#### CONNORS & CONNORS LLP

#### ATTORNEYS AT LAW

689 Main Street

Waltham, Massachusetts 02451-0609 Tel: 781-894-6000 • Fax: 781-894-6848

MICHAEL R. CONNORS, ESQ.

email: mconnors@connorslaws.com

Also Admitted in NEW HAMPSHIRE

> October 13, 2022 Hand Delivered

Board of Survey and Planning City of Waltham 165 Lexington Street Waltham, Massachusetts 02451



Re:

Application for Approval Not Required Plan

21 Newton Street

"Approval Not Required Plan", dated August 4, 2022

Dear Board Members:

This letter constitutes a letter of submittal as to the above and as such please be advised as follows:

Petitioner:

2Life Development Inc.

30 Wallingford Road Brighton, MA 02135

Legal Owner of Locus:

2Life Leland LLC 30 Wallingford Road Brighton, MA 02135

Location of Locus:

21 Newton Street

Assessor's Records: Assessor's Map R061 013 0003

Board of Survey and Planning Approval Not Required Plan 21 Newton Street October 13, 2022 Page 2 of 2

Please note that the purpose of this subdivision by way of an Approval Not Required (ANR) Plan is to eliminate two interior lot lines pursuant to Condition No. 66 of a Comprehensive Permit (40B Permit) granted by the Zoning Board of Appeals in Case No. 2021-43 (recorded at the Middlesex South District Registry of Deeds in Book 79962, Page 545).

Accordingly, enclosed herewith please find the following:

- 1. The original full-size Mylar of the plan entitled "Approval Not Required Plan", by Precision Land Surveying, Inc., dated August 4, 2022;
- 2. Two (2) full-size and ten (10) half-size copies of said plan, one of which is stamped as received by the City Clerk;
- 3. The original "Application for Approval Not Required Plan" (Form A and Form A Attachment), which is stamped as received by the City Clerk;
- 4. The original "Application for Determination of Planning Board Jurisdiction" (Form A-1), which is stamped as received by the City Clerk;
- 5. A copy of the notice to the City Clerk, which is stamped as received by the City Clerk;
- 6. Copy of Deeds, Registry Plans, and other recorded documents as indicated on said Plan; and
- 7. Filing fee in the amount of \$150.00 for one lot.

It is our understanding that this matter will be heard at the Board's November 2, 2022 meeting.

If anything else is needed please let me know.

