



James G. Ward
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September 11, 2017
100390-11

BY FIRST CLASS MAIL

Nicholas Iannuzzi, Chairman
Town of Belmont
Zoning Board of Appeals
19 Moore Street
Belmont, MA 02478

Re: AP Cambridge Partners II, LLC
The Residences at Acorn Park

Dear Chairman Iannuzzi:

As you may recall, we appeared at the May 15, 2017 Zoning Board of Appeals (the "Board") meeting to report to the Board on the status of completion regarding various permit conditions. At the meeting three items were still either being completed or on-going. Please allow this letter to update the Board on these items.

1. **Control Panel:** In compliance with Condition 7, at the May meeting we presented the executed and recorded easement allowing the installation of the control panel for the sewer overflow monitor. However, the installation work had not then been completed. The control panel was installed in June 2017 and is now fully operational.

2. **Shuttle Bus:** At the May meeting we reported on the shuttle bus ridership at the time. However, since the occupancy of the project was so low, it was agreed that we would report back in September with updated information. Enclosed as Exhibit A is a spreadsheet showing the ridership from May through the beginning of August. You will note that the route from the Project to Alewife Station (drop off and pick up) are the most common stops. The 6:35 AM, 7:30 AM and 8:20 AM are the most widely used service times. However, we note the drop off in ridership in August, likely due to vacations. Currently there is no ridership for the 5:50 AM service time.

3. **Traffic Mitigation:** With the exception of minor punch list items under the control of MassDOT, as noted in the attached letter (Exhibit B) from Vanasse & Associates all required traffic mitigation work required by the Comprehensive Permit has been completed. Accordingly, we would request that the Forty-Four Thousand Dollars (\$44,000.00) held in the Escrow Account be released upon confirmation by the Town that the work has been satisfactorily completed. Attached as Exhibit C is a proposed direction to the Escrow Agent as required in the Escrow Agreement.

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Finally, AP Cambridge will also request the release of a portion of the escrowed funds deposited to secure the remaining onsite landscaping as determined by the Town upon inspection. The attached (Exhibit C) proposed direction to the Escrow Agent addresses this issue.

Please feel free to contact me to discuss the above. We understand that this matter will be placed on the Board's agenda for its October 2, 2017 meeting, at which time we will appear to address any questions that the Board may have.

Very truly yours,

James G. Ward

JGW:jtjg
Enclosures

cc: Glenn Clancy, P.E. (*via e-mail and first class mail w/encls.*)
Ara Yogurtian (*via e-mail w/encls.*)
AP Cambridge Partners, II (*via e-mail w/encls.*)

MAY

	Royal Belmont	Alewife	Belmont Ctr	Total
	5:50 AM	6:00 AM	6:10 AM	
ON	0	0	0	0
OFF	0	0	0	
	6:35 AM	6:40 AM	7:50 AM	
ON	14	0	0	14
OFF	0	12	2	
	7:30 AM	7:35 AM	7:50 AM	
ON	23	0	0	23
OFF	0	22	1	
	8:20 AM	8:25 AM	8:40 AM	
ON	5	0	0	5
OFF	0	5	0	
	8:55 AM	9:00 AM	9:15 AM	
ON	1	0	0	1
OFF	0	1	0	

OCT

	Belmont Ctr	Royal Belmont	Alewife	Royal Belmont	Total
	4:16 PM	4:26 PM	4:30 PM	4:40 PM	
ON	0	0	2	0	2
OFF	0	0	0	2	
	5:27 PM	5:37 PM	5:41 PM	5:51 PM	
ON	0	1	0	0	1
OFF	0	0	1	0	
	6:15 PM	6:25 PM	6:29 PM	6:39 PM	
ON	0	0	0	0	0
OFF	0	0	0	0	

NOV

DEC

	Royal Belmont	Alewife	Belmont Ctr	Total
	5:50 AM	6:00 AM	6:10 AM	
ON	0	0	0	0
OFF	0	0	0	
	6:35 AM	6:40 AM	7:50 AM	
ON	3	0	0	3
OFF	0	3	0	
	7:30 AM	7:35 AM	7:50 AM	
ON	2	0	0	2
OFF	0	2	0	
	8:20 AM	8:25 AM	8:40 AM	
ON	2	0	0	2
OFF	0	2	0	
	8:55 AM	9:00 AM	9:15 AM	
ON	0	0	0	0
OFF	0	0	0	

