



May 10, 2022

Zoning Board of Appeals
29 Middle Road,
Boxborough Ma 01719

Re: Special Permit Application
60 Codman Hill Road
Project No. 5613

Dear Board Members:

We have reviewed the information submitted with this request by Concord Property Management for the property at 60 Codman Hill Road for Special Permit under section 4200 Non-Conforming Uses and Structures and 9200 Special Permits.

Information includes the following:

1. Zoning Board of Appeals Special Permit Application, Applicant Concord Property Management by Stamski and McNary dated March 31, 2022.
2. Site Plan by Stamski and McNary dated March 29, 2022.
3. Draft Floor Plans by Applied Form and Space Architects- Draft Print 3/21/2022.

We offer the following comments:

1. The Site Plan is very hard to read and distinguish between the existing site conditions and the proposed. The floor plan seems to indicate that the westerly side of the building will be loading docks along most of the building's westerly face which would imply the need for truck maneuvering areas. This seems to conflict with the 8 handicap parking spaces and what appears to be landscaped islands. It is recommended that the applicant provide two plans that clearly show the existing conditions and one that shows the proposed layout.
2. The applicant has applied for a special Permit under section 4200, although the more specific section is Section 4202. It appears that the applicant is proposing to completely raze the existing structure and construct a completely new building. We recommend you seek an opinion from Town Counsel as to whether the complete demolition of the existing building, with new construction following meets the criterion of 4202 when the entire non-conforming structure is razed. Does new construction in this scenario constitute "a change, alteration or extension of an existing structure"? Or is this simply new construction, which must comply with all current requirements? As a secondary note regarding this topic, we believe that this building has been vacant for more than two years which may affect the applicant's ability to claim grandfathered protections under zoning.

"4202 A special permit must be obtained from the Board of Appeals pursuant to the provisions of Section 9200 before any change, alteration, or extension of a nonconforming use or structure may be made and no such permit will be granted unless the Board of Appeals shall have found that such change, alteration, or extension shall not be substantially more detrimental to the neighborhood than the existing nonconforming use."

3. Similar to the above comment on the building, the parking would be considered an appurtenant structure. If the structure is razed, does the non-conformity extend to portions of the parking lot? This directly impacts the lot coverage as it exceeds the maximum lot coverage allowed in the Industrial Zoning District as well as the Aquifer Protection District. The plans are vague as to the proposed lot coverage with the revised building and parking. It is strongly recommended that the plans clearly depict the proposed parking and provide a proposed lot coverage to be documented for the Board's review.

4. It does not appear that this submittal meets the minimum site plan requirements as identified in section 9203(1)
" (b) natural land features (such as topographical data), man-made improvements (surface and subsurface) including all structures, watercourses, ponds, brooks, wetlands, flood plains, existing and proposed ditches, culverts, or other watercourses;
(c) methods of handling surface and subsurface drainage; 90
(d) ways for vehicular and pedestrian access; (e) such other information as the Special Permit Granting Authority may require"

The plans do not show any topography, drainage, septic system and the new building appears to include a "well in manhole" of an undefined purpose. It is recommended that at a minimum, the site plan clearly show the septic system, all utilities and the drainage system and specifies what modifications are being proposed to any of these systems. Adequacy of the infrastructure to remain should also be noted on the plans.

In general, this office recommends that the applicant provide additional information to allow the board the ability to understand the proposed modifications and scope of changes. The existing submittal seems to simply summarize the impacts as being less than currently existing on site. It is recommended that the Board require the applicant to improve the conditions on site by implementing Best Management Practices to the extent practicable as they relate to stormwater quality and recharge. As the building footprint is being enlarged, consideration should be given to requiring full recharge of the clean roof runoff as consideration for the impervious coverage significantly exceeding the threshold permitted in the Aquifer District.

Naturally the issues raised in item 2 should be addressed prior to any re-submittal as they will be critical to the Board's review and potential permit issuance.

Please contact this office should you have any questions regarding this letter or this project.

Very truly yours,
Places Associates, Inc.

BY:



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