254-5100
Fax 617-461-7118

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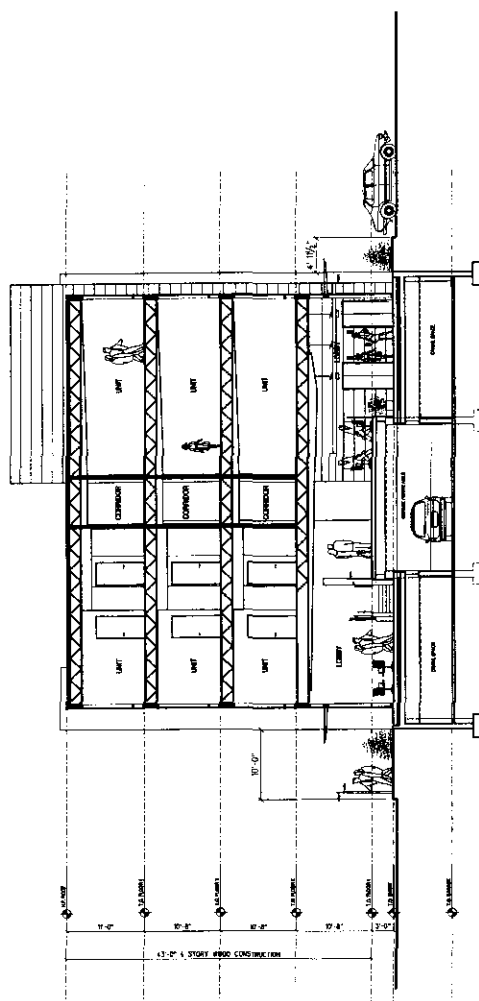
A-5

TYPICAL BUILDING SECTIONS

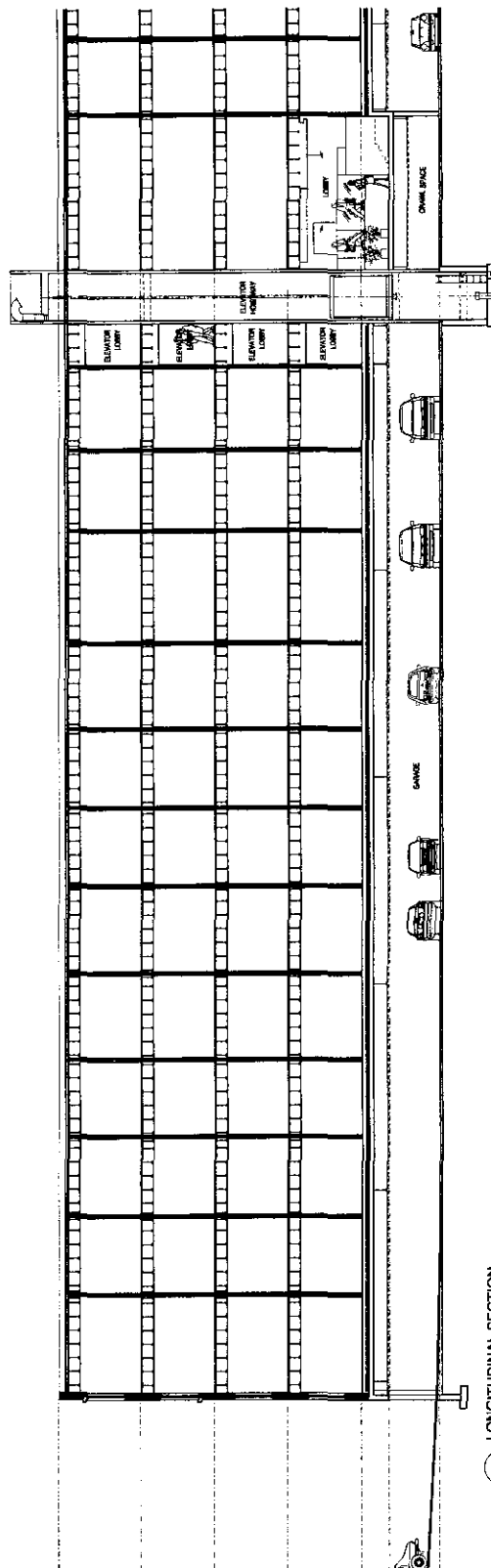
1

100%

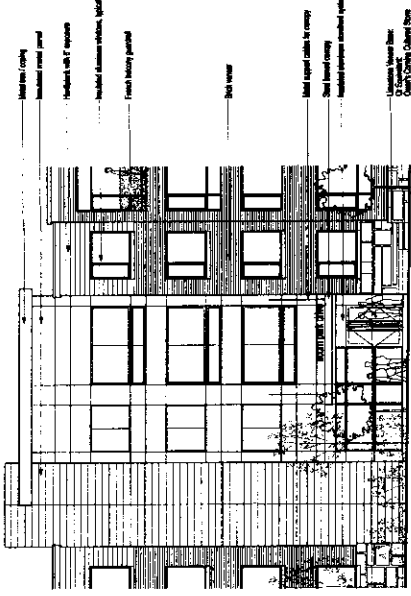
1



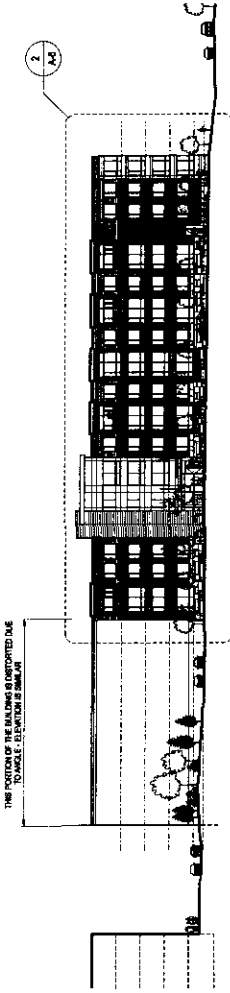
1 TYPICAL CROSS SECTION (AT LOBBY)
SCALE: 1" = 8'



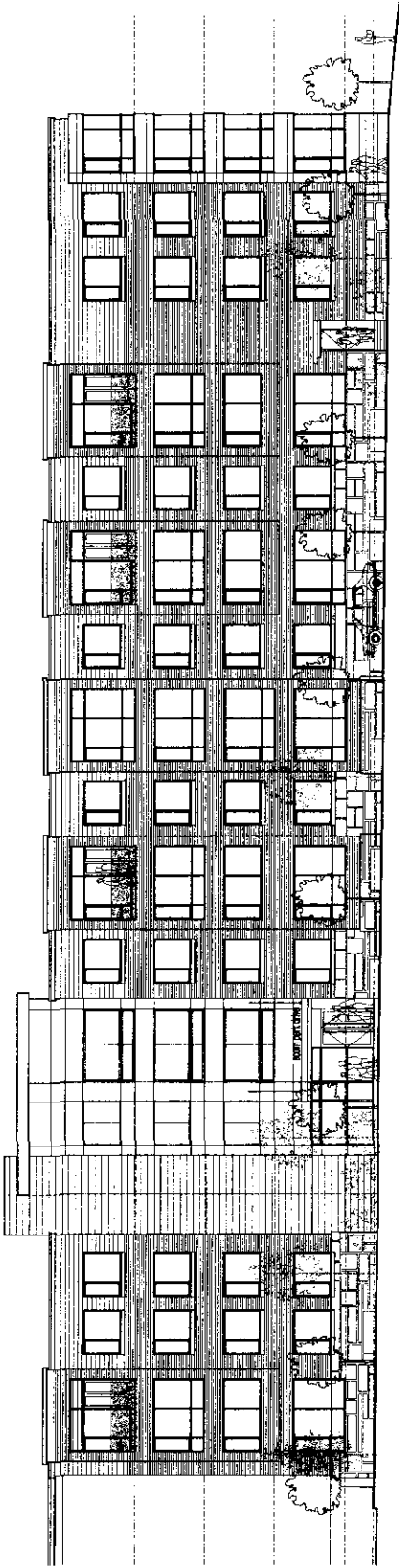
1 LONGITUDINAL SECTION
SCALE: 1" = 8'



3 TYPICAL MATERIALS
 SCALE 1" = 8"



1 TYPICAL ELEVATION



2 TYPICAL ELEVATION (BUILDING E)
 SCALE 1" = 8"

NOTE: east elevation shown, other elevations similar

[illegible][illegible]

