

## SPECIAL PERMIT NARRATIVE

196 Hubbard Street, Concord, MA

Application for Special Permit under §§ 7.1.3, 6.2.13, and 11.6

### Introduction and Project Summary

This application seeks a Special Permit to **reconstruct the existing detached garage on its current nonconforming footprint** and to **add a second floor finished habitable space consisting of a bedroom and bathroom**, with a **new exterior stair providing access**. The project maintains all existing horizontal dimensions, introduces no new enclosed footprint, and represents a modest and appropriate improvement to the property.

### Existing Conditions

The property at **196 Hubbard Street** is a **legal nonconforming corner lot** with frontage on **Hubbard Street** and **Thoreau Street**. Although the home's ceremonial entrance faces Thoreau Street, the **Hubbard Street frontage meets the minimum requirement for Residence C District**, while **Thoreau Street frontage does not**. The lot is nonconforming with respect to minimum lot area.

The existing dwelling contains **2,349 square feet of Gross Floor area**, not including the **detached garage**, which contains **440 square feet**. The total existing FAR is therefore **2,789 square feet**. Under the sliding-scale FAR formula in Zoning Bylaw §6.2.13, the **maximum permitted FAR for this 6,193 square-foot lot is 2,687 square feet**. The existing dwelling and accessory structure therefore **exceed the maximum allowable FAR** and are **legally nonconforming**.

The detached garage is also **nonconforming with respect to the required side-yard setback**, making it a **nonconforming structure under §7.1.3**.

### Proposed Project

The proposed work includes:

1. **Reconstruction of the detached garage** on its existing nonconforming footprint, preserving the current setback encroachment.
2. Construction of **second floor finished habitable space (a bedroom and bathroom)** above the garage, representing a **vertical extension** of the existing nonconformity.
3. Addition of a **code-compliant exterior stair** providing access to the new second-floor space. The stair is an **open, unenclosed structure** that lands on the existing stone-paver patio and does not introduce new enclosed volume within the setback area.

The second-floor improvements are intended for **typical single-family residential use** and do **not** constitute an accessory dwelling unit. The space will include a **small wet bar for convenience only**, consisting of a sink and under-counter refrigeration. **No stove, cooktop, oven, built-in microwave, or other cooking appliances are included or proposed**, and the **layout is not intended to function as a kitchen**. This space is not a separate dwelling unit and will not include kitchen facilities.

## Zoning Relief Requested

Relief is requested under the following sections of the Zoning Bylaw:

### §7.1.3 – Nonconforming Structures

Permits alteration of a nonconforming structure when the footprint is maintained and the Board finds no substantial detriment to the neighborhood.

### §6.2.13 – Maximum Floor Area Ratio

Required because the existing and proposed FAR exceed the maximum permitted FAR for the lot.

### §11.6 – Special Permit Criteria

All Special Permits require findings that the proposal is not detrimental to the neighborhood and is consistent with the intent of the Bylaw.

## Impact on Nonconformity

### Footprint and Setbacks

- The garage footprint remains **unchanged**, and the proposed work does **not expand the structure horizontally**.
- The exterior stair is an **open, minimal structure** located within an existing patio area and does not introduce significant mass or enclosed space.

### Height and Massing

- The new second-floor volume remains compatible with surrounding residential buildings and maintains the character of accessory structures in the neighborhood.

### Floor Area Ratio

- The proposed project increases FAR by **330 square feet**, resulting in a total proposed FAR of **3,119 square feet**, an increase from the **existing 2,789 square feet**, which is over the **allowable 2,687 square feet**.
- The increase is modest and remains fully consistent with single-family residential use typical of this neighborhood.

## Compliance with Special Permit Criteria §11.6

### a. Harmonious with the Intent of the Bylaw

The project improves the usability of the property while maintaining its single-family residential character.

### b. Not Detrimental to the Neighborhood

The footprint remains unchanged; height and massing are modest; and the exterior stair is unobtrusive.

### c. Adequate Facilities and Access

The site continues to provide safe access and sufficient parking and circulation.

### d. Preserves Neighborhood Scale and Character

The improvements maintain a scale and form consistent with neighboring properties and accessory buildings.

## **e. No Adverse Impact on Safety, Traffic, or Utilities**

The project does not alter the residential use or increase demand on municipal services.

## **f. Compatibility with Neighborhood Character**

The proposed reconstruction and second-floor addition are compatible with the established character of the surrounding residential neighborhood. The improved garage remains subordinate to the main dwelling and continues to occupy its long-standing footprint without extending toward abutting properties. The exterior stair is integrated in a visually minimal manner and does not introduce additional mass. The project respects the architectural scale, spacing, and orientation of nearby homes, ensuring the streetscape remains consistent with existing neighborhood patterns.

## **Conclusion**

The proposed project at **196 Hubbard Street** maintains the existing garage footprint, extends the nonconforming condition only vertically, introduces minimal additional structural elements, and is fully compatible with the surrounding neighborhood. The work meets all required findings under §§**7.1.3, 6.2.13, and 11.6**, and represents a reasonable and appropriate improvement to this legally nonconforming property.

Approval of this Special Permit is respectfully requested.