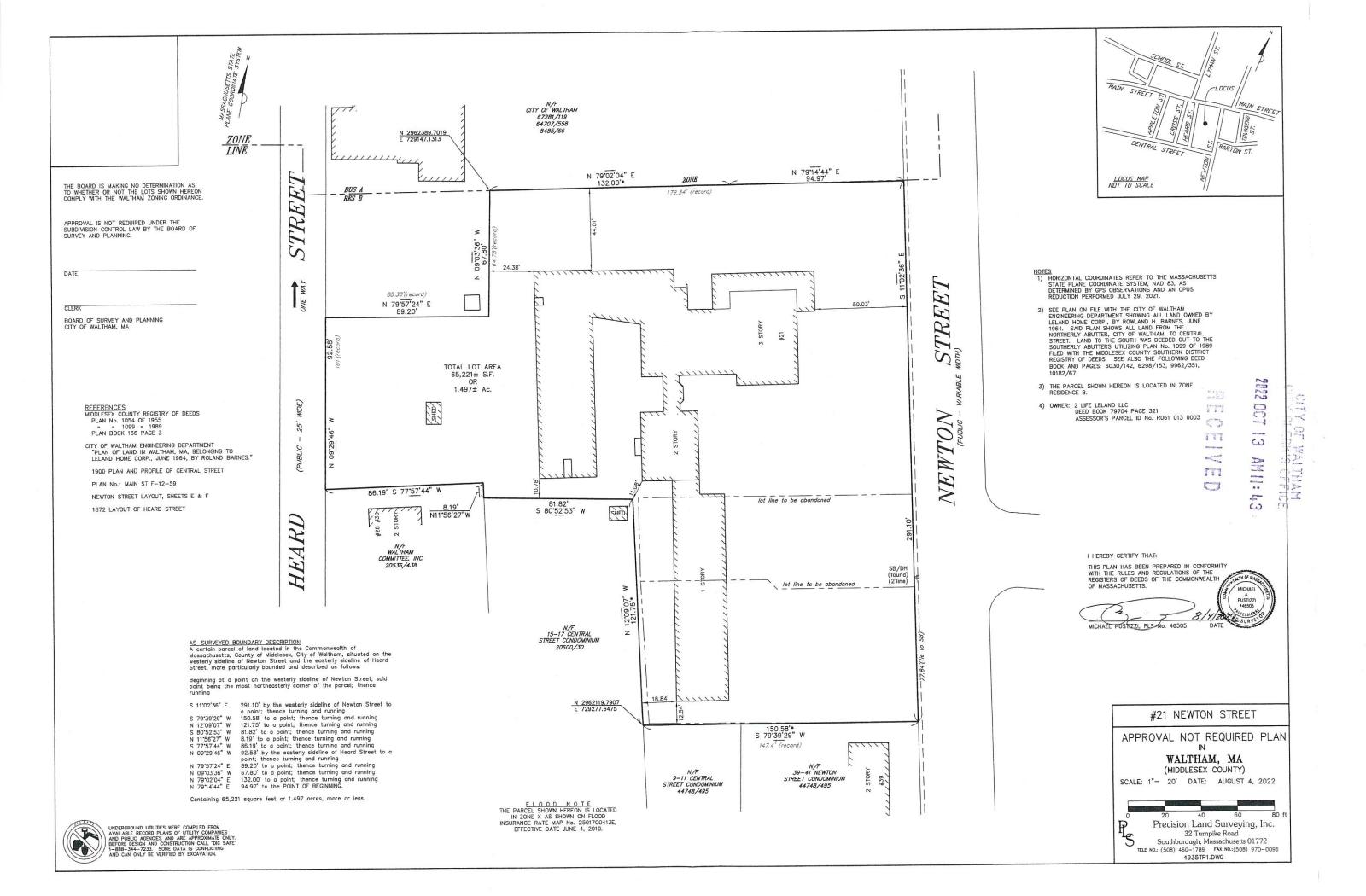
2Life Development, Inc. By their Attorneys

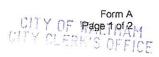
Connors & Connors LLP

Michael R. Connors

2Life Communities File No. 21-1008

CC:





# (Form A) 2022 OCT 13 AM 11: 43 Application For Approval Not Required Plan (All data must be printed except where signatures are required)

<u>APPLICANT</u>					
Applicant's Name: 2Life Development Inc.	(				
Applicant's Address: 30 Wallingford Road, Brighton, Massachusetts 02135					
Ithzel Polanco-Cabadas, Project Manager: 617-912-8490 Applicant's Phone Number: Email:	ipolanco@2lifecommunities.org				
OWNER (If Applicant & Owner are not the same)					
Owner's Name: 2Life Leland LLC					
Owner's Address: 30 Wallingford Road, Brighton, Massachusetts 02135					
Ithzel Polanco-Cabadas, Project Manager: 617-912-8490 Owner's Phone Number: Email:	ipolanco@2lifecommunities.org				
The owner hereby appoints Michael R. Connors of Connors & Connors LLP to act as agent for purposes of submitting and processing this application for endorsement of an approval not required plan.  Date: August 26, 2022 Owner's Signature:					
Date: August 29, 2022 Owner's Signature: Henry Korman, General Counsel  TITLE TO PROPERTY (copy of Deed must be provided with application to the Board of Survey and Planning)					
The owner's title to the land that is the subject matter of this application is derived from					
deed/will/other of _The Leland Home					
dated: February 17, 2022 , and recorded in Middlesex South on February 17, 2022					
Registry of Deeds, Book: 79704 Page: 321					
Or as Land Court Certificate of Title No. N/A					
Registered in N/A District, Book: N/A Page: N/A					
PLAN (copy of existing Registry Plan must be provided with application to the Board of Survey and Planning)					
Title of this Plan: Approval Not Required Plan					
Surveyor: Michael Pustizzi, PLS Date of plan: August 4, 2022					
Surveyor's Registration Number: MA# 46505					
Surveyor's Address: Precision Land Surveying, Inc., 32 Turnpike Road, Southborough, MA 01772					
Phone: (508) 460-1789 Email: mikep@pls-inc.r	net				
ASSESSOR'S RECORDS					
The land shown on the plan is shown on Sheet, Block No, Parcel No of the					
Current Assessor's records and has an address of See Form A Attachment					