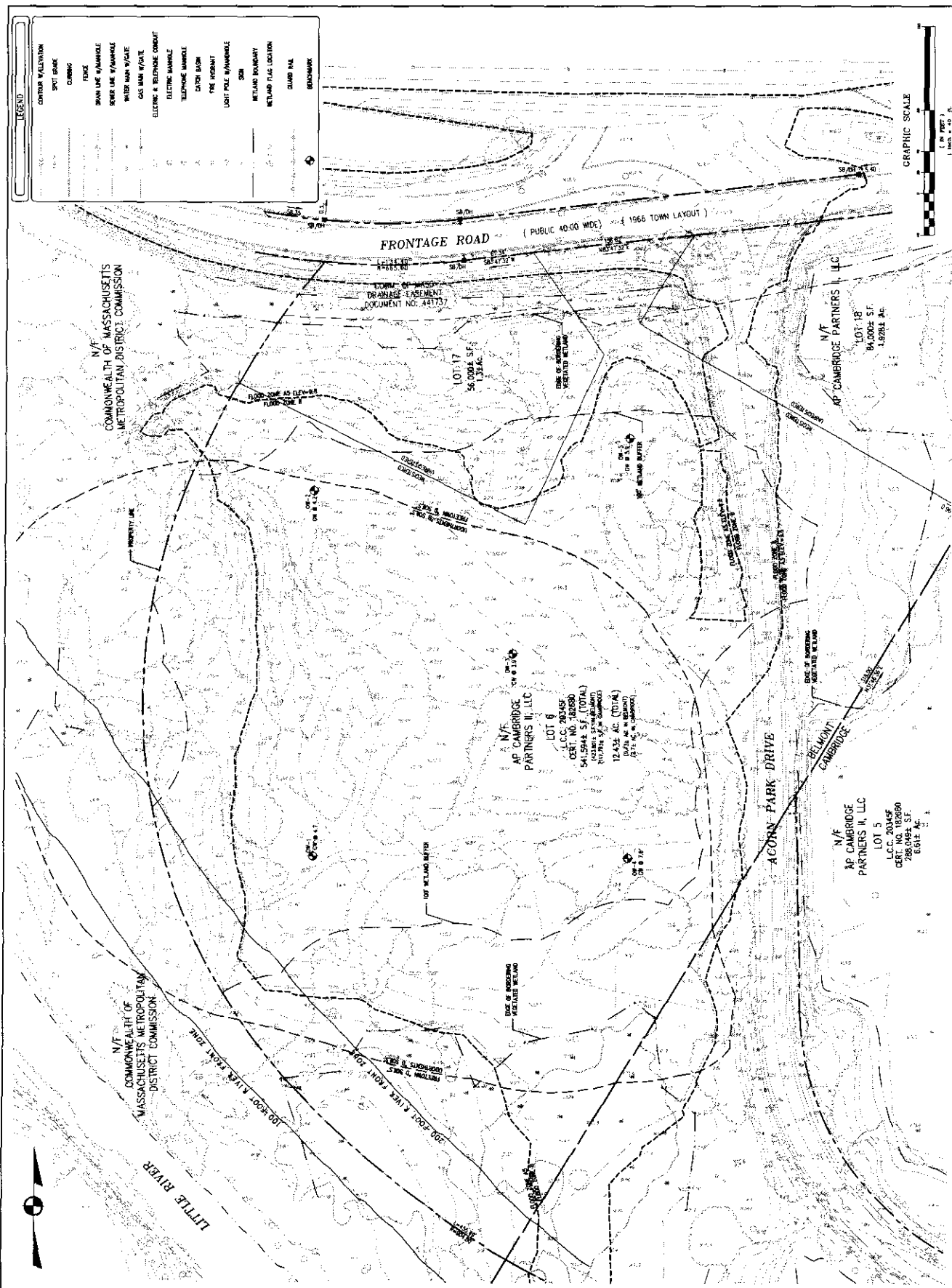
Drawn By: KEF Overlaid By: KEF Checked By: DNA Approved By: _____

One Grant Street
Birmingham, MA 01701-9005
608.903.2000
www.hab.com

**Projectville
Residences
at
Acorn Park
Belmont, MA**

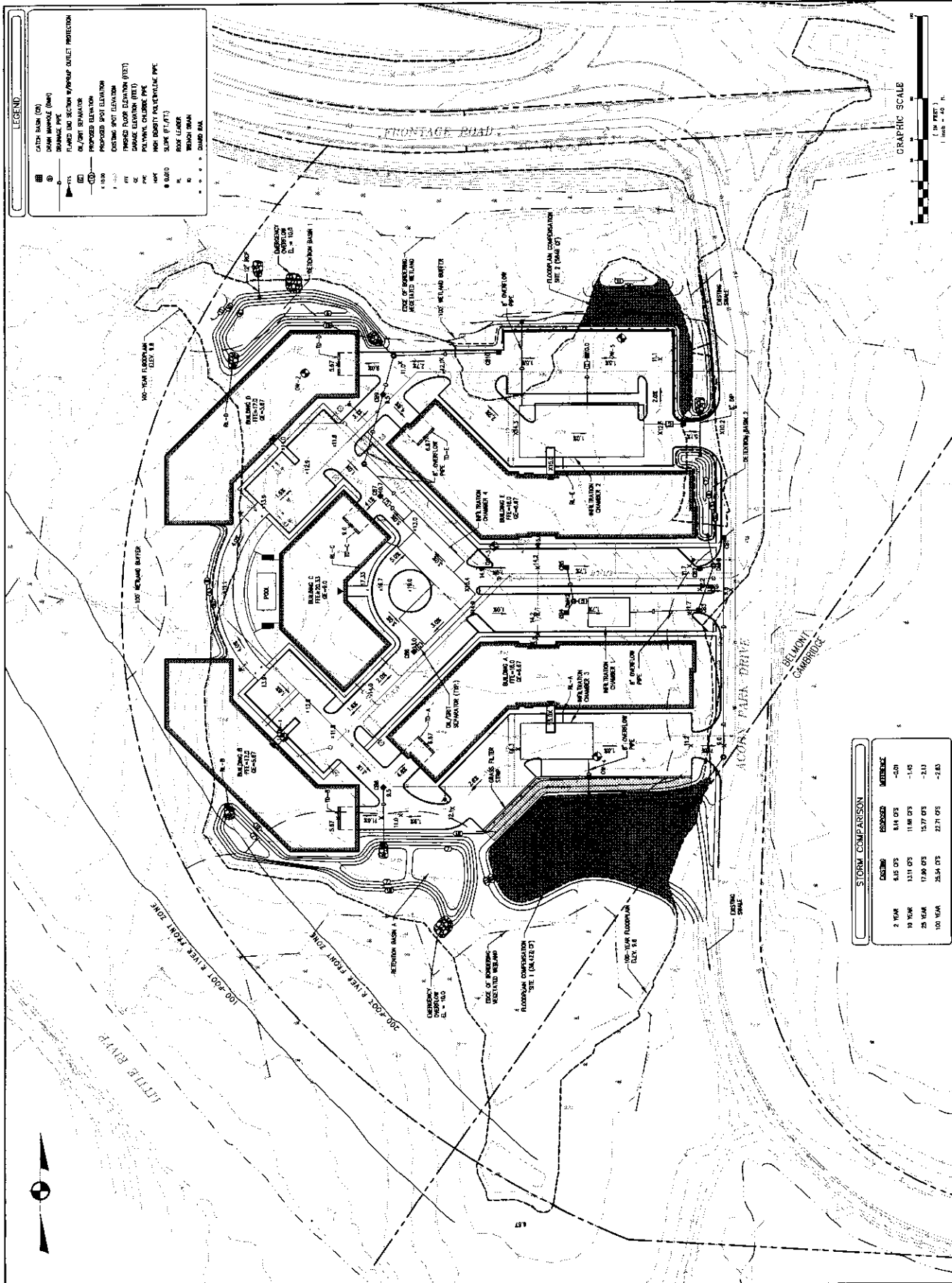
Existing Conditions Plan

Scale: 1"=40'
Job No. 7146
By Name: 7128P-DECO
Date: 12/06/06
Sheet No. C-1





[illegible]



NOT FOR CONSTRUCTION
THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

LEGEND

- SEWER LINE W/ MANHOLE
- WATER MAIN W/ VALVE
- ELECTRIC, TELEPHONE, CABLE & FIBER
- ELECTRIC MANHOLE
- TELEPHONE MANHOLE
- TRANSFORMER
- FIRE HYDRANT
- LIGHT POLES
- 3"-4" ELECTRIC CONDUITS
- 3"-4" TELEPHONE CONDUITS
- FORCE MAIN
- FIRE PROTECTION

SITE UTILITIES NOTES

- LOCATION OF THE UTILITIES SHALL BE SHOWN BY GENERAL CONNECTION WITH THE PROPOSED UTILITY COMPANY PROVIDING SERVICE.
- METRICALLY SIZED UTILITIES SHALL BE PROVIDED AT ALL BODIES, TIES, AND FIRE HYDRANTS.
- ALL WATER AND SANITARY LEADS TO BUILDINGS SHALL END 5' OUTSIDE THE BUILDING WALLS AT POINT OF ENTRY ON PLANS AND SHALL BE PROVIDED WITH A 12" MINIMUM COVER.
- ALL FIRE HYDRANTS SHALL BE PROVIDED WITH AN APPROVED DATE VALVE A MINIMUM OF 5'-0" FROM HYDRANT.
- ALL WASTEWATER PIPES LAYING AND BACKFILLING SHALL BE IN ACCORDANCE WITH FEDERAL OSHA REGULATIONS.
- GENERAL CONTRACTOR SHALL HAVE APPROVAL OF ALL OVERSIGHT ADVISORS HAVING JURISDICTION OVER THESE UTILITY SYSTEMS PRIOR TO INSTALLATION.
- CALL BEFORE YOU DIG 1-800-ONE-CALL (1-800-344-7233).

