

## SENIOR PLANNER'S REPORT

Concord Country Store LLC  
166 Commonwealth Avenue

Report Date: March 23, 2026  
Prepared by: Christine Zale, Senior Planner

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### GENERAL INFORMATION

Owners	Concord Country Store, LLC 8 Uxbridge Road Mendon, MA 01256
Applicant	Jonathan M. Silverstein Blatman, Bobrowski, Haverty & Silverstein LLC 9 Damonmill Square, Suite 4A4 Concord, MA 02421
Requested Action:	Special Permit and Site Plan Review under Sections 7.1.3, 7.2, 11.6 and 11.8 to renovate the existing gas station and make association site improvements in the Floodplain Conservancy District.
Location/Size:	The property (Site) is addressed as 166 Commonwealth Ave and located at the intersection of Commonwealth Avenue and Laws Brook Road. It is bounded to the south and west by Commonwealth Avenue, to the east by the commercial property occupied by Nashoba Brook Bakery, and to the North by Nashoba Brook. The Site is 20,851 sq. ft. Kenneth Dunn Square is directly across from the site to the west.
Zoning/Utilities/Existing Land Use:	The property is in the West Concord Business District and is developed with an automobile service repair facility and gas station. The Site is served by Town water, sewer and electric and natural gas.
Surrounding Land Uses/Zoning:	The Site is adjacent to the Residence C District to the North and West, the West Concord Business District to the East, and West Concord Village to the south.

### **I. Proposed Project**

The Applicant is seeking a Special Permit and Site Plan approval to redevelop the property. The project will eliminate the automobile repair use currently onsite and renovate and convert the existing building into a new 2,162 sq. ft. country store. The existing fuel tanks, pumps and canopy will be replaced, and the site will be reconfigured to improve access, parking, lighting, stormwater management and landscaping.

The proposal includes reconfiguring the access to the site through two full access and egress driveways, one located along the northern side of Commonwealth Avenue east of Laws Brook Road and the other will be located along the eastern side of Commonwealth Ave west of Laws Brook Road. The Southern Site Driveway would be modified as part of the project to provide a 30-foot curb cut to accommodate

turning movements in and out of the site and provide a planting strip for improved separation between the access for the project and the adjacent building at 152 Commonwealth Avenue. Shared access to 152 Commonwealth Avenue through the northern Site driveway would be closed as part of the project. Eleven delineated off-street parking spaces, including a handicap accessible space and two EV charging spaces will be added to the site. The Applicant has agreed to reconstruct the sidewalk adjacent to the property along Commonwealth Ave. and install a new ADA-compliant crosswalk across Commonwealth Avenue to Kenneth Dunn Square.

As proposed, the project results in a 2,633 sf. reduction in impervious area onsite. The plans do not show compensatory storage at a 1.5:1 ratio for floodplain displaced however compensatory storage at the required minimum 1:1 ratio is provided at all 1-foot increments. The majority of the site has been designed to drain to deep-sump, hooded catch basins. The catch basins will capture and convey stormwater runoff via an underground pipe system to an infiltration trench consisting of a perforated pipe wrapped in stone prior to discharging towards Nashoba brook. Pretreatment of stormwater runoff will be provided by a combination of the deep-sump, hooded catch basins and a proprietary treatment unit prior to discharging into the proposed infiltration trench.

The proposed modifications to the Site include substantial landscaping along the northern side of the site adjacent to Nashoba Brook including native ornamental trees and shrubs. Two landscaping islands are proposed at the southern end of the property adjacent to the new entrance at the eastern side of Commonwealth Avenue west of Laws Brook Road.

## **II. Applicable Zoning Bylaw Sections**

**11.8.5 Site Plan Review:** In reviewing the site plan submittal, the following matters shall be considered:

*(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;*

Currently the majority of the site drains overland to the north towards the existing retaining wall where runoff flows through a small pipe off property and discharges to Nashoba Brook. The Applicant is proposing a new stormwater management system including a water quality unit to eliminate the discharge of untreated stormwater directly into Nashoba Brook. drainage system on site. The proposal includes increased landscaping along Nashoba Brook and landscaped islands adjacent to the proposed driveway east of Laws Brook Rd.