#### FRONTAGE REQUIREMENTS Residence B The land is zoned The frontage required under zoning is 60 feet (name of way), which is: Frontage is located on Newton Street A public way (as defined in MGL 41, Sections 81-E & 81-H) A way certified by the City Clerk as being maintained and used as a public way A way shown on a Subdivision Plan entitled: and previously approved by the Waltham Board of Survey and Planning on \_\_\_\_\_, and recorded in South Middlesex Registry of Deeds, Page: \_\_\_\_\_ Or as Land Court Certificate of Title No. \_\_\_ Book: Registered in Middlesex South District, Book: Page: way having been built to standards as then approved. A way in existence before adoption of the Subdivision Control Law in Waltham having. in the opinion of the Board of Survey and Planning, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon because: Other reasons or comments: (See M.G.L., Chapter 41, Section 81-L) (signature of applicant) Date 08 / 24 / 2022 Amy Schectman, President

Date

Received by Waltham City Clerk

Date:

Filing Fee paid: \$

(signature of City Clerk)



#### Form A Attachment

2022 OCT 13 AMII: 43

Re:

21 Newton Street - ANR Plan

O TO THE PARTY OF THE PARTY OF

This attachment constitutes information for the Application for Approval Not Required Plan and as such please be advised as follows:

Petitioner:

2Life Development Inc.

30 Wallingford Road Brighton, MA 02135

**Location of Locus:** 

21 Newton Street

**Legal Owners of Locus:** 

2Life Leland LLC 30 Wallingford Road Brighton, MA 02135

Assessor's Records:

21 Newton Street:

Assessor's Map R061 013 0003

CITY OF WALTHAM

## APPLICATION FOR DETERMINATION 2022 OCT 13 AM 11: 43 OF PLANNING BOARD JURISDICTION

To the Board of Survey and Planning of the City of Waltham:

- A. The undersigned wishes to record the accompanying plan showing a street and the division of land into two or more lots, and believing that such plan does not require approval by the Board under the Subdivision Control Law, requests such a determination by said Board for the following reason(s):
  - 1. Each lot therein has adequate frontage on a public way or a private way, which has sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, as required by the zoning by laws.
  - 2. Each lot has standing on it a building, such buildings having been standing at the time of inception of the Subdivision Control Laws in the City.
  - 3. The plan is of an already existing lot, parcel or tract and shows no division thereof, or the plan does show a division, but each lot or parcel not conforming to the zoning by law or the rules of the Board of Survey and Planning governing the subdivision of land is marked "NOT A BUILDABLE LOT".

4. (	Other
В.	The land on the plan is located in the zone specified below:  Residence B
C.	The total area (to the nearest square foot) shown on the plan is 65,221square feet.
D.	The number of legal building lots is 1
E.	The total number of lots shown is1
F.	The property has a flood designation from the latest F.E.M.A. Map as <b>Zone X</b>
Date of Plan	n: August 4, 2022 Applicant 2Life Development Inc.
Address: _	21 Newton Street, Waltham, Massachusetts 02453
PlanningBo	oard Action: D Approved DDisapproved Date:
Clerkofthe	Board of Survey and Planning

CHTY OF WALTHAM UITY CLERK'S OFFICE

2022 OCT 13 AMII: 43

BICEIVED

September <u>1</u>, 2022 Hand Delivered

Joseph W. Vizard, City Clerk City of Waltham 610 Main Street Waltham, Massachusetts 02452

Re:

21 Newton Street

"Approval Not Required Plan", dated August 4, 2022

Application for Approval Not Required Plan

Dear Mr. Clerk:

Pursuant to Massachusetts General Laws, Chapter 41, Section 81T, you are hereby notified that 2Life Development Inc. as Petitioner, with an address of 30 Wallingford Road, Brighton, Massachusetts 02135, is submitting this day to the Board of Survey and Planning of the City of Waltham, an application and plan entitled "Approval Not Required Plan", by Precision Land Surveying, Inc., dated August 4, 2022 pursuant to the Rules and Regulations of the Board.

