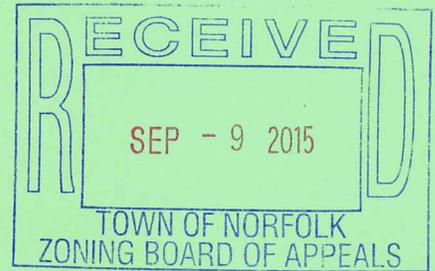


**COMPREHENSIVE PERMIT
APPLICATION**



**BOYD'S CROSSING
NORFOLK, MA**

COMPREHENSIVE PERMIT APPLICATION

BOYD'S CROSSING – NORFOLK, MA

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**COMPREHENSIVE PERMIT
APPLICATION**



ZONING BOARD OF APPEALS
TOWN OF NORFOLK

MASSACHUSETTS 02056

APPLICATION FOR HEARING
COMPREHENSIVE PERMIT

1. Name of Applicant or Appellant: POWERHEAD, LLC
- 1a. Mailing address of Applicant: 32 NORFOLK AVE.
EASTON, MA Zip Code 02375 Phone 508-230-2300
- 1b. Address or location of property - Subject of the Hearing:
106-108 MAIN ST
- 1c. Owner of the property: POWERHEAD, LLC
- 1d. Mailing address of the owner: SAME AS APPLICANT
2. Name of all persons or parties having legal or beneficial interest in the application: EOGHAN KELLEY
3. List the supplied documents sufficient to prove status as Non-profit, limited dividend, or public agency: Upon execution of Regulatory Agreement, the applicant will become a Limited DIVIDEND ORGANIZATION.
4. List the documents sufficient to prove interest in locus; in case of public agency with eminent domain authority, a statement of interest in acquiring site shall be sufficient to demonstrate interest in property. Documents shall give the precise location of property: SEE TAB 5 -
SITE CONTROL - DEED

5. List submitted FHA or MHFA site approvals or other documents showing agency's interest: SITE ELIGIBILITY LETTER TO BE ISSUED BY MASS HOUSING
6. List requested exceptions to local codes, ordinances or regulations: SEE TAB 10 - LIST OF WAIVERS
7. Statement of local need for such a development; include any documents to substantiate: TOWN HAS LESS THAN 10% OF LOCAL AFFORDABLE HOUSING. SEE TAB 4 - SUBSIDIZED HOUSING INVENTORY
8. Complete a description of the development. The description shall include the following information. This Description may be appended to the application form but must include all of the following information:
- a. Number of units to be built, and acreage. 40 units / 9.01 AC
 - b. The type of building to be constructed, masonry, wood frame, etc. SFH - WOOD FRAME
 - c. Names of the record owner if different from the applicant, and the name of the designer, engineer, architect or surveyor. SEE TAB 8 - DEVELOPEMENT TEAM
 - d. Names of all abutters, and of owners of land next adjoining abutters, as determined from the most recent local tax list. SEE TAB 7 - ABUTTER'S LIST
 - e. General discription of proposal system of drainage and sewerage, including adjacent existing natural waterways. SEE TAB 3 - DEVELOPEMENT NARRATIVE ALSO, SEE TAB 9 - SITE PLANS

- ✓ f. Approval, if necessary, under the Jones Act, Coastal Wetlands Act, the Hatch Act, and the Inland Wetlands Act, respectively. Chapter 130 Section 27A, Chapter 130 Section 105, Chapter 131 Section 40, and Chapter 131 Section 40A of the General Laws. **SEE TAB 13 - CONSERVATION COMMISSION**
- ✓ g. Names, approximate location, and widths of adjacent streets. **SEE TAB 9 - SITE PLAN**
- ✓ h. Description of the topography of the site. **SEE TAB 3 - DEVELOPEMENT NARRATIVE**
- ✓ i. Floor plan of typical unit, and typical elevations and typical section. **SEE TAB 9 - SITE PLAN**
- ✓ j. Overall site plan of development. **SEE TAB 9 - SITE PLAN**
- ✓ k. To degree reasonably possible, large projects shall contain a statement of the environmental impact in terms of traffic, fire, schools, recreation, and the effect on open space and the natural environment. **TRAFFIC REPORT TO BE PRESENTED AT THE ZBA HEARING.**

I hereby request a hearing before the Norfolk Zoning Board of Appeals with reference to the above noted application.

Signed: _____ Date: _____

Signed: EDGHAN KELLEY Date: _____

Title: MANAGER, POWERHEAD, LLC

Notice: Town Clerk or Agent shall stamp the date received on this application, sign or initial adjacent to the date, and forward the material to the Clerk/Agent of the Board of Appeals.

Town Clerk or Agent

Date

A copy of the Norfolk Zoning Bylaws may be purchased from the Town Clerk.

One non-circulating copy of M.G.L. Chapter 40A, as amended, and one non-circulating copy of the Rules and Regulations of this Board are on file with the Town Clerk.

SCHEDULE OF FEES

FEES PER HEARING:

SPECIAL PERMIT	\$300.00
(plus \$50.00 per each additional special permit request pertaining to the same site)	
VARIANCE	\$300.00
(Plus \$50.00 per each additional variance request pertaining to the same site)	
SPECIAL PERMIT AND VARIANCE.	\$400.00
(Plus \$50.00 per each additional special permit or variance request pertaining to the same site)	
COMPREHENSIVE PERMIT	\$1080.00
(Plus \$220.00 per unit)	
WETLAND ACT AND/OR WATERSHED HEARING	\$300.00
ADDENDUM AND CHANGES/RELIEF FROM CONDITIONS. . .	\$300.00
(Advertised)	
APPEALS.	\$300.00
EXTENSIONS	\$ 50.00
(Unadvertised)	
RENEWALS OF SPECIAL PERMITS	\$100.00
(Unadvertised)	
REPETITIVE PETITIONS	\$220.00
(Unadvertised)	

PLEASE NOTE: In addition to the application fee, the applicant will be required to reimburse the Town for any and all costs incurred by the Town to have an engineer/consultant review the proposal, as deemed necessary by the Zoning Board of Appeals. (Please note Article V, Section 2, Rules and Regulations).

revised: 3/97

profit organizations, may be granted a reduced fee that covers, as a minimum, specific administrative costs (including postage, secretarial time, and mandatory legal advertising). The Board shall also consider the complexity of the application and the time required to hear it. When submitting a request for a fee reduction or waiver, the applicant shall cite the reasons for the request; whereupon, the Board shall make a determination. (rev. 8/31/94)

SECTION 7: COMPREHENSIVE PERMIT RULES OF THE ZONING BOARD OF APPEALS FOR APPLICATION OF COMPREHENSIVE PERMITS, M.G.L. CHAPTER 40B

Subsections:

- a. Authorization
- b. Procedure
- c. Submittal Requirements
- d. Filing Fee
- e. Written Authorization
- f. Outside Consultants
- g. Testimony and Documents
- h. Vote and Decision
- i. Appeals
- j. Amendments

Section 7(a) Authorization

These rules are authorized by M.G.L. Chapter 40B, sec. 21; M.G.L. Chapter 44, sec. 53G and 760 CMR 31.02(3).

