



November 28, 2023

Concord Board of Appeals
141 Keyes Road
Concord, MA 01742

Re: NOVO Riverside Commons Project Update

Dear Members of the Board:

The Taurus Investment Holdings NOVO Riverside Commons Project Team (Taurus Team) has received a number of comments, suggestions and recommendations from: the Board of Appeals; the Planning Board; other Town Boards and Staff; and from the public. The purpose of this letter is to keep the Board apprised of actions and progress made since the Board hearing on October 26, 2023 which at this time can be summarized as follows..

1. Fire Safety – Beals and Thomas, CUBE 3 Architects and Hurley Associates met with Chief Judge, Assistant Fire Chief Latta, and Fire Prevention Lt. Nichols on November 21st where there was a productive discussion on fire safety and emergency response matters. The building heights and turning movements throughout the site for fire trucks and ambulances were discussed and we believe were determined to be satisfactory. The Fire Department made several requests and suggestions including:
 - a. Public Access Trail – The paved 10 foot wide public trail access and the 3 foot wide adjacent shoulders should have a 12 inch gravel base.
 - b. Site Safety Plan – The Comprehensive Permit should be conditioned on preparation of a NFPA Fire Safety Plan for construction activities which should include: camera security, adequate lighting, temporary fire alarm system, active hydrant(s) prior to dropping lumber onsite and standpipes going up as the building goes up.

- c. Architectural Specifications – The 294 sprinkler room should be relocated to the northerly end of the building, vestibules should be provided at each elevator on the podium levels and a BOA should be provided on the top floors of both buildings.

Beals & Thomas, CUBE 3 and Hurley Associates agreed to the foregoing and understand that the Fire Department will submit written comments to Elizabeth Hughes for the Board's consideration.

2. Floodplain Compensatory Storage – On November 21st Beals and Thomas submitted revisions to the floodplain compensatory storage design and calculations to Elizabeth Hughes. Elizabeth responded stating that a standalone resubmission of the floodplain data is not workable for the Town and should be made part of a completely revised set of civil documents and plans. Beals and Thomas is willing to prepare a complete revised set but recommends that it be done as part of a comprehensive revised set of civil, landscape and architectural plans that will be submitted to your Board concurrent with the filing of a Wetlands Notice of Intent (see comments below under Paragraph #10 and #11).
3. Public Works – On November 27th Beals and Thomas and Hurley Associates met with Director of Public Works Cathcart and Public Works Engineer – Water Systems Caceres. At that meeting Public Works provided 2012, 2015 and 2017 information regarding the existing sewer system at 300/310 and 320 Baker Avenue. Public Works also agreed to provide additional sewer invert and photography information. In addition Public Works agreed to advise on the status of the Town's plans for redevelopment of the Baker Avenue/Main Street intersection.

The Director of Public Works also stated that NOVO Riverside Commons would be permitted to connect to the Town's sewer system subject to review and approval of the plans and specifications for the proposed connection. The Director also advised that, while a water pressure test will have to be done as part of the construction specifications for Riverside, the Town's water pressure is adequate for the NOVO Riverside Commons project. For design purposes Public Works also agreed to provide test results at a nearby hydrant.

4. Architectural and Sustainability Plans and Specifications – As requested by the Chair, the Applicant's presentation at the November 30, 2023 Board of Appeals hearing will focus on the architectural and sustainability details of the NOVO Riverside Commons community. CUBE 3 has prepared boards providing examples of representative finishes, colors and related materials proposed for the residential building exteriors. To allow the Board and the public an opportunity to review the same prior to the meeting on November 30, the Project Team will have

the display materials set up at the Harvey Wheeler Center at least 30 minutes in advance of the hearing (i.e., by 6:30 p.m. and be present during that time to discuss specifications and answer questions). In addition to display boards for building materials and additional exterior architectural plans showing building details, the architect's plans will also include scaled plans of interior amenity spaces on the first floors of the 292 and 294 Baker Avenue residences, and scaled plans of podium level interior storage areas for bicycles. Since landscape plans will be closely associated with the architectural details, and for purposes of completeness, the Landscape Plans and Specifications (see comments below under Paragraph #5) will also be included with the display.