The locus is currently known and numbered as 21 Newton Street.

The legal owner of the locus is 2Life Leland LLC, 30 Wallingford Road, Brighton, MA 02135.

PETITIONER:

2Life Development Inc.

By: Amy Schectman

Title: President & CEO

OWNER:

2Life Leland LLC

By: Henry Korman Title: General Counsel

### Middlesex South Registry of Deeds

## Electronically Recorded Document

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

### **Recording Information**

**Document Number** : 26230 Document Type : DEED

Recorded Date : February 17, 2022 Recorded Time : 01:29:59 PM

: 79704 / 321 Recorded Book and Page

Number of Pages(including cover sheet)

: 2784958 Receipt Number Recording Fee (including excise) : \$6,995.00

MASSACHUSETTS EXCISE TAX Southern Middlesex District ROD # 001

Date: 02/17/2022 01:29 PM

Ctrl# 354357 16041 Doc# 00026230 Fee: \$6,840.00 Cons: \$1,500,000.00

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

#### QUITCLAIM DEED

THE LELAND HOME, a Massachusetts nonprofit corporation with an address of 21 Newton Street, Waltham, Massachusetts 02453 ("Grantor"), for consideration paid and full consideration of ONE MILLION FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,500,000.00) grants to 2LIFE LELAND LLC, a Massachusetts limited liability company with an address of 30 Wallingford Road, Brighton, Massachusetts 02135, with QUITCLAIM COVENANTS, the land, together with any improvements thereon, located in Waltham, Middlesex County, Massachusetts, as more particularly described in <u>EXHIBIT A</u> attached hereto and made a part hereof.

The conveyance is made together with and subject to all recorded easements, conditions, restrictions and agreements and all other matters of record that lawfully apply to the property hereby conveyed.

The premises constitutes all or substantially all of the Grantor's assets in the Commonwealth of Massachusetts. The Grantor is exempt from being taxed under Section 501 of the Internal Revenue Code and is thereby exempt from paying Massachusetts corporate excise tax.

For Grantor's title, see Deed dated October 21, 1889 and recorded with Middlesex South Registry of Deeds in Book 1940, Page 261, Deed dated March 1, 1938 and recorded in Book 6189, Page 346 and Deed dated December 19, 1946 and recorded in Book 7078, Page 49.

[Balance of Page Intentionally Left Blank]

Witness our hand and seal as of the	17th day of	February	, 20 <u>24</u>
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#### THE LELAND HOME,

a Massachusetts nonprofit corporation

By: New England Deaconess Association-Abundant

Life Communities, Inc., its Sole Member

By:

Name: Christopher Sintros

Title President

By: Name: James McGowan

Title: Treasurer

#### COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLE SEY ss.

On this 28 day of 15 CENTR 2021, before me, the undersigned notary public, personally appeared Christopher Sintros, President of New England Deaconess Association-Abundant Life Communities, Inc., the sole member of The Leland Home, provided to me through satisfactory evidence of identification which were TRISONALLY KNOWNO be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose as President of New England Deaconess Association-Abundant Life Communities, Inc., the sole member of The Leland Home as the voluntary act of The Leland Home.

(official signature and seal of notary)

My commission expires: June 6, 2025

ALESSANDRA V. BISHOI Notary Public OMMONWEALTH OF MASSACHUSETTS My Commission Expires June 6, 2025

#### COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDPLETEY, ss.

On this 28 day of DECEMBER, 202, before me, the undersigned notary public, personally appeared James McGowan, Treasurer of New England Deaconess Association-Abundant Life Communities, Inc., the sole member of The Leland Home, provided to me through setisfactory evidence of identification which were DEADNATH KNAWN to be the person whose m me is signed on the preceding or attached document and acknowledged to me that he signed it veluntarily for its stated purpose as Treasurer of New England Deaconess Association-Abundant Life Communities, Inc., the sole member of The Leland Home as the voluntary act of The Leland Home.