Section 7(b) Procedure

- (1) Twenty (20) copies of the complete application, including all supporting documentation and the filing fee, shall be submitted to the Norfolk Zoning Board of Appeals (the "Board") by hand or certified mail delivery to its administrative assistant at the Town offices at One Liberty Lane, Norfolk, MA during regular business hours. Upon acceptance of the application by the administrative assistant, a dated stamped copy of the application shall be given to the Town Clerk.
- (2) The Board will transmit copies of the application to the Board of Selectmen, Planning Board, Board of Health, Conservation Commission, Police Department, Fire Department, Highway Department, Water Department, Building Commissioner, Housing Authority, Recreation Commission, School Committee (the "local

boards) and any other relevant board, commission, or official, and request written recommendations and an appearance at the hearing on said application. The Board will consider the recommendations of the local boards and officials.

- (3) The Board shall commence a hearing within thirty (30) days of submission of the complete application.
The hearing should be terminated when all testimony has been received and all information requested by the Board has been received and reviewed.
- (4) The Board shall request the appearance during the hearing process of such representatives of said local boards and officials and, in making its decision on said application shall take into consideration the recommendation of the local boards and officials.
- (5) The Board shall issue a decision within forty (40) days after the termination of the hearing process and file the decision in the Town Clerk's office within that same time period.
- (6) The Board and the applicant may, by mutual written agreement, extend the thirty-day time period in which to hold the hearing and, after close of the hearing process extend the time period in which to render a decision also by mutual written agreement. Such written agreement(s) shall be filed in the office of the Town Clerk.

Section 7(c) **Submittal Requirements**

The applicant shall be required to submit the following information as part of the application:

- (1) A detailed list of all requested exemptions to local requirements and regulations, including local bylaws and regulations;
- (2) Preliminary site development plans showing the locations and outlines of proposed buildings; the proposed locations, general dimensions and materials for streets, drives, parking areas, walks and paved areas; proposed landscaping improvements and open areas within the site as well as any wetland resources pursuant to M.G.L. chapter 131, 40A, as amended, the Inland Restricted Wetland Act, and those resources protected pursuant to the Town of Norfolk Wetland Protection Bylaw and Regulations. All structures of five or more units must have either a preliminary or definitive site development plan signed and stamped by a registered architect. Structures of less than five units may submit a sketch of the matters referenced herein and in Subparagraph (3) below, which

need not have an architect's signature and stamp, subject, however, to the Board's right to require architectural plans, at any time prior to or during the hearing, if deemed necessary by the Board;

- (3) A report, together with a plan(s), regarding existing site conditions and a summary of conditions in the surrounding areas, showing the location and nature of existing buildings, existing street elevations, traffic patterns, on-site circulation (if an approved site), sight distances and character of open areas, if any, in the neighborhood, as well as the proposed development's anticipated impacts on municipal facilities, such as water, public safety, schools, sewage treatment and environmental impacts to wetlands, wetland buffers and wildlife habitat. The zoning district or districts, if more than one (1) district is involved, shall also be shown on the plan. If the abutting land is in another district or town, this also shall be shown;
- (4) Preliminary architectural scaled drawings for building plans including typical floors plans, typical elevations and sections, and identifying construction type and exterior finish, signed and stamped by the architect;
- (5) A tabulation of proposed buildings by type, size, density, number of bedrooms, floor area, and ground coverage, proposed affordable/market rate ratios, project density, proposed landscaping/buffers and summary showing the percentage of the parcel to be occupied by buildings, by parking and other paved vehicular areas, and by open space areas;
- (6) Where the subdivision of land is involved, a preliminary or a definitive subdivision plan. If a preliminary plan is submitted, the Board shall have the right to require the applicant to submit any and all information typically required on a definitive plan as required by the Planning Board, if deemed necessary by the Board;
- (7) A utilities plan showing the proposed location and types of sewage, water and drainage facilities including hydrants;
- (8) To the extent practicable, large projects shall contain a written narrative of the overall anticipated/expected environmental impact in terms of traffic, fire, schools, recreation, and the effect on open space.
- (9) Evidence documenting that the applicant complies with 760 CMR 31.01, namely:
 - a. The applicant shall be a public agency, a non-profit organization, or a limited dividend organization;

- b. The project must be fundable under a state or federal low or moderate income housing program (project eligibility letter);
 - c. Appropriate documentation evidencing the applicant's control of the site.
- (10) A certified plan of the site prepared by a registered land surveyor or a registered professional engineer;
 - (11) A copy of the deed to the subject property showing the Registry of Deeds Book and Page number(s). If the property is under a Purchase and Sales Agreement, a copy of said agreement shall also be provided (see Section 6(e) regarding written authorization if the applicant is not the owner of the property).
 - (12) An abutters list certified by the Town's Assessor's office listing all abutters as defined in M.G.L. chapter 40A, section 11.
 - (13) A development budget showing all of the expected costs and anticipated profits associated with the development using the appropriate MFHA methodology.

Section 7(d) **Filing Fee**

A filing fee, based on a flat fee and number of housing units proposed, shall accompany the application. The filing fee shall be amended from time to time at the discretion of the Board to reflect the cost of administration of the filing. The filing fees do not include any outside review fees.

\$1080 base fee, plus \$220 for every proposed unit

Section 7(e) **Written Authorization**

- (1) If the applicant is not the owner of the property, the owner(s) shall provide written authorization for the subject application that shall be included as part of the application.
- (2) If the individual signing the application is unable to attend any hearing on the application, the Board shall require written authorization from the applicant that the designated representative has consent to represent the applicant or to withdraw the application. This

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authorization shall be provided in advance of any such representation or withdrawal.

