

COMMERCIALLY DEVELOPABLE LAND FOR SALE

160 WESTFORD ROAD

TYNGSBOROUGH, MA 01879

Albert Bouchie

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GIBSON
Commercial

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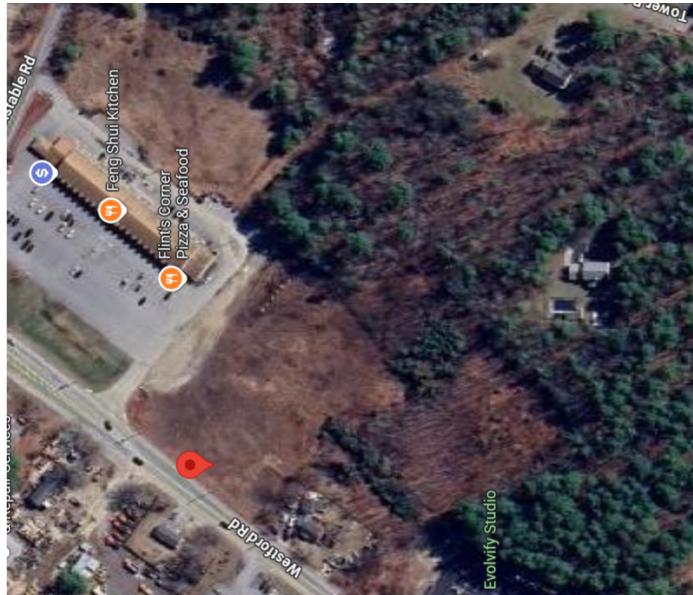
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Property Summary

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Property Description

Introducing a prime development opportunity at 160 Westford Road, Tyngsborough, MA, 01879. This 6.2 Acre commercially developable parcel is ideally zoned B3 and MUOD, presenting a multitude of opportunities for a savvy investor. Situated in the Lowell area with easy access to Rt 3, this location offers strategic access to a thriving market. With its favorable zoning and strategic location, this property holds potential for a wide variety of commercial and mixed-use developments. Don't miss the chance to make this property the cornerstone of your next successful venture. Embrace the possibilities at 160 Westford Road.

Property Highlights

- Zoned B3 and MUOD
- Strategic Lowell area location
- Versatile investment potential
- Easy access to Rt 3

Offering Summary

Zoning: B-3 / MCOD

Demographics	0.3 Miles	0.5 Miles	1 Mile
Total Households	67	216	777
Total Population	204	652	2,268
Average HH Income	\$196,697	\$202,242	\$204,882

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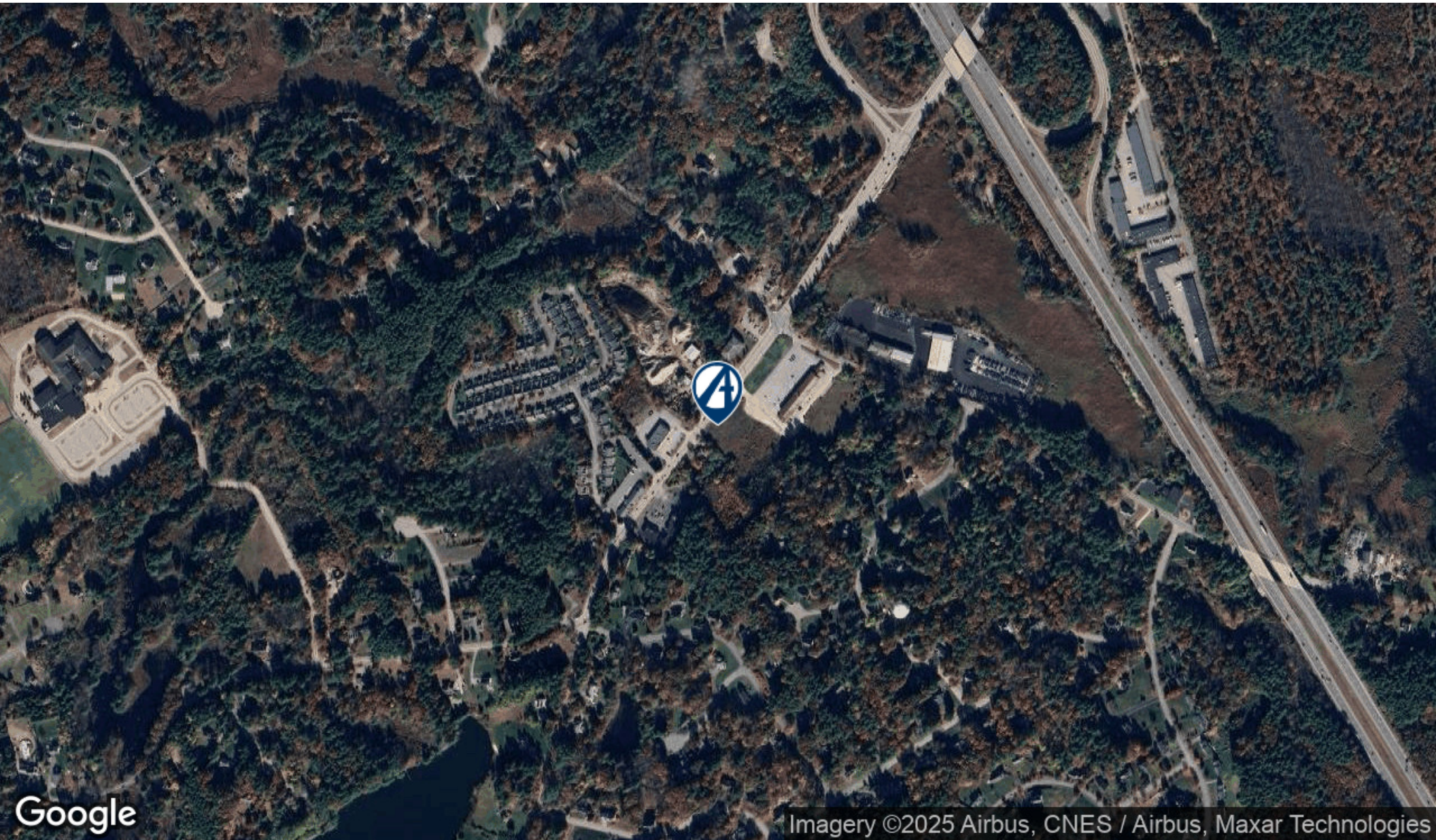
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Aerial Map

