



BUILDING COMMISSIONER

ZONING OFFICER

P.O. BOX 1305
LITTLETON, MA 01460
VOICE (978) 540-2420

5/19/11

Ms. Narcyz Latecki
61 Great Road
Acton, MA 01460

Dear Ms. Latecki,

Pursuant to your recent letter regarding the use at 32 Nagaog Park, be advised that this office concurs with your argument and would approve the noted tenant space for your proposed use.

Sincerely,

Roland Bernier
Building Commissioner
Zoning Officer

See attached document

Athletic Balance, LLC 中華武術

d/b/a Chinese Martial Arts 衡安健身學院



61 Great Road, Acton, MA 01720 USA • Tel. (978) 635-1090 • Email: cmaacton@yahoo.com • Web: www.AthleticBalance.com

May 16, 2011

Chinese Martial Arts

61 Great Road

Acton, Massachusetts 01720

Roland J. Bernier
Building Commissioner
Zoning Officer
37 Shattuck Street
Littleton, Massachusetts 01460

Dear Mr. Bernier:

I am writing to affirm that the use of the property located at 32 Nagog Park for my business, Athletic Balance, LLC will fit into the definition in MGL c. 15D §1A under c. 40A §3, which allows a school-aged child care program to operate in a residentially zoned district. This particular property is well situated for my students' needs and will undoubtedly help the community flourish. As such, it is my hope and intent to categorize Athletic Balance as a school-aged child care program.

As a martial arts center, we provide children with supervised after-school activities that build both physical and mental fitness (an "athletic balance"). Our program is attended by children between the ages of 4 and 14, and we provide a planned daily program of activities for specifically identified blocks of time during the week. The daily schedule is divided by age group, with some of the more advanced activities reserved for the more capable children. We frequently hold extended, all-day activities, or camps, during school holidays and vacations.

Given our regular supervision of children not of common parentage who are enrolled in kindergarten and are of sufficient age to enter first grade the following year during after- and non- school hours, we meet all the necessary criteria to be considered a school-aged child care program.

Thank you for your time and consideration,

Narczyz Latecki
Athletic Balance, LLC
DBA Chinese Martial Arts

MGL Part I Title VII Chapter 15D Section 1A

"School-aged child care program", a program or facility operated on a regular basis which provides supervised group care for children not of common parentage who are enrolled in kindergarten and are of sufficient age to enter first grade the following year, or an older child who is not more than 14 years of age, or not more than 16 years of age if the child has special needs. Such a program may operate before and after school and may also operate during school vacation and holidays. It shall provide a planned daily program of activities that is attended by children for specifically identified blocks of time during the week, usually over a period of weeks or months. A school-aged child care program shall not include: a program operated by a public school system; a part of a private, organized educational system, unless the services of that system are primarily limited to a school-aged child care program; a Sunday school or classes for religious instruction conducted by a religious organization where the children are cared for during short periods of time while persons responsible for those children are attending religious services; a family child care home, except as provided under large family child care home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation."

MGL Part I Title VII Chapter 40A Section 3

"No zoning ordinance or bylaw in any city or town shall prohibit, or require a special permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility;"

"As used in this paragraph, the term "child care facility" shall mean a child care center or a school-aged child care program, as defined in section 1A of chapter 15D."



BUILDING COMMISSIONER
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P.O. BOX 1305
LITTLETON, MA 01460
VOICE (978) 540-2420

May 5, 2011

FILE

Ms. Narcyz Latecki
61 Great Road
Acton, MA 01720

Dear Ms. Latecki,

I am in receipt of your request regarding the Athletic Balance , LLC company as it pertains to the vacant unit at 32 Nagaog Park in Littleton, MA. Specifically, you argue that the program offered is in compliance with the protection afforded by MGL c. 40A, §3 Child Care Program, and should be allowed in a residential district.

Upon review of your request be advised that your proposal does fall in line with the MGL 40A §3 as it refers to MGL c. 15D §1A for definition. However, prior to formal approval from this office, please provide a revised letter ensuring that the

“**School Age Child Care Program**” shall be limited to

“**a program or facility operated on a regular basis which provides supervised group care for children not of common parentage who are enrolled in kindergarten and are of sufficient age to enter first grade the following year, or an older child who is not more than 14 years of age, or not more than 16 years of age if the child has special needs. Such a program may operate before and after school and may also operate during school vacation and holidays. It shall provide a planned daily program of activities that is attended by children for specifically identified blocks of time during the week, usually over a period of weeks or months. A school-aged child care program shall not include: a program operated by a public school system; a part of a private, organized educational system, unless the services of that system are primarily limited to a school-aged child care program; a Sunday school or classes for religious instruction conducted by a religious organization where the children are cared for during short periods of time while persons responsible for those children are attending religious services; a family child care home, except as provided under large family child care home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation.**”

Upon receipt of this language on your letterhead, this office will offer a formal confirmation of your proposal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roland Bernier".

ROLAND BERNIER
Building Commissioner
Zoning Officer