



PLANNING BOARD

P.O. Box 1305
Littleton, Massachusetts 01460

June 18, 2024

**550 King Street
Amended Master Planned Development Special Permit
Amended Major Commercial Use Special Permit
Amended Major Industrial Use Special Permit
Amended Aquifer and Water Resource District Special Permit
Amended Sidewalk Curb Cut Special Permit**

- APPLICATION:** SPECIAL PERMIT pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning. The application is for amendments to a Master Planned Development Special Permit pursuant to Sections 173-226 through 173-234, Major Commercial Use Special Permit & Major Industrial Use Special Permit pursuant to Article VIII Aquifer and Water Resource District Special Permit pursuant to Article XIV and Sidewalk Curb Cut Special Permit pursuant to Article XXX for the construction of a phased mixed-use development consistent with the objectives, performance standards and criteria, and the design standards of Article XXXI King Street Common Zoning District.
- PROPERTY LOCATION:** 550 King Street, Assessor's Map U-08, Parcel 10-0 and 584 King Street, Assessor's Map U-08, Parcel 17-A
- DESCRIPTION:** A phased mixed-use project containing up to 804 units of multifamily housing, retail, commercial, office, light manufacturing and other uses that are permitted within the King Street Common District.
- APPLICANT/OWNER:** 550 King Street, LLC
Salvatore Lupoli, Manager
290 Merrimack Street, 2nd Floor
Lawrence, MA 01843
- ENGINEER:** Rick Friberg, PE
TEC, Inc.
282 Merrimack Street, 2nd Floor
Lawrence, MA 01843
- DATES OF LEGAL NOTICE:** March 21, 2024 and March 28, 2024
- DATES OF HEARINGS:** April 4, 2024 and May 2, 2024

550 King Street Special Permit Decision

MEMBERS PRESENT: Mark Montanari, Jeffrey Yates, Bartlett Harvey, Anna Hueston, Delisa Laterzo (until May 11, 2024) and Daryl Kent Baker (elected May 11, 2024)

REFERENCE PLAN: Revised Master Plan – King Street Commons, dated April 12, 2024

PREVIOUS DECISION: 550 King Street Master Planned Development Special Permit recorded at the Middlesex South Registry of Deeds in Book 80418, Page 83.

HEARING: The Littleton Planning Board held a duly noticed public hearing on April 4, 2024, which was continued to May 2, 2024, to consider an application for Special Permits pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning. Chris Raymond and Rick Friberg of TEC, Inc. made presentations to the Planning Board on behalf of the Applicant / Owner, 550 King Street, LLC, and answered questions raised by the Planning Board and the members of the public. The Public Hearing was closed on May 2, 2024.

BACKGROUND: The Owner/Applicant acquired the subject property at Assessor's Map U-08, Parcel 10-0 on September 15, 2021 by deed and recorded with the Middlesex South Registry of Deeds in Book 78708, Page 547 and the subject property at Assessor's Map U-08, Parcel 17-A on May 27, 2022 by deed and recorded with the Middlesex South Registry of Deeds in Book 80208, Page 416.

The Owner/Applicant proposes to develop the subject property in a manner that is consistent with the objectives, performance standards and criteria, and design standards of the King Street Common District Zoning Code, sections 173-226 through 173-234, as adopted by the Town of Littleton at the October 2021 Special Town Meeting.

The subject parcel is larger than five (5) acres and located within the King Street Common Zoning District pursuant to the Littleton Zoning Code, section 173-228. It is eligible for a Master Planned Development special permit pursuant to the Town of Littleton Zoning Code, section 173-89 and Article XXXI.

Further, as allowed by the Town of Littleton Zoning Code, section 173-228, the Master Planned Development shall be constructed in phases whereby each phase of the project is required to return to the Planning Board for Site Plan Review subject to Article IV Site Plan Requirements. This review shall be conducted separately from and in addition to the special permit process.

The Owner/Applicant received previous approval of the requested special permits from the Planning Board on June 14, 2022, this decision was recorded with the Middlesex South Registry of Deeds in Book 80418, Page 83. The Owner/Applicant is seeking to amend this previous decision by including the following items into the development:

- Include a 150-room hotel.
- Increase Retail/restaurant space by 45,000 SF.