Section 7(f) **Outside Consultants**

The Board may hire outside consultants for technical review and analysis of any application when the Board determines that such review would be of assistance to the Board in evaluating the application. The cost for the outside consultants shall be borne by the applicant. Where applicable, the Board shall follow the requirements of the Uniform Procurement Act, M.G.L. chapter 30B, Section 4, as most recently amended.

Pursuant to M.G.L. chapter 44, section 53G and M.G.L. chapter 40B, Section 21, the Board, through these rules, provides for an applicant's payment of fees for outside consultants as set below:

- (1) When conducting any hearing pursuant to M.G.L. chapter 40B, sec.21 (the subject of which is hereinafter referred to as "the Proposal"), the Board may determine that the assistance of outside consultants is warranted due to:
 - (a) the size, scale, or complexity of the Proposal;
 - (b) the complexity of particular technical issues;
 - (c) the number of housing units proposed;
 - (d) the size and character of the site;
 - (e) projected construction costs.
- (2) In hiring outside consultants, the Board may engage engineers, planners, traffic consultants, housing specialists, financial analysts, attorneys than for and/or other appropriate outside consultants who can assist the Board in reviewing and analyzing the Proposal. The use of an attorney shall not include attorney fees related to the Board's defense of any decision by the Board not shall it include costs associated with Town Counsel. The minimum qualifications shall consists of either an educational degree in, or related to, the field at issue or three or more years of practice in the field of issue or related field.
- (3) Funds received by the Board pursuant to this section shall be deposited with the Town Treasurer who shall establish a special account for this purpose in accordance with the provisions of chapter 44, section 53G of the General Laws. Expenditures from this special account may be made

at the directions of the Board in connection with the hearing of a specific Proposal for which a review fee has been collected from the applicant without further appropriation.

- (4) Any invitation for bids or request for proposals for outside consultants shall indicate that award of the contract is contingent upon payment of a review fee. If the applicant fails to pay the review fee within ten (10) days of receiving written notification of the Board's selection of a bidder or offer, the Board may deny the comprehensive permit, unless the applicant appeals the selection as provided below.
- (5) Within ten days of the Board's selection of the outside consultant, the applicant may appeal the selection of the consultant to the Board of Selectmen. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The written appeal shall specify the nature of the conflict of interest and detail the lack of required qualifications. A copy of the appeal shall be simultaneously provided to the Board.
- (6) The required time limits for action upon the application by the Board shall be extended by the duration of any such appeal. In the event that no decision is made by the Board of Selectmen within thirty (30) days following the filing of the appeal, the selection made by the Board shall stand.
- (7) Review fees may only be spent for services in connection with the specific Proposal from which they were collected. Accrued interest may also be spent for this purpose. At the completion of the Board's review of the Proposal, any excess amount in this account, including interest, attributable to a specific project, shall be repaid to the applicant or the applicant's successor in interest.
For the purpose of this regulation, any person or entity claiming to be an applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.
- (8) The Town Treasurer shall provide the applicant a final report of funds in the special account upon request.

Section 7(g) **Testimony and Documents**

- (1) The Board may receive any testimony during this hearing process and inspect any data, or any sites as it deems necessary to enable it to render a fair and informed decision;

- (2) The Board may receive testimony of any person to whom it is required to give notice to.
- (3) All questions to be put to witnesses shall be through the chairman of the Board.
- (4) Any documents introduced shall be clearly identified by name, or some other designation and the persons so introducing them shall also be identified.
- (5) The members of the Board have the right to inquire of any witness appearing before it.
- (6) Any individual or his representative, to whom the Board is required to send notice, may inquire of through the chair any witness appearing before the Board. The Board may exclude questions that are irrelevant, repetitious, or harassing.
- (7) The Board may permit such others or their representatives to conduct such inquiry as is deemed appropriate by the Board.

Section 7 (h)

Vote and Decision

- (1) The Board shall render a decision, based on a majority vote of the Board within forty (40) days after the termination of the hearing process. The decision of the Board shall forthwith be filed with the Town Clerk's office.
- (2) The Board may dispose of the application in the following manner
 - a. approve a comprehensive permit on the terms and conditions set forth in the application;
 - b. approve a comprehensive permit with conditions additional to those set forth in the application which do not render the construction or operation of such housing uneconomic;
 - c. deny a comprehensive permit for failure of the applicant to provide sufficient information as requested by the Board.
- (3) If a decision is not rendered within the time allowed, unless extended by mutual written agreement, the application shall be deemed approved on the terms and conditions set forth in the application.

- (4) The decision of the Board shall be sent to all abutters as so noted on the certified assessors' list, other parties in interest and local boards as well as the Planning Board of abutting towns.
- (5) If a comprehensive permit is granted, the applicant, prior to construction, must present final detailed construction plans to the building inspector to ensure that the plans are consistent with the comprehensive permit and with state requirements.

Section 7(i) Appeals

- (1) If the Board approves the comprehensive permit, any person aggrieved may appeal within the time period and to the court provided in M.G.L. c.40A, sec.17.
- (2) If the Board denies the comprehensive permit, or approves the permit with conditions or requirements found to be unacceptable to the applicant, the applicant may appeal to the Housing Appeals Committee (HAC) as provided in M.G.L. c 40B, sec. 22.

Section 7 (j) Amendments

- (1) These rules including the fee schedule may be amended by an affirmative vote of not less than three (3) of the five (5) voting members of the Board, provided that such vote occur at a duly posted meeting of the Board of Appeals. (revised on May 9, 2003)

ARTICLE III

SECTION 1: NOTICE

Notice of hearings shall be advertised as required by the provisions of General Laws, Chapter 40A. In addition, a copy of the advertised notice shall be sent by mail at least 14 days prior to the date of the hearing, postage prepaid, to the applicant or petitioner, to all parties on the list provided in accordance with **ARTICLE II, SECTION 4**, to the Planning Board of every abutting Town, to the Building Commissioner/Zoning Officer, and to all those required by the law.

SECTION 2: HEARINGS TO BE PUBLIC

All hearings shall be open to the public and in accordance with Mass. G.L.