SEWER STRUCTURE CHART

STRUCTURE	NO.	INVERT ELEVATION	OUTLET ELEVATION	DIAMETER	LENGTH	REMARKS
SS-1	1	11.0	11.0	18"	10'	SS-1
SS-2	2	11.0	11.0	18"	10'	SS-2
SS-3	3	11.0	11.0	18"	10'	SS-3
SS-4	4	11.0	11.0	18"	10'	SS-4
SS-5	5	11.0	11.0	18"	10'	SS-5
SS-6	6	11.0	11.0	18"	10'	SS-6
SS-7	7	11.0	11.0	18"	10'	SS-7
SS-8	8	11.0	11.0	18"	10'	SS-8
SS-9	9	11.0	11.0	18"	10'	SS-9
SS-10	10	11.0	11.0	18"	10'	SS-10
SS-11	11	11.0	11.0	18"	10'	SS-11
SS-12	12	11.0	11.0	18"	10'	SS-12
SS-13	13	11.0	11.0	18"	10'	SS-13
SS-14	14	11.0	11.0	18"	10'	SS-14
SS-15	15	11.0	11.0	18"	10'	SS-15
SS-16	16	11.0	11.0	18"	10'	SS-16
SS-17	17	11.0	11.0	18"	10'	SS-17
SS-18	18	11.0	11.0	18"	10'	SS-18
SS-19	19	11.0	11.0	18"	10'	SS-19
SS-20	20	11.0	11.0	18"	10'	SS-20
SS-21	21	11.0	11.0	18"	10'	SS-21
SS-22	22	11.0	11.0	18"	10'	SS-22
SS-23	23	11.0	11.0	18"	10'	SS-23
SS-24	24	11.0	11.0	18"	10'	SS-24
SS-25	25	11.0	11.0	18"	10'	SS-25
SS-26	26	11.0	11.0	18"	10'	SS-26
SS-27	27	11.0	11.0	18"	10'	SS-27
SS-28	28	11.0	11.0	18"	10'	SS-28
SS-29	29	11.0	11.0	18"	10'	SS-29
SS-30	30	11.0	11.0	18"	10'	SS-30
SS-31	31	11.0	11.0	18"	10'	SS-31
SS-32	32	11.0	11.0	18"	10'	SS-32
SS-33	33	11.0	11.0	18"	10'	SS-33
SS-34	34	11.0	11.0	18"	10'	SS-34
SS-35	35	11.0	11.0	18"	10'	SS-35
SS-36	36	11.0	11.0	18"	10'	SS-36
SS-37	37	11.0	11.0	18"	10'	SS-37
SS-38	38	11.0	11.0	18"	10'	SS-38
SS-39	39	11.0	11.0	18"	10'	SS-39
SS-40	40	11.0	11.0	18"	10'	SS-40
SS-41	41	11.0	11.0	18"	10'	SS-41
SS-42	42	11.0	11.0	18"	10'	SS-42
SS-43	43	11.0	11.0	18"	10'	SS-43
SS-44	44	11.0	11.0	18"	10'	SS-44
SS-45	45	11.0	11.0	18"	10'	SS-45
SS-46	46	11.0	11.0	18"	10'	SS-46
SS-47	47	11.0	11.0	18"	10'	SS-47
SS-48	48	11.0	11.0	18"	10'	SS-48
SS-49	49	11.0	11.0	18"	10'	SS-49
SS-50	50	11.0	11.0	18"	10'	SS-50
SS-51	51	11.0	11.0	18"	10'	SS-51
SS-52	52	11.0	11.0	18"	10'	SS-52
SS-53	53	11.0	11.0	18"	10'	SS-53
SS-54	54	11.0	11.0	18"	10'	SS-54
SS-55	55	11.0	11.0	18"	10'	SS-55
SS-56	56	11.0	11.0	18"	10'	SS-56
SS-57	57	11.0	11.0	18"	10'	SS-57
SS-58	58	11.0	11.0	18"	10'	SS-58
SS-59	59	11.0	11.0	18"	10'	SS-59
SS-60	60	11.0	11.0	18"	10'	SS-60
SS-61	61	11.0	11.0	18"	10'	SS-61
SS-62	62	11.0	11.0	18"	10'	SS-62
SS-63	63	11.0	11.0	18"	10'	SS-63
SS-64	64	11.0	11.0	18"	10'	SS-64
SS-65	65	11.0	11.0	18"	10'	SS-65
SS-66	66	11.0	11.0	18"	10'	SS-66
SS-67	67	11.0	11.0	18"	10'	SS-67
SS-68	68	11.0	11.0	18"	10'	SS-68
SS-69	69	11.0	11.0	18"	10'	SS-69
SS-70	70	11.0	11.0	18"	10'	SS-70
SS-71	71	11.0	11.0	18"	10'	SS-71
SS-72	72	11.0	11.0	18"	10'	SS-72
SS-73	73	11.0	11.0	18"	10'	SS-73
SS-74	74	11.0	11.0	18"	10'	SS-74
SS-75	75	11.0	11.0	18"	10'	SS-75
SS-76	76	11.0	11.0	18"	10'	SS-76
SS-77	77	11.0	11.0	18"	10'	SS-77
SS-78	78	11.0	11.0	18"	10'	SS-78
SS-79	79	11.0	11.0	18"	10'	SS-79
SS-80	80	11.0	11.0	18"	10'	SS-80
SS-81	81	11.0	11.0	18"	10'	SS-81
SS-82	82	11.0	11.0	18"	10'	SS-82
SS-83	83	11.0	11.0	18"	10'	SS-83
SS-84	84	11.0	11.0	18"	10'	SS-84
SS-85	85	11.0	11.0	18"	10'	SS-85
SS-86	86	11.0	11.0	18"	10'	SS-86
SS-87	87	11.0	11.0	18"	10'	SS-87
SS-88	88	11.0	11.0	18"	10'	SS-88
SS-89	89	11.0	11.0	18"	10'	SS-89
SS-90	90	11.0	11.0	18"	10'	SS-90
SS-91	91	11.0	11.0	18"	10'	SS-91
SS-92	92	11.0	11.0	18"	10'	SS-92
SS-93	93	11.0	11.0	18"	10'	SS-93
SS-94	94	11.0	11.0	18"	10'	SS-94
SS-95	95	11.0	11.0	18"	10'	SS-95
SS-96	96	11.0	11.0	18"	10'	SS-96
SS-97	97	11.0	11.0	18"	10'	SS-97
SS-98	98	11.0	11.0	18"	10'	SS-98
SS-99	99	11.0	11.0	18"	10'	SS-99
SS-100	100	11.0	11.0	18"	10'	SS-100

SEWER STRUCTURE CHART

STRUCTURE	NO.	INVERT ELEVATION	OUTLET ELEVATION	DIAMETER	LENGTH	REMARKS
SS-1	1	11.0	11.0	18"	10'	SS-1
SS-2	2	11.0	11.0	18"	10'	SS-2
SS-3	3	11.0	11.0	18"	10'	SS-3
SS-4	4	11.0	11.0	18"	10'	SS-4
SS-5	5	11.0	11.0	18"	10'	SS-5
SS-6	6	11.0	11.0	18"	10'	SS-6
SS-7	7	11.0	11.0	18"	10'	SS-7
SS-8	8	11.0	11.0	18"	10'	SS-8
SS-9	9	11.0	11.0	18"	10'	SS-9
SS-10	10	11.0	11.0	18"	10'	SS-10
SS-11	11	11.0	11.0	18"	10'	SS-11
SS-12	12	11.0	11.0	18"	10'	SS-12
SS-13	13	11.0	11.0	18"	10'	SS-13
SS-14	14	11.0	11.0	18"	10'	SS-14
SS-15	15	11.0	11.0	18"	10'	SS-15
SS-16	16	11.0	11.0	18"	10'	SS-16
SS-17	17	11.0	11.0	18"	10'	SS-17
SS-18	18	11.0	11.0	18"	10'	SS-18
SS-19	19	11.0	11.0	18"	10'	SS-19
SS-20	20	11.0	11.0	18"	10'	SS-20
SS-21	21	11.0	11.0	18"	10'	SS-21
SS-22	22	11.0	11.0	18"	10'	SS-22
SS-23	23	11.0	11.0	18"	10'	SS-23
SS-24	24	11.0	11.0	18"	10'	SS-24
SS-25	25	11.0	11.0	18"	10'	SS-25
SS-26	26	11.0	11.0	18"	10'	SS-26
SS-27	27	11.0	11.0	18"	10'	SS-27
SS-28	28	11.0	11.0	18"	10'	SS-28
SS-29	29	11.0	11.0	18"	10'	SS-29
SS-30	30	11.0	11.0	18"	10'	SS-30
SS-31	31	11.0	11.0	18"	10'	SS-31
SS-32	32	11.0	11.0	18"	10'	SS-32
SS-33	33	11.0	11.0	18"	10'	SS-33
SS-34	34	11.0	11.0	18"	10'	SS-34
SS-35	35	11.0	11.0	18"	10'	SS-35
SS-36	36	11.0	11.0	18"	10'	SS-36
SS-37	37	11.0	11.0	18"	10'	SS-37
SS-38	38	11.0	11.0	18"	10'	SS-38
SS-39	39	11.0	11.0	18"	10'	SS-39
SS-40	40	11.0	11.0	18"	10'	SS-40
SS-41	41	11.0	11.0	18"	10'	SS-41
SS-42	42	11.0	11.0	18"	10'	SS-42
SS-43	43	11.0	11.0	18"	10'	SS-43
SS-44	44	11.0	11.0	18"	10'	SS-44
SS-45	45	11.0	11.0	18"	10'	SS-45
SS-46	46	11.0	11.0	18"	10'	SS-46
SS-47	47	11.0	11.0	18"	10'	SS-47
SS-48	48	11.0	11.0	18"	10'	SS-48
SS-49	49	11.0	11.0	18"	10'	SS-49
SS-50	50	11.0	11.0	18"	10'	SS-50
SS-51	51	11.0	11.0	18"	10'	SS-51
SS-52	52	11.0	11.0	18"	10'	SS-52
SS-53	53	11.0	11.0	18"	10'	SS-53
SS-54	54	11.0	11.0	18"	10'	SS-54
SS-55	55	11.0	11.0	18"	10'	SS-55
SS-56	56	11.0	11.0	18"	10'	SS-56
SS-57	57	11.0	11.0	18"	10'	SS-57
SS-58	58	11.0	11.0	18"	10'	SS-58
SS-59	59	11.0	11.0	18"	10'	SS-59
SS-60	60	11.0	11.0	18"	10'	SS-60
SS-61	61	11.0	11.0	18"	10'	SS-61
SS-62	62	11.0	11.0	18"	10'	SS-62
SS-63	63	11.0	11.0	18"	10'	SS-63
SS-64	64	11.0	11.0	18"	10'	SS-64
SS-65	65	11.0	11.0	18"	10'	SS-65
SS-66	66	11.0	11.0	18"	10'	SS-66
SS-67	67	11.0	11.0	18"	10'	SS-67
SS-68	68	11.0	11.0	18"	10'	SS-68
SS-69	69	11.0	11.0	18"	10'	SS-69
SS-70	70	11.0	11.0	18"	10'	SS-70
SS-71	71	11.0	11.0	18"	10'	SS-71
SS-72	72	11.0	11.0	18"	10'	SS-72
SS-73	73	11.0	11.0	18"	10'	SS-73
SS-74	74	11.0	11.0	18"	10'	SS-74
SS-75	75	11.0	11.0	18"	10'	SS-75
SS-76	76	11.0	11.0	18"	10'	SS-76
SS-77	77	11.0	11.0	18"	10'	SS-77
SS-78	78	11.0	11.0	18"	10'	SS-78
SS-79	79	11.0	11.0	18"	10'	SS-79
SS-80	80	11.0	11.0	18"	10'	SS-80
SS-81	81	11.0	11.0	18"	10'	SS-81
SS-82	82	11.0	11.0	18"	10'	SS-82
SS-83	83	11.0	11.0	18"	10'	SS-83
SS-84	84	11.0	11.0	18"	10'	SS-84
SS-85	85	11.0	11.0	18"	10'	SS-85
SS-86	86	11.0	11.0	18"	10'	SS-86
SS-87	87	11.0	11.0	18"	10'	SS-87
SS-88	88	11.0	11.0	18"	10'	SS-88
SS-89	89	11.0	11.0	18"	10'	SS-89
SS-90	90	11.0	11.0	18"	10'	SS-90
SS-91	91	11.0	11.0	18"	10'	SS-91
SS-92	92	11.0	11.0	18"	10'	SS-92
SS-93	93	11.0	11.0	18"	10'	SS-93
SS-94	94	11.0	11.0	18"	10'	SS-94
SS-95	95	11.0	11.0	18"	10'	SS-95
SS-96	96	11.0	11.0	18"	10'	SS-96
SS-97	97	11.0	11.0	18"	10'	SS-97
SS-98	98	11.0	11.0	18"	10'	SS-98
SS-99	99	11.0	11.0	18"	10'	SS-99
SS-100	100	11.0	11.0	18"	10'	SS-100