550 King Street Special Permit Decision

- Incorporate additional parcel at 584 King Street (Assessor's Map U-08, Parcel 17-A).

The Owner/Applicant has submitted to the Planning Board the materials listed below, which, together with the testimony provided at the referenced public hearings, provide the information required for issuance of an Amended Master Planned Development special permit by Article XXXI King Street Common Zoning District and are the basis of the Board's determinations and decision:

1. Amended Master Planned Development King Street Commons Site Development Cover Letter, prepared by TEC, Inc., dated March 13, 2024.
2. Revised Master Plan - King Street Commons, prepared by TEC, Inc., dated April 12, 2024.
3. Conceptual Renderings, prepared by Tangram, dated March 13, 2024.

The amended special permits requested by the Applicant will allow the subject property to be developed as a mixed-use project that is consistent with Article XXXI King Street Common Zoning District. The Revised Master Plan – King Street Commons, dated April 12, 2024, proposes to retain the existing "Tuttle House" and construct a total of 804 residential units, approximately 115,000 SF of retail / commercial / restaurant, a 19,000 SF stand-alone building for office / institutional use, 150 room hotel and 45,000 SF of Light industrial. The Master Plan also proposed that the Owner / Applicant will retain the two existing "IBM" buildings onsite for adaptive re-use as commercial / industrial uses, totaling approximately 550,000 SF, if financially feasible.

The Owner / Applicant shall construct the Master Plan in phases over several years, consistent with the testimony provided during the Planning Board Hearing on April 7, 2022. The Planning Board shall conduct site plan review prior to each phase of construction for consistency with the Master Plan and with the applicable dimensional and design requirements contained in Section 173-233 and other applicable site plan review criteria.

DETERMINATIONS:

Based on the presentation of the Owner / Applicant and the foregoing information, the Planning Board makes the following determinations:

1. For master plan purposes, the criteria for approval set forth in Sections 173-231 through 173-233 have been met. Notwithstanding the foregoing, all applicable sections of the Zoning Bylaw will remain applicable during site plan approval of the various phases of the project.
2. Specifically, the criteria for approval set forth in Section 173-232 (General Performance Standards and Criteria), taking into account the Dimensional Requirements and Design Standards set forth in Section 173-233, have been met for purposes of master plan review because:
 - a. At approximately 43.2 acres, the size of the site is adequate for the proposed uses to meet the dimensional requirements and design standards of the King

550 King Street Special Permit Decision

Street Common Zoning District, including the allowable density and lot coverage requirements.

- b. All proposed uses shown on the Revised Master Plan (residential, retail, commercial and parking) are generally permitted under Article XXXI King Street Common Zoning District of the Code of the Littleton Zoning, and the site is suitable for these proposed uses. The project site is ideally situated for a vibrant mixed-use development, located immediately adjacent to I-495 and within a short walk to the downtown / Littleton Common.
- c. The Revised Master Plan includes programmable open space that shall be accessible to the public and capable of hosting a variety of outdoor events. Open space, public spaces and pedestrian linkages are provided throughout the project. The site's primary open space is located adjacent to the Tuttle House and is easily accessible and will be activated by the proposed uses around the open space. It will serve as a vibrant link between the project and the Littleton Common.
- d. The project provides logical and safe circulation for pedestrians, vehicles and first responders by proposing a street network within the site that is accessible from Great Road (Route 119) and King Street (Route 110).
- e. The proposed development ensures safe and convenient pedestrian access. The design provides crosswalks across all major site driveways and internal roadways. All buildings and public spaces are connected by sidewalks woven throughout the site.
- f. The project closely follows the Form Based Code along King Street, and the architecture is mindful of its location and scale. Smaller buildings are located along King Street to maintain pedestrian scale with larger buildings located at the rear of the site, adjacent to I-495. The project will reinforce and be complimentary to the visual character through its architecture and landscape design, details of these elements will be provided to the Planning Board for Site Plan Review prior to construction of each phase of the project. As noted, all provisions of Section 173-233 (Dimensional Requirements and Design Standards) will remain applicable and subject to further review during site plan approval of the various phases of the project.
- g. The site is not presently served by municipal sewer, but it is anticipated that the Town's sewer extension will be operational by 2024. The project will also meet all stormwater requirements of the Aquifer and Water Resource District and MassDEP as well as requirements of Chapter 38 Littleton's Stormwater Bylaws.
- h. As a redevelopment project, the site will improve upon the stormwater system that currently discharges to the Town's aquifer, as the site is located within the Aquifer and Water Resource District. This will be achieved by eliminating the wastewater discharge from existing uses and structures onsite in favor of the municipal sewer connection and creating a series of new stormwater treatment best management practices (BMPs) to improve the quality of stormwater and recharge the Town's water supply. Details of the stormwater management system will be provided and reviewed during the Site Plan Review and Stormwater Bylaw review prior to the construction of each phase of the project.