DEVELOPMENT NARRATIVE

BOYDE'S CROSSING

NARRATIVE DESCRIPTION OF DESIGN APPROACH

EXISTING SITE CONDITIONS:

Boyde's Crossing is located on the north side of Main Street, near the Norfolk town center. The project's current address is 106 and 108 Main Street where there are two existing home sites that will be raised. The total project area is 9.01 acres, and includes 2 ponds with some wetlands near the front of the site. The property is located approximately one quarter of a mile from Norfolk's revitalized town center and the Norfolk Commuter Rail Station. The site is further identified on the Assessor Tax Map 14, Block 56, Lots 7 & 8 as shown in tab section 1.2 of the application binder.

The wetlands on the site have been delineated and are approved by the Norfolk Conservation Commission (see Tab 2.4). The wetlands are located on both sides of the two driveways leading to the existing houses, connected by a pipe culvert. The rear homesite for 106 Main Street includes mostly wooded areas with some open meadow, while the property at 108 Main Street includes several horse barns and open paddock areas.

The site location is not within any mapped environmentally sensitive areas such as 100-yr. floodplains, outstanding resource waters, state-designated Areas of Critical Environmental Concern, Zone II of public wells or Zone A of public water supplies, vernal pools, or priority habitat of endangered or rare species as mapped by the MA Division of Fisheries and Wildlife.

The site is located in close proximity to the following areas:

- State Highways: Route 1, (1.5 miles), 495 (4 miles), 95 (2 miles).
- Commuter Rail Service: Walking distance (approx 1500 ft.)
- Retail areas: Walking distance.
- Schools: Walking distance.
- Town Government: Town Hall (1/4 mile)
- Center of Town: (1/4 miles)
- Recreation: ½ mile
- Religious: ½ mile
- Places of employment: There are many employment opportunities within a very short driving distance to Routes 1, 1A, 140, 95 and 495 which have or lead to major places of employment.

Locus, aerial and neighborhood photos are included in the application binder Tab 2

SITE DESIGN

Boyde's Crossing consisting of 40 townhouse condominiums is a uniquely creative development which will add to the revitalization of Norfolk's Town Center. The new Town Hall, Library and other municipal buildings in addition to a plethora of new development activity including commercial, retail, office and residential uses, all in or within easy walking distance to the town center.

The development design includes bicycle racks and a shortcut walkway across the back of the site to shorten the the distance to the Commuter Rail. The site's proximity to the town center and existing sidewalks on Main Street will help to minimize reliance on cars. An easement has been obtained by the applicant from the abutter (Desco Realty) to allow a sidewalk at the back of the site to the abutting commuter rail lot.

The site as designed by Outback Engineering of Middleborough, Ma has the homes located over 260 feet off of Main Street, and will maintain existing vegetation between the street to screen the homes. The development is to be accessed by a double-lane roadway leading to the condominiums. The homes are primarily sited with front yards around the inside of a looped roadway with sidewalks to promote a sense of community and pedestrian accessibility. The sidewalks connect to both the town center and onsite outdoor amenities. These onsite features include two large common areas each with a central gathering spot. The larger courtyard area will feature an outdoor pergola with a barbeque and seating areas.

The site design features sustainable development technologies to minimize the impact on the environment. It utilizes many low impact/sustainable development techniques site design, stormwater management and waste water infiltration, including the following:

- Redevelopment of existing homesites,
- No disturbance to wetland resource areas, and plans to enhance the surrounding wetland areas include removal of invasive species and replacement of a small pipe culvert with a large box culvert at the entrance roadway to promote wildlife habitat,
- Stormwater retention areas include roof drains, bioretention areas or rain gardens, and permeable pavement in several areas, to minimize offsite discharge and promote groundwater recharge,
- Wastewater infiltration system is planned to be a drip dispersal pipe system (similar to a lawn irrigation system) that minimizes land alteration,
- Solar-powered street lighting and roof top solar arrays for energy conservation
- Use of native plantings that are drought tolerant to minimize water dependence.
- Rain barrels
- Bike racks
- Pedestrian friendly walkway network

In addition to the sustainability of the design, the site is designed for maximum social interaction for a sense of community feel. Most of the homes will share a common front yard. Please refer to the site renderings in Tab 3.2

ARCHITECTURAL DESIGN

The award winning firm of BKA Architects of Brockton has produced designs that are architecturally unique. The homes shall be wood-framed with exteriors having minimal maintenance and attractive designs to maximize the marketability and aesthetics of the development. Buyers will have flexibility in choosing a variety of floor plans and bedroom configurations without altering the footprint design; 10 homes are planned to have 3 bedrooms and 30 shall be 2 bedroom designs. The homes will have roof-top solar energy systems and many sustainable design features that will make the homes environmentally sustainable and energy efficient. Building materials will utilize recycled and rapidly

renewable material and certified wood products. In additions to solar, they will have an energy efficient soffit design and many other practices that make the buildings energy efficient and environmentally friendly.

The development introduces a different form of housing and architectural design into the neighborhood, yet is architecturally harmonious with the style of buildings in the area. The height and scale of the buildings to the neighborhood is minimized in that the buildings are set back over 260 feet from Main Street. The height of the buildings being a maximum of two stories is compatible with the residential and commercial buildings in the area. Homes shall feature exclusive use areas with outdoor patios. Please refer to area photo Tab section 2.3

The massing of the buildings is reduced with the introduction of architectural details such as trim work around windows and doors, roof dormers, and other architectural details. In addition, the homes harmonize with the site design of walkways, laneways, fencing, common areas and other site details.

**SUBSIDIZED HOUSING
INVENTORY (DHCD)**

Department of Housing and Community Development
Chapter 40B Subsidized Housing Inventory (SHI)
as of December 5, 2014

Community	2010 Census Year Round Housing Units	Total Development Units	SHI Units	%
Abington	6,364	511	478	7.5%
Acton	8,475	1,107	551	6.5%
Acushnet	4,097	133	103	2.5%
Adams	4,337	321	321	7.4%
Agawam	12,090	499	467	3.9%
Alford	231	0	0	0.0%
Amesbury	7,041	869	505	7.2%
Amherst	9,621	1,081	1,034	10.7%
Andover	12,324	1,428	1,145	9.3%
Aquinnah	158	41	41	25.9%
Arlington	19,881	1,429	1,121	5.6%
Ashburnham	2,272	147	32	1.4%
Ashby	1,150	0	0	0.0%
Ashfield	793	2	2	0.3%
Ashland	6,581	346	241	3.7%
Athol	5,148	247	247	4.8%
Attleboro	17,978	1,177	1,177	6.5%
Auburn	6,808	242	242	3.6%
Avon	1,763	74	74	4.2%
Ayer	3,440	456	290	8.4%
Barnstable	20,550	1,832	1,373	6.7%
Barre	2,164	83	83	3.8%
Becket	838	0	0	0.0%
Bedford	5,322	1,087	902	16.9%
Belchertown	5,771	398	372	6.4%
Bellingham	6,341	702	537	8.5%
Belmont	10,117	392	380	3.8%
Berkley	2,169	139	24	1.1%
Berlin	1,183	222	65	5.5%
Bernardston	930	24	24	2.6%
Beverly	16,522	2,142	1,946	11.8%
Billerica	14,442	1,487	857	5.9%
Blackstone	3,606	165	123	3.4%
Blandford	516	1	1	0.2%
Bolton	1,729	192	64	3.7%
Boston	269,482	52,453	49,324	18.3%
Bourne	8,584	1,227	596	6.9%
Boxborough	2,062	327	24	1.2%
Boxford	2,730	64	23	0.8%