NOT FOR CONSTRUCTION
THIS PLAN IS FOR THE
USE OF THE LANDSCAPE ARCHITECT
AND IS NOT TO BE USED AS A CONSTRUCTION
DOCUMENT.

DATE	REVISIONS
10/1/05	1.00
10/1/05	1.01
10/1/05	1.02
10/1/05	1.03
10/1/05	1.04
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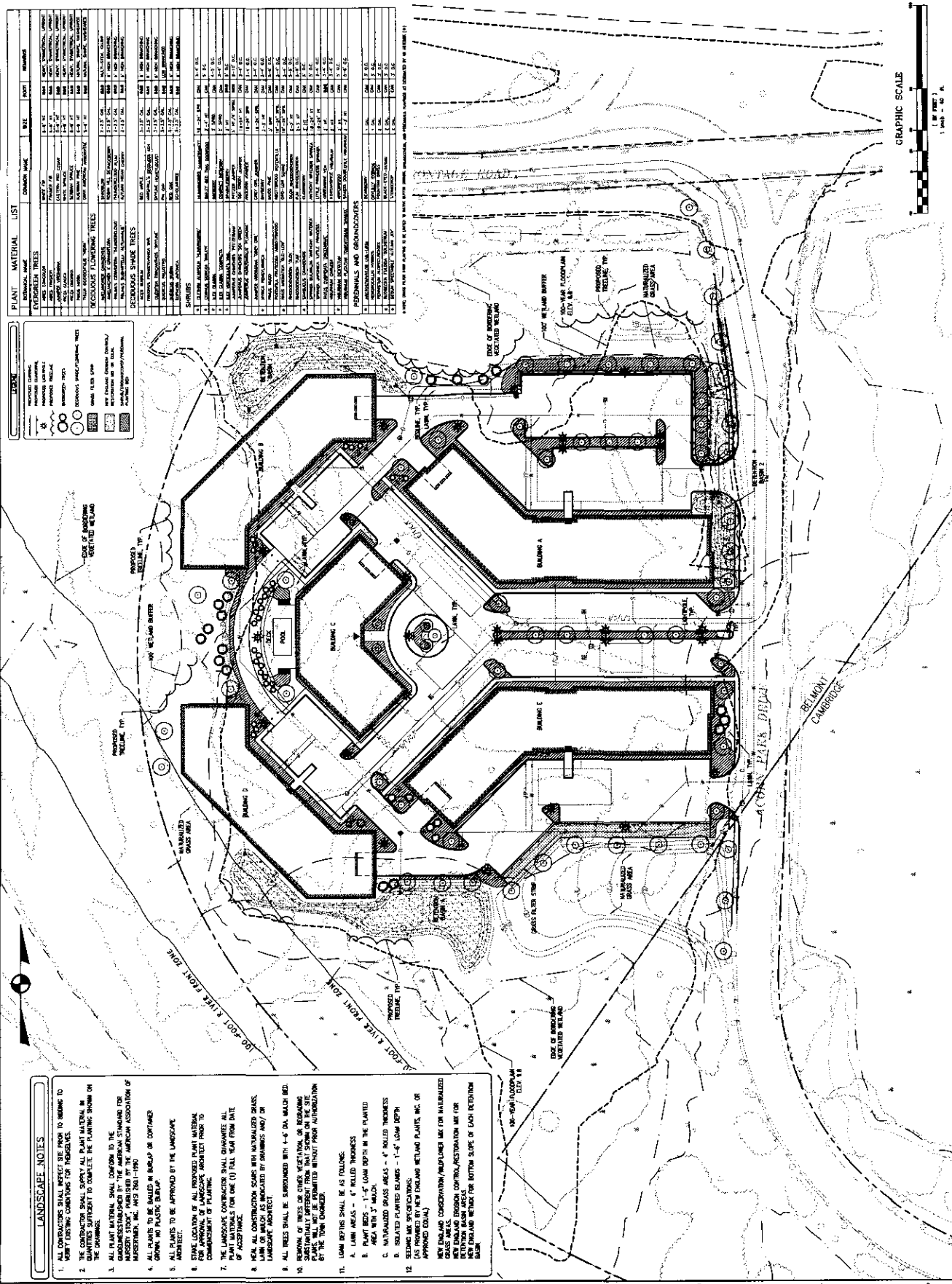
Drawn By: [Signature]
Checked By: [Signature]
Designed By: [Signature]
Reviewed By: [Signature]
Date: 10/1/05

RIZZO ASSOCIATES
ARCHITECTS
One South Street
Baltimore, MD 21202
Tel: 410.526.7100
Fax: 410.526.7101
www.rizzoassoc.com

**Residences at
Acorn Park
Baltimore, MD**

Project: [Signature]
Sheet: [Signature]
Landscape
Plan

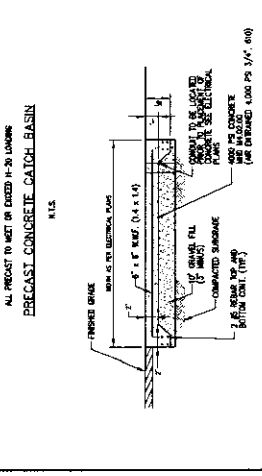
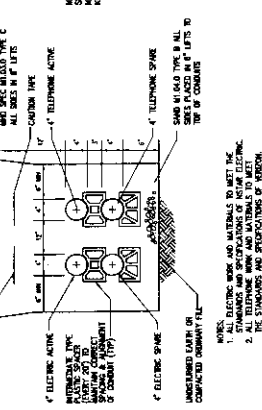
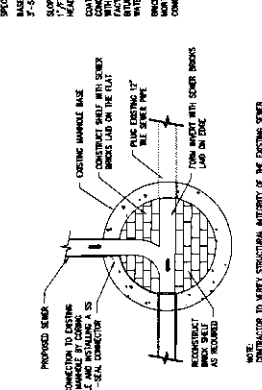
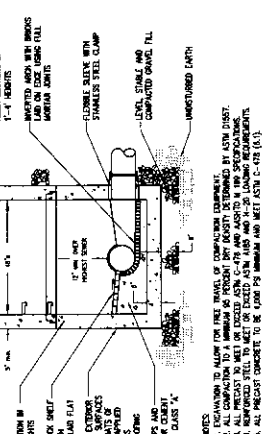
Scale: 1"=40'
Date: 10/1/05
C-6



PLANT MATERIAL LIST	COMMON NAME	SIZE	ROOT	REMARKS
EVERGREEN TREES				
1. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
2. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
3. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
4. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
5. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
6. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
7. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
8. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
9. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
10. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
11. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
12. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
13. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
14. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
15. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
16. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
17. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
18. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
19. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
20. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
21. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
22. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
23. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
24. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
25. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
26. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
27. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
28. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
29. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
30. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
31. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
32. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
33. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
34. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
35. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
36. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
37. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
38. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
39. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
40. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
41. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
42. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
43. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
44. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
45. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
46. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
47. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
48. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
49. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
50. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
51. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
52. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
53. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
54. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
55. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
56. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
57. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
58. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
59. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
60. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
61. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
62. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
63. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
64. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
65. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
66. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
67. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
68. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
69. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
70. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
71. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
72. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
73. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
74. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
75. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
76. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
77. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
78. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
79. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
80. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
81. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
82. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
83. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
84. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
85. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
86. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
87. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
88. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
89. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
90. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
91. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
92. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
93. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
94. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
95. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
96. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
97. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
98. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"
99. TAXUS CANADENSIS	White Pine	4-6" DBH	100-150"	100-150"
100. TAXUS VIRGINICA	White Pine	4-6" DBH	100-150"	100-150"

