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September 22, 2022

Billerica Planning Board
Marlies Henderson, Chairman
365 Boston Road
Billerica, MA 01821

Re: Application for Mixed Use Zoning District (MUZD) Special Permit
Concord Shores
279 Boston Road
Assessor's Map 31 Parcel 153-1
Applicant: Golfo, LLC

Dear Chairperson Henderson:

The aforementioned site falls within Sub Zone B of 5.E.11 Mixed Use Zoning District in the Billerica Zoning Bylaws.

The proposed project consists of a multi-use building with associated parking area and utilities. The commercial aspect of the property includes a 64-seat restaurant and retail space. The residential component consists of 21 units. The building will be three-stories tall and 37' in height, both in compliance with the bylaw.

The following information is provided relative to Section 5.E.11.4 Special Permit Criteria of the Mixed Use Zoning District:

As per said Section, The Planning Board, as the Special Permit Granting Authority, shall have authority to grant a Special Permit to provide for the Mixed Use of land within the Mixed Use Overlay District. The Board shall evaluate proposed projects and require all such projects to conform to the requirements, standards and guidelines as set forth in the Mixed Use Overlay District.

In addition to any standards and criteria set forth elsewhere in this Overlay District, the following standards shall apply for all projects, in both sub-zones, constructed in the Mixed Use Overlay District.

The following standards shall be met in order to receive special permit approval from the Planning Board:

- a. All mixed use development shall contain a balance of commercial and residential uses.

The use contains an appropriate balance of commercial and residential uses.

- b. Residential and office space shall be placed on the upper floors, not on the first floor or street level. Handicap accessible units required by the Architectural Access Board (521 CMR) may be located on the first floor, if granted by the Planning Board.

Residential Units are on the top two floors of the building with the exception of the handicapped unit located on the ground floor, as allowed by the Planning Board.

- c. Retail, restaurant, and other lively pedestrian friendly uses are encouraged on the ground floor.

Retail and restaurant are located on the ground floor.

- d. The review, permitting, and construction of the residential uses and the commercial uses shall be completed simultaneously.

The uses are located in a single building and will be permitted and constructed simultaneously.

- e. All mixed use development shall be designed to generate pedestrian traffic

The property can be accessed via pedestrian sidewalks for the length of Bridge Street up to Treble Cove Road and beyond to Meadowglen Road. The entire length of Bridle Road, which intersects with Bridge Street has sidewalks. The property can be accessed from the southerly direction of Boston Road from beyond Floyd Street.

- f. Parking shall be located to the rear or side of the building, whenever physically feasible and should be screened visually from the street and abutters.

The parking area is located at the rear of the building and will be visually shielded from the two abutters with the planting of evergreen trees.

- g. Parking lots shall not be separated by use.

The parking lot is not separated by use.

- h. Parking areas shall provide pedestrian walkways and connections to the existing sidewalk system.

The parking area contains pedestrian walkways along the building. The parking area and pedestrian walkways are connected to the existing sidewalk system as described in response e.

i. All parcels located within the Billerica Historic District shall comply with all of the Historic District requirements.

The site is not located in the Historic District.

j. No lighting shall cast a glare on abutting properties.

The lighting will not glare onto the abutting properties. A photometric plan has been provided in the Plan Set and evergreens have been placed along the property lines adjacent to direct abutters.

As stated, the project will contain 20 standard units and 1 handicapped unit for a total of 21 units.

As per Section 5.E.11.6 the following density regulations apply:

6. Density Regulations

The following residential density regulations shall apply:

- a. The density in sub-zone A shall be 6 units per acre.
- b. The density in sub-zone B shall be 8 units per acre

7. Density Bonuses

A density bonus shall be awarded to increase the number of dwelling units beyond the maximum number permitted in the Mixed Use Overlay District, under the following circumstances:

a. In sub-zone A, a maximum of 10 units per acre shall be permitted when a project provides for increased pedestrian activity and connectivity between properties, including but not limited to walkways, pedestrian areas that increase the amount of sidewalk area available to the public, outdoor seating areas designed to be utilized by dining establishments while complementing the building and allowing for unencumbered pedestrian circulation, or public outdoor spaces

b. In sub-zone B, a maximum of 12 units per acre shall be permitted when a project provides for alternate modes of transportation, including increased bicycle access between and/or off site and public transit throughout the Boston Road corridor. Providing for alternate modes of transportation may include, but is not limited to, routes dedicated to pedestrian and bicycle connections separated from vehicular routes, or cross access routes through the subject parcel specifically for pedestrian and bicycle cross access which connects adjacent parcels. Cross access routes shall be specifically designed to be separated from vehicular use through design features such as signage, pavement markings, and landscaping.