550 King Street Special Permit Decision

- i. The goals of the latest Littleton Master Plan are incorporated into the proposed development. The project proposes to provide retail/commercial spaces to encourage the local economy and variety of new housing opportunities through sustainable design. Pedestrian amenities and accessibility will be provided, and the overall site design will be consistent with the Town's architectural and historic character.
3. The site layout depicted on the Revised Master Plan appears generally consistent with the criteria for approval set forth in Section 173-233 because the project has been designed to be contextual, pedestrian-scaled and mixed-use in keeping with village design principles. To the extent disclosed by the Revised Master Plan, the proposed project appears to be in compliance with the Dimensional Requirements and Design Standards and will provide a thriving village atmosphere. Each phase of the project will be submitted to the Planning Board for Site Plan Review, including building architectural elevations, to further ensure that all applicable criteria contained in Section 173-233 are met prior to construction of each phase.
4. The requirements of Section 173-234 have been met as the project shall comply with the maximum lot coverage (80%) and maximum building coverage (50%) and the proposed uses are permitted. Details of the stormwater management system shall be submitted to the Planning Board for Site Plan Review and Stormwater Bylaw review prior to construction of each phase.
5. The criteria for approval set forth in Section 173-7.C, Section 173-88.B and Section 173-89 are met as the project is determined to not cause any significant nuisance, hazard or congestion and will not cause substantial harm to the neighborhood or derogation from the intent of the Code of the Town of Littleton Zoning. Specifically, the Board finds as follows:
 - a. Roads, water, and drainage facilities shall be improved as described during the testimony so that the appropriate infrastructure exists to serve this proposal adequately and safely without material deterioration in service to other locations.
 - b. No planned process or unplanned contingency will result in the undue hazard or contamination of air, land, or water resources.
 - c. The proposal will be visually compatible with and complimentary to its vicinity and consistent with the Town's vision for Form Based Code and the King Street Common Zoning District.
 - d. The subject parcel was previously developed, and the proposal will not pose a threat to environmental resources. Improved stormwater management systems onsite will improve the quality of stormwater recharge to the Town's aquifer and all areas during construction will be isolated from resource areas by erosion and sediment controls.
 - e. The proposal sufficiently buffers and screens from nearby uses of different character.
6. The criteria set forth in Section 173-62 and requirements of Section 173-234 are met by the proposal for simultaneous issuance of an Aquifer and Water Resource District Special Permit. All phases of the project will provide detailed plans and stormwater management calculations demonstrating compliance with the applicable local, state,

550 King Street Special Permit Decision

and federal regulations. In addition, as noted above, this Special Permit is premised on the existence and availability of municipal sewer to serve all buildings shown on the Revised Master Plan, and requires both before it may be exercised.