5. Landscaping Plans and Specifications – Except as noted below the Landscape Plans and Specifications will be submitted at the November 30th hearing. These Plans and Specifications will be amended to include additional detailed plans showing the following features to be programmed into the NOVO Riverside project:
 - a. Typical Planting Plan showing the 292 Baker drop-off area and the front third of the building at 292 Baker.
 - b. Site Section showing the South End of 300 Baker and north end of 294 Baker.
 - c. Sketch plans of other site amenities:
 - Common Patio/Play Structure Area;
 - School/Residential Bus Shelter;
 - Seating Area on the West Side of 292 Baker;
 - Dog Park; Seating Area and Bike Repair Station on the East Side of 294 Baker providing the same Saris repair facilities as are located adjacent to the Bruce Freeman Rail Trail just south of Main Street in West Concord Center.
 - Existing trail on Lot B to the Assabet River together with a proposed picnic area, kayak rack and common patio;
 - 300/310 Baker Activity Courts – Half-court basketball and proposed replacement of an existing volleyball court with a synthetic turf multi-purpose field

Both the 10 foot wide public Access Trail and the Saris bike repair station shown on the landscape and civil plans will be open to the public and the Applicant is

willing to accept a condition governing the same as a part of the Comprehensive Permit Conditions. The arrangement between NOVO for use of the facilities at 300/310 Baker will be made available to NOVO residents by agreement between NOVO AND CD 211 PROPERTY LLC (the property owner, and affiliate of Taurus) as a condition to be incorporated into a Comprehensive Permit Decision.

In addition on or before December 15, 2023 the Landscape Site Plans previously submitted will be modified to include exterior bicycle rack storage for 8 bicycles at 292 Baker and 8 bicycles at 294 Baker. These racks will bring the exterior and interior Riverside bicycle storage to a total of 56 bicycles. The Landscape Site Plans previously submitted by Hawk Design will also be modified to include planting details at the base of the proposed wall to the east of 292 Baker, vines on the proposed wall and a five-foot high black chain link fence with landscaping above portions of the top of the proposed wall. Additional landscape submissions will also include: a site lighting plan (lighting on the buildings will be limited to meeting code requirements at building entrances) and a photometric analysis of the site lighting.

6. Traffic – NOVO Riverside’s traffic engineer, Randy Hart of VHB, is continuing to address GPI’s peer review comments. VHB is obtaining the additional information requested by GPI and will address all of GPI’s comments. It is also anticipated that during the interval between when VHB prepares the data and the January 2024 hearing, VHB will have the opportunity to meet with GPI and discuss the results, and then report on those discussions and resolution of the same to the Board at the January hearing.
7. Parking – A waiver has been requested from Section 7.7 of the Zoning Bylaw which would otherwise require a total of 377 parking spaces (calculated at 2 spaces per market rate unit, and 1.5 spaces per low and moderate income eligible unit). The Applicant’s Comprehensive Permit application provided for a total of 304 parking spaces or 1.5 space/dwelling unit. The proposed parking consists of a mix of 161 garage parking spaces (121 parking spaces within two levels of podium parking at 292 Baker and 40 parking spaces within the single level of podium parking at 294 Baker Avenue) and 143 surface parking spaces.

It is further noted that recent studies undertaken by planning agencies, such as the July 2023 Parking Utilization Study undertaken by the Metropolitan Area Planning Council and the parking study and recommendations advanced by TEC on behalf of the Concord Planning Board, suggest that parking demand for multifamily residential developments such as NOVO Riverside can be adequately met with a parking supply of even less than 1.5 spaces/dwelling unit. As an example, the TEC recommendations included that the Concord Zoning Bylaw parking requirements should be amended as follows: one-bedroom units required to have one parking space per unit, two bedroom units with 1.5 parking space per

unit and three bedroom units with 2.0 or 2.5 parking spaces per unit. If the TEC recommendations were applied to the NOVO Riverside project, the number of parking spaces required would actually be lower (i.e., 284 spaces) than the number of parking spaces (304 spaces) proposed for the project.

