



**ZONING BOARD OF APPEALS  
TOWN OF CONCORD  
Meeting Minutes  
May 12, 2022**

Pursuant to notice duly filed with the Town Clerk, a virtual public meeting of the Board of Appeals was held on Thursday, May 12, 2022, at 7:00 p.m. using the Zoom meeting platform.

Meeting ID: 815 9744 9024 Meeting Password: 486714

**PRESENT:**

Members:

Elizabeth Akehurst-Moore

Ravi Faiia

Theo Kindermans

Elizabeth Hughes, Town Planner

Paul Creedon, Local Inspector

Vice-Chair Akehurst-Moore served as Acting Chair. She called the meeting to order at 7:00 p.m.

Voting Members: Elizabeth Akehurst-Moore, Ravi Faiia, Theo Kindermans

**Public Hearings:**

***Eycon Development, for a Special Permit under Sections 7.1.3, 7.1.5, and 11.6 of the Zoning Bylaw to demolish the existing 1,035 sq. ft. dwelling and construct a 3,966 sq. ft. dwelling on a non-conforming lot at 57 Grove Street (Parcel #1938).***

Chair Akehurst-Moore opened the public hearing and reviewed the application. Michael Walsh the owner, appeared for the hearing along with the engineer for the project Bruce Ringwall of Goldsmith, Prest, and Ringwall, Inc. Mr. Ringwall gave an overview of the revisions made to the plans following comments from the Board and the abutters at the previous public hearing. The changes to the plans included a reduction in the square footage of the dwelling, a reduction in the height, addition of stormwater recharge and a light shift in the location of the septic system. Mr. Ringwall then reviewed the revised architectural plans, noting that he took the revised plans to all of the neighbors, who expressed support for the changes.

Mr. Kindermans thanked the Applicant for listening to the Board and the neighbors and making the changes. He felt that the project was now in keeping with the neighborhood. Mr. Faiia and Chair Akehurst-Moore were also in agreement.

Chair Akehurst-Moore opened the hearing for public comment.

Thomas Siebert of 52 Grove Street stated that he and his neighbors also appreciated the cooperation from the developer and Mr. Ringwall and did not oppose the revised project.

Mr. Kindermans moved to approve the application of Eycon Development, for a Special Permit under Sections 7.1.3, 7.1.5, and 11.6 of the Zoning Bylaw to demolish the existing 1,035 sq. ft. dwelling and construct 3,966 sq. ft. dwelling on a non-conforming lot at 57 Grove Street (Parcel #1938). Mr. Faiia seconded the motion. The motion passed (3-0) by roll call vote.

Documents Used: site plans

***Kent Leung of Boston Dog Company, for a Special Permit under Sections 4.5.9 and 11.6 of the Zoning Bylaw to operate a dog daycare and kennel at 40 Beharrell Street (Parcel# 2186).***

Chair Akehurst-Moore opened the public hearing and reviewed the application. The Applicant Kent Leung, owner of Boston Dog Company appeared for the hearing along with company manager Christine Young. Mr. Leung gave an overview of the company, its philosophy on accepting dogs for day care, and the operation of the proposed business at 40 Beharrell St. He noted that there will be no training classes at the facility and there is sufficient parking located adjacent to and behind the building.

Chair Akehurst-Moore asked for questions from the Board. Mr. Faiia questioned whether the application also required Site Plan Approval. The Town Planner stated that a change in use for a mixed or multi-use building that does not result in an increase of required parking or loading spaces shall not be construed as a change in use and a Site Plan Approval is not required.

The Chair asked about dogs going outside. Mr. Leung stated that there will be no outside play area and dogs are taken out throughout the day individually for walks and to relieve themselves, where staff picks up after them. The Town Planner asked about provisions for trash. It was determined that the property currently has a dumpster on-site.