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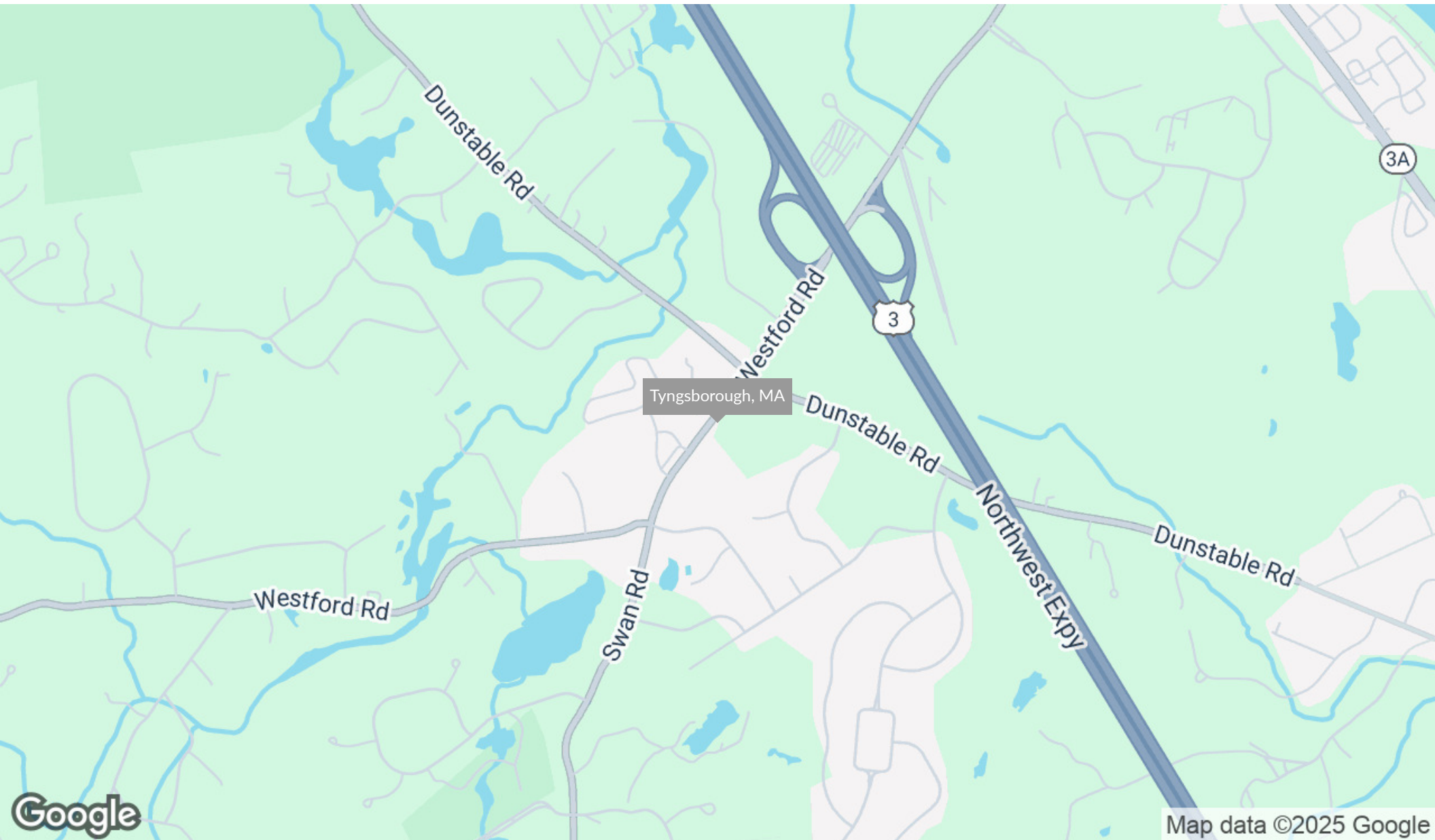
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Regional Map