(official signature and seal of notary)

My commission expires: TUNO 6, 2025

Notary Public OMMONWEALTH OF MASSACHUSETTS My Commission Expires June 6, 2025

ALESSANDRA V. BISHOP

#### EXHIBIT A

#### LEGAL DESCRIPTION

#### Parcel One

A certain parcel of land with improvements thereon situate in Waltham and bounded and described as follows, to wit:

Beginning at the northeasterly corner of the granted premises at a point in the westerly line of Newton Street at land of H. Adelaide Hovey; thence running southerly along the westerly line of Newton Street one hundred and seventy and five tenths (170 5/10) feet to land formerly of Martha M. Walcott; thence turning and running westerly bounding southerly on said land formerly of Martha M. Walcott and on land of Clara L. Hodgdon and land of Lawrence Ward two hundred and seventy three and sixty-nine one hundredths (273 69/100) feet to Heard Street, formerly called Church Avenue, thence running northerly along the easterly line of said Heard Street one hundred and one (101) feet to land of the City of Waltham used now for school purposes, thence turning and running easterly bounding northerly on said land of the City of Waltham eighty-eight and thirty one hundredths (88 30/100) feet to a corner, thence turning and running northerly and bounding westerly on said land of said City sixty-four and seventy five one hundredths (64 75/100) feet to a corner and land of Annie M. and Catherine Healey thence turning and running easterly bounding northerly by land of said Healeys, land of George A. Stearns and land of H. Adelaide Hovey one hundred seventy nine and 34/100 (179 34/100) feet to the point of beginning, be the said distances more or less.

#### Parcel Two

The land in Waltham with the buildings thereon bounded and described as follows: Beginning at the southeasterly corner of the granted premises at a point in the westerly line of Newton Street distant one hundred forty-two and 39/100 (142.39) feet northerly from the intersection of said westerly line of Newton Street with the northerly line of Central Street; thence running south 79° 46′ 20″ west seventy-five and 3/100 (75.03) feet;

Thence north 55° 13' 40" west seven and 7/100 (7.07) feet;

Thence south 79° 46' 20" west, sixty-nine and 91/100 (69.91) feet to land of the Roman Catholic Archbishop of Boston;

Thence north 10° 57' 30" west bounding westerly on said land of the Roman Catholic Archbishop of Boston forty-five (45) feet to land of the Leland Home for Aged Women;

Thence north 79° 46′ 20″ east, bounded northerly by said land of the Leland Home one hundred forty-nine and 90/100 (149.90) feet to said westerly line of Newton Street;

Thence south 10° 55' 40" east along said westerly line of Newton Street fifty (50) feet to the point of beginning.

Containing 7131.8 square feet.

Together with a right of way over a strip of land adjoining the above-described parcel on a part of the southerly boundary to be forever kept open for the use in common of the parties described in the said deed of Mary O'Riley and described as follows to wit: beginning at a point on said westerly line of Newton Street distant one hundred thirty and 39/100 (130.39) feet northerly from the intersection of said westerly line of Newton Street with the northerly line of Central Street; thence running south 79° 46' 20" west, eighty and 15/100 (80.15) feet; thence north 55° 13' 40" west twenty-four and 4/100 (24.04) feet to a point of intersection with the southerly boundary of the first described parcel; thence easterly along said southerly boundary to Newton Street; thence southerly along the westerly line of Newton Street twelve feet to the point of beginning.

#### Parcel Three

The land in said Waltham with the buildings thereon bounded and described as follows:

Easterly by Newton Street, seventy-two and 6/10 (72.6) feet;

Northerly by land of the grantee, seventy-five and 3/100 (75.03) feet;

Northeasterly by the same, seven and 7/100 (7.07) feet;