JAN

	Belmont Ctr	Royal Belmont	Alewife	Royal Belmont	Total
	4:16 PM	4:26 PM	4:30 PM	4:40 PM	
ON	0	0	0	0	0
OFF	0	0	0	0	
	5:27 PM	5:37 PM	5:41 PM	5:51 PM	
ON	1	0	0	0	1
OFF	0	1	0	0	
	6:15 PM	6:25 PM	6:29 PM	6:39 PM	
ON	0	0	2	0	2
OFF	0	0	0	2	

FEB

	Royal Belmont	Alewife	Belmont Ctr	Total
	5:50 AM	6:00 AM	6:10 AM	
ON	0	0	0	0
OFF	0	0	0	
	6:35 AM	6:40 AM	7:50 AM	
ON	3	0	0	3
OFF	0	3	0	
	7:30 AM	7:35 AM	7:50 AM	
ON	54	0	0	54
OFF	0	54	0	
	8:20 AM	8:25 AM	8:40 AM	
ON	20	0	0	20
OFF	0	20	0	
	8:55 AM	9:00 AM	9:15 AM	
ON	9	0	0	9
OFF	0	9	0	

MAR

	Belmont Ctr	Royal Belmont	Alewife	Royal Belmont	Total
	4:16 PM	4:26 PM	4:30 PM	4:40 PM	
ON	0	0	6	0	6
OFF	0	0	0	6	
	5:27 PM	5:37 PM	5:41 PM	5:51 PM	
ON	0	0	22	0	22
OFF	0	0	0	22	
	6:15 PM	6:25 PM	6:29 PM	6:39 PM	
ON	0	0	8	0	8
OFF	0	0	0	8	

APR

	Royal Belmont	Alewife	Belmont Ctr	Total
	5:50 AM	6:00 AM	6:10 AM	
ON	0	0	0	0
OFF	0	0	0	
	6:35 AM	6:40 AM	7:50 AM	
ON	9	0	0	9
OFF	0	9	0	
	7:30 AM	7:35 AM	7:50 AM	
ON	9	0	0	9
OFF	0	9	0	
	8:20 AM	8:25 AM	8:40 AM	
ON	4	0	0	4
OFF	0	4	0	
	8:55 AM	9:00 AM	9:15 AM	
ON	14	0	0	14
OFF	0	14	0	

MAY

	Belmont Ctr	Royal Belmont	Alewife	Royal Belmont	Total
	4:16 PM	4:26 PM	4:30 PM	4:40 PM	
ON	0	1	5	0	6
OFF	0	0	1	5	
	5:27 PM	5:37 PM	5:41 PM	5:51 PM	
ON	0	0	7	0	7
OFF	0	0	0	7	
	6:15 PM	6:25 PM	6:29 PM	6:39 PM	
ON	0	6	3	0	9
OFF	0	0	6	3	

JUN

	Belmont Ctr	Royal Belmont	Alewife	Royal Belmont	Total
	4:16 PM	4:26 PM	4:30 PM	4:40 PM	
ON	0	0	0	0	0
OFF	0	0	0	0	
	5:27 PM	5:37 PM	5:41 PM	5:51 PM	
ON	0	0	0	0	0
OFF	0	0	0	0	
	6:15 PM	6:25 PM	6:29 PM	6:39 PM	
ON	0	0	0	0	0
OFF	0	0	0	0	

JUL



Vanasse & Associates, Inc.

35 New England Business Center Drive
Suite 140
Andover, MA 01810-1068
Office 978-474-8800
Fax 978-888-3508

Ref: 6063

September 6, 2017

Mr. Kevin Kyle
AP Cambridge Partners II, LLC
c/o O'Neill Properties
2701 Renaissance Boulevard, Fourth Floor
King of Prussia, Pennsylvania 19406

Re: The Residences at Acorn Park
Off-Site Transportation Improvements
Belmont, Massachusetts

Dear Kevin:

The following is a construction status summary relating to the traffic mitigation identified in the Town of Belmont Zoning Board of Appeals decision for Comprehensive Permit, dated February 16, 2007; specifically conditions 20a through 20g, and condition 23. This summary is provided as an update to my letter dated December 20, 2016.

