

**DEPARTMENT OF PLANNING & LAND MANAGEMENT**

Middlesex School Transitional Student Housing  
1400 Lowell Road

Report Date: July 17, 2020  
Prepared by: Elizabeth Hughes, Town Planner

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**GENERAL INFORMATION**

Owner/Applicant: Middlesex School  
c/o Matthew Crozier, COO  
1400 Lowell Road  
Concord, MA 01742

Requested Action: Decision by the Planning Board on Site Plan Approval for proposed transitional student housing at the Middlesex School under ZBL section 11.8.7 for an educational use. (*See Site Plan Application*)

Location/Lot Size/Utilities: The site is owned by the Middlesex School and is located on the east side of Lowell Road where Lowell Road forks with Westford Road. Assessor's information is: Map 3F, Parcel 1533. The property is approximately 289.85 acres. The site is served by Town water and electric; the site has a private on-site wastewater treatment system.

Zoning/Existing Land Use: The property is located in the Residence AA Zoning District and is developed with academic, athletic, faculty and dormitory buildings comprising the main campus of the Middlesex School. Portions of the site are within wetland, wetland buffer and NHESP estimated and priority habitat areas. A large portion of the property is under a Conservation Restriction. The site is within the Wireless Overlay District.

Surrounding Land Uses/Zoning: The property is adjacent to parcels within the Residence AA Zoning District on all sides; many have been developed with single-family residences, but overall the density is very low. A portion of the parcel and some of the surrounding parcels are protected by Conservation Restrictions. Faculty housing and new maintenance and facility offices for the Middlesex School are located directly across Lowell Road from the southern end of the site.

**I. Proposed Project**

The School seeks the placement of a modular building on the parking lot behind the athletic building to be used as a student dorm. The building will be used to support the opening of school in the Fall, 2020 in light of the COVID-19 pandemic to accommodate increased residential capacity for students as the school looks to restrict pairing student's in double occupancy rooms, maintain enrollment, and provide a level of flexibility in the event out of state students are required to quarantine upon arrival. When the Covid-19 emergency is over, the structure would be re-purposed as a faculty housing unit in a more permanent location and the School will apply for a new Site Plan Approval.

The modular building is 4,289 s.f. with two stories and a height of approximately 20 feet 8 inches. The building is designed to accommodate 10 students and one faculty member. There will be no increase in the student or faculty population. The building will be connected to existing utilities on campus.

The new modular building will temporarily displace about 22 parking spaces on the parking lot to the east of the Athletic Center. Additional parking to compensate for the displaced parking can be found on the “Acorn” stone dust parking lot which will accommodate teacher and visitor parking. The School has available parking for 379 vehicles after installation of the modular building, which is above the minimum requirement of 223 parking spaces.

## **II. Zoning**

### **11.8 Site Plan Review**

*11.8.6 Decision: Where a special permit from the Board is required or a variance from the Bylaw is requested in connection with any action subject to Site Plan Review, a site plan decision shall be made by the Board. In such case the Planning Board shall submit a report to the Board concerning the matters described in subsection 11.8.5 prior to any public hearing. In considering a site plan, the Board shall insure a reasonable use of the site consistent with the uses permitted in the district in which the site is located. The Board shall give due consideration to the report of the Planning Board and where the decision of the Board differs from the recommendations of the Planning Board the reasons therefore shall be stated in writing.*

- a) *Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air;*

The proposed building will be located in an existing parking lot at the northern end of the campus between the athletic center and the Music Center and does not require the removal of any vegetation or trees that act as a buffer to adjacent properties. It will not be visible from any public road or adjacent property. In a July 13, 2020 memo, the Assistant Town Engineer notes that the plans show a connection into the existing onsite sewer system that eventually extends into the Lowell Road Public Right of Way (ROW) and that Concord Public Works has observed that some of the manholes associated with the school-owned private sewer in Lowell Road have shifted and are causing the pavement to deteriorate prematurely. So as to not delay the delivery and construction of the modular building, the CPW-Engineering Division recommends that the Applicant’s manholes be repaired and a Right of Way Permit obtain to repair the manholes prior to the issuance of the final certificate of occupancy or no later than November 15, 2020. Additionally, CPW has no easement documentation with maintenance responsibilities in the Lowell Road ROW and requests the Applicant provide that to the Town if it is in place already. If no easement documentation exists, then prior to the issuance of a building permit for the repurposing of the modular building for faculty housing, CPW Engineering will require the Applicant submit a request and receive approval to have a private utility in the Town’s ROW. Additionally, it is noted that the roof drains from the modular building will discharge onto the parking lot, where the stormwater will eventually be captured by a catch basin. Splash blocks at the downspouts should be provided to increase the life of the parking lot pavement and to help dissipate the point discharge at each gutter.

