

# COMMUNITY DEVELOPMENT

## DEPARTMENT OF PLANNING AND LAND MANAGEMENT

Marcia Rasmussen,  
Director of Planning and Land Management

The mission of DPLM is to guide the development and use of private and public lands within the Town of Concord in a manner that preserves and celebrates the unique character that is Concord.

### *Organization & Staffing*

The Department is comprised of fourteen full-time and two part-time individuals within four distinct Divisions—Building and Inspections, Health, Natural Resources, and Planning. The range and extent of authority exercised by these Divisions is found in State Law and in the Town's bylaws. In February, the Planning Division welcomed Senior Planner Julie Vaughan.

The four Divisions provide staff support to the Town's regulatory boards and committees: the Board of Appeals, Board of Health, Natural Resources Commission, Planning Board and Historic Districts Commission. DPLM staff also provides support to the Community Preservation Committee, Historical Commission and Comprehensive Sustainable Energy Committee, in addition to many other sub-committees and task forces that may be appointed to address specific issues from time to time, such as the Mill Brook Task Force, Conservation Restriction Stewardship Committee and the Bruce Freeman Rail Trail Advisory Committee.

Planning & Land Management staff also work cooperatively with other Town departments to further the goals and objectives of the Town. Some of the projects in which we have been involved include: an integrated planning initiative for wastewater and potential development, the Employee Efficiency Team and the Facility Manager's Committee.

Detailed reports on the regulatory activities of the various boards staffed by DPLM are included in this Annual Report.

## BUILDING INSPECTIONS AND ZONING ENFORCEMENT

John Minty,  
Building Commissioner

The Building Inspections Division issued 666 building permits, which is a 6% decrease compared to 2008. The overall value of 2009 construction was just over \$40.6 million. Of this total, \$29.0 million (71%) was residential construction with \$11.6 million of commercial work accounting for the remaining 29%.

The value of new residential construction in Concord was down 2.4% over last year. This residential construction value represents 32 new dwelling units built. Of these; 26 were new single family detached residential dwelling units and 6 dwelling units were within duplex or two-family attached buildings. Of the 26 new detached residential dwellings, 18, or 65%, were the result of "tear downs" (the demolition of an existing house to allow the construction of a new, often larger, home). Over this past year, \$14.2 million were spent on alterations or additions to existing single family residential homes. This is a decrease in value of 16% from last year.

Plumbing, Gas and Electrical permits issued and inspected this past year were all down; which is consistent with the general decline experienced in the building construction industry in 2009.

The Building Division collected \$486,410 in permit fees. This is a decrease of \$19,660 over last year (or a 4% drop in fees collected).

Although the overall level of building construction activity was down, when compared to prior years, the demands on the Building Inspections Division staff remained high. As a division, the Building Inspections staff is strongly committed to pursuing aggressive Zoning and Sign Bylaw enforcement. Our technical assistance to property owners, builders, real estate professionals, other Town departments, boards, committees and staff, increases each year. Beyond issuing building permits and carrying out site inspections, the Building Inspections Division staff spends an increasing amount of time

## INSPECTION PERFORMANCE

# PERMITS ISSUED	2005	2006	2007	2008	2009
New single family homes	22	26	22	28	26
Multi-family attached units	58	9	7	5	6
Additions/alterations	622	674	618	595	537
Commercial	100	96	92	83	97
<b>TOTAL BUILDING PERMITS</b>	<b>745</b>	<b>799</b>	<b>739</b>	<b>711</b>	<b>666</b>
Electrical	738	790	761	716	643
Plumbing	515	524	468	462	435
Gas	318	358	344	315	326
Sign	68	45	34	44	50
Total all permits:	2,384	2,516	2,346	2,248	2,120
VALUE OF CONST. (millions)	46.6	94.7	66.5	64.4	40.6
Permit fee revenue	\$593,835	\$1,056,554	\$781,693	\$506,070	\$486,410

reviewing sub-division proposals, 40B projects, special permits, site plans, variance requests, making zoning determinations and addressing zoning complaints. The new 7<sup>th</sup> Edition of the MA State Building Code, as well as last year's Zoning Bylaw amendments (especially related to nonconforming uses and structures), have made it increasingly challenging for the Division staff to deal with the quickly changing and growing level of highly technical and complicated regulation that we are empowered to enforce.

### ZONING BOARD OF APPEALS

Roberto Braceras, Chair  
 Alice Kaufman  
 Patrick C. Toomey  
 David Fisher, Associate  
 Steven Ng, Associate  
 Carmin Reiss, Associate  
 Paula Trebino, Clerk

The Board of Appeals is authorized by Massachusetts General Laws Chapter 40A and is responsible for conducting public hearings and meetings for matters relating to the zoning bylaws of the Town. The Board conducted 12 public hearings and 12 public meetings, during which it considered 61 applications. (Some of these applications included multiple activities; therefore, the activity totals below exceed the number of applications.) 53 special permits were granted. Five applications are still pending. No decisions made by the Board were appealed. One sign variance was granted. Three appeals from a decision of the Building Inspector/Zoning Enforcement Officer were filed and all three appeals were denied by the Board.

### ZONING BOARD OF APPEALS ACTIVITIES - 2009

Change, alteration or extension of a nonconforming use and structure	22
Reconstruction of a nonconforming use and structure	6
Site plan approval (associated with a special permit)	17
Additional dwelling unit	4
Work in the flood plain conservancy district	5
Relief from parking requirements	5
Relief from design requirements	2
Alternative location for parking	2
Joint parking	2
Valet parking	1
General parking	3
Special home occupation renewals	2
Special home occupation	4
Garaging or parking of commercial vehicles	2
Wireless communications facility (collocate in existing facilities)	7
Amendment to and re-grant of an existing special permit	1
Planned residential development (PRD)	3
Philanthropic use	1
Appeal from a decision of the Building Inspector/Zoning Enforcement Officer	3
Sign variance	1
Extend zoning district line	1
Bed and breakfast	1
Extend the restoration of a nonconforming structure which was damaged by fire	1
Temporary accessory use to hold a plant, bulb and/or bake sale	1
Seasonal catering in Limited Business District #5	1