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October 18, 2023
Via email and First-Class Mail

Theo Kindermans, Chair
Zoning Board of Appeals
Town of Concord
141 Keyes Road
Concord, MA 01742

RE: 166 Commonwealth Avenue

Dear Board Members:

On behalf of the Applicant, 166 Commonwealth Avenue Concord LLC, this letter shall constitute a response to the letter to the Board, dated October 6, 2023, from Bert Comins, Assistant Natural Resources Director.

With respect to Paragraph 1, the public hearing had been actually continued to and was held on October 7, 2023 and further continued to November 15, 2023.

With respect to Paragraph 2, the Applicant does not understand why the Commission is concerned about what it perceives as a "lack of available outdoor space on site which could accommodate residential amenities". This aspect of the proposed development is outside of the jurisdiction and purview of the Commission. The Applicant understands and accepts the Commission's statement that it will not permit additional alterations in the 25-foot No Disturb Zone. The Applicant's decision not to provide space for outdoor uses such as the examples cited in the letter is solely that of the Applicant. Many other multi-unit residential developments likewise do not offer such amenities. The Applicant believes that the proposed rooftop gardens and roof deck more than offset the absence of such other amenities in the 25-foot No Disturb Zone and specifically designed that area of the site to limit such disturbances. The Applicant will proceed with size of the building shown on the current development plans and will not be reducing the size of the proposed building.

Thank you.

Very truly yours,
Comins & Newbury LLP

By: 
Thomas Wray Falwell

cc: Elizabeth Hughes, Town Planner (by email)
Delia Kaye, Natural Resources Director (by email)
Bert Comins, Asst. Natural Resources Director (by email)
Anthony Gagliardi, Thomas Sibley and John Garafalo (by email)