Methuen	18,268	1,938	1,649	9.0%
Middleborough	8,921	928	509	5.7%
Middlefield	230	4	4	1.7%
Middleton	3,011	173	151	5.0%
Milford	11,379	980	718	6.3%
Millbury	5,592	244	221	4.0%
Millis	3,148	184	121	3.8%
Millville	1,157	26	26	2.2%
Milton	9,641	733	477	4.9%
Monroe	64	0	0	0.0%
Monson	3,406	152	152	4.5%
Montague	3,926	423	391	10.0%
Monterey	465	0	0	0.0%
Montgomery	337	0	0	0.0%
Mount Washington	80	0	0	0.0%
Nahant	1,612	48	48	3.0%
Nantucket	4,896	179	121	2.5%
Natick	14,052	1,672	1,442	10.3%
Needham	11,047	969	838	7.6%
New Ashford	104	0	0	0.0%
New Bedford	42,816	5,155	5,124	12.0%
New Braintree	386	0	0	0.0%
New Marlborough	692	0	0	0.0%
New Salem	433	0	0	0.0%
Newbury	2,699	94	94	3.5%
Newburyport	8,015	720	606	7.6%
Newton	32,346	2,515	2,438	7.5%
Norfolk	3,112	144	111	3.6%
North Adams	6,681	886	880	13.2%
North Andover	10,902	1,393	932	8.5%
North Attleborough	11,553	308	296	2.6%
North Brookfield	2,014	142	142	7.1%
North Reading	5,597	645	533	9.5%
Northampton	12,604	1,586	1,521	12.1%
Northborough	5,297	718	605	11.4%
Northbridge	6,144	470	455	7.4%
Northfield	1,290	27	27	2.1%
Norton	6,707	898	588	8.8%
Norwell	3,652	426	271	7.4%
Norwood	12,441	992	980	7.9%
Oak Bluffs	2,138	158	146	6.8%
Oakham	702	0	0	0.0%
Orange	3,461	431	431	12.5%
Orleans	3,290	337	307	9.3%
Otis	763	0	0	0.0%
Oxford	5,520	404	404	7.3%
Palmer	5,495	329	284	5.2%

SITE CONTROL

Deeds

Deeds

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 07-03-2014 @ 02:45pm
Ct1#: 1264 Doc#: 54666
Fee: \$2,622.00 Cons: \$575,000.00

QUITCLAIM DEED

KIMBERLY A. CHIPMAN, Trustee of THE MICHAELA REALTY TRUST under a declaration of Trust dated January 3, 1997 and recorded with the Norfolk County Registry of Deeds in Book 20321, Page 81, of 5 Overlea Road, P O Box 796, Norfolk, Norfolk County, Massachusetts for consideration paid of Five Hundred Seventy-Five Thousand Dollars (\$575,000.00) grants to BISHER I. HASHEM, Trustee of HERRING RUN REALTY TRUST, 32 Norfolk Avenue, South Easton, Massachusetts, with QUITCLAIM COVENANTS, the land situated in Norfolk, Norfolk County, Massachusetts, described as follows:

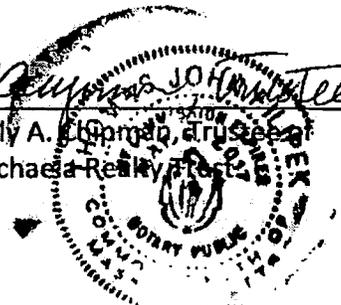
The land at 106 Main Street, Norfolk, Norfolk County, Massachusetts shown on a plan drawn by Borderland Engineering, Inc. dated January 18, 2010 recorded on February 23, 2010 at the Norfolk County Registry of Deeds, Land plan reference Book 598 Page 41 Plan #0000-607

The Grantor hereby releases all rights of homestead in the property at 106 Main Street, Norfolk, Massachusetts, the premises hereby conveyed.

I certify that The Michaela Realty Trust is still in effect and that there are no unrecorded amendments and that I have the full authority of the beneficiaries and Trustees to execute this deed. No beneficiary is a minor, or corporation selling all or substantially all of its Massachusetts assets, or a personal representative of an estate subject to estate tax liens, or is now deceased or under any legal disability.

Meaning and intending to convey the same premises conveyed to Peter S. Chipman, Trustee of the Michaela Realty Trust of Deeds, dated September 4, 2013 and recorded with the Norfolk County Registry of Deeds in Book 31721, Page 178.

Witness my hand and seal this 3rd day of July, 2014.

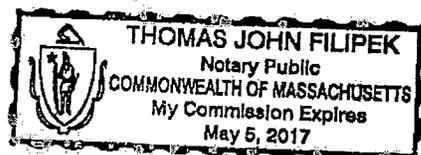
Kimberly A. Chipman
Kimberly A. Chipman, Trustee
The Michaela Realty Trust


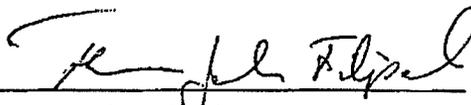
Commonwealth of Massachusetts

Norfolk, ss.

July 3, 2014

On this 3rd day of July 2014 before me the undersigned notary public, personally appeared Kimberly A. Chipman, Trustee as aforesaid, proved to me through satisfactory evidence of identification, which was her Massachusetts driver's license, to be the person whose name was signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.




