

May 31, 2022

Historic Districts Commission  
141 Keyes Road  
1st Floor  
Concord, MA 01742

RE: Opposition to Plan for Development 615 Lowell Road

Dear Commissioners,

We are writing again to express our strong continued opposition to the developer's new proposed plan for yet another large structure at 615 Lowell Road. This new plan completely and blatantly ignores the conditions of denial determined by the HDC in its February 3, 2022 and November 11, 2021 meetings.

We are incredibly frustrated and disappointed that the developer is proposing yet another plan that clearly does not address the HDC's concerns and the concerns of now over **240 Concord residents** - and that the community needs to be the "broken record" reiterating the same issues over and over again:

- **In each of the now seven HDC meetings since August 2021, the HDC has consistently told Mr. Bushnell that due to the narrow lot with its small buildable area and neighboring historic structures, that he needs to dramatically reduce the size and scope of the residence and its total building volume and not include a garage (since a garage has been considered inappropriate in every instance that he's presented) for a plan to be appropriate for this location.**
- In its February 3rd meeting, the HDC denied the developer's application finding that *"the size, scale and massing of the proposed structure is not appropriate to the land area and shape of the lot, even with a lot width exception, neighboring structures and surrounding streetscape, that the structure as proposed disrupts the pattern of the historic streetscape, and that the inclusion of a garage is inappropriate, given the configuration of the site and its context."*<sup>1</sup> Prior to this, in its November 11th meeting, the HDC similarly denied Mr. Bushnell's application, and found similarly that *"the size, scale and massing of the proposed structure is not appropriate to the land area and shape of the lot, even with a lot width exception, neighboring structures and surrounding streetscape, that the structure as proposed disrupts the pattern of the historic streetscape."*<sup>2</sup>
- **The developer is again proposing just as large of a structure in building volume as what was denied (multiple times) by the HDC.** For context, Bushnell's plans most recently denied by the HDC in February showed a roughly 46' wide x 87' long x 24' high 3600 sq.ft 4 bedroom house. The newly submitted plans show a slightly bigger 45' wide x 91' long x 26' high 4 bedroom house, which the application notes is 3500 sq.ft.

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<sup>1</sup> The HDC Guidelines note that **"garages in any form may not be appropriate."** In each iteration of the developer's plans, the location of the garage creates major problems - either in front, side or in the back. **Since all locations for a garage are problematic - this logically demonstrates that given the shape and lack of buildable area for this lot, no garage is appropriate.**

<sup>2</sup> The HDC guidelines state that for the construction of new structures in a historic district, *the size and scale of the building must be appropriate - and this evaluation needs to be in relation to the land area of the lot, the neighboring historical structures, and the surrounding streetscape.* This is further supported by Article 9 of the Historic District Act itself, which states that *in passing upon appropriateness that the commission shall consider the appropriateness of the size and shape of the building or structure in relation to the land area upon which the building or structure is situated.* Square footage, building volume and the overall dimensions of the house, garage and other features of the house are directly relevant to this evaluation. *The HDC has clear authority to implement additional setback, height, massing and dimensional requirements in addition to zoning requirements in order preserve and protect the historic district and its neighboring historic homes.*

All of his proposed plans that have been denied have been roughly between 3400 - 3800 sq.ft. We note that this new building volume does not even include the building volume of the two-bay garage included in the plans (and additional 24' wide x 26' long x 16' high).

- **By both increasing the total building volume of the development and including a two car garage, Mr. Bushnell has again (for the 8th time) not attempted to address the HDC's concerns and the concern of over 240 Concord residents.**

**Some additional points for consideration:**

- 1) In both sets of plans included in the new application, the garage (in both plans entirely visible from Hildreth Corner, Lowell road and, together with the house, taking up the entire visible width of the lot) - **will lead to the destruction of the border of trees so essential to the landscape of these lots. Please see the letter from a certified arborist attesting that the placement of a garage/driveway will lead to the death of these trees.** These trees are additionally subject to a covenant between the lots to preserve the trees - which these plans do not do.
- 2) In all of his plot plans, renderings, and other visuals, the developer intentionally leaves out many structures of our property (including our large sweeping historic stone patio) as well as the relations to the other historic structures in the area. Note also that the "frontage" he claims is actually in front of the house of 625 Lowell and is not accessible to him for building due to a building restriction easement. The developer also intentionally leaves the calculation of total building volume (including outbuildings) out of all of his applications.
- 3) The new computer generated renderings are misleading, leaving out key structures and context. **The HDC has already done multiple site visits - and have seen with their own eyes that construction in this manner and scale would result in a direct and negative impact on the streetscape and the historic, scenic nature of Hildreth Corner, removing all open space between structures, leaving the visual impact of a wide, large building, densely developed with no open space between structures.** This is inconsistent with the rural agrarian streetscape and preservation goals of the Barrett Farm Historic District and impacts not only the front of the lot, but also the view-shed at Hildreth Corner.
- 4) Mr. Bushnell continues to say that due to the shape and narrowness of this lot, there are "trade-offs". The current owner of this lot (Archstone Builders) created this situation for themselves by making such a narrow, odd shaped lot, basically self-restricting the size of a house that would be appropriate. Mr. Bushnell also knows and understands this, but continues to try to shoehorn an inappropriate building into this lot.

**We strongly urge that the HDC deny this application to avoid further drain on the resources of the town and to maintain the faith and trust of the Concord community who have worked tirelessly to make sure that if something is built on this lot, that it is appropriate for this historic and scenic area in the Barretts Farm Historic District.**

If not, this will set a **concerning precedent** that a developer can brazenly disregard the HDC and the community interest by continuing to reapply to the HDC without addressing conditions of previous denials in an attempt to wear the HDC and community down so that something inappropriate is built in our historic districts so integral to the character of our Town - wasting the valuable time and resources of the HDC, its Committee members, and the Concord community.<sup>3</sup>

**To minimize further drain on the town and community resources, the HDC should also clearly condition future applications by the the developer by only allowing plans that substantially reduce the building volume of the structure and does not include a garage.**

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<sup>3</sup> The Historic Districts Commission Guidelines for Administration state that "given the wide variety of issues and interests that the HDC must balance, as well as the sensitivity of the public to the outcome of their rulings, the Commission needs to exercise care and sensitivity in making its determination while also maintaining and enforcing the Act for the long term interests of the Town as a whole. Clear expectations, consistency and a holistic mindset are important.

Section 1 of the Historic Districts Act states that the Commission's purpose is to act for the **“general welfare of the public through the preservation and protection of buildings, places and districts of historic or literary significance.”** Mr. Bushnell has stated that “something will be built here.” **This is a momentous opportunity - and the HDC's obligation - to limit the size of this development to preserve and protect the significant history, architecture and nature of Hildreth Corner.**

We thank you again for your continued time and consideration of this matter of importance to both this neighborhood and the Town of Concord.

Sincerely,

Erika and Richard Santoro  
625 Lowell Road  
Concord, MA