The plans and the stormwater drainage report and the work within the floodplain are under review by the Town's engineering consultant.

*(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 Applicant's proposal includes the relocation of the fuel pumps and canopy and reconfiguring the site circulation by modifying the entrances and exits to the site. A total of 11 marked parking spaces, including one accessible space, have been added to the site.

The Applicant has provided a Traffic Impact Study (TIS) from a Transportation Engineer which concluded as part of the capacity analysis that the project would not be expected to result in a significant change to intersection operations. Based on the ITE trip generation data the project is proposed to generate approximately 36 new trips (including entering and existing vehicles) during the weekday morning peak hour, and approximately 45 new trips during the weekday afternoon peak hour.

The Southern driveway will be modified with a 30 ft. curb cut to accommodate turning movements in and out of the site. The Applicant has stated that deliveries will be scheduled during off hours but has not indicated when trash or recycling pick-ups will be scheduled and what impact what would have on the site circulation.

The plans and the traffic report are under review by the Town's consulting engineer.

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

The Applicant is proposing a 10 ft x10 ft dumpster enclosure area for solid waste storage on the north side of the proposed building and will be sited on a 10 ft x 20 ft concrete pad.

In a memo dated March 19, 2026, the Public Health Director requested clarification on the solid waste and recycling plan. If the concerns raised in the memo can be adequately addressed, the Health Director provided three recommended conditions related to Food Establishments and Title 5.

The Applicant did not provide architectural drawings or renderings of the proposed dumpster enclosure with their submittal.

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

The property currently does not have delineated parking spaces. The applicant is proposing 11 marked parking spaces including 1 handicap space and 2 EV charging spaces. The Applicant states that deliveries will be scheduled during off hours to eliminate the need for a designated loading area.

In a letter dated February 27, 2026 the Community Safety Officer noted a concern about the number of available spots in the parking lot and possible conflicts with overflow parking at nearby businesses.

The plans are under review by the Town's engineering consultant.

*(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 Applicant has submitted a proposed lighting plan, and all proposed lighting is downward facing and dark sky compliant. Within the fuel pump canopy the applicant is proposing six canopy lights and three sign lights. The applicant has proposed site lighting that will match the street lighting installed along Commonwealth Avenue, a total of five 20 ft pole mounted lights will be added as area lighting. A total of eleven lights are proposed for the building canopy and eight lights are proposed to be mounted on the building.

Both light fixture types proposed for the building are 3,000K. The Board should discuss with the applicant if the fixtures can be modified to a warmer color temperature of 2,700K and if the number of fixtures proposed on the building and building canopy is necessary.

*(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.*

The property is located almost entirely within the 200 ft setback from Nashoba Brook. The proposed project includes a net reduction of approximately 2,633 sq. ft. of impervious surface on the Site. In a memo dated March 2, 2026, Natural Resource Commission provided comments regarding the location of snow storage being over landscaped areas, requested modifications to the invasive species mitigation plan, proposed tree protection, and the floodplain fill and storage. The Applicant submitted revised plans and a response to the NRC comment letter both dated March 13, 2026, which include updated tree protections, a revised invasive species mitigation plan, and modifications to the snow storage. The response letter and updated plans are currently under review by the Natural Resources Commission. The applicant is scheduled to come before the NRC at their April 1, 2026 meeting.

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

In a March 2, 2026, letter, the Fire Department does not have any issues with the proposed project and recommends two conditions related to safety and fuel tank inspections. In a March 11, 2026, memo, the CPW Water & Sewer Division does not have any issues with the proposed project and recommended standard conditions for approval.

The plans and the stormwater drainage report and the work within the floodplain are under review by the Town's engineering consultant.

*(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 proposed project includes improvements to the existing landscaping with the addition of two landscaping islands and extensive landscaping along the Nashoba Brook side of the property. A reduction in impervious pavement and improvements to the site stormwater drainage represent an improvement in the environment and the adjacent Nashoba Brook.

The proposal includes two designated EV charging parking spaces. The Board should discuss with the Applicant whether additional sustainability measures are being implemented.

### **III. Senior Planner Recommendation**

The Senior Planner recommends the Planning Board continue this application to allow the Town Staff to complete their review and allow the applicant time to review comments and address the issues raised.