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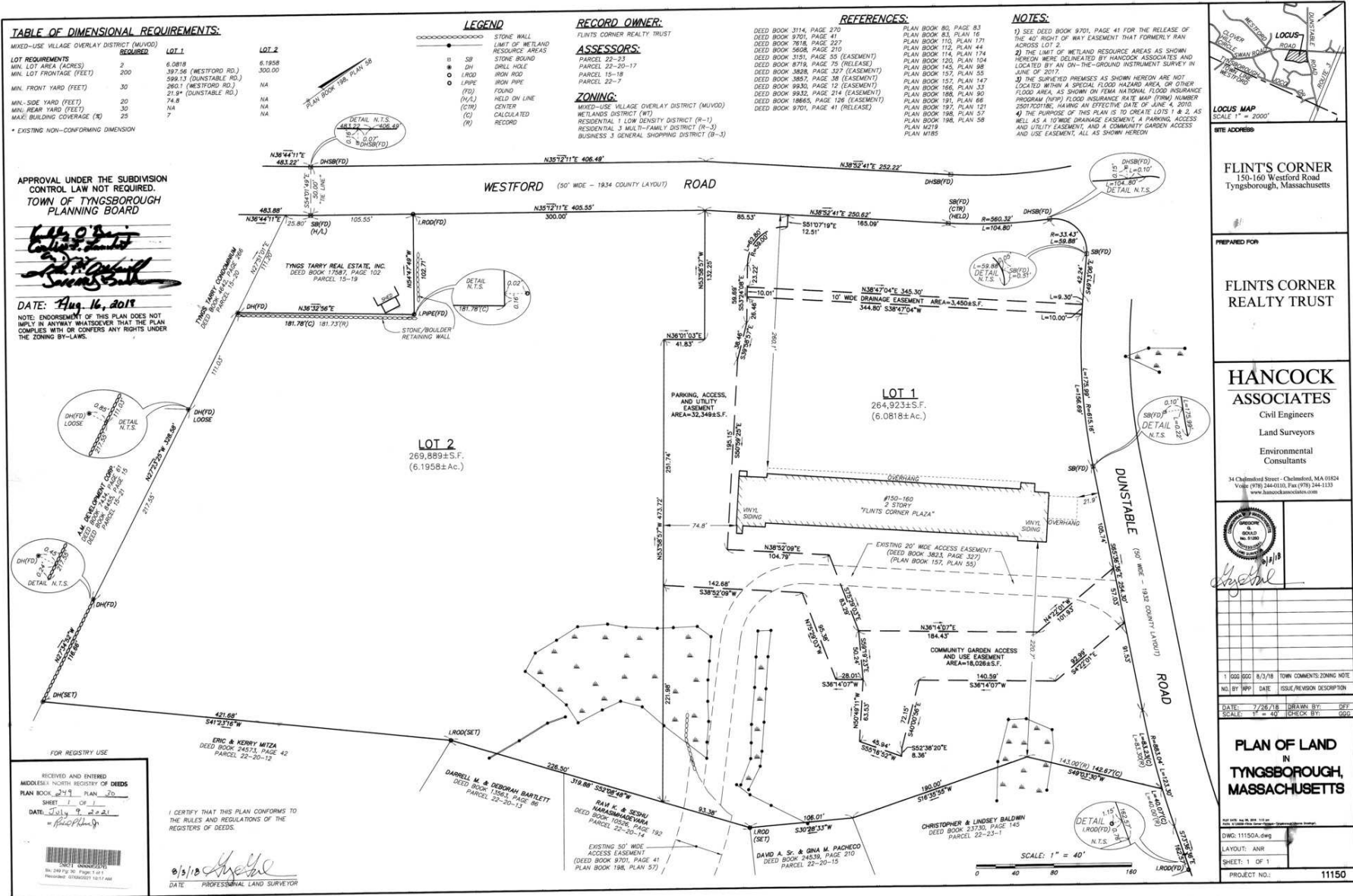
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Site Survey

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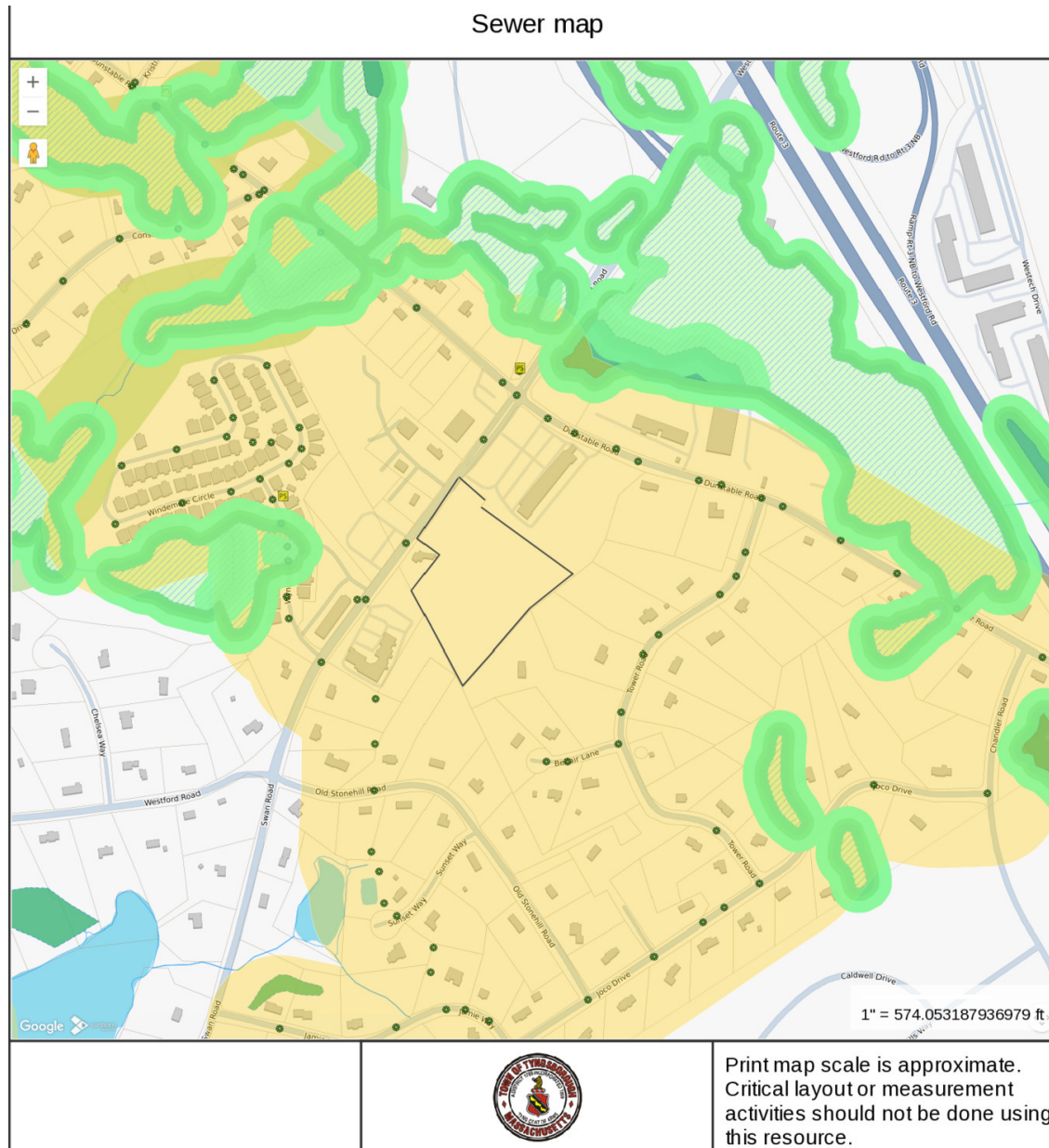
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Sewer Map