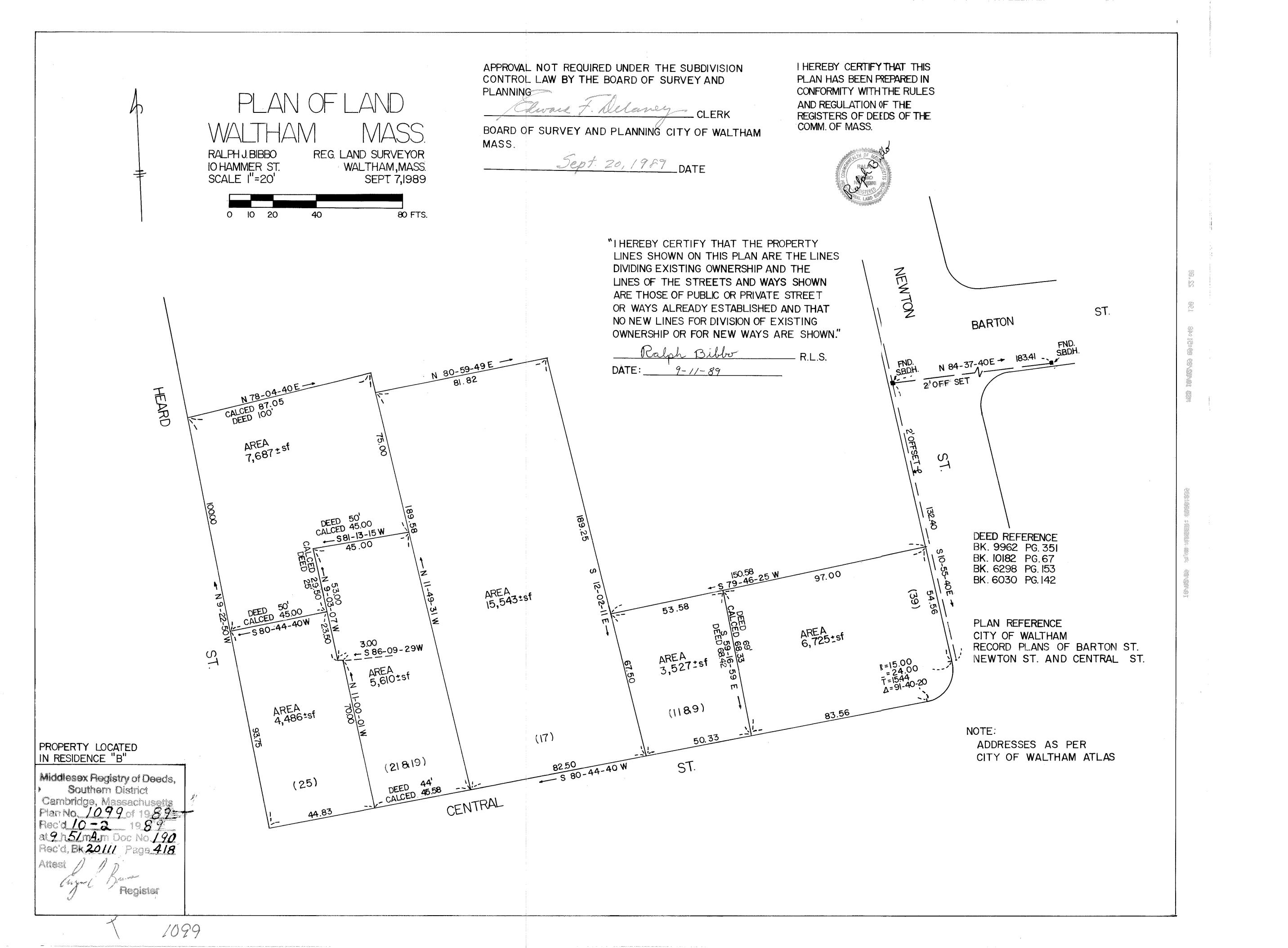
Northerly again by the same, sixty-nine and 91/100 (69.91) feet;

