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Town of Belmont  
PLANNING BOARD  
EXTENSION FOR  
A SPECIAL PERMIT WITH DESIGN AND SITE PLAN REVIEW AND WAIVERS  
PURSUANT TO SECTION 8  
(Cushing Square Overlay District)  
OF THE TOWN OF BELMONT ZONING BY-LAW

November 17, 2015

The Applicant, Smith Legacy Partners, LLC, submitted a request on November 10, 2015, for a six (6) month extension of the Special Permit and Site Plan Review and Waivers granted pursuant to Section 8 of the Town of Belmont Zoning By-Law for the construction of mixed use development commonly known as Cushing Village. At the public hearing, the Applicant subsequently modified its request to a request for a one (1) year extension. The Special Permit for this development was previously granted on July 27, 2013, after a duly noticed public hearing and previously extended by action of the Belmont Planning Board on August 18, 2015.

On November 17, 2015, at a duly noticed public meeting and after reviewing the Applicant's request, the Board granted an extension for a one (1) year period beginning November 19, 2015, except that said extension is specifically subject to the Applicant achieving each of the specific benchmarks in the development of Cushing Village as follows:

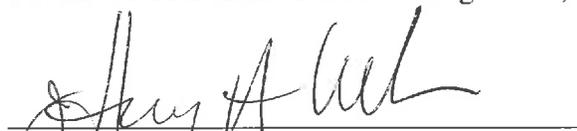
- A. The Applicant shall complete the acquisition of the municipal parking lot by the recording of the deed for the Town of Belmont on or before December 11, 2015.
- B. The Applicant shall have commenced demolition of the existing structures currently upon the property subject to the Special Permit on or before January 15, 2016.
- C. The Applicant shall obtain a foundation permit from the Office of Community Development and commence excavation of the area for the foundation of at least one (1) of the three (3) buildings at Cushing Village on or before February 1, 2016.
- D. The Applicant shall commence the pouring of a foundation for at least one (1) of the three (3) buildings at Cushing Village on or before April 15, 2016 and shall provide written confirmation of same to the Planning Board.

- E. The Applicant shall submit to the Planning Board Definitive Site and Building Plans as referred to in Section 12(C)(i) of the Special Permit for at least one (1) of the buildings on or before February 1, 2016.

The Applicant shall provide a written certification to the Planning Board upon achieving each of the specified benchmarks which certification shall be conclusively deemed accurate and accepted by the Planning Board absent written objection by the Planning Board to the Applicant within 30 days of such certification.

The failure of the Applicant to achieve any of the benchmarks referred to in Sections A-E above by the time set forth herein, shall authorize the Planning Board, on its own Motion and after written notice to the Applicant and an opportunity of the Applicant to appear before the Planning Board, by majority vote to notify the Office of Community Development that the Special Permit has lapsed.

Submitted on Behalf of the Planning Board,



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Jeffrey A. Wheeler, AICP  
Senior Planner

Dated: November 17, 2015