- b) *Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;*

The proposed location will have no impact on driveway opening or adjacent streets and the building is designed to meet regulations for the handicapped, minors or the elderly. The Applicant is proposing to install a safety fence around the sides and rear of the building to protect it from vehicles. There are two existing landscape islands across the front the building. The Applicant will be installing crosswalks to the building in two locations.

- c) *Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;*

The proposed transitional student housing will connect to the School's existing sewage disposal system. There will be no increase in the number of students or faculty so there will be no increase in sewage disposal. Trash and recycling bins will be located in the modular building and will be disposed of as part of the regular cleaning maintenance and operation of the School. The Public Health Director does not have any issues or concerns with the proposed project.

- d) *Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;*

There are no requirements for parking and loading spaces for the proposed modular building since the project will not be increasing the number of students or facility.

- e) *Adequacy of the method of exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky;*

The site lighting will only be building mounted fixtures at the modular building's entrances. The Applicant has provided a lighting cut-sheet of the fixture showing that it meets the Zoning Bylaw lighting requirements and is dark sky compliant. No other site lighting is proposed for the project.

- f) *Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this Bylaw; and,*

The proposed building will be located in an existing parking lot at the northern end of the campus between the athletic center and the Music Center and does not require the removal of any vegetation or trees that act as a buffer to adjacent properties. It will not be visible from any public road or adjacent property. The proposed project is in compliance with the other requirements of the Zoning Bylaw for an educational use. The Building Commissioner does not have any issues or concerns with the proposed project.

- g) *Impact on the Town's resources including the effect on the Town's water supply and distribution system, sewage collection and treatment, fire protection, and streets.*

The proposed building will have a separate dedicated 4-inch ductile iron fire protection service. The Assistant Fire Chief does not have any issues or concerns with the proposed project. He does recommend that a monitored fire alarm system be installed in the building given it could be occupied and the more isolated location. The Assistant Fire Chief did

question whether the construction of the proposed building could coincide with the construction of the adjacent cellular tower, which could impede emergency vehicle movement in this area. The Applicant has stated that the modular building will be a one day crane operation and will not coincide with any other work in the area. The crane will be located within the footprint of the existing parking lot and should not impact any circulation around campus. Additionally, the School does not have any camps running on campus this summer and there is sufficient parking elsewhere on campus for the limited amount of staff working on campus while the existing parking lot is staged for construction.

The Community Safety Officer does not have any issues or concerns with the proposed project, but recommends the Applicant be required to notify the Police Department at least 48 hours in advance of the delivery of the modular building to determine if a Police detailed is required on Lowell Road.

- h) Incorporation of sustainability and resiliency principles into the site design that result in a plan that is responsive to the environment and actively contributes to the development of a more sustainable community.*

The Applicant states that this specific site is viewed as temporary from a campus planning perspective and was chosen with a few sustainable/resilient things in mind: is on existing pavement; does not require the removal of any vegetation or trees; will have all electric utilities.

