
PLANNING DIRECTOR QUESTIONS, COMMENTS AND RECOMMENDATIONS

ADDRESS: 343 Hudson Street
APPLICANT: Bruno Orlandi
PROPERTY OWNER:
REQUESTED APPROVAL: Dimensional Variances
ZONING DISTRICT: Residence C (RC) District and Groundwater Protection Overlay District Area 2
APPLICATION SUBMITTED: April 10, 2024
PUBLIC HEARING SCHEDULED: May 28, 2024

PROJECT DESCRIPTION: The Applicant seeks two dimensional variances from the Zoning Board of Appeals and, if approved, will file two special permit and site plan approval applications with the Planning Board to replace an existing dilapidated residential building, built in 1800, with a new duplex. According to the Assessor's records, the building had been previously used as a two-family dwelling. The structure has been vacant for a number of years and is in deplorable condition. Dimensional variances are necessary because the property does not contain the minimum lot area of 30,000 sq ft of area for development of a two-family structure within the Residential C District. The lot also doesn't have the 40,000 sq ft minimum lot area for development of a two-family structure within the Groundwater Protection Overlay District Area 2. The lot contains 21,344 square feet of area. It will be served by municipal water and sewer.

On September 25, 2018, the property owner obtained dimensional variances (ZBA Case No. 18-15) from the minimum lot size requirements for a two-family conversion of the existing structure in the Residential C District and the Groundwater Protection Overlay District Area 2. The decision also granted a special permit to allow a two-family dwelling in Groundwater Protection Overlay District Area 2, and site plan approval. At the April 2018 Town Meeting, the Planning Board was given special permit authority for a two-family dwelling in the Residential C District (Article 39), which shifted site plan approval authority to the Planning Board. It is unclear, therefore, why the Zoning Board of Appeals granted site plan approval—possibly because the Attorney General's Office had not yet approved the Zoning Bylaw changes. Regardless, in April 2019, the property owner obtained a special permit with site plan review to allow conversion of the existing house into a two-family dwelling in the Residential C District. In accordance with those decisions, an addition of approximately 500 square feet was allowed such that each dwelling would contain 1,700 square feet of area, three bedrooms, a basement, and one stall in an existing 2-car garage. The property owner did not act on these permits as the existing building was found to be unsalvageable. Because the permits were not acted upon, the variances expired on September 25, 2019, and the special permits and site plan approvals expired within approximately two years of approval (the permit expiration period was automatically extended by the Commonwealth due to COVID-19 shutdowns).

The new proposal involves demolition of the existing structure and construction of a new duplex. The applicant met with the Design Review Committee over a four-month period in 2023 to discuss various

design elements including the building's architecture, the site layout and landscaping. The Committee ultimately provided a letter dated August 1, 2023 with a variety of site plan-related recommendations should the permitting authority opt to approve the project.

ISSUES/COMMENTS/RECOMMENDATIONS:

1. The Applicant should supply information about the total amount of impervious surface under existing conditions versus the total amount of impervious surface under the proposed design. That way, the Board will be able to determine if the proposed plan is an improvement.
2. In accordance with Zoning Bylaw Section 7-07-010C.(5), the Planning Board is the special permit granting authority for two-family dwelling unit applications in the Groundwater Protection Overlay District. They are also the special permit and site plan approval granting authority for a two-family dwelling in the Residential C District. Note that the Applicant has not yet filed those applications with the Planning Board. I recommend making the receipt of these approvals prior to construction activities a Condition of Approval.
3. The proposed duplex is slightly larger than the existing building and the two-family conversion (each unit was approved at 1,700 square feet of living area and to contain 3 bedrooms, 2.5 bathrooms, an unfinished basement space, and surface parking spaces) approved by the Zoning Board of Appeals in 2018 and by the Planning Board in 2019. Under the proposed design, each unit would contain 2,186 square feet of living area, four bedrooms, 2.5 bathrooms, an unfinished basement space, and a 2-bay garage.
4. In my opinion, replacement of the existing dilapidated structure with a new duplex would have the public benefit of eliminating slum, blight and a safety hazard from the neighborhood.
5. In my opinion, the proposed site layout is superior to the approved 2018 site layout because it shifts the building location away from the dangerous curve in the roadway and locates the building further back from the roadway. The new building location increased visibility and the sight distance around the curve. At its closest point, the existing building is located within the front yard setback at a mere 10 feet back from the road right-of-way. At its closest point, the proposed duplex will be located 43.6 feet from the road right-of-way. Note that the proposed driveway location at its intersection with Solomon Pond Road is nearly identical in the 2018 and 2024 applications. However, a secondary driveway off of Overlook Park was approved in the 2018 permits that is no longer proposed in the 2024 application.
6. Given the existing building's prior use as a two-family home and the abundance of two-family and multi-family homes located within close proximity of the project and along Hudson Street, the project site appears to be an appropriate location for this use.
7. Because the property will be served by public sewer and public water, in my opinion the existing lot size is sufficient to accommodate the duplex.

8. The stormwater mitigation measures proposed for the site, which include an infiltration drywell, will further improve surface and groundwater quality and minimize the amount of stormwater leaving the site. If a similarly-sized single-family home were constructed on this site, there would be no requirement to install any stormwater mitigation measures.

9. Should the Zoning Board of Appeals grant the requested relief, the following site plan-related issues should be addressed in the application filed with the Planning Board:
 - a. The site plan should include a construction detail for proposed walkways, which shall include the depth of various materials;
 - b. The landscape plan should depict screening of utility boxes;
 - c. Cut sheets specifying the height, type and intensity of proposed exterior lighting should be submitted for Planning Board review;
 - d. The intersection of Overlook Park and Hudson Street should be redefined at the southeast corner of the property with new granite curbing or modified cape cod berm to help direct stormwater flow. The existing granite curb is displaced and in poor condition.