7. The requirements set forth in Section XXIX regarding inclusionary housing has been met as follows;
 - a. The proposal shall provide 10% of the total housing units as affordable units, up to 81 affordable units (10% of 804 total units).
 - b. The affordable units may be provided on-site, off-site within Littleton, or a combination thereof subject to review and approval of the Planning Board.
 - c. 40 of the affordable units shall be deeply affordable ranging from 30% AMI to up to 60% AMI senior housing, which may be on-site or off-site.
 - d. The remaining balance of affordable units required to achieve 10% of total unit count, on-site and off-site units, shall be 80% AMI or lower (ie up to 42 affordable units shall be constructed on-site if all 804 units are constructed on-site and 40 affordable units are constructed off-site).
 - e. It is a stated project goal to prioritize Littleton residents to the maximum extent allowed by law and the Applicant commits to exploring legal strategies and coordinating with the Littleton Affordable Housing Trust to do so (i.e. local preference). Current DHCD regulations allow for up to 70% local preference.
 - f. Affordable units constructed off-site shall not subtract from the total unit count on-site, however, affordable units constructed on-site shall be counted toward the total maximum of 804 residential units on-site.
8. Aggregating the general uses (residential, retail and commercial) depicted on the Revised Master Plan, the project requires 2,603 total parking spaces. The Revised Master Plan proposes to meet the parking requirements by proposing a combination of surface parking spaces and parking structures as follows; 340 surface parking spaces, Parking Structure P1 containing 540 parking spaces, Parking Structure P2 containing 20 parking spaces, Parking Structure P3 containing 850 parking spaces, Parking Structure P4 containing 310 parking spaces and Parking Structure P5 containing 590 parking spaces, totaling 2,650 parking spaces. It is anticipated that the Applicant will propose Shared Parking during Site Plan Reviews of the project and that the total number of parking spaces may be reduced if the Applicant can demonstrate that adequate parking will be provided. Notwithstanding the foregoing finding regarding the Revised Master Plan generally, the parking requirements of the Littleton Zoning Bylaw remain fully applicable, and the Owner / Applicant and all of the specific uses that may occupy space within the project shall be required to demonstrate compliance with the applicable parking requirements before issuance of site plan approvals, building permits, and/or certificates of occupancy as may be applicable.
9. The Town of Littleton is pleased to be working with 550 King Street LLC to make this project a Transit-Oriented Development, a smart-growth development that will add a significant number of housing units to our housing stock, expanding housing choice for Littleton residents. As such, the Town and the Owner / Applicant are seeking to provide a significant connection with the commuter rail at the Littleton/Route 495 Station, and Owner / Applicant has committed to providing such a connection at its own expense.

550 King Street Special Permit Decision

10. The requirements of Section 173-224.H Sidewalk Curb Cuts have been met as follows:
- a. No more than one curb cut per 300 feet of lot frontage is proposed.
 - b. The location of the curb cuts will minimize potentially dangerous conflicts between motor vehicles and pedestrians.
 - c. The project provides internal cross-connections between the development parcels, establishing shared driveway access for the proposed uses.
 - d. The interior width of each curb cut is minimized while providing adequate opening for emergency vehicles and trucks where necessary.
 - e. All curb cuts are proposed to be constructed with suitable materials to convey the presence of a walkway and shall meet the required grade, cross slope and clear width requirements.

DECISION:

Based on the foregoing, at the meeting of May 2, 2024, Montanari made a motion that the Planning Board approve the requested special permits under Articles XXXI and XVIII of the Code of the Town of Littleton Zoning, and review and vote to confirm the final conditions at an upcoming meeting. Laterzo seconded this motion and the Board voted 4 to 0 (Montanari, Yates, Harvey and Laterzo voting in favor; Hueston abstained) in favor of this motion.

At the meeting of June 13, 2024 Harvey made a motion to approve the final conditions of approval set forth in Exhibit A attached hereto. Hueston seconded this motion and the Board voted 5 to 0 in favor of this motion (Montanari, Yates, Harvey, Hueston, and Baker voting in favor).

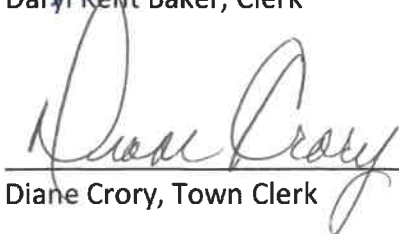
The foregoing decision shall apply as it is currently configured and may be reconfigured by subsequent Site Plans Reviews as the project is constructed over time.

Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.