Thomas John Filipek - Notary Public
My commission expires: May 5, 2017

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 06-27-2014 @ 03:10pm
Ct1#: 1980 Doc#: 51799
Fee: \$2,599.20 Cons: \$570,000.00

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

QUITCLAIM DEED

We, **Ralph H. Andersen and Ann A. Andersen, formerly known as Ann E. Abbott**, husband and wife, of Norfolk, Norfolk County, Massachusetts, for consideration paid, and in full consideration of **Five Hundred Seventy Thousand and 00/100 (\$570,000.00) Dollars**, grant to **Powerhead, LLC**, a Massachusetts Limited Liability Company with a principal office at 32 Norfolk Avenue, South Easton, Massachusetts 02375, with **quitclaim covenants**,

A certain parcel of land known as **108 Main Street, Norfolk, Massachusetts**, and bounded and described as follows:

Beginning at a county highway bound on Main Street and running

- S. 76° 48' 30" W. 34.52 feet along Main Street to land now or formerly of George F. Campbell et ux; thence
- N. 6° 58' 08" E. 360.07 feet along land of Campbell to a drill hole in a stone wall, a corner; thence
- S. 84° 23' 49" W. 357.66 feet along land of Campbell to a drill hole in a base stone of the wall, a corner; thence
- N. 7° 43' 35" E. 147.74 feet along land of Wilfred Carlson to land of New York, New Haven & Hartford Railroad; thence continuing
- N. 7° 43' 35" E. 29.19 feet along land of said New York, New Haven & Hartford Railroad to a point; thence
- N. 63° 01' 24" E. 480.00 feet along land of New York, New Haven & Hartford Railroad to land of Gottfred C. Olsen; thence
- Southeasterly 675 feet more or less to the side line of Main Street as laid out and shown on a county layout dated June 11, 1940; thence
- S. 76° 48' 30" W. 168.89 feet along Main Street to the point of beginning.

Contain 4 acres more or less.

The grantors hereby release all rights of homestead in the property at 108 Main Street, Norfolk, Massachusetts, the premises hereby conveyed.

For our title see deed recorded in the Norfolk County Registry of Deeds in Book 7900, Page 248.

108 Main Street, Nor. , Massachusetts

Witness our hands and seals this 27 day of June, 2014

Ralph H. Andersen
Ralph H. Andersen

Ann A. Andersen
Ann A. Andersen formerly known as Ann E. Abbott

COMMONWEALTH OF MASSACHUSETTS

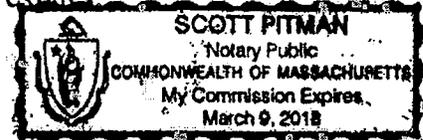
NORFOLK, SS

June 27, 2014

On this 27th day of June, 2014, before me, the undersigned notary public, personally appeared Ralph H. Andersen and Ann A. Andersen formerly known as Ann E. Abbott, proved to me through satisfactory evidence of identification, which are AAA D.C., to be the persons whose names are signed on the preceding or attached documents, and acknowledged to me that they signed it voluntarily for its stated purpose.

Scott Pitman
Notary Public
My commission expires:

[seal]



FEES



DELPHIC
ASSOCIATES
LLC

651 Orchard Street, Suite 308 • New Bedford, Massachusetts 02744
Tel: 508-994-4100 Fax: 508-994-5100

September 9, 2015

Mr. Michael Kulesza, Chairman
Zoning Board of Appeals
1 Liberty Lane
Norfolk, MA 02056

**RE: FEES
BOYD'S CROSSING
NORFOLK, MA**

Dear Chairman Kulesza:

Please find attached a check for the amount of \$9,880.00. We understand in the case of a Request for a Comprehensive Permit that the intent of fees established by the town to be paid by the applicant shall be used to augment any expenses incurred by the Zoning Board of Appeals for "Consultant Reviews" and / or other costs.

Pursuant to the terms of 760 C.M.R 56.05 (5) (a), so called "Consultant Review" first depends upon a determination by the board that it requires technical advise... "unavailable from municipal services" (emphasis added). The permissible types of technical advise are then specifically delineated as "civil engineering, transportation, environmental resources, design review of buildings and site and.... review of financial statements". Upon such a formal determination the board is then directed to "work cooperatively with the applicant to identity appropriate consultants and scopes of work and to negotiate payment of part or all of the consultant fees by the Applicant."

Moreover, the board may impose a review fee similar to the planning board fees charged for a subdivision of similar size. The consultant may review studies prepared on behalf of the Applicant and in connection with the Applicant's specific project, and any fees charged may not exceed those of "similar consultants in the area."

The fees being submitted shall not and cannot be used for legal fees. The portion of the Regulation that addresses legal fees provides an expressed probation against imposition of legal fees for general presentation of the board. In the June 25, 2007, case issued by the Housing Appeals Committees Autumnwood decision, that decision appears to inappropriately ignore the plain distinction between attorneys and other technical consultants drawn by the regulation, it to raises significant concerns. In the Autumnwood case the committees expansive reading of the

Regulation limits reimbursement of attorneys fees to “only fees for technical review of legal documents prepared by the developer, review of legal opinions prepared by the developer’s counsel or other similar peer review”. However, since that decision date the Department of Housing and Community Development had issued the new Comprehensive Permit Regulations **760 CMR 56 dated February 28, 2008, which once again expresses probation against imposition of legal fees for general representation by the board.**

Therefore, at a bare minimum, before any payment is made for legal fees the board needs to receive approval from the applicant and should provide sufficient information to determine whether the fees to be charged to them are similar to those charged by other attorneys in the area and a means to which meaningfully differentiate the attorneys time charges for general representation of the town in its capacity as legal counsel from the proposed charges for any so called “technical review” that may prove to be necessary. The necessity of “detail evidence with respect to the services provided” for any meaningful subsequent review of the proposed charges is, of course, made plain by Autumnwood.

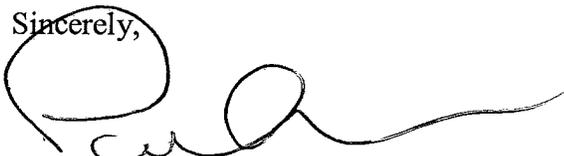
The town should also be made aware of the strong likelihood of waiver of any attorney-client privileges between the town and their counsel with respect to the work performed by counsel for which reimbursement is sought. Such a waiver is supported by, among other factors, the requirement under 760 C.M.R. 56.05 (5)(b)(3) that all written results or reports must be made part of the record before the board.

