

# Middlesex North Registry of Deeds

## Electronically Recorded Document

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### Recording Information

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**Middlesex North Registry of Deeds**  
**Richard P. Howe Jr., Register**  
**360 Gorham Street**  
**Lowell, Massachusetts 01852**  
**978/322-9000**  
**www.lowelldeeds.com**



# Town of Dracut Board of Appeals

62 Arlington Street  
Dracut, MA 01826

Tel: (978) 454-0603

Fax: (978) 937-9885

email: [boardofappeals@dracutma.gov](mailto:boardofappeals@dracutma.gov)

## THE COMMONWEALTH OF MASSACHUSETTS

### TOWN OF DRACUT

### BOARD OF APPEALS

#### Comprehensive Permit pursuant to M.G.L. Chapter 40B Sale of Property and Change of Ownership

The Board of Appeals of the Town of Dracut hereby certifies that a Public Hearing was held on May 20, 2021 and the Board deems that the Sale of the Property and the Change of Ownership from First Dracut Development Company, LLC to World Dracut, LLC is an insubstantial change to Comprehensive Permit 2005-13.

#### Granted to:

World Dracut, LLC

On this 20th day of May, 2021

Town of: Dracut Massachusetts

Affecting the rights of the owner with respect to land or buildings at:

341 Broadway Road

Deed Book 35591  
Page 144

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said Sale of Property and the Change of Ownership as an insubstantial change and that copies of said decision and of all plans referred to in the decision, have been filed with the Board of Appeals and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, pursuant to M.G.L. Chapter 40B provides that no variance and/or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town or city clerk that twenty days have elapsed after the decision has been filed; that it has been dismissed or denied; it is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record; or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

R. Scott Mallory

Scott Mallory, Chairman, Board of Appeals

Merylle Chase

Merylle Chase, Clerk, Board of Appeals

I, KATHLEEN GRAHAM, CLERK of the TOWN of  
DRACUT, MASS., HEREBY CERTIFY that the NOTICE  
of VARIANCE by the DRACUT BOARD of APPEALS has  
BEEN RECEIVED and RECORDED at this OFFICE and  
NO APPEAL was RECEIVED DURING the TWENTY DAYS  
NEXT AFTER SUCH RECEIPT and RECORDING of SAID NOTICE  
8/6/2021 Kathleen Graham  
Date  
Town Clerk, Dracut, Mass.



## Town of Dracut Board of Appeals

62 Arlington St.  
Dracut, MA 01826

Tel: (978) 454-0603  
Fax: (978) 937-9885

June 25, 2021

Re: Zoning Board of Appeals #2005-13 Comprehensive Permit (40B) -- 341 Broadway Road, Dracut, MA,

This letter is to confirm receipt of a letter from MassDevelopment indicating that they have reviewed a number of documents provided by World Dracut, LLC. Based on that review, MassDevelopment has indicated it is their opinion that World Dracut, LLC meets the requirements of 760 CMR 56.04(1)(a) and (b). The Dracut Board of Appeals therefore recognizes the ownership transfer from the original owner, First Dracut Development Company, LLC, to World Dracut, LLC.

Sincerely,

*R. Scott Mallory*  
R. Scott Mallory, Chairman

RECEIVED  
TOWN CLERK  
JUN 29 AM 11:05  
2021  
TOWN OF DRACUT MASSACHUSETTS

RSM/apm

(e) Any items which are separately allocated pursuant to Sections 4.05 and/or 4.06 which otherwise would have been taken into account in calculating Profits and Losses pursuant to the above provisions shall not be taken into account and, as the case may be, shall be added to or deducted from such amounts so as to be not part of the calculation of the Profits or Losses.

If the LLC's taxable income or loss for such year, as adjusted in the manner provided above, is a positive amount, such amount shall be the LLC's Profits for such year; and if negative, such amount shall be the LLC's Losses for such year.

"Reasonable Reserves" shall mean such amount as the Managers, acting by Approval, shall deem reasonably necessary to meet the foreseeable liabilities or obligations of the LLC taking into consideration historic costs as well as reasonably projected cash flow, and including, but not limited to the normal expenses of the operation and management of its activities, as such liabilities and obligations become due and payable.

"Regulations" shall mean the Regulations promulgated under the Code, and any successor provisions to such Regulations, as such Regulations may be amended from time to time.

"Transfer" and any grammatical variation thereof shall refer to any sale, exchange, issuance, redemption, assignment, distribution, encumbrance, hypothecation, gift, pledge, retirement, resignation, transfer or other withdrawal, disposition or alienation in any way as to any interest as a Member. Transfer shall specifically, without limitation of the above, include assignments and distributions resulting from death, incompetency, Bankruptcy, liquidation and dissolution.

