

RE: Fifteen Great Road II, LLC, 15 Great Road

Littleton, Massachusetts

# PREPARING THE MUNICIPALITY'S COMMENTS

# Chapter 40B

- Determination of Eligibility
  - Applicant files with Subsidizing Agency (MassDevelopment)
  - Town notified on 4/12/11 of 30-day review
    - Site visit, comments by 5/12/11
  - Extension granted to 5/25/11 for comments 
    - Site visit after receipt/review of comments
    - Determination by MassDevelopment after site visit
- Comprehensive Permit Application
  - Applicant files with Zoning Board of Appeals

# 760 CMR 56.04 (1)

## ◎ Threshold Requirements

- (a) Nature of Developer
  - Limited Liability Company
    - Limited divided/equity policy compliance?
    - Registered with Secretary of State?
- (b) Fundable
  - MassDevelopment tax exempt bond program
- (c) Site Control
  - Purchase & Sale Agreement
    - Description of property needs clarification

# 760 CMR 56.04 (2)

## ◎ Project Application

- Applicant, site address, description, locus map
- Table of buildings, unit sizes and types
- Housing program
- Percentage of units for low, moderate income
- Site plan conceptual design drawings
- Narrative of building massing, relationships to adjacent properties, proposed exterior building materials;
- Tabular analysis comparing existing zoning requirements to requested waivers
- Evidence of control of the site.

# 760 CMR 56.04 (3)

## ◎ Review and Comment Process

- Subsidizing agency notice to Municipal CEO
  - MassDevelopment's 4/12/11 letter to BOS
- 30-day review period – 5/12/11
  - Subsidizing agency's site visit
  - Written comments from Town
    - Extension granted through 5/25/11
    - Site visit to follow receipt of Town's comments
    - Site determination decision to be made by MassDevelopment after site visit and further review

# 760 CMR 56.04 (4) (b)

- ◎ Required Findings in Determination
  - Generally eligible under housing subsidy program
  - Municipal action previously taken?
    - Multi-family zoning districts?
    - Smart growth overlay districts?
    - Inclusionary zoning?
      - . . . No . . . No . . . and No

# 760 CMR 56.04 (4) (b)

- ◎ Required Findings in Determination (cont'd)
  - Subsidized Housing Inventory (SHI)
    - State report says 8.1%
    - Town update would say 8.68%
    - Town still below required 10%

# Subsidized Housing Inventory

ID#	Project	Address	Type	SHI	Expires
1619	Pine Tree Park	19 Shattuck St	Rental	48	perp
1620	Patriot Circle	19 Shattuck St	Rental	8	perp
1621	N/A	King Street	Rental	2	perp
1622	Patriot Circle	19 Shattuck St	Rental	10	perp
1623	Littleton Green	423 King St	Rental	0	2008
1624	Mill Pond Apartments	50 Mill Rd	Rental	50	2024
1625	Minuteman Housing	550 Newtown	Rental	8	2022
1626	Pond Side	147 King St	Rental	90	perp
4340	DMR Group Homes	Confidential	Rental	21	N/A
4573	DMR Group Homes	Confidential	Rental	8	N/A
6824	Charles Ridge	Off Beaver Brook	Owner	11	perp
	Mannion Place	Mannion Place	Owner	3	
8891	Village on the Common	Off Great Road	Owner	0	perp
	Shelburne Village	50 White	Owner	3	
	<b>TOTAL</b>			<b>262</b>	<b>8.68%</b>

# 760 CMR 56.04 (4) (c)

## ◎ Required Findings in Determination (cont'd)

- Design
  - Relationship to Adjacent Building Typology
  - Requires mitigation of the height and scale of proposed buildings to adjoining single-family neighborhood
  - Massing of the project should be modulated and/or stepped to create appropriate transition
    - *Planning Board*: structures not appropriate scale for the setting

# 760 CMR 56.04 (4) (c)

- Required Findings in Determination (cont'd)
  - Design
    - Relationship to Adjacent Streets
      - Access from Grist Mill? Second means of egress not required; a collector street
      - Fire lane access needed for ladder truck
      - Comprehensive traffic study needed for traffic/ intersection/ access from Rt. 119/ 2A
    - Appropriate density of residential dwellings
      - Density of units excessive

# 760 CMR 56.04 (4) (d)

## ◎ Required Findings in Determination (cont'd)

- Financially feasible
  - *Assessors:*
  - applicant's conclusions are not supported by their data.  
Adjacent comparable in Acton not heavily weighted;  
Littleton Pondside Apartments, a reliable comp, not included
  - If estimate of unit rent were reduced to a more realistic value, would Project still be financially feasible?

# Timetable

- May 9<sup>th</sup> BOS meeting: hear input, ask questions
- May 23<sup>rd</sup> BOS meeting: finalize municipality's comments for 5/25/11 submission
- MassDevelopment schedules site visit after receipt of Town's comments
- MassDevelopment makes determination on Project Eligibility