#### **V. Town Planner Recommendation**

The Town Planner believes that the Planning Board can grant the Site Plan Approval based on the above stated Site Plan Criteria and the following conditions of approval:

1. Approval is based on the following plans prepared for the Middlesex School at 1400 Lowell Road:  
Nitsch Engineering, 2 Center Plaza, Suite 430, Boston, MA 02108:
  - a) Notes & Abbreviations; Sheet C001 dated June 18, 2020
  - b) Demolition & Erosion Control; Sheet C100 dated June 18, 2020
  - c) Site Layout & Utilities; Sheet C200 dated June 23, 2020
  - d) Civil Details I & II; Sheets C500 & C501 dated June 18, 2020CBT Architects, 110 Canal Street, Boston, MA 02114
  - e) Transient Housing Floor Plans & Elevations; 2 Sheets dated June 16, 2020
2. **Prior to the issuance of a Building Permit**, the Applicant shall install all construction safety fencing.
3. **Prior to the issuance of a Building Permit**, the Applicant shall record with the Middlesex South Registry of Deeds the Site Plan Decision and provide a copy to the Building Inspections Division.
4. **Prior to commencement of any site work**, the Applicant shall meet with Water/Sewer Division to review the proposed scope of water utility work and sufficiently demonstrate that:

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- a. Water service infrastructure can be designed and constructed in accordance with the Water/Sewer Division's design and construction standards including reviewing the existing dead end main and hydrant location, and
  - b. Water demands can be minimized via demand management tools that may be codified in a water use impact report (conservation plan) and Water Customer Data Sheet.
5. **Prior to issuance of a Building Permit**, the Applicant shall submit to the Water/Sewer Division for review and approval, an application for the proposed water service installation. The application shall include the following;
- a. Identification of a Water/Sewer Division licensed "drain layer" who will be responsible for water installation activities.
  - b. Two full size copies of the approved water utility plan. (Note: separate applications must be provided for the common water service as well as each individual dwelling unit proposed to be served by Town water/sewer.)
  - c. For each separate building proposed to be served by Town water, a plumbing plan shall be provided including;
    - i. Meter bypass detail (with allowance for Water/Sewer Division issued security lock),
    - ii. Design Data Sheets for all required cross-connection control devices. The devices shall not be installed without approval from the Water/Sewer Division.
  - d. An approved water use impact report and conservation plan or Water Customer Data Sheet which will determine sizing of the water meter and water system connection fee.
6. **At least 48 hours in advance of the delivery of the modular building**, the Applicant shall coordinate with the Police Department on whether a police detail is required on Lowell Road for the delivery of the modular building.
7. **Prior to the issuance of a any Certificate of Occupancy**, the Applicant shall install to the satisfaction of the Fire Department a monitored fire alarm system.
8. **Prior to the issuance of a any Certificate of Occupancy**, the Building Commissioner shall confirm that all exterior lighting is consistent with the Zoning Bylaw.
9. **Prior to issuance of any Certificate of Occupancy**, the Applicant shall submit to the Water/Sewer Division a full size record drawing (Arch D), created in accordance with Division standards, for review prior to finalizing the drawing. Once the draft is approved, the Applicant shall submit to the Water/Sewer Division a full-size (Arch D) hard copy of the final record drawing along with electronic copies in the form of CAD and pdf files.
10. **Prior to issuance of any Certificate of Occupancy**, the Applicant shall furnish to the Water/Sewer Division Water Demand Minimization Affidavit(s) to demonstrate work was performed in accordance with the approved demand mitigation measures.

11. **Prior to issuance of a final Certificate of Occupancy**, the Applicant shall submit an as-built plan to CPW Engineering, CMLP and Building Commissioner of the site including all drainage infrastructure, pavement marking, utilities, structures, building elevations, and other pertinent information. The plan must be stamped by a Professional Engineer. A certification letter signed by a Professional Engineer shall outline any deviations from the design plans and certify that there will be no negative impacts as a result of those deviations. This submittal should be provided a minimum of two weeks prior to applying for occupancy to ensure adequate review time. One hard copy and one electronic copy, in the form of both AutoCAD and PDF Files, shall be provided to CPW-Engineering. Additionally, to ease in review, the as-built items shall be bold while all other plan items shall be screened down.
12. **Prior to the issuance of a final Certificate of Occupancy**, the Applicant shall obtain from the CPW-Engineering Division a Right of Way Permit to repair the manholes in Lowell Rd associated with the Applicant's private utility and conduct such repairs prior to the issuance of the final certificate of occupancy or no later than November 15, 2020.
13. **Prior to the issuance of a final Certificate of Occupancy**, the Applicant shall install splash blocks at the downspouts to increase the life of the parking lot pavement and to help dissipate the point discharge at each gutter.