



ZONING BOARD OF APPEALS  
TOWN OF CONCORD  
MEETING MINUTES  
FEBRUARY 23, 2023

Pursuant to notice duly filed with the Town Clerk, a virtual public meeting of the Zoning Board of Appeals was held on Thursday February 23, 2023 at 7:00 p.m. using the Zoom meeting platform.

**PRESENT:**

Members:

Elizabeth Akehurst-Moore, Chair

Ravi Faiia

James Smith

Thomas Swaim

Paul Creedon, Building Commissioner

Elizabeth Hughes, Town Planner

Hayleigh Walker-Kurland, Admin Assistant

Chair Akehurst-Moore called the meeting to order at 7:00 p.m.

**Public Hearings:**

***Quarry North Rd LLC, for a Special Permit under Zoning Bylaw Sections 10, 11.6 and 11.8 for a Planned Residential Development for six units at 48Y Fitchburg Turnpike (Parcel# 3419).***

Chris Claussen appeared for the hearing on behalf of Quarry North Rd LLC along with attorney William Henchy and Mathew Leidner of Civil Design Group LLC. Mr. Henchy noted that, at the request of the Board, the height of the rooflines have been reduced. The height of the duplex has been reduced by 4.5 ft and its pitch has been reduced to 6 over 12. The height of the single-family homes has been reduced to 3'10" and the pitch of the roofs have been reduced to 7 over 12. Mr. Henchy reiterated that all the elevations are from the top of the foundation and reviewed the grading plan showing the locations of the proposed buildings. The elevation of homes #3 and #4 can be dropped an additional 18 inches. They cannot adjust the elevations for home #5 and #6 as it would result in a very steep grade, though Mr. Henchy noted that these homes are tucked significantly behind the ridge. Homes #1 and #2 are the highest relative to the existing ridge. Home #2 will be reduced by 4.5 ft and home #3 will be reduced by either 4.5 or 5.5 ft. Mr. Henchy stated that they are unable to make any additional adjustments on the plan.

Mr. Faiia asked if the buyer is the one who selects which style house to be constructed and Mr. Henchy confirmed that was the case. Mr. Faiia stated that he appreciated the efforts of the Applicant to address the Board's concerns and that he could now vote on the proposed development.

Mr. Smith asked when the final drawings would be produced. Mr. Henchy noted that the final plans are being drawn up and he suggested that the Board approve the project on the condition that the final plans are received prior to the next hearing where they would vote on the decision.

Town Planner Hughes stated that she had no issues with Mr. Henchy's suggestion but noted that the Board's approval would be based on the Planning Board's recommendation letter along with

the additional findings made by the Board over the last few meetings. Town Planner Hughes confirmed that she would prepare the Special Permit Decision for the Board to review at their next meeting and the Applicant can submit the revised plans prior to that date.

Mr. Swaim stated that he was pleased with the changes made by the Applicant.

The Chair opened the hearing for public comment.

Jeffrey Parker of 315 Plainfield Rd thanked the Board for their thorough review and asked Mr. Henchy if he had the height measurements for the top of each roofline compared to the height of the ridge. Mr. Henchy stated that the measurements he provided were from the top of the foundation to the top of the roof ridgeline and reviewed the measurements in relation to the top of the berm.

Jack Madigan of 215 Prairie Street asked for clarification on the Town Planner's Report with respect to the issue of the access to the site from a public road. Town Planner Hughes stated that issue is with the Definitive Subdivision Plan before the Planning Board, and the Applicant is now pursuing the Planned Residential Development. One application is subject to the Subdivision Control Law and Town's Subdivision Rules and Regulations while the other is a zoning matter subject to a discretionary Special Permit.

The Chair closed public comment.

The Chair stated that she was pleased with the progress that was made and thanked the Applicant.

Mr. Faiia moved to approve the application of Quarry North Rd LLC, for a Special Permit under Sections 10, 11.6 and 11.8 of the Zoning Bylaw for a Planned Residential Development for six units at 48Y Fitchburg Turnpike (Parcel# 3419) and in doing so, adopt the recommendations and conditions of the Planning Board and the additional findings and conditions as discussed by the Board with the Applicant submitting a set of revised plans prior to the meeting of March 23<sup>rd</sup> where the Board will review a draft Decision. Mr. Swaim seconded the motion. The Chair called for a roll call vote; Mr. Faiia, yes, Mr. Smith, yes, and Chair Akehurst-Moore, yes. All VOTED in favor.

Documents used: Height reduction summary, Grading Plan.

There being no further business, the meeting was adjourned at 7:26 p.m.

Approved by the ZBA: 3/23/23