

Friday, September 13, 2013

Jeff Clymer, Chairman  
Planning Board – Town of Acton  
Town Hall  
472 Main Street  
Acton, MA 01720  
978.264.9636

Dear Mr. Clymer,

I am writing in regards to a Senior Residence Special Permit (Decision 06-05) for Woodlands at Laurel Hill (“Lot 4”), dated August 8, 2006. Lot 4 was originally permitted in 2005, under Chapter 40B, in conjunction with the site of the existing Avalon Acton rental community. While the larger site was permitted as 380 rental apartments (296 in Acton and 84 in Westford), Lot 4 was permitted as for-sale townhomes. In 2006, the Lot 4 site was converted to a Senior Residence Special Permit, allowing for the development of 64 for-sale age-restricted townhomes.

Since that time, we have continually looked for a developer who would build-out the townhomes under the Special Permit; however have not been successful. Although the market has been improving, we have yet to find a buyer willing to pursue the development under the Special Permit. Consistent feedback from potential buyers indicates that the occupancy restrictions (Section “O”) would be detrimental to a successful build-out and eventual sales. In particular, condition O.4 requires all residents to be 55 years of age or older, condition O.6 limits total occupancy to no more than two persons and condition O.7 limits overnight guest to a maximum of a two week stay.

After researching other Senior Residence permits, including Quail Ridge (Acton) and Aria at Hathorne Hill (Danvers), along with the Town of Acton Zoning Bylaw 9B.11, we have found the Lot 4 Special Permit language to be inconsistent with the above in regards to occupancy restrictions. We have discussed modifying the Lot 4 permit with Town Planner, Roland Bartl and Town Manager, Steve Ledoux, both of whom are supportive of a modification to bring the Lot 4 special permit in-line with the Quail Ridge permit and Town Zoning Bylaws.

At this time, and pursuant to section 5.13 (“Amending a Senior Residence Special Permit”) of the Senior Residence Special Permit Rules and Regulations, we would request to modify the Senior Residence Special Permit for Woodlands to Laurel Hill based on the following:

***Section O.4***

Replace existing language to read, “To be in compliance with Bylaw 9B.11, all units in the Woodlands at Laurel Hill senior residence development shall be occupied by at least one individual aged 55 years or older. The Board considers the following residency exceptions as being in compliance with section 9B.11: Spouses and children of any age, including adopted children, of a qualified senior person; children of any age for which the qualified person is a legal guardian; grandchildren of any age of a qualified senior person when the grandchildren’s

parents are not able to fulfill their parental duties due to death, illness or other catastrophic infliction; and live-in home health aides or household aides of any age employed by the qualified senior person to assist that person with household or health care needs.”

***Section 0.6***

Remove completely

***Section 0.7***

Remove completely

We feel that these modifications will not only bring the Lot 4 special permit in-line with similar permits and Town Bylaws, but will also assist in making the Woodlands at Laurel Hill a reality. Thank you for your time and consideration of our permit modifications.

Regards,



Steven L. Gorning  
Development Manager  
AvalonBay Communities, Inc.  
51 Sleeper Street, Suite 750  
Boston, MA 02210  
p. 617.654.9505  
[steven\\_gorning@avalonbay.com](mailto:steven_gorning@avalonbay.com)

cc: Roland Bartl, Director of Planning – Town of Acton  
Steven Ledoux, Town Manager – Town of Acton  
Steven Schwartz – Goulston & Storrs  
Scott Dale, Senior Vice President – AvalonBay Communities, Inc.

enclosures