LANDSCAPE NOTES

1. ALL CONTRACTORS SHALL INSPECT SITE PRIOR TO BEGINNING OF CONSTRUCTION TO VERIFY EXISTING CONDITIONS FOR THIS PLAN.
2. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIAL IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON THIS PLAN.
3. ALL PLANT MATERIAL SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR PLANT MATERIALS, PUBLISHED BY THE AMERICAN ASSOCIATION OF ARBORICULTURISTS, INC. (A.A.A.) 1990 EDITION.
4. ALL PLANTS TO BE PLANTED IN BASKETS OR CONTAINERS SHALL BE PLANTED IN PLASTIC BASKETS.
5. ALL PLANTS TO BE PLANTED IN BASKETS OR CONTAINERS SHALL BE PLANTED IN PLASTIC BASKETS.
6. THE LOCATION OF ALL PLANT MATERIAL SHALL BE AS SHOWN ON THIS PLAN.
7. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF ACCEPTANCE.
8. NEAR ALL CONSTRUCTION SHALL BE MAINTAINED DURING CONSTRUCTION.
9. ALL TREES SHALL BE SURROUNDED WITH 4'-6" DIA. MULCH BED.
10. REGIONAL TREES OR OTHER SPECIES, OR RESEMBLING PLANTS, SHALL NOT BE PLANTED WITHOUT PRIOR APPROVAL BY THE CITY ENGINEER.
11. LAND BEDS SHALL BE AS FOLLOWS:
 - A. LAND BEDS - 4" MULCH THICKNESS
 - B. PLANT BEDS - 1'-6" LAND BED IN THE PLANTED AREA WITH 2" MULCH
 - C. MULCH PLANTED BEDS - 4" MULCH THICKNESS
 - D. MULCH PLANTED BEDS - 1'-6" LAND BED
12. BEDS ARE SPECIFIC TO THIS PROJECT.
13. BEDS ARE SPECIFIC TO THIS PROJECT.
14. BEDS ARE SPECIFIC TO THIS PROJECT.
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CONSERVATION RESTRICTION PLAN



LEGEND

TOTAL CONSERVATION RESERVATION
AREA = 7.85 AC

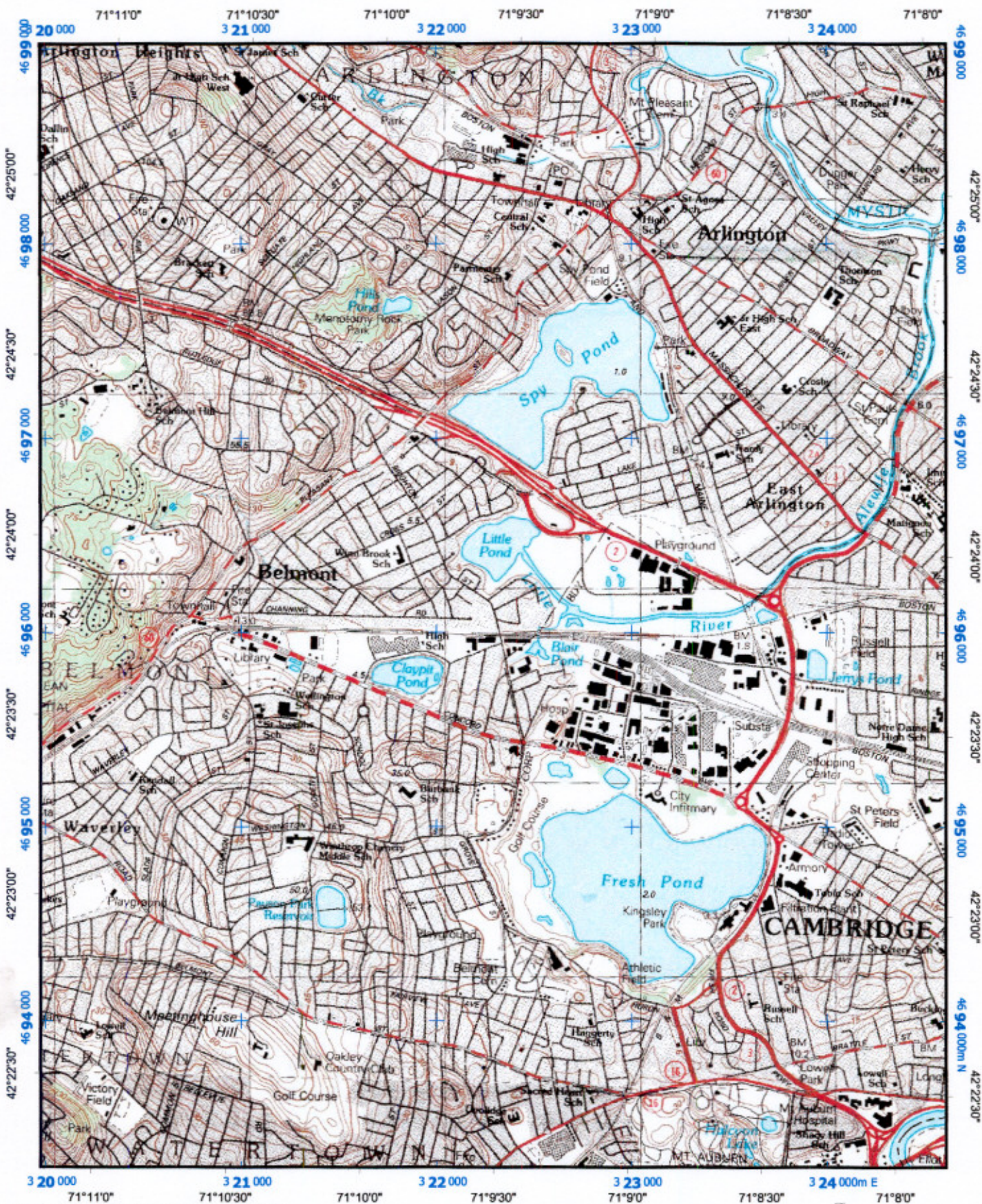
TETRA TECH INC.
1000 W. 10th St.
Suite 100
Bismarck, ND 58102
701.781.1111
www.tetra-tech.com

JOHN M.
President
of
Accom Park
Bismarck, ND
2020
Preliminary Conservation
Habitat Plan

Scale 1" = 100'
0 100 200
Feet

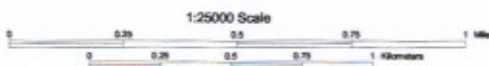
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TOPOGRAPHICAL PLANS



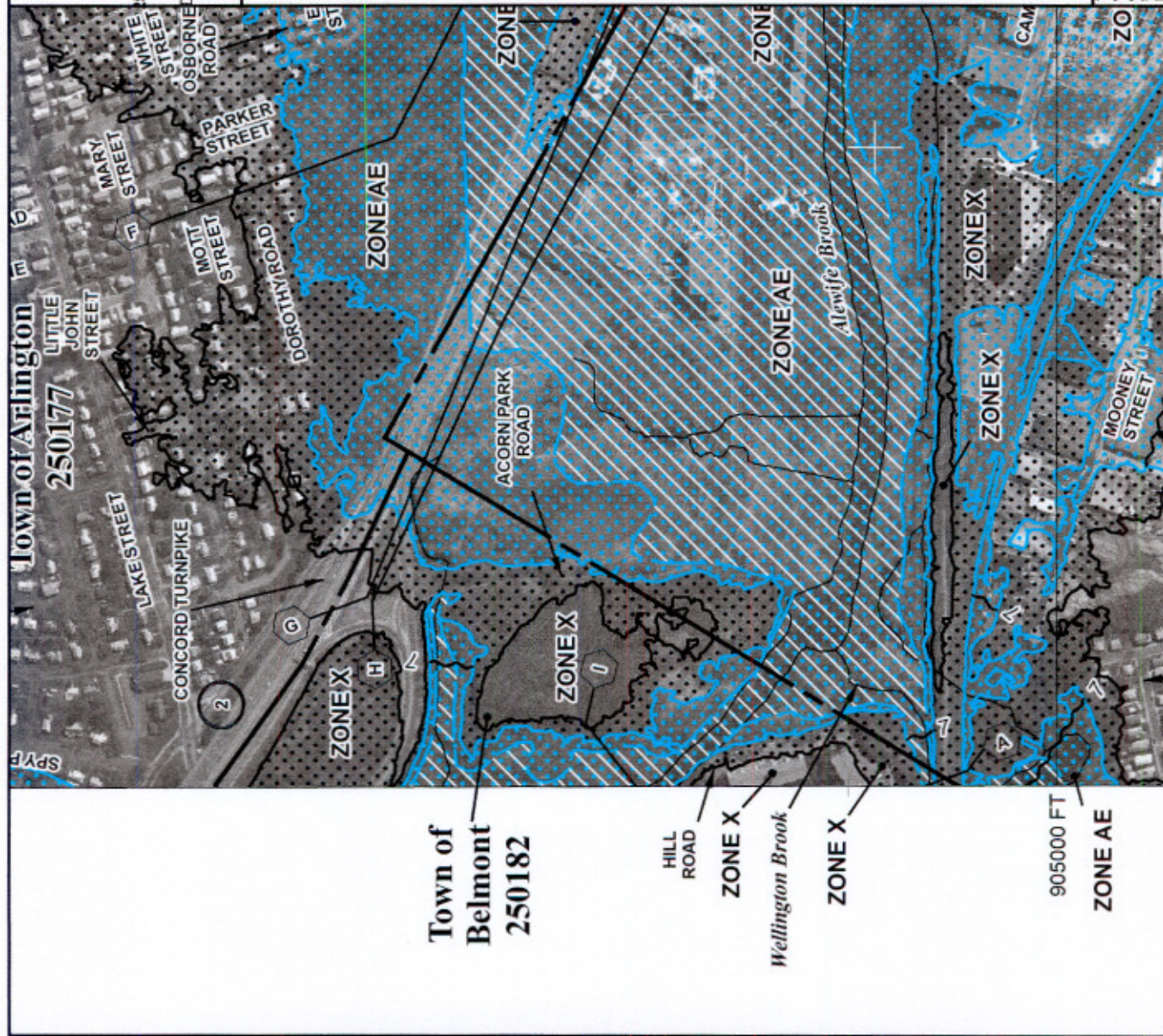
Universal Transverse Mercator (UTM) Projection Zone 19
North American Datum of 1983 (NAD83)