Signed:



Daryl Kent Baker, Clerk



Diane Crory, Town Clerk

Date Filed with Town Clerk: 

550 King Street Special Permit Decision

TOWN CLERK CERTIFICATION:

To Whom It May Concern:

I, Diane Crory, Clerk of the Town of Littleton hereby certify that twenty (20) days have elapsed since the filing of this decision by the Planning Board for this Special Permit and that no appeal concerning said decision has been filed, or that any appeal that has been filed has been dismissed or denied.

Date

Diane Crory, Town Clerk
Littleton, Massachusetts

**Exhibit A
Conditions**

The following conditions shall be binding upon the Owner / Applicant and its successors and assigns. The Town of Littleton may elect to enforce compliance with this Special Permit using any and all powers available to it under the law.

1. The Site shall be developed in accordance with the plan entitled “King Street Commons 550 & 584 King Street Littleton, Massachusetts” Scale 1” – 80’ April 12, 2024 and prepared by TEC, a copy of which is attached as Appendix A (the “Revised Master Plan”). Building locations, uses, and sizes shall be limited to what is shown on the Revised Master Plan, inclusive of the Building Program included as a table to that plan, subject to such adjustment and revision as may be approved by the Planning Board during site plan approval of the various phases of construction.
2. Notwithstanding anything contained in Condition 1, above, the Owner/Applicant has stated its intent to retain and renovate Buildings R and S shown on the Revised Master Plan, which are both preexisting buildings. If Owner/Applicant subsequently elects to raze Buildings R and S, the land presently devoted to Buildings R and S shall be converted to functional open space and/or other site improvements (which may include vertical construction) as may be approved by the Planning Board during site plan review.
3. Each new building (vertical improvement) constructed as part of this approved Master Plan shall have detailed Site Plans and Stormwater Management plans submitted to the Planning Board for Site Plan Review and Stormwater Bylaw review prior to the issuance of a Building Permit. It is expected that buildings and uses may be reconfigured within the parcel but that all phases shall be consistent with the approved Revised Master Plan and in compliance with the Aquifer and Water Resource District requirements within the King Street Common Zoning District.
4. The project is anticipated to be constructed in multiple phases over several years and the Master Plan Approval provides flexibility in the phasing of the project to accommodate changing market conditions over time. The anticipated phasing of the new buildings is as follows:

<u>Anticipated Phases</u>	<u>Anticipated Construction Years</u>
Phase I – Buildings O, Q and P3	2025-2026

550 King Street Special Permit Decision

8,000 SF retail/restaurant/commercial	
287 residential units	
Parking Garage (P3)	
Phase II – Buildings A, B, C, D, E and Green Space	2026-2029
Hotel & Tuttle House (up to 150 rooms + amenities)	
26,000 SF retail/restaurant/commercial	
9 residential units	
Public Green Space	
Phase III – Buildings M & N, Podium Parking (P1 and P2)	2027-2029
2,000 SF retail/restaurant/commercial	
400 residential units	
Podium parking (P1 and P2)	
Phase IV – Buildings F, G, H and P4	2029-2031
43,000 SF retail/restaurant/commercial	
64 residential units	
Parking Garage (P4)	
Phase V – Buildings I, J and K	2032-2034
21,000 SF retail/restaurant/commercial	
19,000 SF office	
20 residential units	
Phase VI – Building L	2034-2035
15,000 SF retail/restaurant/commercial	
24 residential units	
Phase VII – Buildings T and P5	2035-2037
45,000 SF light industrial / R&D	
Parking Garage (P5)	

Senior Affordable units will be constructed no later than Phase III (2027 – 2029).

Re-use of the existing “IBM” buildings shall be considered independent of the phasing of new buildings and can be undertaken at any time during the development process, so the Owner / Applicant can react quickly to an opportunity for re-use of the building(s).

5. All requirements of the Littleton Zoning Bylaw shall apply to the construction of the project and the use of the site. Nothing contained in this Special Permit or the Planning Board’s approval of the Revised Master Plan shall be construed as a waiver of any applicable provision of the Zoning Bylaw, unless expressly stated herein.
6. The site may be developed with a maximum of 804 dwelling units contained in multi-family apartment buildings and mixed-use buildings as shown on the Revised Master Plan.
7. For the purpose of the Master Plan, the following table of units is provided for the project. The exact configuration and allocation of units will be proposed during the Site Plan Review of each phase of the project. Flexibility of up to 10% per bedroom category

550 King Street Special Permit Decision

(ie 1-bedroom, 2-bedroom or 3-bedroom) is permissible to meet the market demand. Changes in the overall bedroom counts exceeding 10% shall require an amendment to this Special Permit.

