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TOWN OF CONCORD
Department of Planning & Land Management
141 Keyes Road, Concord, MA 01742
(978) 318-3290

To: David Anderson, Director of Facilities, Concord Carlisle Regional School District
From: Julie Vaughan, Senior Planner
Town Plan Review Staff
Re: **CCRSO Application for Special Permit, Variance & Site Plan Review
Concord-Carlisle High School, 500 Walden Street**
Date: May 18, 2012

On April 2, 2012, a Zoning Board of Appeals application was filed by the Concord Carlisle Regional School District (CCRSO) with the Town Clerk and Zoning Board of Appeals for a Special Permit, Variance and Site Plan Approval for an educational use, under Sections 6.2.11, 7.1.2, 7.6, 11.6, 11.7 and 11.8.7 of the Zoning Bylaw, to allow the construction of a new high school that exceeds both the maximum building height permitted within the Residence A Zoning District and the maximum lot coverage permitted within the Groundwater Conservancy District, at 500 Walden Street. The application was initially scheduled for consideration at the May 8, 2012 Planning Board meeting and the May 10, 2012 Zoning Board of Appeals (ZBA) meeting.

At this time, Town staff feels that it is important to document the process that has occurred thus far and provide guidance to the Applicant going forward. Below is a brief outline of events to date, as well as our request for complete information regarding the site development/design that complies with local regulations and State and Federal permits.

- Prior to the ZBA submittal, the Town staff responsible for plan review met with the development team on January 18, 2012 to preliminarily discuss a permitting track consisting of an Early Site Package and a Final Design Package. While not ideal, Town staff was more than willing to accommodate this two-submittal process in order to allow the CCRSO to begin site work and earth removal early this summer while completing the site design.
- Subsequently, the high school development team met many times with various staff departments to discuss aspects of the project in February and March. On numerous occasions, new information came to light that prompted Town staff to advise the development team to provide additional documentation. At least once, Town staff recommended that the development team not proceed until a more complete design could be developed.
- The ZBA application was submitted on April 2, 2012 and the submitted plans and supporting documentation was distributed to the Town staff responsible for plan review. During the staff review process, Town staff was disappointed with the quality of the information submitted, such as incomplete drainage calculations where additional information had to be requested (reducing the amount of time available for staff review) or no clear information was provided, such as the final drainage design and impacts to wetlands from site drainage.
- At the Project Review meeting on April 26th, Town staff was informed that areas of contaminated soils had been identified at the project site which meant the project may need to be significantly redesigned. Town staff noted that alteration of these contaminated areas could have serious impacts

on groundwater quality and the public water supply, which would impact the planned phasing of the site construction and final design. As a result, Town staff felt this new information would impact your application and our ability to provide meaningful conditions and recommendations on the proposed project. Moreover, the process and schedule for addressing the site contamination and alteration would be largely dictated by the Department of Environmental Protection (DEP).

- At this same April 26th meeting, Town staff was also made aware that the School's construction timeframe and the MSBA funding schedule were not going to allow for submittal of a Final Design Package. Again, while not ideal, Town staff agreed to expedite reviews and consider substantial conditions of the Early Site Package as a final approval for the Zoning Board of Appeals Special Permit.
- On May 4, 2012, the Applicant requested a continuance of the ZBA hearing to June 14, 2012
- On May 14, 2012, the Applicant requested withdrawal without prejudice of its application before the ZBA.

We understand that the development team intends to submit an application with supporting documents and plans to the Board of Appeals by August 1, 2012, for a public hearing date of September 13th. We request that complete information supporting the design and plans be submitted as part of that application. At this time, it is unclear whether the Applicant intends to pursue the two-submittal process (early site work followed by full construction) or the standard one-submittal process that is typically recommended. Regardless of whether the Applicant pursues a one-submittal or two-submittal process, and regardless of any exemptions from the Zoning Bylaw provided under the Dover Amendment (G.L. c. 40A, Section 3), Town staff notes that the CCRSD will need to comply with a number of local regulations and State and Federal permits, and requests that, at a minimum, complete information is submitted that addresses the following:

Concord Public Works

- National Pollutant Discharge Elimination System (NPDES) Construction General Permit & Stormwater Pollution Prevention Plan (SWPPP)
- Town of Concord Stormwater Regulations & Concord Public Works Design and Construction Standards and Details
- DEP Public Water Supply - 310 CMR 22.21(1)(c)4 & 310 CMR 22.21(2)(b)7
- Massachusetts Contingency Plan (MCP) for site contamination
- Any changes to the Water or Sewer service shall require the filing of an application for water and sewer service replacement with the Water and Sewer Division, which will be reviewed for approval in accordance with the Rules and Regulations governing water connections and use, dated October 9, 2002 and the Sewer Rules and Regulations dated April 26, 2004 as well as current design standards and specifications for construction.
- As the current facility is connected to Town Sewer, the plans for the proposed High School facilities shall be submitted to the Board of Health for review of possible changes in use, in accordance with Title 5, in order to calculate net changes in peak design flow, and for assessment of a Sewer Improvement Fee based on the calculation of such changes that result in increased flows.

Concord Natural Resources Commission

- Wetlands Protection Act (M.G.L. Chapter 131 §40) - Notice of Intent for work within 100 feet of wetlands, including all work within the contributing watershed which discharges to outfalls within 100 feet of wetlands.

Concord Board of Health

- 105 CMR 590.000: STATE SANITARY CODE CHAPTER X--MINIMUM SANITATION STANDARDS FOR FOOD ESTABLISHMENTS
- MASSACHUSETTS GENERAL LAWS CHAPTER 21C MASSACHUSETTS HAZARDOUS WASTE MANAGEMENT ACT and 310 CMR 30.000: HAZARDOUS WASTE for any hazardous wastes generated from school science laboratories, art classrooms or other processes.

In addition, the following information will be required from the applicant:

- Full architectural plans for design and construction of all facilities to be used for food storage, preparation and service. The applicant must complete and submit to the Health Division the Food Service Establishment Plan Review packet.
- A list of any hazardous materials that will be used or stored on site. This may include, but is not limited to, chemicals used in science laboratories, art and craft supplies, janitorial supplies, pesticides, and chemicals or oil used in vehicle maintenance.
- A plan for the handling, storage, containment, and disposal of these hazardous materials that assures they will not be released to the environment, including the town's sewer system.

Concord Building Division

- State Building Code, BBRS Stretch Code, Plumbing Code, Electrical Code and all standard processes and regulations related to issuance of a Building Permit, Occupancy Permit, etc.

Concord Fire Department

- Applicant shall meet the requirements of MGL. Chapter 148 and 527 CMR
- Based upon the Meeting report minutes prepared by OMR Architects, dated February 29, 2012(final draft) for the Concord Carlisle High School, project # 1102.00 we would expect that if any issues noted under the CCHS Site and Building Review are to be altered or modified, that this department have the opportunity to review, comment on and recommend any proposed changes. A copy of the Meeting Report minutes is attached.
- Please note that some Fire Department comments are statute, code or regulation specific. Other issues deal with the use of this building in support of the mission of the Concord Emergency Management Agency. This mission includes, but is not limited to, the use of certain sites as community shelters. The anticipated use of the new CCRHS building as an emergency community shelter is of paramount importance in supporting this mission.
- This department, representing the Concord Emergency Management Agency, strongly endorses the installation of the Option #2, 400KW generator as specified in the Generator Option report of Garcia Galuska Desousa Consulting Engineers, Inc. dated February 10, 2012. Installation of this larger capacity unit will allow for the operation of life safety building features and the HVAC systems on the bottom level of the building. This includes the entire kitchen complex excluding a booster heater and dishwashers. The larger generator allows for the use of this facility if needed for emergency management operations.
- This department reserves the right under 780 CMR to review any and all submittals in support of a building permit or permits. The department is entitled to address code concerns with the applicant and the Concord Building Commissioner under the provisions of 780 CMR.

Concord Municipal Light Plant

- An electrical primary distribution system design will be issued by CMLP for the new Concord Carlisle High School as part of CMLP's standard advance for construction package. The installation of this system must comply with all CMLP requirements and will be subject to regular inspections by CMLP during construction. Failure to follow these requirements may result in delay of electric service while any discrepancies are resolved.

Town staff remains committed to expediting our review, providing constructive guidance and meaningful recommendations that will serve the protection of groundwater resources, public water supply and natural environment and the safety of the Concord community who will benefit from the new high school facility.

cc: Lisa Pecora-Ryan, OMR Architects Inc.
Sandy Brock, Nitsch Engineering Inc.
David Saindon, KVA Building Industry Consultants
Diana Rigby, Superintendent of Schools
Christopher Whelan, Town Manager
Plan Review Staff