The foregoing is not intended by the applicant to suggest any unwillingness, under the appropriate circumstances, to provide the board with reimbursement of reasonable and necessary outside consultant’s fee, rather, the applicant is merely concerned that it could be asked to bare cost for which is not responsible.

Should you have any questions or need anything further, please do not hesitate to contact me at your convenience.

Thank you.

Sincerely,



Paul E. Cusson
Managing Member
DELPHIC ASSOCIATES LLC
PEC/llg

HOLD TO LIGHT TO VIEW WATERMARK IN PAPER - HEAT SENSITIVE RED IMAGE DISAPPEARS WITH HEAT - DETECTION CIRCLE REVEALS A LOCK WHEN TESTED

1278

POWERHEAD LLC
32 NORFOLK AVENUE
SOUTH EASTON, MA 02375

Eastern Bank

Boston, MA 02110
easternbank.com
1-800-EASTERN

EZShield™ Check Fraud
Protection for Business

53-179-113

8/5/2015

PAY TO THE
ORDER OF **Town of Norfolk**

\$ ****9,880.00**

Nine Thousand Eight Hundred Eighty and 00/100*****

DOLLARS

Town of Norfolk

MEMO

Boyde's Crossing: Application Fee



Bisher Hashem
AUTHORIZED SIGNATURE

Security features. Details on back.

⑈001278⑈ ⑆011301798⑆ 0600893077⑈

POWERHEAD LLC

1278

Town of Norfolk

8/5/2015

Boyde's Crossing: Application Fee (\$220 x 40 units)	8,800.00
Boyde's Crossing: Application Fee	1,080.00

ABUTTER'S LIST

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
0014-0056-0007	108 MAIN ST	POWERHEAD LLC 32 NORFOLK AVE SO. EASTERN, MA 02375
----- A B U T T E R S -----		
* 0014-0053-0043	19 WARE DR	MASON DANIEL R. & ELAINE M. 19 WARE DR NORFOLK, MA 02056
0014-0053-0044	8 WARE DR	TORNABENE JOHN J. & PAULA A. 8 WARE DR NORFOLK, MA 02056
0014-0053-0045	17 WARE DR	BACON LEONARD R. & ROSE ANNE 17 WARE DR NORFOLK, MA 02056
0014-0053-0046	15 WARE DR	MALONE MARTIN & TAMI 15 WARE DR NORFOLK, MA 02056
0014-0053-0047	11 WARE DR	PANTAZIS GEORGE & GEORGIA 11 WARE DR NORFOLK, MA 02056
* 0014-0053-0079	14 WARE DR	LORUSSO LINDA PO BOX 27 NORFOLK, MA 02056
* 0014-0056-0002	130 MAIN ST	124 MAIN ST LLC 21 GARRY DR MEDFIELD, MA 02052
0014-0056-0003	124 MAIN ST	124 MAIN ST LLC 21 GARRY DR MEDFIELD, MA 02052
* 0014-0056-0004	118 MAIN ST	118 MAIN ST LLC 21 GARRY DR MEDFIELD, MA 02052
* 0014-0056-0005	114 MAIN ST	DIAMOND PETER N. P.O. BOX 191 114 MAIN ST NORFOLK, MA 02056
* 0014-0056-0006	112 MAIN ST	FINDLEN HELENA & MICHAEL P 16 ANALORE CIRCLE NORFOLK, MA 02056

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
0014-0056-0007	108 MAIN ST	POWERHEAD LLC 32 NORFOLK AVE SO. EASTERN, MA 02375

A B U T T E R S

* 0014-0056-0008	106 MAIN ST	HERRING RUN REALTY TRUST BISHER I HASHEM TR 32 NORFOLK AVE SO. EASTERN, MA 02375
0014-0056-0033	100 MAIN ST	NORFOLK TOWN OF 1 LIBERTY LN NORFOLK, MA 02056
0014-0056-0036	124 MAIN ST	124 MAIN ST LLC 21 GARRY DR MEDFIELD, MA 02052
* 0014-0056-0037	OFF MAIN ST	MASS BAY TRANSIT AUTH TEN PARK PLAZA BOSTON, MA 02116
0014-0057-0025	115 MAIN ST	BEKSHA PATRICIA M & DAVID R JASON A 115 MAIN ST NORFOLK, MA 02056
0014-0057-0026	113 MAIN ST	FLUKE CHARLES H 113 MAIN ST NORFOLK, MA 02056
* 0014-0057-0027	111 MAIN ST	KELLY F MATTHEW & SARAH D DAGILIS 111 MAIN ST NORFOLK, MA 02056
* 0014-0057-0028	109 MAIN ST	SHIVERS FAMILY IRREVOCABLE TRUST STEVEN SHIVERS & PAULA MYERS TR P.O. BOX 147 NORFOLK, MA 02056
* 0014-0057-0029	105 MAIN ST	COMBE PAUL C. & CANDANCE H. 105 MAIN ST NORFOLK, MA 02056
0014-0057-0030	103 MAIN ST	DEIRDRE A LORUSSO 2008 TRUST DEIRDRE A LORUSSO TR 103 MAIN ST NORFOLK, MA 02056

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
0014-0056-0007	108 MAIN ST	POWERHEAD LLC 32 NORFOLK AVE SO. EASTERN, MA 02375
----- A B U T T E R S -----		
0014-0057-0083	101 MAIN ST	101 MAIN ST REALTY TRUST CONCETTA M & ROBERT A MARCOTTE 101 MAIN ST NORFOLK, MA 02056
0015-0053-0014	66 BOARDMAN ST	NORFOLK TOWN OF-SCHOOL 1 LIBERTY LN NORFOLK, MA 02056
0015-0053-0042	BOARDMAN ST	NORFOLK TOWN OF 1 LIBERTY LN NORFOLK, MA 02056
0015-0053-0053	10 MALCOLM ST	10 MALCOLM ST REALTY TRUST JEFFREY C TAYLOR TR 44 ELMWOOD DR SOUTHPORT, CT 06890-1391
0015-0053-0054	12 MALCOLM ST	BRULE HELEN T L.E. ETAL 12 MALCOLM ST NORFOLK, MA 02056
0022-0056-0034	MAIN ST	NORFOLK TOWN OF CONSERVATION 1 LIBERTY LN NORFOLK, MA 02056