1000 meter UTM / USNG / MGRS
Grid Zone Designation: 19T
100,000-m Squares: CG

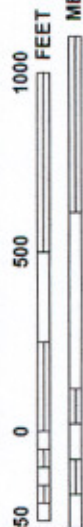


Magnetic declination of 14°W at center of map on
March 30, 2011

FLOOD MAP



MAP SCALE 1" = 500'



NFIP

PANEL 0419E

FIRM
FLOOD INSURANCE RATE MAP
MIDDLESEX COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 419 OF 656
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ARLINGTON, TOWN OF	250177	0419	E
BELMONT, TOWN OF	250182	0419	E
ROSLINDALE, CITY OF	250214	0419	E
SOMERVILLE, CITY OF	250214	0419	E
WATERTOWN, TOWN OF	250223	0419	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
25017C0419E

EFFECTIVE DATE
JUNE 4, 2010

Federal Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

ZONING EXCERPTS

SECTION 3. USE REGULATIONS

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
<u>AGRICULTURE</u>								
Keeping of livestock other than domestic pets	SP	SP	N	N	N	N	Y	N
Other agriculture	Y	Y	Y	Y	Y	Y	Y	Y
<u>BUSINESS</u>								
<i>Note: See §3.5, Major Development, for business uses involving more than 40,000 square feet floor area</i>								
Commercial off-street parking lots	N	N	N	N	N	N	SPS	SP
Motor vehicle repair, sales, and rental	N	N	N	N	SP	N	SP	N
Motor vehicle service station (see §6.7)	N	N	N	N	SP	N	SP	N
Motorized equipment sales, service and rental including equipment powered by internal combustion engine over 10 hp	N	N	N	N	SPS	N	SPS	N
Catering Service:								
> Up to 5,000 square feet	N	N	N	Y	Y	Y	N	N
> More than 5,000 square feet	N	N	N	SP	SP	SP	N	N
<i>Note: §3.3 was amended by Article 10 at the 2003 Special Town Meeting.</i>								
Restaurant:								
> Up to 10,000 square feet	N	N	N	Y	Y	SP	SP	N
> More than 10,000 square feet	N	N	N	SP	SP	SP	SP	N
<i>Note: §3.3 was amended by Article 10 at the 2003 Special Town Meeting.</i>								
Restaurant, Fast Food	N	N	N	SP	SP	SP	SP	N
<i>Note: §3.3 was amended by Article 10 at the 2003 Special Town Meeting.</i>								
Restaurant, Take Out	N	N	N	N	SP	SP	SP	N
<i>Note: §3.3 was amended by Article 10 at the 2003 Special Town Meeting.</i>								
Place of assembly, amusement, or athletic exercise	N	N	N	SP	SP	N	SPS	N

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
Other retail sales and services	N	N	N	SPS	SPS	SPS	SPS	N
Office	N	N	N	SPS	SPS	SPS	SPS	N
Manufacturing or fabrication of products of which the major portion is to be sold at retail on the premises and not more than 8 operatives are employed in the manufacturing or fabrication process	N	N	N	SPS	SPS	SPS	SPS	N
Other manufacturing and warehousing	N	N	N	N	N	N	SPS	N
Wireless Telecommunications Facility (see §6.8) <i>Note: §3.3 was amended by Article 27 at the 1998 Annual Town Meeting.</i>	SP	SP	SP	SP	SP	SP	SP	SP
<u>PUBLIC AND SEMI-PUBLIC</u>								
Religious or educational use exempted from prohibition by Section 3 of Chapter 40A, G.L.	Y	Y	Y	Y	Y	Y	Y	Y
Private school conducted for profit, including nursery, dancing and music schools	SP	SP	N	Y	Y	SP	Y	N
Day care center <i>Note: §3.3 was amended by Article 28 at the 2006 Annual Town Meeting.</i>	Y	Y	Y	Y	Y	Y	Y	N
Family day care home <i>Note: §3.3 was amended by Article 28 at the 2006 Annual Town Meeting.</i>	SP	SP	SP	SP	SP	SP	SP	N
Child Care, Large Family <i>Note: §3.3 was amended by Article 6 at the 1999 Second Special Town Meeting.</i>	SP	SP	SP	SP	SP	SP	SP	N
Hospital or sanitarium	SP	SP	N	N	N	N	N	N
Philanthropic use	SP	SP	N	Y	Y	Y	Y	N
Private club or lodge owned by members and customarily conducted as a nonprofit activity:								
➤ operated for members only	SP	SP	N	Y	Y	SP	Y	N
➤ other	N	N	N	Y	Y	SP	Y	N

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
Municipal recreational use	Y	Y	Y	Y	Y	Y	Y	N
Municipal cemetery	SP	SP	N	N	N	N	Y	N
Other municipal use	SP	SP	SP	Y	Y	Y	Y	Y
School-aged child care home <i>Note: §3.3 was amended by Article 39 at the 1994 Annual Town Meeting.</i>	SP	SP	SP	SP	SP	SP	SP	N
<u>RESIDENTIAL</u>								
Detached single-family dwelling	Y	Y	N	SP	SP	SP	N	N
Two-family dwelling	N	Y	Y	SP	SP	SP	N	N
Conversion of large public buildings or public or private school buildings: > With 10,000 square feet of gross floor area or less (see §6.3B) > With more than 10,000 square feet of gross floor area (see §6.3A) <i>Note: §3.3 was amended by Article 5 at the 2005 Special Town Meeting.</i>	SP SP	SP SP	SP SP	Y SP	SP SP	SP SP	SP SP	N N
Elderly housing (see §6.4)	SP	SP	SP	N	N	N	N	N
Cluster development (see §6.5)	SP	N	N	N	N	N	N	N
Other apartment house	N	N	SP	N	N	N	N	N
<u>ACCESSORY USES</u>								
Home occupation (see §3.4.2)	Y	Y	Y	Y	Y	Y	Y	N
Lodging and Boarding > for daily or weekly periods > for longer periods only	SP Y	SP Y	SP N	Y Y	Y Y	Y Y	Y Y	N N
Mixed-Use – provided that at a minimum the first floor is to be reserved for commercial use and that the residential use comply with §6.10, Inclusionary Housing <i>Note: §3.3 was amended by Article 26 at the 2003 Annual Town Meeting.</i> <i>Note: §3.3 was further amended by Article 17 at the 2007 Annual Town Meeting.</i>	N	N	N	SP	SP	SP	N	N

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
<p>A noncommercial greenhouse; a tool shed used for the storage of tools, yard and household equipment or other similar accessory buildings (see §4.3.5)</p> <p><i>Note: §3.3 was amended by Article 28 of the 2006 Annual Town Meeting.</i></p>	Y	Y	Y	N	N	N	Y	N
<p>Commercial provision for the care and recreation of dogs in completely fenced-in area for not more than one hour per day. The Board of Appeals shall consider the size and relationship of the lot to adjacent residential lots, and shall determine whether that size and relationship is adequate to accommodate the use without imposing undue noise, visual, and traffic impacts on the adjacent residential lots; it shall, after (and if) making a determination of the adequacy, impose such conditions on hours of use, number of animals accommodated at a given time, fencing, screening or other measures to contain the activity and minimize its impacts</p> <p><i>Note: §3.3 was amended by Article 29 at the 1995 Annual Town Meeting.</i></p>	SP	N	N	N	N	N	N	N
Swimming pools and tennis courts and other similar recreational facilities (see §6.1)	Y	Y	SP	SP	SP	SP	N	N
Windmills	SP	SP	N	SP	SP	SP	SP	N
A garage for more than 3 vehicles or containing more than 660 square feet floor area	SP	SP	SP	Y	Y	Y	Y	Y
<p>Open lot storage or parking of a boat, boat trailer, house trailer, camping trailer, motor home, commercial trailer, or commercial vehicle</p> <p><i>Note: §3.3 was amended by Article 27 at the 2001 Annual Town Meeting.</i></p>	SP	SP	N	Y	Y	Y	Y	N

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
Open lot parking for not more than 3 vehicles accessory to a single-family dwelling, and not more than 2 vehicles per dwelling unit or 5 vehicles per structure for other dwellings	Y	Y	Y	Y	Y	Y	Y	Y
Open lot parking in excess of the above accessory to residential use	SP	SP	Y	Y	Y	Y	Y	Y
Shared Institutional Parking:								
> By Town departments	Y	Y	Y	Y	Y	Y	Y	N
> Residential overnight parking	Y	Y	Y	Y	Y	Y	Y	N
> Pick-up/drop-off of less than 30 minutes	Y	Y	Y	Y	Y	Y	Y	N
> Public or private event parking of less than 24 hours	Y	Y	Y	Y	Y	Y	Y	N
> Day time use (6 am – 6 pm) by employees and/or customers using less than 30 spaces or 50% of the spaces in the lot, whichever is greater	Y	Y	Y	Y	Y	Y	Y	N
> Day time use of more than 30 spaces or more than 50% of spaces in the lot, whichever is greater	SP	SP	SP	Y	Y	Y	Y	N
> Evening use (6 pm – 6 am) by customers and/or employees	SP	SP	SP	Y	Y	Y	Y	N
> Use by commercial vehicles	SP	SP	SP	Y	Y	Y	Y	N
<i>Note: §3.3 was amended by Article 30 at the 2009 Annual Town Meeting.</i>								
Satellite antenna with a receiving dish with a visually coherent surface of 8.5 square feet or less or a diameter of one meter (39.37") or less (see §4.3.5)	Y	Y	Y	Y	Y	Y	Y	Y
<i>Note: §3.3 was amended by Article 26 at the 1996 Annual Town Meeting.</i>								
<i>Note: §3.3 was further amended by Article 18 at the 1999 Annual Town Meeting.</i>								
Satellite antenna with a receiving dish with a visually coherent surface of 34 square feet or less or a diameter of two meters or less (see §4.3.5)	SP	SP	SP	Y	Y	Y	Y	SP
<i>Note: §3.3 was amended by Article 25 at the 1996 Annual Town Meeting.</i>								
<i>Note: §3.3 was further amended by Article 18 at the 1999 Annual Town Meeting.</i>								