The site is located less than 0.1 miles from a Lowell Regional Transit Authority Bus Stop (Line 14, directly in front of McDonald's). A sidewalk and a signalized intersection connect the bus stop to the site. A wide range of pedestrian access has been previously described in this correspondence. A bicycle rack is provided in the parking area to encourage bicycle access to

the property. As such, the site qualifies for the density bonus of 12 units per acre. The site contains 77,050± SF or 1.77± Acres. $1.77 \times 12 = 21.22$ units.

The following design guidelines are found in Section 5.E.11.9;

9. Design Guidelines

These guidelines shall apply to Mixed Use development in the entire overlay district. Furthermore, these guidelines are not intended to inhibit design creativity or discourage innovative architectural design solutions. Rather, they provide general standards for building massing, siting, and design solutions. It is understood that buildings and structures may not be able to comply with all of the following guidelines, but buildings and structures should comply if it is physically possible. For projects in the Mixed Use Overlay District, the following design guidelines shall apply.

a. Buildings on a corner lot should have a façade that relates to both streets and contains enhanced architectural features at the corner of the building.

The building has been designed with a façade relating to both streets by providing an entry facing Bridge Street and a corner sign visible from both streets.

b. Development projects located adjacent to the Concord River, shall provide public access to the river whenever feasible.

Due to the slope along the River and the presence of a riverbank resource area, public access to the Concord River is not feasible. However, there appears to be an under-utilized property diagonally adjacent, on the opposite side of the Concord River to the site known as Contribution Park. The park contains public access and the applicant is willing to discuss enhancing this property, which is connected to the site via sidewalk.

c. Site lighting should be considered an integral element of the landscape design of a property. Lighting should facilitate safe and convenient circulation for pedestrians, bicyclists and motorists.

Site lighting facilitates a safe and convenient circulation for pedestrians, bicyclists and motorists.

d. Outdoor seating/dining throughout the two (2) subzones is encouraged.

Outdoor seating overlooking the Concord River is provided.

e. All development should be designed to facilitate, accommodate and encourage use by pedestrians.

The property can be accessed via pedestrian sidewalks for the length of Bridge Street up to Treble Cove Road and beyond to Meadowglen Road. The entire length of Bridle Road, which intersects with Bridge Street has sidewalks. The property can be accessed from the southerly direction of Boston Road from beyond Floyd Street.

f. All development should encourage the use of bicycles to and from the site through the installation of bike racks, or by other means as determined feasible.

Bicycle racks will be installed in the project.

g. Development projects located outside of the Billerica Historic District are encouraged to apply the design guidelines of the Historic District to their project.

The Intent of the architectural design is to look similar to Mill and other brick buildings found in the Billerica Historic District.

h. Whenever feasible, all above ground utilities shall be relocated underground.

Utilities will be located underground.

Included below is the information as required in Section 6.G. 1. to 8. of the Zoning By-Law.

1. **Buildings, Structure and Site Character:** The buildings have been designed utilizing the design guidelines of the Mixed Use Zoning District as described in this correspondence. The building has been placed to provide for proper emergency vehicle flow and to increase distance from the Concord River. There will be a reduction of impervious area on the site and there will be an increase of green space along the Concord River.

2. **Traffic:** A Traffic Study has been performed by Vanesse and Associates and is included with this submittal. The study shows that there will be no significant traffic impact as a result of this project. A Fire truck turning plan has been included with this submittal.

3. **Parking, Loading and Lighting:** The parking spaces are in conformance with the MUZD requirements. A Loading area is included in the design. Please note that all trash will be collected inside of the buildings for both residential and commercial uses and no outside dumpsters are proposed. A photometric Plan is provided showing no artificial light will be cast on abutting properties.

4. **Stormwater and Site Drainage:** The design conforms to all applicable federal, state and local regulations relative to environmental standards as shown in the Stormwater Management Report. There is currently no Stormwater Management on the Site. Stormwater runoff flows directly to the River through a series of two catch basins. The proposed project will mitigate runoff, remove suspended solids from stormwater and provide significant groundwater recharge. The drainage design is in compliance with the Massachusetts Stormwater Management Regulations.

5. **Utilities:** All utilities will comply with the requirements of the Town of Billerica, the Commonwealth of Massachusetts and the respective utility companies. The site will be serviced by a town sewer and water.

6. **Town Services:** This project will not place any unreasonable demands on Town services. There is currently sufficient capacity for water and sewer. The Department of Public Works brought attention to the need for a sewer study regarding possible sewer back up in the general

area of the project. The applicant has agreed to fund this study through the Town Consultant to determine the cause and possible fix of this issue.

7. **Vegetation and Landscaping:** A Landscaping Plan has been provided. There will be a significant upgrade to the vegetation on the project including restoration of degraded areas along the Concord River.

8. **Wetlands:** The site falls within the Riverfront area, thus the project is subject to the Wetlands Protection Act and the Rivers Act and a filing with the Billerica Conservation Commission is required.

Very truly yours,
Dresser, Williams & Way, Inc.

Stephen R. Dresser, P.E.