



**TOWN OF CONCORD
BOARD OF APPEALS
141 KEYES ROAD
CONCORD, MASSACHUSETTS 01742**

DECISION of the Zoning Board of Appeals (the Board) on the application of Geoffry D. Cronin and Joshua Naughton, Trustees (Applicant) on behalf of Philip S. McCoy Esq.(Owner), for a Special Permit under Zoning Bylaw Sections 4.2.2.1 and 11.6 to demolish a 2,183 sq. ft. single-family dwelling and construct a new 6,716.5 sq. ft. two-family dwelling at 1606 Main Street (Parcel # 2373 Bk 59474 Pg 491).

This Decision is in response to an application filed on June 30, 2025. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in *The Concord Bridge* on July 25, 2025, and August 1, 2025, posted and mailed to the Applicant, abutters and other parties of interest as required by law, the public hearing was opened on August 14, 2025 and continued to September 11, 2025, a site visit was held on September 2, 2025. The public hearing was subsequently continued to October 9, 2025, where the hearing was closed and continued to November 13, 2025, to deliberate on a draft decision.

After due consideration of the application, the record, presentations by the Applicant, and based upon review of the issues set forth herein, on November 13, 2025, the Board voted 3 to 0 (Kindermans, Faiia, Dwyer-Leonard) to **GRANT** approval of the Special Permit with conditions based on the following findings:

The property is located in the Residence C Zoning District, which has a minimum lot area of 10,000 sq. ft. and 80 ft. of frontage. The property is 25,188 sq. ft. and has 89.85 ft. of frontage.

The Applicant is seeking a Special Permit to demolish the existing 2,183 sq. ft non-conforming single-family home and construct a new 6,716.5 sq. ft. two family dwelling which conforms to all setback requirements. Each dwelling unit is proposed to be approximately 3,200 s.f. The existing single-family dwelling was constructed in 1950 and has a nonconforming side yard setback. Two existing sheds in the rear of the property are proposed to be removed.

The proposed two-family dwelling is set back approximately 27 ft. further from Main Street than the existing single-family with the bulk of the building being located downslope from the front of the property. The proposed plans utilize two existing driveway curb cuts on the property for a new circular driveway. The Applicant reduced the height of the front elevation of the structure from the initially proposed 31.9 ft. ridge height down to 21.9 ft.

In reviewing the application, the Board reviewed the following Zoning Bylaw Sections:

Zoning Bylaw Section 4.2.2.1, Two-family or additional dwelling unit.

The Board determined that a Special Permit was required because the Applicant is seeking to construct a new two-family dwelling. The Board found that the proposed two-family dwelling is well designed, not out of character for the area where there are multiple two-family dwellings nearby, and not substantially detrimental to the neighborhood.

Zoning Bylaw Section 11.6, Special Permit

The Board found that the adverse effects of the proposed two-family dwelling will not outweigh its beneficial impacts to the public interest, the Town, and the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site, and the following:

11.6.1 Impacts on economic and community needs;

The Board found that the proposed two-family dwelling had a positive impact on economic and community needs by creating two smaller and therefore more affordable housing units which is a defined goal in the Town's Comprehensive Long-Range Plan.

11.6.2 Traffic flow and safety concerns, including parking and loading;

The Board found that the proposed two-family dwelling structure does not impact traffic flow or create any safety concerns. Each unit has a two-car garage with additional driveway parking for visitors. The driveway layout, which utilizes the two existing curb cuts on the site for a circular drive allows for ample areas for vehicles to maneuver out of the driveway and do not need to back out on to Main Street. A loading space is not required.

11.6.3 Adequacy of utilities and other public services;

The property is served by Town water, sewer, and electric and the Board found that the proposed two-family dwelling will not have a significant impact on utilities and other public services.

11.6.4 Impacts on neighborhood character;

The Board determined that the subject lot is larger than the surrounding properties and pursuant to the Maximum Floor Area Ratio, a larger single-family dwelling could be built on this site by-right, and there are multiple two-family dwellings located nearby so the proposed two-family is not uncommon for the surrounding area. The Board found that the bulk and mass of the two-family dwelling is set down the slope to the rear of the property and would not have a major visual impact when viewing the house from Main Street, and the garage bays do not face the street. With the incorporation of a condition requiring a landscape plan to provide additional screening, the Board found the overall scale and size of the structure will not significantly impact or alter the neighborhood character.

11.6.5 Impacts on the natural environment;

The proposed two-family dwelling is located further from the street than the existing dwelling, and the bulk of the building is located downslope from the street in existing cleared lawn area. With the incorporation of conditions requiring infiltration of stormwater due to the increase in impervious surfaces and modifications to the grading plan to better protect existing large trees, the Board found that the two-family dwelling will not negatively impact the natural environment.