Condition #20

- a- Cross Street at Brighton Street –COMPLETE The signalization, signing and striping work has been performed. The Town is completing the reconstruction of Cross Street under a separate contract and will finalize improvements to this leg of the intersection under their contract.
- b- Cross Street at Lake Street – COMPLETE The Town is completing the reconstruction of Cross Street under a separate contract and will finalize improvements to this leg of the intersection under their contract.
- c- Acorn Park Dr at Frontage Rd; and Frontage Rd at Lake St (to Acorn Park Drive) – COMPLETE The signalization, signing and striping work has been performed.

Note: The Frontage Road at Lake St (to Acorn Park Drive) location is not identified as part of the Comprehensive Permit but was added to the project as part of the MassDOT review process.

The MassDOT permit for these two locations will remain open until minor punch list items are re-inspected by MassDOT.

- d- Concord Ave at Blanchard Rd – NOT REQUIRED No improvements were required at this location. The City of Cambridge recently reconstructed this intersection and required that the existing signal timing be maintained.
- e- Concord Ave at Alewife Brook Pkwy – COMPLETE The safety study was completed; however, the proposed signing and re-striping work has not yet been performed.
- f- 1) Mass Ave at Lake St - NOT REQUIRED No improvements were required at this location. The entire intersection was recently reconstructed by MassDOT.

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2) Mass Ave at Alewife Brook Pkwy – COMPLETE The signal re-timing work has been performed. The proposed signing and striping work at this location has been completed, by others.

g- There are no other intersection mitigation measures that need to be addressed.

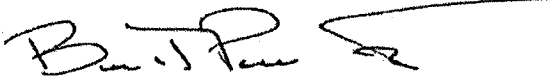
Condition #23

Mitigation measures to be addressed by the Cambridge Discovery Park have been completed.

Should you have any questions regarding the above status summary, please feel free to contact me.

Sincerely,

VANASSE & ASSOCIATES, INC.



Brian T. Pendleton, P.E.
Senior Highway Engineer

cc: File

Vai

DIRECTION TO ESCROW AGENT

Reference is made to a certain First Amendment to Operation, Maintenance and Escrow Agreement dated March 25, 2017 ("First Amendment") among the Engineering Division of the Office of Communities and Development and the Water Division of the Department of Public Works ("Town"), AP Cambridge Partners II, LLC ("AP Cambridge") and Anderson & Kreiger, LLP ("Escrow Agent") wherein AP Cambridge deposited funds with the Escrow Agent to secure, for the Town, the satisfactory completion of certain work described in the First Amendment.

RECITALS

WHEREAS: Numbered paragraph 3 of the First Amendment provided that AP Cambridge deposit Forty-Four Thousand Dollars (\$44,000.00) and Seventy-Five Thousand Seven Hundred Fifty Dollars (\$79,750.00) with Escrow Agent to secure the completion of the Offsite Traffic Improvements and Onsite Landscaping, respectively;

WHEREAS: AP Cambridge has submitted documentation to the Town that the Offsite Traffic Improvements have been completed;

WHEREAS: AP Cambridge believes that a significant percentage of the onsite landscaping has been completed; and

WHEREAS: Numbered paragraph 7 of the First Amendment requires a joint written direction from the Town and AP Cambridge to the Escrow Agent that the work is complete so the funds may be released.

AGREEMENTS

NOW, THEREFORE, the Town and AP Cambridge agree as follows:

1. The Offsite Traffic Improvements have been completed to the satisfaction of the Town and the Escrow Agent is authorized to release Forty-Four Thousand Dollars (\$44,000.00) to AP Cambridge.
2. That approximately 53% of the Onsite Landscaping has been completed to the satisfaction of the Town and the Escrow Agent is authorized to release Forty-Two Thousand Dollars (\$42,000.00) to AP Cambridge.
3. All other provisions of the Escrow Agreement and the First Amendment remain in full force and effect.
4. The Direction to Escrow Agent shall take effect on later date executed by the Town.

ENGINEERING DIVISION OF THE OFFICE OF
COMMUNITY DEVELOPMENT

By: _____
Signature

Printed Name

Title

Date: _____

WATER DIVISION OF THE DEPARTMENT OF PUBLIC
WORKS

By: _____
Signature

Printed Name

Title

Date: _____

AP CAMBRIDGE PARTNERS II, LLC

By: _____
Signature

Printed Name

Title

Date: _____

ENGINEERING DIVISION OF THE OFFICE OF
COMMUNITY DEVELOPMENT

By: _____
Signature

Printed Name

Title

Date: _____