In an effort to balance the parking needs for the NOVO Riverside community with the requests for increased exterior open space and/or landscape amenities, our Project designers have suggested the reduction of six (6) surface parking spaces. Further, the Project designers have eliminated one additional surface parking space to address the pedestrian circulation recommendation suggested by the Town's traffic consultant. In further reviewing equipment needs for the sustainability aspects of the project, one to two podium level parking spaces may also need to be eliminated or relocated. If the Board agrees with a reduction in total parking by up to seven spaces (i.e., resulting in a total parking of 297 parking spaces, or 1.48 spaces per unit), the Applicant would update its plans to reflect such adjustments and corresponding update its waiver request. Alternatively, if the Board determines that 7 or more spaces should be relocated on site or set aside at 300 Baker Avenue, given that the parking demand hours of the residential development coincide with non-peak demand of the adjacent commercial use at 300 Baker Avenue, the Applicant will agree to those modifications.

8. Parking Garage – Taurus intends to expedite application for an Office Parking Garage at 300/310 Baker Avenue so that work on that facility can be coordinated with the proposed apartment use of Lot B, the development of additional sidewalks at 300/310 Baker Avenue and construction of the synthetic turf multi-purpose field.
9. Additional Information/Civil Design – Additional plans and/or specifications by Beals and Thomas will include:
 - a. Ten (10) Foot Wide Public Access Trail – As discussed with Elizabeth Hughes the proposed ten (10) foot wide Public Access Trail will be extended 224± feet westerly bringing the total proposed trail at NOVO Riverside Commons to approximately 1,124± feet.
 - b. Retaining Wall Detail – Updated civil sheets will provide a cross section plan of the proposed retaining wall east of the 292 Baker building showing the following sections: (i) at the southern end of the wall; (ii) at the northerly end; and (iii) at the three changes in angle along the proposed wall.
 - c. Cut and Fill Estimates – Beals and Thomas has prepared a preliminary estimate of the volume of earth to be removed in the amount of approximately 30,000 yards. It is proposed that the access route that trucks

will take to access and exit the NOVO Riverside site to complete the earth removal will be as follows: access to and from the locus would be (i) via Route 2 to Baker Avenue Extension onto the property at 300/310 Baker, around the back of 300/310 Baker to the NOVO site; and (ii) exit from the project site would be via the drive onto Baker Avenue (left hand turn); and left again on Baker Avenue Extension and proceeding on Baker Avenue Extension to its intersection with Route 2, then east or west on Route 2 to the destination of the earth removal material. As a condition to the Comprehensive Permit Decision, the Applicant is willing to accept the above access route.

10. Revised Set of Civil, Landscape and Architectural Plans and Specifications – On or before December 15, 2023 a revised set of civil, landscape and architectural plans and specifications will be submitted to Elizabeth Hughes with a cover memorandum explaining all modifications and revisions.
11. Wetlands Notice of Intent – Beals and Thomas and Oxbow Associates are in the process of preparing a Wetlands Notice of Intent. As part of that work they will reach out to the Town’s Natural Resources Director to request an on-site meeting to review existing conditions and the proposed work. Following that meeting a Wetlands Notice of Intent will be submitted to the Natural Resources Commission on or before December 15, 2023.
12. Entrance Signage – The existing Concord Meadows entrance signage at Baker Avenue and at Baker Avenue Extension were designed by Adams/Ahern Sign Solutions. Taurus has retained Adams/Ahern Sign Solutions to prepare plans and specifications for a new sign at the Baker Avenue Entrance and at the Baker Avenue Extension Entrance. The proposed signs will mirror the design, of the existing entrance signs and will add “292 Baker Ave” and “294 Baker Ave” and the words “NOVO Riverside Commons” to both signs.
13. Comments from MassHousing’s Project Eligibility Letter – In connection with the Project Eligibility Letter issued to NOVO Riverside Commons, MassHousing suggested that the following be addressed during the public hearing process. To this end, the following in the Applicant’s response to these matters:
 - a. Compliance with Federal and State Requirements – NOVO Riverside Commons has been designed to comply with all state and federal laws applicable to the proposed use related to building construction (i.e., the State Building Code), stormwater management (a wetlands Notice of Intent is being prepared as described above, and federal stormwater NPDES requirements will be complied with prior to construction), wastewater collection and treatment (will comply with Town sewer connection requirements), and hazardous waste safety (no known hazardous waste