The definitions set forth in the Act shall be applicable, to the extent not inconsistent herewith, to define terms not defined herein and to supplement definitions contained herein.

#### ARTICLE XI

##### Limited Dividend Organization

The LLC shall be "Limited Dividend Organization" within the meaning of Massachusetts General Laws, c. 40B and 760 CMR 56.

IN WITNESS WHEREOF, the Manager and the Member hereto have executed this Agreement under seal as of the day and year first above written.

MEMBERS:

Mark D. Coppola  
Mark D. Coppola

MANAGER:

Mark D. Coppola  
Mark D. Coppola

## Citizens' Housing and Planning Association

Board of Directors March 11, 2021

Dracut Zoning Board of Appeals  
11 Spring Park Avenue  
Dracut, MA 01826

President-Elect  
*Felicia Jacques*      Dear Chairperson:

Vice Presidents  
Andrew DeFranza  
Gordon Pulsifer

As you may be aware, Citizens' Housing and Planning Association (CHAPA) is the monitoring agent for three Chapter 40B developments in Dracut: Park Place Estates, Riverside Landing and Robbins Nest. CHAPA is a statewide non-profit organization based in Boston. We were designated by the Zoning Board of Appeals and MassHousing to serve in this capacity.

Treasurer  
*Angie Lio*

The purpose of this letter is to provide the Zoning Board of Appeals with an annual update on the status of the Town's Chapter 40B developments.

Clerk  
Naomi Sveitzer

As the monitoring agent, CHAPA reviews refinance requests from affordable unit owners and coordinates any resales of affordable units at Park Place Estates and Riverside Landing. CHAPA approved no refinances and coordinated one resale Park Place Estates in Dracut in 2020.

*Andrea Aldana  
Kenan Bigby  
Rachana Crowley  
Aida Franquiz  
Soni Gupta  
Wendell Joseph  
Jason Korb  
Dara Kovel  
Gloria Leipzig  
Kathy McGilvray  
Chris Norris  
Leslie Reid  
Olivia Richard  
Dr. Megan Sande*

**Robbins Nest:** Robbins Nest is a New England Fund Chapter 40B rental project and has 24 affordable units. As the monitoring agent, CHAPA reviewed and approved the marketing plan and has been overseeing the initial lease-up of the affordable units. We have been verifying that applicants for the affordable units had household income that was at or below 80% of the area median income, as established by HUD, for Dracut and had assets within the established limit. CHAPA performs an annual review of the tenants and a report detailing our 2020 site visit was sent to the Town in December 2020. MassHousing will be reviewing the developer's submission of the total development costs and all third-party financing to determine the "imputed equity" amount with respect to the limited dividend requirements.

If you have any questions regarding our role as a monitoring agent please contact Carol Marine at CHAPA at 617-690-8603 or at [cmarine@chapa.org](mailto:cmarine@chapa.org).

Sincerely,

Karen Wiener  
Chief Operating Officer

Cc: Jessica Malcolm, MassHousing

15:8 Rd 2-1117 100



# Town of Dracut Board of Appeals

62 Arlington St.  
Dracut, MA 01826

Tel: (978) 454-0603  
Fax: (978) 937-9885

## SPECIAL PERMIT AND/OR VARIANCE

Petitioner:

Address:

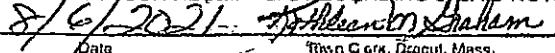
Appeals, if any, shall be made pursuant to M.G.L C40A, Section 17, and shall be filed within 20 days after the decision is filed with the Town Clerk's office, 62 Arlington Street, Town Hall, Dracut, MA 01826.

I certify that no appeal has been received within the 20 days of the filing of this notice in my office, or that if any appeal has been filed that it has been dismissed or denied.

Kathleen M. Graham, Town Clerk or  
Jayne Boissonneault, Assistant Town Clerk

## TIME STAMP AND SEAL OF THE TOWN OF DRACUT

I, KATHLEEN GRAHAM, CLERK of the TOWN of DRACUT, MASS., HEREBY CERTIFY that the NOTICE of VARIANCE by the DRACUT BOARD of APPEALS has BEEN RECEIVED and RECORDED at this OFFICE and NO APPEAL was RECEIVED DURING the TWENTY DAYS NEXT AFTER SUCH RECEIPT and RECORDING of SAID NOTICE

8/6/2021   
Date Town Clerk, Dracut, Mass.

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Received and entered with the Registry of Deeds in the County of Middlesex District having jurisdiction in Dracut, MA

Book Number: \_\_\_\_\_

Page \_\_\_\_\_

(Copy of recording to be attached)

**Note:** Building Permits shall not be issued until such time as the attestation is made and recording provided.