Bedrooms	# of Units (% of total units)	Breakdown
1-bedroom	484 (60%)	
		40 units at 30% to 60% AMI for seniors
		10 units at or below 80% AMI
		404 units at market rate, comparable to 80% to 120% AMI, "average income"
		30 units at high-end market
2-bedrooms	241 (30%)	
		24 units at or below 80% AMI
		172 units at market rate, comparable to 80% to 120% AMI, "average income"
		45 units high-end market
3-bedrooms	79 (10%)	
		7 units at or below 80% AMI
		64 units at market rate, comparable to 80% to 120% AMI, "average income"
		8 units at high-end market

- 8. A minimum of 10% of all dwelling units constructed under this Master Plan Special Permit shall be affordable to households whose annual income is less than 80% of the area wide median income (AMI). Affordability of these units shall be assured in perpetuity or for the maximum timeframe allowed by law with affordable housing restrictions, and all affordable units must be eligible for Inclusion on the Subsidized Housing Inventory. To the extent that an affordable housing restriction placed on any unit or units is limited at to time based on the requirements of a particular subsidizing agency or regulatory program, a successor affordable housing restriction ensuring the same level of affordability shall be entered into prior to its expiration, to provide for the seamless continuation of affordability with no lapse or gaps regarding same.
 - a. The affordable units may be provided on-site, off-site within Littleton, or a combination thereof subject to review and approval of the Planning Board.

550 King Street Special Permit Decision

- b. A minimum of 40 of the affordable units shall be deeply affordable ranging from 30% AMI to up to 60% AMI senior housing, which may be on-site or off-site.
 - c. The remaining balance of affordable units required to achieve 10% of the total unit count, on-site and off-site units, shall be 80% AMI or lower (ie up to 42 affordable units shall be constructed on-site if all 804 units are constructed on-site and 40 affordable units are constructed off-site).
 - d. It is a stated project goal to prioritize Littleton residents to the maximum extent allowed by law and the Applicant commits to exploring legal strategies and coordinating with the Littleton Affordable Housing Trust to do so (i.e. local preference). Current DHCD regulations allow for up to 70% local preference.
 - e. Affordable units constructed off-site shall not subtract from the total unit count on-site, however, affordable units constructed on-site shall be counted toward the total maximum of 804 residential units on-site.
 - f. Affordable units shall be constructed, leased, and occupied on a schedule roughly proportional to the construction, lease, and occupancy of market rate units on site; in no event shall the schedule depart from the requirements of Section 173-212.C.
9. Not later than ninety (90) days prior to its first application for a building permit for the new construction of vertical improvements (other than infrastructure or building permits associated with renovating the existing Building R and S on the Revised Master Plan), the Owner / Applicant shall submit a traffic study for the Revised Master Plan. The Planning Board may arrange for the hiring of an outside traffic consultant to review the traffic study, at the Owner / Applicant's expense. The traffic study shall be subject to review by the Planning Board and/or its traffic consultant, and the Owner / Applicant shall arrange for the traffic study to be revised as needed in response to comments from the Planning Board's traffic consultant.
10. The Owner / Applicant shall implement, at its own expense, any and all off-site mitigation recommended or required by the traffic study above. The timing / phasing of infrastructure improvements will be determined in the study in a manner that is deemed agreeable by the Planning Board and/or its traffic consultant.
11. All buildings within the project will connect to and be served by municipal sewer. The Owner / Applicant acknowledges that municipal sewer is anticipated to become available by 2024, and that it does not presently exist. The project cannot and shall not be constructed, and this Special Permit may not be exercised, in the absence of municipal sewer and sufficient available capacity within the sewer project to serve the applicable phase of the project.