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SECTION 3. DISTRICTS

3.1 Establishment.

For this Bylaw, the Town is divided into the following districts.

Residential	Residential 1 Low Density Residential 2	(R-1)
	Moderate Density Residential 3	(R-2)
	Multi-Family	(R-3)
Business and Commercial	Business 1 Neighborhood	(B-1)
	Business 2 Office/Professional	(B-2)
	Business 3 General shopping	(B-3)
	Business 4 Adult zone	(B-4)
Industrial	Industrial 1 Light	(I-1)

3.2 Overlay Districts.

- A. Overlay districts shall be superimposed on other districts established by this Bylaw. Any land in an overlay district shall also be subject to and benefit from the development and use regulations for the applicable underlying district(s) and shall, in addition, conform to the additional regulations of the one or more overlay districts in which the land lies. In the event of any conflict between the regulations of two or more overlay districts that apply to the same lot of land, or in the event of conflict between an underlying district(s) and an overlay district affecting it, the most restrictive regulations shall apply. The following overlay districts are hereby established:

Mixed Use Overlay District (MUOD)

Flood Plain and Floodway Districts (FP)

Wetlands District (WD)

Telecommunications District (TC-1)

3.3 Zoning Map.

1. The boundaries of each district are established, defined, and bounded as shown on the map accompanying this Bylaw and on file with the Clerk of the Town of Tyngsborough.
2. The Telecommunications District shall be prohibited in all districts except as defined as follows: Assessors' Map 4, lots 1, 2, 3, and 4; Map 12, lots 27 and 32; Map 13, lots 19 and 21; Map 21, lot 5; and Map 22, lots 20-1 and 27.

SECTION 4. USE REGULATIONS

4.1 Application.

No land shall be used, and no structure shall be erected or used, except as in conformity with the Table of Uses, including the notes to the Table, or as otherwise provided in this Section 4, or as exempt from zoning under G.L. c. 40A, §3, or approved by variance from the Zoning Board of Appeals, as provided in G.L. c. 40A, § 10, and Section 2.5 of this Bylaw. Any building or use of premises not explicitly permitted is prohibited.

4.2 Interpretation of the Table of Uses.

If an activity might be classified under more than one principal use, the more specific definition shall determine whether the use is permitted. If the activity might be classified under equally specific definitions, it shall not be permitted unless both uses are permitted in the district.

4.3 Table Of Uses

CODES:

P = A Permitted Use

O = A Prohibited Use

PB = Special Permit-Planning Board

SB = Special Permit – Board of Selectmen

SPR = Site Plan Review by Planning Board Pursuant to section 2.8

Principal Uses	Residential Districts			Business Districts				Industrial Districts
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	I-1
General Uses								
Agricultural	P	P	P	P	P	P	P	P
Conservation	P	P	P	P	P	P	P	P
Earth Removal	O	O	O	O	O	O	O	SB
Recreation	P	P	P	P	P	P	P	P
Residential Uses								
Single-family dwelling	P	P	P ⁵	O	O	O	O	O
Two-family dwelling	O	O	P ⁵	O	O	O	O	O
Multi-family dwelling ¹	O	O	PB	O	O	O	O	O
Temporary Independent Living Quarters ⁶	PB	PB	PB	PB	PB	PB	PB	PB

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Principal Uses	Residential Districts			Business Districts				Industrial Districts
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	I-1
Governmental, Institutional and Public Service Uses								
Municipal	P	P	P	P	P	P	P	P
Educational ¹⁰	P	P	P	P	P	P	P	O
Religious	P	P	P	P	P	P	P	P
Nursing Home	O	O	PB	P	P	P	O	O
Assisted Living	O	O	O	O	O	PB	O	O
Independent Living	O	O	O	O	O	O	O	O
Continuing Care Campus	O	O	O	O	O	PB	O	O
Public or Private Utility Facilities	SB	SB	SB	SB	SB	SB	SB	P
Hospitals	O	O	O	SB	SB	SB	SB	O
Correctional Facilities	O	O	O	O	O	O	O	SB
Cemeteries	P	P	P	O	O	O	O	P
Post Office	O	O	O	P	P	P	P	P
Business Uses²								
Retail Store Less Than 5,000 G.S.F.	O	O	PB	P	P	P	P	SPR
Retail Store More Than 5,000 G.S.F.	O	O	O	O	O	P	P	PB
Professional Offices Less Than 15,000 G.S.F.	O	O	PB	PB	PB	P	P	O
Professional Offices More Than 15,000 G.S.F.	O	O	O	O	O	SPR	SPR	SPR
Financial Service	O	O	O	PB	PB	P	P	O
Restaurant	O	O	PB	SPR	SPR	P	P	SPR
Restaurant – Fast Food	O	O	O	O	O	SPR	SPR	SPR
Craft Brewery	O	O	O	O	SB	P	P	P
Craft Brewery & Taproom	O	O	O	O	SB	SB	SB	SB
Craft Distillery	O	O	O	O	SB	P	P	P
Hotel, Inn or Motel	O	O	PB	O	O	P	P	PB
Combined Business and Dwelling	O	O	PB	PB	P	O	O	O
Lodge or Club	O	SB	SB	O	P	P	P	P
Funeral Home	O	O	SB	O	P	P	P	O
Veterinary Care	O	O	O	PB	P	P	P	SPR
Commercial Kennel	O	O	O	O	O	SB	SB	SB
Personal Services	O	O	O	PB	PB	P	P	PB
General Services	O	O	O	PB	PB	P	P	PB