28 parcels listed

Certified List of Record Owners as of January 1,2015

Kathleen Mullineaux
Board of Assessors
Norfolk, Ma. 02056

Z.B.A.
*Immediate
300'
Zone/bus

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
0014-0056-0008	106 MAIN ST	HERRING RUN REALTY TRUST BISHER I HASHEM TR 32 NORFOLK AVE SO. EASTERN, MA 02375
----- A B U T T E R S -----		
* 0014-0053-0043	19 WARE DR	MASON DANIEL R. & ELAINE M. 19 WARE DR NORFOLK, MA 02056
0014-0056-0005	114 MAIN ST	DIAMOND PETER N. P.O. BOX 191 114 MAIN ST NORFOLK, MA 02056
0014-0056-0006	112 MAIN ST	FINDLEN HELENA & MICHAEL P 16 ANALORE CIRCLE NORFOLK, MA 02056
* 0014-0056-0007	108 MAIN ST	POWERHEAD LLC 32 NORFOLK AVE SO. EASTERN, MA 02375
0014-0056-0032	98 MAIN ST	NORFOLK TOWN OF 1 LIBERTY LN NORFOLK, MA 02056
* 0014-0056-0033	100 MAIN ST	NORFOLK TOWN OF 1 LIBERTY LN NORFOLK, MA 02056
0014-0057-0027	111 MAIN ST	KELLY F MATTHEW & SARAH D DAGILIS 111 MAIN ST NORFOLK, MA 02056
0014-0057-0028	109 MAIN ST	SHIVERS FAMILY IRREVOCABLE TRUST STEVEN SHIVERS & PAULA MYERS TR P.O. BOX 147 NORFOLK, MA 02056
0014-0057-0029	105 MAIN ST	COMBE PAUL C. & CANDANCE H. 105 MAIN ST NORFOLK, MA 02056
* 0014-0057-0030	103 MAIN ST	DEIRDRE A LORUSSO 2008 TRUST DEIRDRE A LORUSSO TR 103 MAIN ST NORFOLK, MA 02056

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
0014-0056-0008	106 MAIN ST	HERRING RUN REALTY TRUST BISHER I HASHEM TR 32 NORFOLK AVE SO. EASTERN, MA 02375

A B U T T E R S

0014-0057-0031	99 MAIN ST	VINCENT & CAROL M PANETTA TR VINCENT & CAROL M PANETTA 99 MAIN ST NORFOLK, MA 02056
* 0014-0057-0032	97 MAIN ST	ST CYR JOEL C. & JENNIFER A. 97 MAIN ST NORFOLK, MA 02056
* 0014-0057-0083	101 MAIN ST	101 MAIN ST REALTY TRUST CONCETTA M & ROBERT A MARCOTTE 101 MAIN ST NORFOLK, MA 02056
0015-0053-0014	66 BOARDMAN ST	NORFOLK TOWN OF-SCHOOL 1 LIBERTY LN NORFOLK, MA 02056
* 0015-0053-0042	BOARDMAN ST	NORFOLK TOWN OF 1 LIBERTY LN NORFOLK, MA 02056
* 0022-0056-0034	MAIN ST	NORFOLK TOWN OF CONSERVATION 1 LIBERTY LN NORFOLK, MA 02056

17 parcels listed

Certified List of Record Owners as of January 1,2015

Kathleen Mullisay
Board of Assessors
Norfolk, Ma. 02056

Z.B.A.
*Immediate
300'
Zone/Bus

DEVELOPMENT TEAM

DEVELOPMENT TEAM

BOYDE'S CROSSING

NORFOLK, MA

APPLICANT

Powerhead LLC is a sole purpose entity created to develop Boyde's Crossing at 106 – 108 Main Street in Norfolk, Ma in accordance with M.G.L. 40B. Powerhead LLC is a member of the growing Stonebridge Homes Inc., family of companies.

The Stonebridge family of companies has built numerous communities over the last 20 years. Some of the communities located in Massachusetts are Abington, Easton, Raynham, Taunton, Franklin, West Bridgewater, Pembroke, Dighton, Westport, Norwell and Whitman.

The main principals of Stonebridge Homes Inc are Muhammad Itani and Bisher Hashem.

The Stonebridge family of companies have received several approvals within the last 5 years from Mass Housing for the developments listed below, all were permitted in accordance with MGL 40B

Development Name	Municipality	Development Type	Site Eligibility	Final Approval
Maplewood Estates	Rockland	72 Single Family	Yes	Yes
Stoney Ridge Estates	Dighton	60 Single Family	Yes	Yes
Briggs Landing	Westport	90 Single Family	Yes	Yes
Tiffany Hill	Norwell	24 Detached condo	Yes	Yes
Nadia Estates	Foxborough	36 Townhouse condo	Yes	Process

Please visit their web site at www.Stonebridgehomesinc.com

CONSULTANT

Delphic Associates LLC has over 30 years of experience as a real estate development and consulting firm with a concentration of developing "For Sale" housing in accordance with MGL 40 throughout the Commonwealth. Delphic has been responsible for permitting approximately 50 developments in accordance with MGL 40B.

In addition to its permitting experience, Delphic is one of the leading lottery and marketing agents in the Commonwealth. Having developed and implementing Affirmative Fair Housing Marketing Plans ("AFHMP") and Housing Lotteries in over 40 communities, consisting of approximately 1,500 homes

Over the last 10-12 years the Stonebridge family of companies has been an import client of Delphic. The developments listed above were permitted by Delphic with assistance from the development team members of each of the development entities.

Please visit Delphic's web site at www.DelphicAssociates.com

ENGINEER

The applicant has chosen the engineering firm of Outback Engineering Inc., a full service site planning, civil engineering and land survey firm located in Middleborough, MA. Outback has been in business since 1997, involved in site design on a variety of commercial and residential projects. Services include land surveying, site planning through full design and permitting, and construction surveying and observation services. Over the last 18 years, Outback and Delphic have been development team members in a substantial number of projects permitted in accordance with M.G.L. 40B.

The developments listed above have all been permitted and/or constructed with the development team consisting of one of the Stonebridge companies along with Delphic and Outback.

Please visit their web site www.Outback-Eng.com

ARCHITECT

BKA Architects is a full service Architectural firm founded in 1974 by Barry Koretz, located in Brockton, MA. Since that time the firm has grown into an award winning firm with over 40 professionals.

The firm has been the architect on several 40B developments, including some with Delphic and the applicant.

Please visit their web site www.bkaArchitects.com

PLANS

Site Development Plans

Affordable Distribution Plan

Virtual Tour

Architectural