



Town of Northborough

Building Department
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February 22, 2022

Northborough Zoning Board of Appeals, Richard Rand, Chair
63 Main Street
Northborough, MA 01532

RE: 40&44 Lawrence Street, Map 105, Parcels 3&4, Residential C (RC) zoning district

Dear Board Members,

I have reviewed the document set (including the plans, correspondence from Town Counsel & Attorney Connors, submitted applications, etc.) for the address listed above, and I offer the following:

*These 2 parcels recently underwent a re drawing of the property lines by means of an ANR, endorsed by the Planning Board on 4-7-2021. As such, any preexisting conditions on the properties have expired. It's important to note that an ANR is not a determination as to conformance with the Zoning Bylaws; and is in fact stated on the approved plan.

*Groundwater Protection Overlay District #2 requires a minimum of 40,000 square feet of lot area:

7-07-010D(1)(b)[2] Residential development of single-family dwellings on lots of at least forty thousand (40,000) square feet in area, such that the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%) or such that the impervious cover of the building lot is increased over existing conditions by no more than fifteen percent (15%), such determination to be made by the Building Department in conjunction with the Town Engineer.

*Groundwater Protection Overlay District #3 requires a minimum of 20,000 square feet (underlying area) of lot area:

7-07-010D(1)(c)[2] Residential development of single-family dwellings as allowed in the underlying district, such that the increase in post-development net runoff volume shall not exceed existing conditions by more than fifteen percent (15%) or such that the impervious cover of the building lot is increased over existing conditions by no more than fifteen percent (15%), such determination to be made by the Building Department in conjunction with the Town Engineer.

*The lot where the new home is proposed is divided by the Groundwater #2 and #3.

*The applicant has applied for a Special Permit under section 7-07-010C(3):
Where a Groundwater Protection District boundary line divides a lot in single or common ownership at the time such district is established, a use authorized on the less restricted portion of such lot may be extended into the more restricted portion but in no case for more than fifty (50) feet over the established line; a special permit from the special permit granting authority for said extension shall be required in accordance with subsection (D)(4) of this section.

*If the special permit allowing the 50 foot extension is granted, the lot area in the GW #3 is still insufficient, as the underlying area requirement is less than the required 20,000 square feet, without encroaching on the groundwater #2 portion of the lot.

*The applicant also applied for a special permit on the lot with the existing house (lot A-R) to build a new septic system. It should be noted that this particular parcel is also deficient regarding lot area square footage, rendering this lot unbuildable.

*The groundwater #2 requirements state the minimum lot area is 40,000 square feet.

This comes down to a situation where the lot area proposed is insufficient for a building permit to be issued.

Sincerely,



Robert Frederico, CBO
Building Inspector
Zoning Enforcement Officer

CC: Fred Litchfield
George Connors