



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus Jr., Secretary

Via Email: JDuggan@LittletonMA.org

April 9, 2025

James Duggan, Town Administrator
Town of Littleton
37 Shattuck Street
Littleton, MA 01460

Re: Littleton – Determination of Compliance with Section 3A of the Zoning Act (Section 3A)

Dear Mr. Duggan,

Congratulations! The Executive Office of Housing and Livable Communities (EOHLC) has reviewed the district compliance application for the Town of Littleton's zoning amendments related to Section 3A of the Zoning Act (collectively, "District"). After careful review and analysis, EOHLC has determined that Littleton is **compliant** with Section 3A and 760 CMR 72.00 (the Regulations). EOHLC recognizes the diligent work by the Town of Littleton to meet the requirements of the MBTA Communities Law.

Please note that this determination of compliance by EOHLC qualifies Littleton for the MBTA Communities Catalyst Fund. You can learn more about this grant program at the [MBTA Communities Catalyst Fund](#) website. This grant program is a part of the [Community One Stop for Growth](#), a single application portal and collaborative review process. Contact EOHLCMBTACommCatalyst@mass.gov with questions.

Littleton is designated as Commuter Rail community with 3,889 existing housing units per the 2020 United States Decennial Census. The Town is required to have a district with a minimum land area of 50 acres, and a minimum multi-family unit capacity of 750 units. At least twenty percent (20%) of the Town's requirements must be met within ½ mile of transit stations.

EOHLC conducted a thorough review of the application and made the following determinations:

1. The District comprises **76.9 acres**.
2. As of right multi-family unit capacity for the District is estimated at **1,233 units**.
3. The gross density of the District is estimated at **16.7 dwelling units per acre**.
4. At least **fifty percent (50%)** of the District is one contiguous land area.
5. The multi-family housing allowed as of right in the District is suitable for families with children pursuant to Section 3A and Section 72.07 of the Regulations.

6. At least **twenty percent (20%)** of the required District land area and estimated unit capacity is within transit station areas.
7. There are no dimensional zoning requirements not captured by the compliance model that will clearly reduce the District’s estimated multi-family unit capacity below its requirement.
8. Taken as a whole, the geography of the District meets the land area, multi-family unit capacity, gross density, and contiguity requirements of Section 3A and the Regulations.

The following table shows the **required** District minimums, the estimates **submitted** in the District application, and estimates as **determined** by EOHLC following its review:

	Required	Submitted	Determined
Land area (acres)	50	76.9	76.9
Multi-family unit capacity (units)	750	1,233	1,233
Gross density (units per acre)	15	16.7	16.7
One 50% contiguous area	Yes	Yes	Yes

EOHLC identified the following **additional factors** that could affect as of right multi-family housing development in the District:

- The standards set forth in the site plan review section of Littleton’s zoning bylaw lean towards discretionary criteria which may affect the “as of right” approvals for development proposals in the District. We caution the Town against applying site plan review criteria in a discretionary manner that is inconsistent with G.L. c.40A Sections 1A and 3A.
- Sections 175-221 through 175-226, regarding the “VC” district, appear to limit ground floor uses to commercial uses. There are two smaller parcels located in the VC district, adjacent to the larger “KSC” district, that were submitted for review. While these parcels may be affected by the provision limiting ground floor uses, EOHLC did not review any potential impact on unit capacity because the District satisfies all requirements without them.

Please note that continued district compliance is **subject to** the following requirements:

- Municipalities must notify EOHLC in writing of any proposed or active zoning amendment that affects the district, or of any other by-law, ordinance, rule, regulation, or municipal action that limits the development of multi-family housing in the District. This notification must be sent to EOHLC3A@mass.gov prior to any planning board public hearing on the proposed zoning amendment.
- This determination relies on an interpretation of potential development within the King Street Crossing Zoning District submitted to EOHLC by Innes Associated on September 6, 2024. The response titled “Littleton Response to HLC Questions Innes Associates; Harrington Heep; Town Planner” details a permitting path forward for as-of-right development within the King Street Crossing Zoning District. EOHLC cautions the Town against applying special permit processes or criteria to otherwise as of right multi-family developments proposed in the District.

- EOHLC may establish a system to monitor compliance over time to ensure that approved districts allow multi-family housing in accordance with the criteria under which they were approved.
- EOHLC may rescind a determination of district compliance or require changes to the District to remain in compliance as per Section 72.10 of the Regulations.
- Permitting conducted in connection with the additional factors listed above must not effectively reduce the estimated multi-family unit capacity of the District. If permitting processes such as site plan review or development standards result in special permit requirements for multifamily housing projects proposed in the District, and/or the permitting processes effectively reduce the estimated multi-family unit capacity of the District, EOHLC may revisit Littleton's compliance with Section 3A, and could require the Town to remedy any deficiency with amendments to its zoning.

While housing production is not required, EOHLC is eager to hear about multi-family developments in your MBTA Communities District; please share permit activity with us at EOHLC3A@mass.gov. If you have questions or need further assistance regarding this determination, please contact MBTA Communities Compliance Coordinator Nathan Carlucci, at nathan.carlucci@mass.gov.

Sincerely,



Edward M. Augustus, Jr.
Secretary

cc: Senator James Eldridge, James.Eldridge@masenate.gov
Representative James Arciero, James.Arciero@mahouse.gov
Maren Toohill, Town of Littleton, MTtoohill@LittletonMA.org