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TOWN OF ANDOVER, MASS

DECISION OF THE ANDOVER PLANNING BOARD
AS A SPECIAL PERMIT GRANTING AUTHORITY

ON THE APPLICATION OF

CA Investment Trust
Roberts Drive
90 Beacon Street

Modification of Special Permit for a Multi-Family Dwelling Construction-Attached Cluster
under Section 7.3 of the Zoning By-Law.

Decision: SP20-01

YES (with conditions)

A virtual public meeting of the Planning Board was held on May 12, 2020, present and voting in the affirmative on the matter were members Zachary Bergeron, Vincent Chiozzi, Ann Knowles Rocky Leavitt and Neil Magenheim.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on March 5, 2020 and March 12, 2020, and notice sent by mail, postage prepaid, to all interested parties pursuant to the provisions of Massachusetts General Laws, Chapter 40A, a public hearing was convened on May 12, 2020 on the application of CA Investment Trust for a Modification of Special Permit for a Multi-Family Dwelling Construction-Attached Cluster Project SP15-04. The hearing was closed on May 12, 2020, with the aforementioned members of the Board present throughout.

In order to satisfy the dimensional requirements of Section 7.3.4. of the Zoning By-Law, the applicant is proposing to create a 22 acre parcel. Pursuant to Section 7.3.4.1. of the Zoning By-Law, the maximum lot size allowed under current zoning is 25-acres, with minimum of 50' feet of frontage. The layout of the units meets the 75' minimum setback requirement from existing property boundaries, the 15' setback from roads or parking areas and the 50' setback from other buildings. The buildings will be less than 35' in height.

The modification will add a unit to Building 4. The total number of units will be increased from 27 to 28 spread out over seven buildings. Building #7 will also be revised with the turning of the building to have the decks facing the golf course.

Vehicular access to the condominium units is from a private way known as Robert Drive. The 28 attached units would be contained in 7 separate buildings, each building would contain 4 units. Pursuant to Section 7.3.6. of the Zoning By-Law (Design Standards), the number of dwelling units which have more than four rooms excluding bathrooms may not exceed 60% of the total number of dwelling units in the development. .

All maintenance responsibility associated the Multi-Family Attached Cluster would be the responsibility of the condominium association. Said maintenance would include for the private maintenance of the access drives, all utilities such as sewer and water, routine street maintenance, snow plowing, and trash removal.

In the opinion of the Board, in consideration of all the reviews, presentations, discussions, agreements and understandings on the petition the Board finds that the proposal as a whole is in harmony with the purposes of Section 7.3.1 and will not have a detrimental impact on the neighborhood and is designed with due consideration for health and safety and is superior to a conventional subdivision plan in preserving open space, minimizing environmental disruption, allowing more efficient provisions of services and allowing greater variety in prices and types of housing stock.

In consideration of all of the foregoing, including the plans, documents, and testimony given during the public hearing, the Planning Board hereby approves and issues a Modification of Special Permit for a Multi-Family Dwelling Construction for CA Investment Trust, applicable to the property earlier described, and subject to conditions of SP15-04 remaining in full force and affect with an update to the plans described under condition #2 of the SP15-04 decision:

Sheet 1 of 6 Cover Sheet last revised February 10, 2020;
Sheet 2 of 6 Overview Plan last revised February 10, 2020;
Sheet 3 of 6 Layout Plan last revised February 10, 2020;
Sheet 4 of 6 Layout Plan last revised February 10, 2020;
Sheet 5 of 6 Grading Plan last revised February 10, 2020;
Sheet 6 of 6 Grading Plan last revised February 10, 2020.

Following the statutory twenty-day appeal period, and in the absence of any appeal, the plan and an instrument containing the foregoing restrictions will be filed in the Registry of Deeds. The applicant is responsible for the costs associated with the Registry filings.

On May 12, 2020, at a regularly scheduled public meeting, the Andover Planning Board voted (5-0) to issue the foregoing Modification of Special Permit for Multi-Family Dwelling Construction Attached Cluster SP15-04.

Date: May 29, 2020



Zachary Bergeron, Chair

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

Date: May 29, 2020

On this 29th day of May, 2020, by Zachary Bergeron, the authorized agent of the Andover Planning Board, proved to me through satisfactory evidence, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the documents are truthful and accurate to the best of his knowledge and belief and who acknowledged to me that he signed it voluntarily for its stated purpose and acknowledged the foregoing to be the free act and deed of the Andover Planning Board.

Before me,



Notary Public

My commission Expires:

JACKI A. BYERLEY
NOTARY PUBLIC
My commission expires June 11, 2021

CERTIFICATION

I, Austin Simko, Town Clerk of the Town of Andover, Massachusetts, do hereby certify that twenty (20) days have elapsed since this decision of the Andover Planning Board was filed in my office on June 4, 2020 and no appeal against said decision has been filed.

Date: 7-10-2020


Austin Simko, Town Clerk