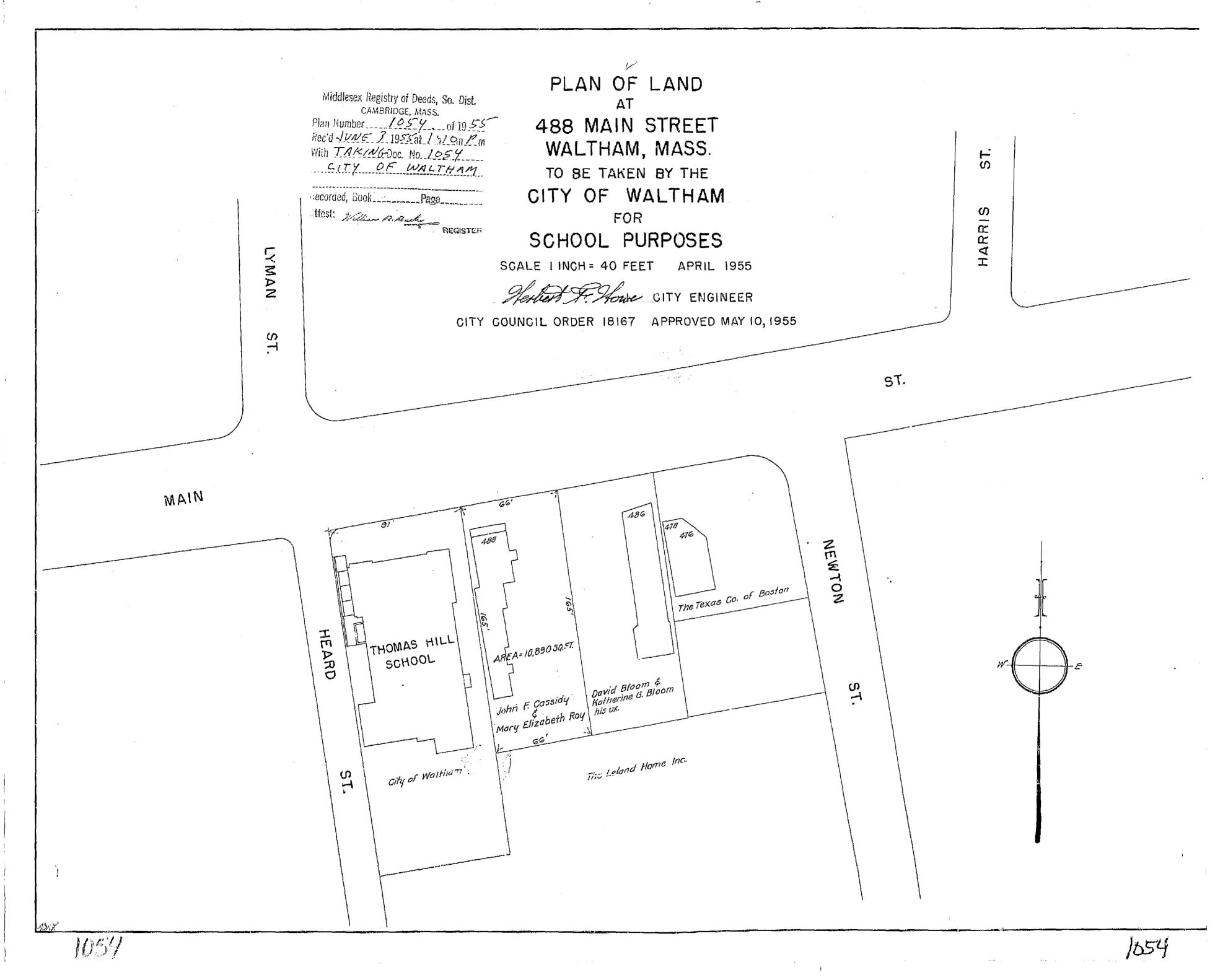
Westerly by land now or formerly of the Roman Catholic Archbishop of Boston,

seventy- six and 6/10 (76.6) feet, and

Southerly by land now or late of Crosby and land of the grantee, one hundred

forty-seven and 4/10 (147.4) feet.





#### **CONNORS & CONNORS LLP**

OPERATING ACCOUNT 689 MAIN STREET WALTHAM, MA 02451



EXEMIELD

53-7017/2113

10/13/2022

PAY TO THE ORDER OF...

City of Waltham

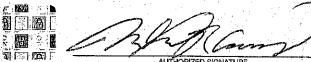
**\$** \*\*150.00

One Hundred Fifty and 00/100\*\*\*\*

DOLLARS

7840

City of Waltham Treasurer/Collector's Office P.O. Box 540190 Waltham, MA 02454-0190



MEMO

2Life/Leland House-BSP-ANR/Filing Fee

#OO7840# #211370176# O68#700511 4#

**CONNORS & CONNORS LLP** 

City of Waltham

10/13/2022

2Life/Leland House-BSP-ANR/Filing Fee

150.00

7840

Operating-5114

2Life/Leland House-BSP-ANR/Filing Fee

150.00

7840

**CONNORS & CONNORS LLP** 

10/13/2022

City of Waltham

2Life/Leland House-BSP-ANR/Filing Fee

150.00

Operating-5114

2Life/Leland House-BSP-ANR/Filing Fee

150.00