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR- A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
Satellite antenna with a receiving dish with a visually coherent surface of more than 34 square feet or a diameter of more than two meters (see §4.3.5) <i>Note: §3.3 was amended by Article 25 at the 1996 Annual Town Meeting.</i> <i>Note: §3.3 was further amended by Article 18 at the 1999 Annual Town Meeting.</i>	SP	SP	SP	SP	SP	SP	SP	SP
Other uses customarily incidental to the principal uses herein	SP	SP	SP	Y	Y	Y	Y	Y
Interior Wireless Telecommunications Facility (see §6.8 and §7.3) <i>Note: §3.3 was amended by Article 28 at the 1998 Annual Town Meeting.</i>	Y	Y	Y	Y	Y	Y	Y	Y
Other Wireless Telecommunications Facility (see §6.8) <i>Note: §3.3 was amended by Article 28 at the 1998 Annual Town Meeting.</i>	SP	SP	SP	SP	SP	SP	SP	SP

SECTION 4. INTENSITY REGULATIONS

4.1 General Requirements

The erection, extension, alteration, or moving of a structure, and the creation or change in size or shape of a lot shall be permitted only in compliance with the intensity and dimensional requirements set forth herein, except as provided at Section 1.5, Non-Conforming Uses and Structures, and in Section 6, Chapter 40A, Massachusetts General Law, and except for lot line changes which create neither additional lots nor increase in nonconformity.

4.2 Schedule of Dimensional Regulations

4.2.1 Area Requirements

	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE	MAXIMUM FLOOR AREA RATIO	MAXIMUM LOT COVERAGE	MINIMUM OPEN SPACE
DISTRICTS	SQ. FT.	FEET		% OF LOT	% OF LOT
SR-A	25,000	125	--	20%	50%
SR-B	12,000	90	--	25%	50%
SR-C	9,000	75	--	25%	50%
SR-D	25,000	125	--	20%	50%
GR	7,000 ²	70	--	30%	40%
AH	85,000 ²	100	--	30%	40%
LB I	--	20	1.25 ¹	--	--
LB II	--	20	1.05	35%	--
LB III	--	20	1.05	35%	--
GB	--	20	--	--	--
PL	--	--	--	--	--

- 1) In an LBI District, a floor area ratio up to a maximum of 1.5 may be allowed by Special Permit from the Board of Appeals (see §4.4).
- 2) But not less than 1,000 square feet per dwelling unit for multi-family dwellings in a GR District, 1,200 square feet per dwelling unit in an AH District.

4.2 Schedule of Dimensional Regulations

4.2.2 Linear Requirements

DISTRICTS	MINIMUM SETBACK DIMENSIONS FEET ⁸			MAXIMUM BUILDING HEIGHT ¹	
	Front	Side	Rear	Feet	Stories
SR-A and SR-D ➤ Dwelling ➤ Other	30 ² 30 ²	15 15 ⁶	40 ^{3,4} 25 ⁶	36 ⁵ 36 ⁵	2½ ⁵ 2½ ⁵
SR-B and SR-C ➤ Dwelling ➤ Other	25 ² 25 ²	10 10 ⁶	30 ^{3,4} 25 ⁶	36 ⁵ 36 ⁵	2½ ⁵ 2½ ⁵
GR ➤ Dwelling ➤ Other	20 ² 20 ²	10 ⁷ 10 ⁷	20 ³ 12 ⁶	33 33 ⁵	2½ 2½ ⁵
AH	30	30	30	60	--
LB I	5	6 or none ⁹	6 or none ⁹	28	2 ^{10,11}
LB II	10	0 ⁹	20 ⁹	32	2 ¹⁰
LB III	10	0 ^{9,12}	20 ⁹	28	2 ¹⁰
GB	5	6 or none ⁹	6 or none ⁹	36	--
PL	--	--	--	--	--

Note: §4.2.2 was amended by Article 24 at the 2003 Annual Town Meeting.
§4.2.2 was further amended by Article 10 at the 2004 Special Town Meeting.
§4.2.2 was further amended by Article 18 at the 2005 Annual Town Meeting.

4.2.2 Schedule Footnotes:

- 1) Chimneys, towers and other projections not used for human occupation may exceed the height limitations herein provided that, except for single vertical freestanding tubular antennae; any such projection above the building exceeding 10 feet or 20% of the building height, whichever is greater, shall be allowed by Special Permit only.
- 2) No building need be set back more than 30% of the depth of the lot in a Single Residence A or D District, 25% of the lot depth in a Single Residence B or C District,

COMPARABLE SALES LOCATION MAP

Comparable Sales Location Map

REGIONAL AND NEIGHBORHOOD LOCATION MAPS

Regional Location Map



Neighborhood Location Map



ENGAGEMENT LETTER



Feb. 23, 2011

Mr. Jonathan Avery
Avery Associates
282 Central St
Acton, MA

RE: PROFESSIONAL REAL ESTATE SERVICES - APPRAISAL

Dear Mr. Avery

Your proposal to perform professional real estate services on the property below has been approved by the Department of Conservation and Recreation.

P-000610

P-000611

File # P-610(Belmont) – File # P-611(Cambridge) - \$7,850 - due on or before April 13, 2011

Please certify the appraisal to the Department of Conservation and Recreation and the Town of Belmont.

Please include file numbers on all reports. Please address all reports to me.

Sincerely,

Brenda Griffiths
Realty and Finance Coordinator

COMMONWEALTH OF MASSACHUSETTS • EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston MA 02114-2119
617-626-1250 617-626-1351 Fax
www.mass.gov/dcr



Deval L. Patrick
Governor

Timothy P. Murray
Lt. Governor

Richard K. Sullivan Jr., Secretary
Executive Office of Energy & Environmental Affairs

Edward M. Lambert Jr., Commissioner
Department of Conservation & Recreation

**LEXICON, DEFINITIONS
AND
ASSUMPTIONS**

APPRAISAL LEXICON

MARKET VALUE

"The most probable price, which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is consummation of a sale as of a specified date and passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are motivated;
2. Both parties are well informed or well advised and each acting in what he considers his own best interest;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars, or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing, or sales concessions granted by anyone associated with the sale." (1)

FEE SIMPLE ESTATE

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat. (2)

HIGHEST AND BEST USE

The reasonably probable and legal use of vacant land or an improved property, that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility and maximum productivity. Alternatively, the probable use of land or improved property – specific with respect to the user and timing of the use – that is adequately supported and results in the highest present value. (3)

LEASED FEE INTEREST

A freehold (ownership interest) where the possessory interest has been granted to another party by creation of a contractual landlord-tenant relationship (i.e., a lease). (4)

MARKETING TIME

An opinion of the amount of time it might take to sell a real or personal property interest at the concluded market value level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. (5)

(1) FIRREA 12 CFR Part 323.2.

(2) The Dictionary of Real Estate Appraisal, Appraisal Institute, 2010, Fifth Edition - Page 78.

(3) Ibid. - 93.

(4) Ibid. - 111.

(5) Ibid. - 121.

MARKET RENT

The most probable rent that a property should bring in a competitive and open market reflecting all conditions and restrictions of the lease agreement, including permitted uses, use restrictions, expense obligations, term, concessions, renewal and purchase options, and tenant improvements (TIs). (6)

EXPOSURE TIME

1. The time a property remains on the market.
2. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market. (7)

PROSPECTIVE OPINION OF VALUE

A value opinion effective as of a specified future date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific future date. An opinion of value as of a prospective date is frequently sought in connection with projects that are proposed, under construction, or under conversion to a new use, or those that have not yet achieved sellout or a stabilized level of long-term occupancy. (8)

RETROSPECTIVE OPINION OF VALUE

A value opinion effective as of a specified historical date. The term does not define a type of value. Instead, it identifies a value opinion as being effective at some specific prior date. Value as of a historical date is frequently sought in connection with property tax appeals, damage models, lease renegotiation, deficiency judgments, estate tax, and condemnation. Inclusion of the type of value with this term is appropriate, e.g., “retrospective market value opinion.” (9)

(6) Ibid. - 121.

(7) Ibid. – 73.

(8) Ibid. – 153.

(9) Ibid. – 171.

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal report has been made with the following general assumptions:

1. This is a Self-Contained Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2b of the Uniform Standards of Professional Appraisal Practice. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraisers are not responsible for the unauthorized use of this report.
2. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
3. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
4. Responsible ownership and competent property management are assumed.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.

10. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
11. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

This appraisal report has been made with the following general limiting conditions:

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocation of land and building must not be used in conjunction with any other appraisal and are invalid if used.
2. Possession of this report, or a copy thereof, does not carry with it the right of publication.
3. The appraiser, by reason of this appraisal, is not required to give further consultation, testimony, or be attendance in court with reference to the property in question unless arrangements have been previously made.
4. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
5. Any value estimates provided in the report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in the report.
6. The forecasts, projections, or operating estimates contained herein are based upon current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes in future conditions.