11.6.6 Fiscal impacts, including impacts on town services, the tax base and employment.

The Board found that the proposed two-family dwelling will not have a significant fiscal impact on Town services, the tax base and employment.

The Board grants the Special Permit subject to the following conditions:

1. Approval is based on the following plans prepared for 1606 Main Street, Concord, MA:

Stamski and McNary, Inc., 100 Main Street Acton, MA 01720

- a. Existing Conditions Plot Plan, Dated June 18, 2025
- b. Proposed Plot Plan, Dated June 18, 2025- Received September 5, 2025
- c. Topographic Plan of Land, Dated March 21, 2025

Brian Zagorites, LLC., 7 Factory Street Nashua, NH 03060

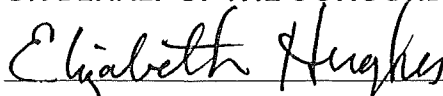
- d. Floor Plan, Proposed Units, Sheets 1-3, dated September 25, 2025
 - e. Elevations, Proposed Units, Sheets 4-5 dated September 25, 2025
 - f. Right Side Elevation Comparison, dated September 25, 2025
2. **Prior to the commencement of any Site Work**, the Applicant shall submit to the Town Planner and the Building Inspection Division a revised grading plan that alters the grading at the front of the property in order to save an existing 18-inch Maple tree and to either reduce the height of or eliminate the need for the proposed retaining wall along the eastern side of the property to reduce the amount of disturbance to an existing 20-inch Maple tree.
3. **Prior to the issuance of a Building Permit**, the Applicant shall submit to the Concord Board of Health a Request for Title 5 Building Review (Form S) to identify any potential increase in wastewater flow and associated Sewer Improvement Fee. The sewer review will include the existing dwelling in the design flow calculations. Based on existing wastewater capacity constraints, flow increases over 1,000 gallons per day will be administratively denied by the Water/Sewer Superintendent. An appeal may be made to the Public Works Commission seeking relief for an increase in flow over 1,000 gallons per day.
4. **Prior to the issuance of a Building Permit**, the Applicant shall submit to the Building Inspections Division for review and approval a revised site plan that incorporates

stormwater management elements to offset the impervious coverage and show stormwater recharge.

5. **Prior to the framing of the structure**, the Applicant shall submit an As-built Certified Foundation Plan to the Building Inspections Division demonstrating that the foundation location is in compliance with the approved plan.
6. **Prior to the issuance of a Final Certificate of Occupancy**, the Applicant shall submit to the Town Planner for review and approval a landscaping plan that provides additional screening of the rear and sides of the two-family dwelling and install the approved landscaping to the satisfaction of the Town Planner. If any trees or shrubs are to be planted on abutting properties, the Applicant shall provide a letter from the property owner stating they wish to have a tree or shrub planted on their property and understand that they assume full responsibility for the care and maintenance of the planted materials.
7. **Prior to the issuance of a Final Certificate of Occupancy**, the Applicant shall submit an As-Built Certified Plot Plan to the Building Inspections Division demonstrating that the structure meets the setbacks as approved under this Decision and shown on the approved plot plan. All setback measurements shall be taken from the lot lines to the closest point of the structure, including overhangs.
8. **This Special Permit shall lapse within two (2) years**, which shall not include such time required to pursue or await the determination of an appeal, from the date of grant thereof, if a substantial use has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun by such date except for good cause.
9. **Violation of any of the conditions of this Decision** shall be grounds for revocation of the Decision, or any building or occupancy permit granted hereunder. If at any time the Applicant is not in compliance with this Decision and any permit issued by the Town, the Building Commissioner may order that the project be stopped until the noncompliance is corrected.
10. **By acceptance of this Special Permit**, the Applicant acknowledges the binding effect of the conditions of the Decision. **Prior to the issuance of a Building Permit**, the Applicant shall record with the Middlesex South Registry of Deeds the Special Permit and provide a copy of the recorded decision to the Building Inspections Division.

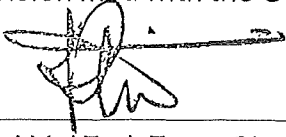
Appeals, if any, shall be made in accordance with M.G.L. Ch. 40A Sec. 17 within twenty (20) days after this decision is filed with the Town Clerk.

ON BEHALF OF THE CONCORD BOARD OF APPEALS:



Elizabeth Hughes, Town Planner

Decision filed with the Office of the Town Clerk:



Kaari Mai Tari, Town Clerk

11/14/25

Date

I, Clerk of the Town of Concord, Massachusetts hereby certify that no notice of appeal was received during the twenty days next after receipt and recording of the Decision from the Board of Appeals of the approval of the Special Permit, or, if an appeal was taken, that a final decree has been entered by the Court sustaining the approval of the Special Permit or the appeal taken has been dismissed by the Court.

Kaari Mai Tari, Town Clerk

Date