SECTION 5. DIMENSIONAL REQUIREMENTS

5.1 General Provisions.

- A. No land shall be used, and no structure or building shall be used or construction begun except in accordance with this Section and the Table of Standard Dimensional Regulations unless otherwise specifically permitted in this Bylaw.
- B. For residential uses, no more than one building for dwelling purposes shall be located upon a lot except as provided elsewhere in this Bylaw.

5.2 Minimum Land Area.

In any district, the following areas shall not be considered in computing the minimum lot size:

- A. Land classified as wetlands under G.L. c. 131, § 40 and land within a lot made non-contiguous by the wetlands.
- B. Land classified as floodway by the Federal Emergency Management Agency (FEMA) and depicted on the FEMA "Floodway Boundary Maps" prepared for the Town and dated September 2, 1982.

5.3 Lot Perimeter.

Lots with a minimum lot area of 30,000 square feet or greater shall have no more than one foot of perimeter for every 40 square feet. Lots with a minimum lot area of less than 30,000 square feet shall have no more than one foot of perimeter for every 30 square feet of lot area. In no instance shall a lot have less than 50 feet in width in any location within the lot except in a portion of the lot where two lot lines meet at a point. Any lot created before adoption of this Bylaw and conforming to then applicable requirements shall be considered a conforming lot for purposes of this Bylaw

5.4 Methods for Calculating Dimensional Requirements.

- A. **Lot Area.** Lot area shall be determined by calculating the area within a lot, excluding any area within the lot over which easements have been granted, provided that no area within a street shall be included in determining minimum lot area. When the distance between any two points on lot lines is less than 50 feet, measured in a straight line, the smaller portion of the lot which is bounded by the straight line and the lot lines shall not be considered in computing the minimum lot area unless the distance along the lot lines between the two points is less than 150 feet. (See Figure 1.)

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5.5 Table of Standard Dimensional Requirements

Dimensions	Zoning District							
	R-1	R-2	^{1/} R-3	B-1	B-2	B-3	B-4	I-1
Minimum Lot Area (Square feet) X 1000	65	20	20	20	20	80	80	80
Minimum Lot Frontage (Lin. Feet)	200	75	75	100	50	150	150	200
Minimum Lot Width (Lin. Feet)	50	50	50	50	50	50	50	100
Minimum Front Yard (Lin. Feet)	30	30	30	30	30	75	75	100
Minimum Side Yard ^{2/} (Lin Feet)	30	20	15	15	15	30	30	40
Minimum Rear Yard ^{2/} (Lin Feet)	30	20	15	15	15	40	40	40
Minimum Open Space (Percent of Total LotArea)	³	N/A	N/A	N/A	N/A	25	25	25
Maximum Building Height (Lin. Feet)	^{4/36}	^{4/36}	^{4/36}	^{4/36}	^{4/36}	^{5/40}	^{5/40}	^{6/45}

Codes:

1/ Multi-family development must comply with Section 9.4 of this Bylaw. Single-family homes in the R-3 district shall require 44,000 square feet of area and 200 feet of frontage, and duplexes in the R-3 district shall require 88,000 square feet of area and 400 feet of frontage.

2/ See Section 7.4 Buffering, Screening, and Grading.

3/ See Section 9.2 Open Space Residential Development

4/ Not to exceed 2 ½ stories

5/ Not to exceed 3 stories

6/ Not to exceed 3 ½ stories

5.6 Reduction of Dimensional Requirements for Certain Undersized Lots

The Planning Board may, in its discretion, and by issuance of a special permit, reduce any one or more of the dimensional requirements contained in the foregoing Table of Standard Dimensional Requirements, or elsewhere in this Bylaw, for any lot in the B-1, B-2, B-3, B-4, or I-1 districts that does not satisfy the minimum lot area requirement applicable thereto. Such special permit shall require mandatory findings by the Planning Board in accordance with Section 2.7 of this Bylaw, with respect to the dimensional variation(s) proposed; and, further, shall require consideration by the Planning Board of the character of the neighborhood, the general pattern of development in the neighborhood and district, and the dimensional standards previously and generally employed in the district. Any special permit issued hereunder may be conditioned by the Planning Board in accordance with Section 2.7 of this Bylaw.