safety issues, but will comply if encountered). Any other state or federal permits applicable to the project will necessarily be obtained prior to issuance of building permits and we would expect that the Comprehensive Permit Decision would include such a condition.

- b. Traffic Safety – VHB has prepared a detailed traffic study assessing potential impacts of the Project on area roadways, including traffic volumes, crash rates, and the safety and level of service (LOS) of area intersections and identifying appropriate traffic mitigation in compliance with all applicable state and local requirements governing site design. Earlier this month, the Town’s Traffic Peer Reviewer (GPI) has performed a peer review analysis. VHB is currently addressing the GPI comments and will provide its written response (with any additional information as may be necessary) prior to the January hearing. To the extent that additional information is requested on proposed on-site circulation (including vehicular and pedestrian access) and parking to ensure compliance with public safety standards and good design practice relative to drive aisle widths, turning radii and sight distances along the Site drive and the parking areas through which it passes, the Applicant is prepared to respond to the same.
- c. Pedestrian Circulation – The Applicant has been addressing pedestrian circulation, open space elements and providing safe connections to existing sidewalks and as noted above, additional pedestrian circulation information will be provided to the Board at the November 30 hearing and the January hearing.
- d. Water Use – Members of the Project Team met with Public Works on November 27, and, at the meeting, proposed water use and potential impacts on existing capacity and pressure were discussed and as stated in Paragraph #3 above the Director of Public Works advised that, while a water pressure test will have to be done as part of the constructions specified for Riverside, the Town’s water pressure is adequate for the NOVO Riverside Commons project.
- e. Fire Department and Emergency Response – As noted above, representatives of the Taurus Team met with the Fire Department to discuss the adequacy of access for emergency vehicles and responders, with the details of this meeting noted above, and as may be further discussed upon receipt of written comments from the Fire Department.

Summary of Timeframes for Deliverables

In summary, the Architectural Plans and Specifications referenced in Paragraph 4 above, the Landscape Plans and Specifications referred in Paragraph 5 above to be available at the next hearing and the 224 foot westerly extension of the 10 foot wide public access plan will all be available at the November 30th public hearing. Following the November 30th meeting, all previously submitted plans will be updated to show any changes shown on the plans made available at the November 30th meeting together with any modification or change made between November 30th and the filing of a Wetlands Notice of Intent, in order to provide the Board with a fully updated set of civil, landscape and architectural plans which show all proposed modifications and/or additions to the project plans. The fully revised set of plans, which will include additional sheets from those previously submitted, will then be submitted to Elizabeth Hughes on/or December 15th together with a memorandum that explains all modifications and/or additions to the proposed NOVO Riverside Commons application. It is anticipated that between the time that updated plans are submitted, and the January hearing, one of more meetings between the Applicant's engineering professionals and the Town's peer review professionals and Town staff will take place to propose resolutions to remaining matters, which will then be presented and reported to the Board by the Board's January hearing.

The Taurus Team trusts that the foregoing update and response to the comments, suggestions and recommendations it has received to date demonstrates that we are taking positive steps to address matters discussed with the Board and identified in peer review. Based upon the feedback and comments received from the Board and others at the November 30th hearing it is the goal of the Taurus Team to deliver a fully revised set of civil, landscaping and architectural plans prior to the Board's January hearing. If the Board has any questions in this regard please feel free to contact Dan Holmes or me.

HURLEY ASSOCIATES

By:


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