QUALIFICATIONS

<p style="text-align: center;">QUALIFICATIONS OF CHRISTOPHER H. BOWLER REAL ESTATE APPRAISER</p>

EDUCATION

- BA Economics, Union College, Schenectady, New York 1987
- Appraisal Institute
 - Course SPP Standards of Professional Practice
 - Course 1A-1 Basic Appraisal Principles, Methods and Techniques
 - Course 1A-2 Basic Valuation Theory and Techniques
 - Course 8-1 Residential Valuation
 - Course 1B-A Capitalization Theory & Techniques Part A
 - Course 1B-B Capitalization Theory & Techniques Part B
 - Course 550 Advanced Applications
 - Course 410 Standards of Professional Practice Part A
 - Course 420 Standards of Professional Practice Part B
 - Course 540 Report Writing & Valuation Analysis
- Argus Software
 - Valuation DCF 2 Day Training; 11/09

PROFESSIONAL AND TRADE AFFILIATIONS

- Appraisal Institute
 - 1992 - Senior Residential Appraiser - SRA Designation
 - 2000 - Member of Appraisal Institute - MAI Designation #11564
 - 2002-4 Director, Massachusetts Chapter
 - 2005 Secretary, Massachusetts Chapter
 - 2006 Treasurer, Massachusetts Chapter
 - 2007 Vice President, Massachusetts Chapter
 - 2008 President, Massachusetts Chapter
- Massachusetts Certified General Real Estate Appraiser License #495

BUSINESS EXPERIENCE

Presently an associate member of the firm of Avery Associates, Acton, Massachusetts. Avery Associates handles a wide variety of real estate appraisal and consulting assignments. Mr. Bowler has prepared appraisals on the following types of real property: office buildings, industrial buildings, research and development facilities, hotels/motels, golf courses, restaurants, laboratory-life sciences buildings, medical office buildings, auto dealerships, truck terminals, warehouses, bank branches, shopping centers, apartment complexes, commercial and industrial condominium units and buildings, lumber yards, service stations, industrial mill buildings, and cranberry bogs.

Mr. Bowler's experience also includes the appraisal of one to four family dwellings, condominium units, proposed residential subdivisions and condominium projects. Also, Mr. Bowler has prepared market studies and feasibility analyses for proposed developments of both residential and commercial projects. Prior to joining Avery Associates in 1992, Mr. Bowler was employed in the following manner:

1987-1992 Real Estate Appraiser
 Edward W. Bowler Associates
 Waltham, Massachusetts

1987 Research Associate, New York State Department of Transportation
 Albany, New York

BUSINESS ADDRESS

Avery Associates
282 Central Street
Post Office Box 834
Acton, MA 01720-0834
Tel: 978-263-5002
Fax: 978-635-9435
chris@averyandassociates.com

<p style="text-align: center;">QUALIFICATIONS OF JONATHAN H. AVERY REAL ESTATE APPRAISER AND CONSULTANT</p>

EDUCATION

- BBA University of Massachusetts, Amherst, Massachusetts
- Graduate of Realtors Institute of Massachusetts - GRI
- American Institute of Real Estate Appraisers
 - Course 1-A Basic Appraisal Principles, Methods and Techniques
 - Course 1A-B Capitalization Theory and Techniques
 - Course 2 Basic Appraisal of Urban Properties
 - Course 6 Real Estate Investment Analysis
 - Course 410/420 Standards of Professional Practice

PROFESSIONAL AND TRADE AFFILIATIONS

- The Counselors of Real Estate
 - 1985 - CRE Designation #999
 - 1993 - Chairman, New England Chapter
 - 1995 - National Vice President
 - 1999 - National President
- Appraisal Institute
 - 1982 - Member Appraisal Institute - MAI Designation #6162
 - 1975 - Residential Member - RM Designation #872
 - 1977 - Senior Residential Appraiser - SRA Designation
 - 1981 - Senior Real Property Appraiser - SRPA Designation
 - 1986-1987 - President, Eastern Massachusetts Chapter
 - 1992 - President, Greater Boston Chapter
 - 1995 - Chair, Appraisal Standards Council
 - 1996-1998 - Vice Chair, Appraisal Standards Council
- Massachusetts Board of Real Estate Appraisers
 - 1972 - MRA Designation
 - 1981 - President of the Board
- Royal Institution of Chartered Surveyors
 - 2005 - FRICS Designation
- Affiliate Member, Greater Boston Real Estate Board
- Licensed Real Estate Broker - Massachusetts 1969
- Massachusetts Certified General Real Estate Appraiser #26
- New Hampshire Certified General Real Estate Appraiser #NHGC-241

BUSINESS EXPERIENCE

Mr. Avery is Principal of the firm of Avery Associates located in Acton, Massachusetts. Avery Associates is involved in a variety of real estate appraisal and consulting activities including: market value estimates, marketability studies, feasibility studies, and general advice and guidance on real estate matters to public, private and corporate clients. Mr. Avery has served as arbitrator and counselor in a variety of proceedings and negotiations involving real estate. During 1993, he served as an appraisal consultant for the Eastern European Real Property Foundation in Poland. He has been actively engaged in the real estate business since 1967 and established Avery Associates in 1979. Prior to his present affiliation, Mr. Avery served in the following capacities:

1978-1979	Managing Partner, Avery and Tetreault, Real Estate Appraisers and Consultants
1975 -1978	Chief Appraiser, Home Federal Savings and Loan Association Worcester, Massachusetts
1972-1975	Staff Appraiser, Northeast Federal Saving and Loan Association Watertown, Massachusetts
1971-1972	Real Estate Broker, A. H. Tetreault, Inc. Lincoln, Massachusetts

TEACHING EXPERIENCE

- Instructor, Bentley College, Continuing Education Division, 1976-1982;
Appraisal Methods and Techniques
Computer Applications for Real Estate Appraisal
- Approved Instructor Appraisal Institute - since 1982
- Chapter Education Chairman 1986-1987
- Seminar Instructor; Massachusetts Board of Real Estate Appraisers since 1981
- Certified Appraisal Standards Instructor-Appraiser Qualifications Board

PROFESSIONAL EXPERIENCE

Qualified expert witness; Middlesex County District Court and Superior Court, Essex County Superior Court, Norfolk County Superior Court, Plymouth Superior Court, Worcester County Probate Court, Federal Tax Court, Federal Bankruptcy Court, Appellate Tax Board of Massachusetts and Land Court of Massachusetts. Member, Panel of Arbitrators - American Arbitration Association, National Association of Securities Dealers Regulation.

Property Assignments Include:

Land (Single Lots and Subdivisions)
One to Four Family Dwellings
Apartments
Residential Condominiums
Office Buildings
Restaurants
Industrial Buildings
Racquet Club
Petroleum Fuel Storage Facility
Lumber Yard
School Buildings

Historic Renovations
Movie Theater
Conservation Easements
Hotels and Motels
Shopping Centers
Golf Courses
Churches
Gasoline Service Stations
Farms
Office Condominiums
Automobile Dealerships

BUSINESS ADDRESS

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282 Central Street
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Acton, MA 01720-0834
Tel: 978-263-5002
Fax: 978-635-9435
jon@averyandassociates.com

<p style="text-align: center;">EVERY ASSOCIATES REPRESENTATIVE LIST OF CLIENTS</p>

FINANCIAL INSTITUTIONS

Avidia Bank
Beverly National Bank
Brookline Savings Bank
Cambridge Savings Bank
Century Bank & Trust
Citizens Financial Group
Danversbank
Enterprise Bank & Trust
First Pioneer Farm Credit
Middlesex Federal Savings
Marlborough Savings Bank
Middlesex Savings Bank
North Middlesex Savings Bank
Norwood Cooperative Bank
Rollstone Bank & Trust
Salem Five Cent Savings Bank
Southern New Hampshire B&T
TD BankNorth Group
Webster Bank

PUBLIC SECTOR/NONPROFIT

Acton Housing Authority
American Arbitration Association
Emerson Hospital
Federal Deposit Insurance Corp.
Mass Audubon
Internal Revenue Service
Massachusetts Development
Mass. Div. of Conservation/Recreation
MassHousing
Stow Planning Board
Sudbury Valley Trustees
The Nature Conservancy
The Trust for Public Land
Town of Acton
Town of Cohasset
Town of Lexington
Town of Concord
Trustees of Reservations
U. S. Department of Interior
Massachusetts Dept. of Agricultural Resources
U.S. Forest Service
Walden Woods Project
Water Supply District of Acton

CORPORATIONS

Avalon Bay Communities
Boston Golf Club, Inc.
Boston Medflight
Bovenzi, Inc.
Concord Lumber Corporation
Dow Chemical Company
Exxon Mobil Company
Fidelity Real Estate
John M. Corcoran & Co.
MassDevelopment
Monsanto Chemical
PriceWaterhouseCoopers
Robert M. Hicks, Inc.
Ryan Development
Sun Life Assurance Company
The Mathworks, Inc.
Toyota Financial Services
U.S. Postal Service

LAW FIRMS & FIDUCIARIES

Anderson & Kreiger LLP
Brown Rudnick
Choate, Hall & Stewart
DLA Piper, LLP
Edwards, Angel, Palmer & Dodge
Foley Hoag, LLP
Goodwin Proctor
Hemenway & Barnes
Holland & Knight
Kirkpatrick Lockhart Nicholson Graham
Kopelman & Paige, P.C.
Lee & Levine, LLP
Loring, Wolcott & Coolidge
Lynch, Brewer, Hoffman & Fink, LLP
Nutter, McClennen & Fish, LLP
Office of Stephen Small
Peabody & Arnold, LLP
Prince, Lobel, Glovsky & Tye
Rackemann, Sawyer & Brewster
Riemer & Braunstein, LLP
Ropes & Gray
Stern, Shapiro, Weissberg & Garin
WilmerHale