SECTION 10. SPECIAL DISTRICT REGULATIONS

10.1 Mixed Use Overlay District

- A. **Purpose:** The purposes of this Mixed-Use Village Overlay District (MUVOD) are to encourage a mix of business, commercial, professional, residential, and recreational uses and to promote compact, village-style development that is pedestrian-oriented and incorporates traditional architectural features compatible with the Town character. A vibrant mixed-use village will minimize impacts on public services; maximize efficient use of public infrastructure; increase and diversify the Town's tax base; create a thriving small business environment; provide diverse housing opportunities; encourage the reuse of existing underutilized or vacant properties; attract new investment and promote economic development within the Town. The following section is intended to further the general goals, objectives, and recommendations outlined in the Tyngsborough Master Plan and Tyngsborough Economic Development Plan.
- B. **Boundaries:** The boundaries of the MUVOD shall include the areas as shown on the Tyngsborough Assessor's Map Sheet 21, Block 23-1, lots 6, 13, 14, 15, 16, and 17, encompassing an area consisting of approximately 43 acres with frontage on Westford Road. The boundaries of the MUVOD shall also include the areas as shown on the Tyngsborough Assessor's map Sheet 15, Parcel 18; Map Sheet 22, Parcels 7, and 23; and map Sheet 22, parcel 20, Lot 17, encompassing an area consisting of approximately 12.2 acres with frontage on Westford Road and Dunstable Road.
- C. **Relationship to Existing Zoning:** The underlying zoning shall remain an integral part of the Tyngsborough Zoning Bylaw and shall be neither modified, repealed, nor amended, except as otherwise provided in this Section. The property owners in the MUVOD shall possess all current zoning rights and be subject to the requirements applicable in the underlying zones. In the event that an owner desires to use the owner's property for Mixed-Use Development as defined in the Section, the rules and regulations of the MUVOD shall apply, and by filing an application for development subject to the rules and regulations of this Section, the owner shall be deemed to accept and agree to them. Where the MUVOD provisions are silent on a zoning rule or regulation, the requirements of the underlying zoning shall apply.
- D. **Permitted Uses.** The following uses are allowed, in the MUVOD, subject to the requirements set forth in this Section:
1. General Permitted Uses:
 - a) Conservation; and
 - b) Recreation
 2. Permitted Residential Uses:

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a) Multi-family dwelling.

3. Permitted Government, Institutional, and Public Service Uses:

- a) Municipal;
- b) Public or Private Utility Facilities; and
- c) Post Office

4. Permitted Business and Industrial Uses:

- a) Retail Store; provided however, no single Retail Store use shall occupy an area exceeding 10,000 square feet;
- b) Business or Professional Office
- c) Financial;
- d) Restaurant;
- e) Restaurant-Fast Food; provided, however, no Restaurant-Fast Food use shall incorporate a drive-through service;
- f) Lodge or Club;
- g) Veterinary Care;
- h) Personal Service Facility;
- i) General Services;
- j) Studio;
- k) Commercial Recreation-Indoor or outdoor facilities, operated as a business and open to the public for a fee;
- l) Lounge or Pub;
- m) Amusement Facility Indoor; provided, however, no Amusement Facility Indoor shall incorporate a cinema;
- n) Commercial Broadcast Facility;
- o) Day Care Facility;
- p) Light Manufacturing; provided, however, no single Light Manufacturing use shall occupy and area exceeding 10,000 square feet;

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- q) Industrial Office/R&D; provided, however, no single Industrial Office/R&D use shall occupy an area exceeding 10,000 square feet.
- 5. Other Permitted Uses:
 - a) Farmer's Markets, Farm Stands, and Similar Facilities; and
 - b) Outdoor Sales of Holiday Trees, Wreaths or Similar Products.
- E. Site Plan Special Permit: All uses and structures in the MUVOD are subject to a Special Permit and Site Plan Special Permit from the Planning Board in accordance with Sections 2.7 and 2.8 of this Bylaw. In addition to the requirements of Sections 2.7 and 2.8, all design criteria set forth in this Section 10.1 shall apply. The Planning Board shall be the Special Permit Granting Authority for any Special Permits under this Section 10.1.
- F. **Dimensional Requirements:**
 - 1. General Dimensional Requirements in the MUVOD. Uses and structures within the MUVOD shall conform to the following requirements unless the requirements are otherwise waived by the Planning Board as provide herein:
 - a) Residential/Business/Industrial Minimum Lot Area: 2 acres
 - b) Minimum Frontage: 200 feet
 - c) Minimum Front Yard Setback: 30 feet
 - d) Minimum Side Yard Setback: 20 feet
 - e) Minimum Rear Setback: 20 feet
 - f) Maximum Building Height: 3½ stories or 45 feet
 - g) Minimum land area per Lot/Dwelling area: Building coverage not to exceed 25 percent of total lot area
 - 2. Special Provisions:
 - a) The minimum separation between two of more buildings on the same lot shall be at least 20 feet.
 - b) The Planning Board may waive or modify any dimensional requirements set forth in this Section if, in its opinion, the modifications will result in an improved design in light of the stated purposes of this Section.
 - c) The building footprint of any single building located within the MUVOD shall not exceed 40,000 square feet.
 - d) Public restrooms shall be made available in accordance with the design guidelines

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2. The applicant meets the conditions and terms concerning, but not limited to, resale restrictions, tenant-purchaser selection and eligibility, resident priority, and other administrative rules and regulations as promulgated by the Planning Board which are designed to ensure the goal of providing affordable housing is continued.
3. All units provided pursuant to this section shall not be less than the average size of all other units in the same development and shall be similar in terms of siting, style, and quality of construction.
4. Determination of Affordability. The term "affordable" shall be defined as the maximum purchase price or less allowed by the Massachusetts Housing Finance Agency (MassHousing) through said its First Time Homebuyer Program for the Lowell, MA - NH Primary Metropolitan Statistical Area for newly constructed condominium units. The term "affordable" for rental units shall be defined to be the Fair Market Rent or less as established by the Department of Housing and Urban Development for the Lowell, MA - NH Primary Metropolitan Statistical Area for the purpose of determining eligibility in the Section 8 Housing Rental Program. In all cases the most recent published figures shall apply.