Mr. Kindermans asked about the number of dogs for the day care and boarding. Mr. Leung responded that on average there are approximately 20 dogs for day care, but that boarding of dogs is very limited to between 5 to 7 dogs at various times, such as holiday weekends. Mr. Kindermans questioned whether a staff person stays there at night. Mr. Leung stated that a staff person does not sleep there but will do check-ins at night.

Chair Akehurst-Moore opened the hearing for public comment and there was none. She closed the public comment.

Chair Akehurst-Moore thought the dog day care was a reasonable use of the area, and with the adjacent residential use next door at Brookside Square that walking the dogs outside individually was sensitive to that neighborhood. Mr. Faiia and Mr. Kindermans agreed.

Mr. Faiia moved to approve the application of Kent Leung of Boston Dog Company, for a Special Permit under Sections 4.5.9 and 11.6 of the Zoning Bylaw to operate a dog daycare and kennel at 40 Beharrell Street (Parcel# 2186). Mr. Kindermans seconded the motion. The motion passed (3-0) by roll call vote.

Documents Used: site plans and proposed renderings

***Laurie Crockett, for a Special Permit and Variance under Sections 7.1.3, 7.1.4, 7.1.5, 11.6 and 11.7 of the Zoning Bylaw to construct a 1,520 sq. ft. addition on a non-conforming two-family dwelling that increases the gross floor area more than 50% and increases a non-conforming side setback from 11.9 ft. to 11.3 ft. at 23-25 Warner Street (Parcel# 2110-23, 2110-25).***

Chair Akehurst-Moore opened the public hearing and reviewed the application. Laurie Crockett appeared for the hearing on behalf of Edmund Storlazzi, the owner of 23 Warner Street. Ms. Crockett gave an overview of the project which will involve units 23 and 25 Warner Street. The existing structure does not meet the required side setback of 15 feet. The exterior architecture, size and materials for both units will be similar and in the style of a colonial. The project includes a proposed two-story addition using the same footprint and exterior elevation as 23 Warner Street.

She noted that revised plans had been submitted reducing the width of the eave on the addition so that the nonconforming setback of 11' 9" was retained and a variance was not required.

The Board questioned the development of the project with only one of the condominium owners listed. The Town Planner informed the Board that the application did not contain a signature from the owner of 25 Warner Street and that the Board should not take any action until there was written acknowledgement from that owner agreeing to the application. Ms. Crockett was able to call the owner James Smith, who over the phone gave verbal consent to the application. The Board informed Mr. Smith that he would need to submit a letter authorizing the application for the file.

The Board discussed the project and did not have any concerns.

Chair Akehurst-Moore opened the hearing for public comment and there was none. She closed the public comment.

Mr. Faiia thought that the project was appropriate for the neighborhood with the additional massing in the back and no change in appearance from the street, the units are a reasonable size, retains the two-family dwelling, which add to the diversity of housing, and allows one of the property owners, who is a disabled veteran to remain in the dwelling. The Board agreed.

Mr. Kindermans moved to approve the application of Laurie Crockett, for a Special Permit under Sections 7.1.3, 7.1.4, 7.1.5 and 11.6 of the Zoning Bylaw to construct a 1,520 sq. ft. addition on a non-conforming two-family dwelling that increases the gross floor area more than 50% on a non-conforming lot. at 23-25 Warner Street (Parcel# 2110-23, 2110-25) on the condition that the owner of 25 Warner Street, Mr. James Smith, submits a letter authorizing the application for the file. Mr. Faiia seconded the motion. The motion passed (3-0) by roll call vote.

Documents Used: n/a

**Administrative Business:**

Mr. Kindermans informed the Board that he would be out of the country and will miss the July and August meetings. Ms. Akehurst-Moore commented that she would also be out of the country and miss the July meeting. The Town Planner stated she would have Ms. Carey send out an email to the Board to confirm there was a quorum for both meetings.

There being no further business, the meeting was adjourned at 7:55 p.m.

Respectfully submitted by,  
Hayleigh Walker  
Administrative Assistant