550 King Street Special Permit Decision

12. All new buildings within the project are subject to the 2018 International Energy Conservation Code (IECC) (or shall be subject to any subsequently adopted comparable replacement building code) which regulates the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. Building design measures shall include high-performance windows and walls, thermally broken windows and other components to eliminate thermal bridges and low air-infiltration. The project shall consider measures to avoid, minimize and mitigate impacts to create a sustainable development. Measures shall include solar-ready roofs, rooftop solar photovoltaic (where feasible), EV charging stations, pedestrian and bicycle accommodations, a Transportation Demand Management (TDM) Plan, a stormwater management system that includes Low Impact Design (LID) Best Management Practices (BMPs) and will be resilient to the 50-year storm conditions as of 2070. The project shall provide ecosystem-based adaptation measures to reduce heat island effect through the integration of tree canopy and LID BMPs. The sustainable development measures for the project shall be further refined through the MEPA Review process where it will be reviewed by the applicable state agencies.
13. Pedestrian Crossings: Pedestrian crossings shall be designed, permitted, and constructed by the Owner / Applicant as part of the phased development program. During the Site Plan Review process for each phase, the Planning Board shall consult the traffic study/peer review for timing of the onsite and offsite pedestrian improvements, including crossings and crosswalks across all major site driveways and internal roadways.
14. The site shall include a minimum of 43,560 square feet programmable open space, substantially as shown on the Revised Master Plan as abutting the Tuttle House, which shall be accessible to the public and capable of hosting a variety of outdoor events.
15. The affordable housing units shall prioritize Littleton residents to the maximum extent allowed by law and shall be provided as stated in "Determinations" #7 above.
16. No parking of vehicles is allowed on any unpaved surface upon completion of construction.
17. This Aquifer and Water Resource District Special Permit does not contemplate use, storage, generation, or disposal of hazardous materials. Any use proposed onsite that proposes use, storage, generation, or disposal of toxic or hazardous materials in excess of those outlined in § 173-61 will require a separate Aquifer & Water Resource District Special Permit application.
18. A "Long Term Pollution Prevention & Stormwater System Operation & Maintenance Plan" shall be provided for each phase of the project and is an integral part of this

550 King Street Special Permit Decision

approval; all maintenance, inspections, and reporting requirements specified therein are required.

19. This Special Permit shall not become effective until it is recorded at the Registry of Deeds and the Developer / Applicant provides recording information to the Planning Department.
20. The Owner / Applicant shall provide, at its own expense, transportation options from the site to the Littleton/Route 495 Commuter Rail Station. This obligation shall commence upon issuance of the first certificate of occupancy for a building at the site, and shall remain ongoing thereafter. The transportation shall be sufficient at all times to satisfy demand, and shall therefore account for additional construction and occupancy as the site is built out, and any additional increase in demand over time. The transportation shall provide convenient travel for users in a manner that coincides with the MBTA commuter rail schedule. The local Transportation Management Agency, Cross-Town Connect may provide consultation and non-financial assistance to the Owner / Applicant to meet this condition as needed; provided that nothing contained herein shall be deemed to affect the Owner / Applicant's obligations under this condition.
21. The Owner / Applicant shall conduct semi-annual groundwater monitoring to help assess land use impacts from the site on local groundwater resources. The owner shall be responsible for all associated costs incurred including: the installation of new groundwater monitoring wells (to be located with the approval of the Littleton Water Department); maintenance and upkeep of existing groundwater wells; and sampling, analysis, and review performed by the Littleton Water Department. The sampling, location, testing frequency, and analytical requirements shall be drafted and modified by the Littleton Water Department and approved by the Littleton Planning Board contingent upon existing and future environmental site conditions.
22. Groundwater quality shall not be degraded below drinking water standards at the property lines due to activity on this property.
23. No sodium deicing chemicals are to be used or stored on site (non-sodium deicing chemicals may be used).
24. This Special Permit authorizes up to 80% impervious maximum lot coverage and up to 50% maximum building coverage.
25. This Special Permit is issued to 550 King Street LLC. It shall not run with the land, and may not be transferred to any other person or entity, including without limitation by conveyance to a third party or by change in corporate management or ownership, without Planning Board approval of an application for a modification of the Special Permit.