9.5 Special Permit; Assisted Living and Continuing Care Campus Development

- A. Purpose. The purpose of this article is to provide residential services that meet the needs of people as they age and people that require assistance with activities of daily living.
- B. Applicability. The Planning Board may grant a Special Permit for an Assisted Living or Continuing Care Campus Development in accordance with this Article on any tract of land in the B-3 Zoning District that meets the following requirements:
 1. Four or more acres of land;
 2. Minimum of 200 feet of frontage; and
 3. Public water and sewer available at the street frontage.
- C. An Assisted Living Facility or Continuing Care Community Campus is intended to be friendly to people who are facing challenges of aging and those that require assistance. As such, buildings and site improvements proposed for these uses shall accommodate by including visitability and universal design in accordance with the provisions of this article.
- D. Uses
 1. In the B-3 Zoning District, the Planning Board may grant a special permit for an Assisted Living or Continuing Care Campus. This article does not permit development of Independent Living units without being accompanied by Assisted Living facilities. Assisted Living and Continuing Care Campuses may include one or more of the following:

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- a) Memory care units.
 - b) Skilled nursing facility or physical rehabilitation facility with no more than 100 beds.
2. An Assisted Living Facility or Continuing Care Campus may include the following non-residential uses primarily for the benefit of residents and their guests, provided that aggregate floor area for the nonresidential uses shall not exceed 10 percent of the total gross floor area of the buildings in the development. These uses shall be incidental and subordinate to the principal residential uses in the Assisted Living Facility or Continuing Care Campus.
- a) Personal services.
 - b) Medical office or clinic.
 - c) Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, or indoor or outdoor recreation facilities.

E. Basic Requirements

- 1. Assisted Living Facilities and Continuing Care Campuses shall be limited to 18 units per acre.
- 2. Maximum building coverage shall not exceed 35 percent of the lot area for new construction or expansion of existing structures. Maximum impervious area shall not exceed 60 percent.
- 3. Assisted Living and Continuing Care Campus dwelling units are subject to the Inclusionary Zoning Bylaw under Section 9.1.
- 4. Buildings constructed as part of an Assisted Living Facility or Continuing Care Campus must be set back a minimum of 20 feet from an internal roadway or the distance stipulated in Section 5.5, Table of Standard Dimensional Regulations, from a public way. Buildings shall be separated from each other and from lot lines by a minimum of 30 feet at the sides and include a rear setback of 40 feet, except that the minimum setback shall be 100 feet from the side or rear lot line, as applicable, abutting an existing single-family dwelling. The building heights shall be determined by the Table of Standard Dimensional Regulations.
- 5. No dwelling unit in An Assisted Living Residence or Continuing Care Campus shall have more than two bedrooms.
- 6. The minimum common open space in the development shall be 30 percent of the lot area, and not more than 25 percent of the required minimum common open space shall consist of wetlands. The upland open space shall be contiguous and usable by residents of the development.

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7. Sidewalks that comply with the Americans with Disabilities Act of 1990, as amended (ADA) shall be installed to connect parking areas and buildings throughout the site.
 8. Minimum off-street parking requirements shall be as follows:
 - a) Independent living units: one space per bedroom.
 - b) Assisted living residence: one space per two units.
 - c) Skilled nursing facility or physical rehabilitation center, if included in a Continuing Care Campus: one space per two beds.
 9. Guest parking: one space per three units or three beds, as applicable.
- F. Age Appropriate Design. An Assisted Living Facility or Continuing Care Community Campus is intended to serve people who are facing challenges of aging and those that require assistance. While units are not required to be age restricted, they must be designed for “visitability” and for people to age in place. At minimum, these terms mean that an Assisted Living Facility or Continuing Care Community Campus shall have the following features:
1. Independent living units and assisted living facilities shall comply with the accessibility requirements of the Massachusetts Architectural Access Board in accordance with Group 1 requirements of 521 CMR.
 2. Residential and community buildings shall provide for:
 - a) At least one zero-step entrance;
 - b) Doorways with a thirty-six-inch clear passage space;
 3. Independent Living units may be in a multi-story building, but shall be one level and include master bedroom and an accessible en suite bathroom designed and equipped for seniors and people with mobility impairments
 4. Outdoor facilities, such as walkways, gardens, and recreation areas, shall be designed for universal access.
- G. Development Standards. As part of the Planning Board's special permit review process, the Board shall evaluate the proposed Assisted Living or Continuing Care Campus Development for conformance to the following minimum design standards.
1. Structures shall be clustered to reduce site disturbance and protect open spaces and natural and environmentally sensitive areas.
 2. Building design shall avoid use of long, unbroken facades, and shall include use of balconies, offset walls, trellises, and other design elements to provide visual interest.

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3. Building design, colors, and materials shall generally correspond to the natural setting of the project site and to any prevalent design styles that may occur in neighborhoods within the general project area.
4. Structures located near the project property lines shall be designed and located in a manner that reflects consistency and compatibility with neighboring areas and shall include appropriate use of building density, heights, and design to minimize any intrusion on neighbors.
5. Outdoor recreation or gathering areas, particularly those that may generate significant noise and/or light and glare, shall be located to minimize intrusion on neighboring properties.

H. Procedures

1. All Assisted Living and Continuing Care Campus uses and structures are subject to a Special Permit and Site Plan Review from the Planning Board in accordance with Sections 2.7 and 2.8 of this Bylaw. In addition to those requirements, all approval criteria set forth in this Section 9.5 shall apply. The Planning Board shall be the Special Permit Granting Authority for any Special Permits under this Section.
2. The Applicant shall submit a special permit application together with the size, form, number, and contents of the required plans and any supplemental information as required in the Planning Board's Rules and Regulations.

I. Mandatory Findings

A Special Permit and Site Plan Special Permit with any conditions, safeguards, and limitations deemed necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this article may be granted for an Assisted Living or Continuing Care Campus application based upon a determination by the Planning Board that the requirements of 1.16.00 have been met and that the proposed plan is consistent with the purpose and specific requirements of this section. In evaluating a proposed development, in addition to the Special Permit Requirements in Sections 2.7 and 2.8, the Planning Board shall grant a Special Permit if it finds that the proposed development:

1. Serves the social, economic, or community needs;
2. Does not have adverse effects that outweigh its benefits on the neighborhood or Town;
3. Meets the Open Space requirements set forth in Subsection E above;
4. Provides for safe vehicular movements, and for the safety and convenience of pedestrians in a manner that is compatible with Tyngsborough's public safety requirements and the needs of those who will live there;
5. Is consistent with the Tyngsborough Master Plan as amended;

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6. Will not be substantially detrimental to the neighborhood in which it is to take place;
 7. Is appropriate for the site in question; and
 8. Complies with the applicable requirements of the bylaw.
- J. The Planning Board may require changes to Assisted Living and Continuing Care Campus site plans and impose additional conditions, safeguards and limitations as it deems necessary to secure the objectives of this bylaw.

Demographics Map & Report

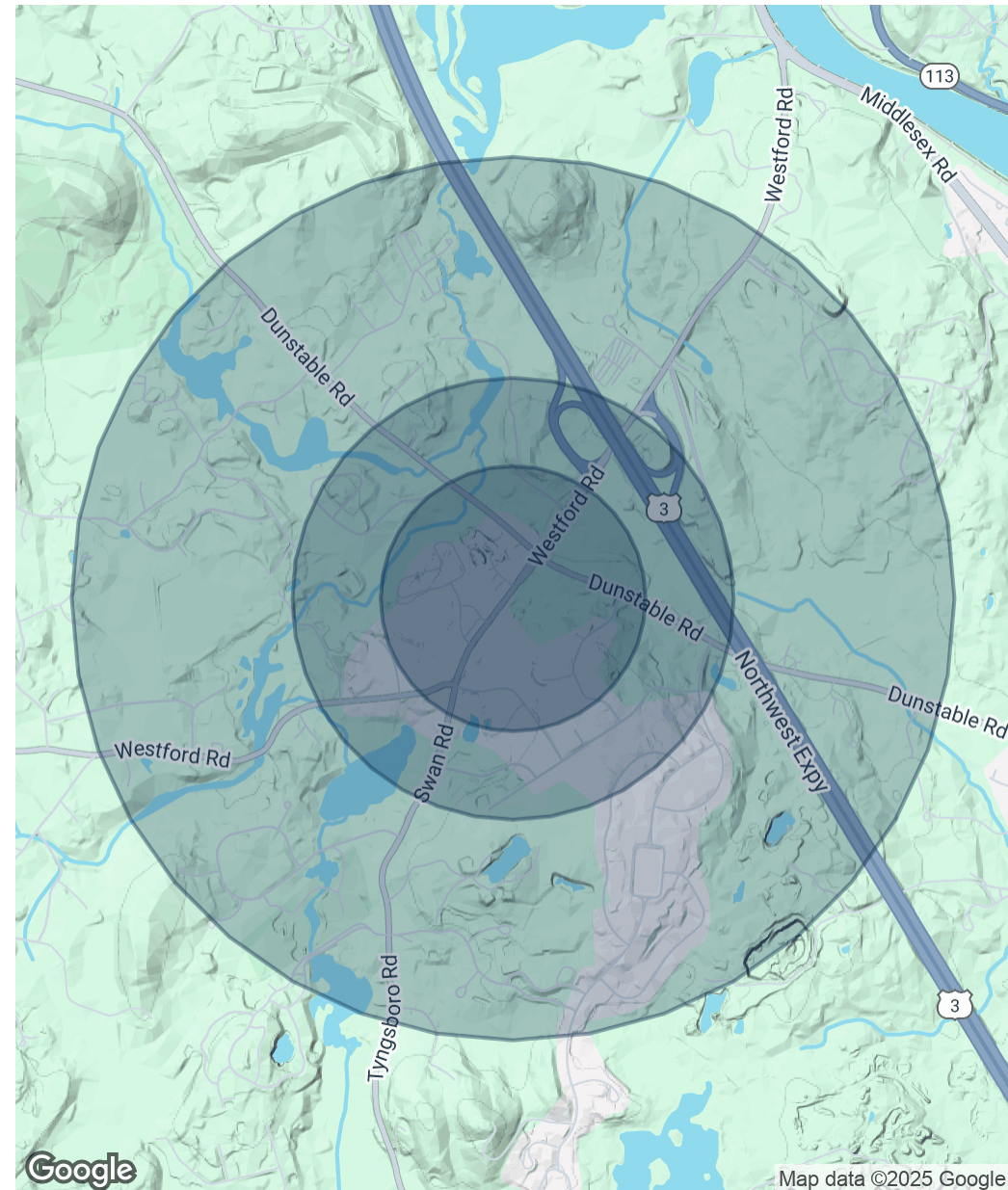
COMMERCIALLY DEVELOPABLE LAND FOR SALE | 160 WESTFORD ROAD

GIBSON
Commercial

Population	0.3 Miles	0.5 Miles	1 Mile
Total Population	204	652	2,268
Average Age	42	42	43
Average Age (Male)	42	42	42
Average Age (Female)	43	43	43

Households & Income	0.3 Miles	0.5 Miles	1 Mile
Total Households	67	216	777
# of Persons per HH	3	3	2.9
Average HH Income	\$196,697	\$202,242	\$204,882
Average House Value	\$635,810	\$649,467	\$663,642

Demographics data derived from AlphaMap



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