

October 10, 2019

# TOWN OF HANOVER

2019 OCT 16 PM 1: 42

TOWN CLERK

Town of Hanover Planning Board Town Hall Ste. 24 550 Hanover Street Hanover MA 02339

Re: Special Permit & Plan Modifications "Between 1075 & 1131", 1165, 1167, 1207 and 1143 Washington St. Hanover, MA 02339

Cc: Eric Gardner, Benchmark Senior Living Josh Katzen, Forest Properties

Dear Members of the Board:

On behalf of our client, Benchmark Senior Living of, 201 Jones Road Ste. 300 West, Waltham MA 02451, we are pleased to submit the following documents:

- One original of the Application for Site Plan and Special Permit
- 10 copies of the Application for Site Plan and Special Permit
- 10 copies of Development Impact Statement incorporated in the Application
- 2 full size and 10- (11x17) copies of the "Site Development Plans for 1143 Washington Street" by Kelly Engineering Group, Inc. dated October 10, 2019 sheet 1 to 9
- 2 full size and 10 (11x17) copies of the "Landscape Plans" by Hawk Design, Inc. dated 10/10/19 Sheet L1.0 to D1.1
- 2 full size & 10 (11x17) copies of "Photometric Plan" by Vincent A Diorio, Inc. dated 10/10/2019
- 2 full size & 10 (11x17) copies of the Building Elevations and Renderings by sheet A4.1 and A4.2 Udelsman Associates dated 10/9/19
- 2 copies of the Transportation Impact Assessment by MDM Transportation Consultant dated 10/10/19
- 2 copies of the Stormwater Management Report dated 10/10/2019
- 1 copy of the Certified Abutter's (provided by the Planning Department)
- One check in the amount of \$2,000 for filing fee of Site Plan Review
- One check in the amount of \$6,000 for Consultant Review Fee
- One check in the amount of \$1,000 for Special Permit fee. Calculated as follows: (2 Special Permits @ \$500 / Special Permit)

#### The purpose of these documents is to respectfully request that the Board take the following actions:

- 1. Issue a Special permit per zoning bylaw section 6.11.0 to allow a Village Planned Unit Development ("VPUD").
- 2. Issue a Special Permit amendment to permit #PB08-10SP dated March 3, 2019 as described below.
- 3. Issue Site Plan Approval Amendment to permit #PB08-10SP per Section 10 of the Zoning Bylaws.
- 4. Issue the following waivers:

- Section 6.11.30 A which requires that dwellings in the VPUD shall be not less than 1/3 one-bedroom, not less than 1/3 two-bedroom and not more than 1/3 three-bedroom.
- Section 6.11.30 B which requires three (3) numbered parking spaces for each unit.
- 5. Issue a finding relative to the existing buffer requirements per Section 4.420 of the Zoning Bylaw.

A further explanation of these requests is included below.

## **Project Description:**

The property as previously permitted in 2008 and in subsequent minor modifications to those permits) is comprised of 4 assessors parcels that comprise approximately 38.8 acres located on the east side of Washington Street (Route 53). The property is approximately 1 mile south of Route 3 and proximate to the Hanover Mall. The prior permits allowed for the construction of four new buildings and the reuse of one existing office building. The Target retail store (Building "A" in the permit), Retail "B" anchored by Pet Smart and the office building reuse were constructed shortly after the permits were issued. The permit included a proposed restaurant on the southerly end of the site. The permit was modified in 2018 to allow a bank instead of a restaurant. The bank is currently being constructed. The 2008 permit allowed for a 16,826 sf retail building (Building "B") which was never constructed. The current request is to allow the addition of an approximately 43,000 sf parcel (1143 Washington Street) to the property and to construct a 97-unit, 115 bedroom assisted living facility instead of the previously proposed retail building on the now combined property.

1143 Washington Street was the previous location of a tile store that was recently demolished in preparation for a Honey Dew Donuts facility that was permitted but not constructed.

Sewer will be connected to the existing wastewater treatment plant on the property. The treatment plant was designed with sufficient capacity to allow the connection of the proposed assisted living facility.

An extensive stormwater management system exists on the site. The proposed project will result in small increase in additional impervious area. The additional runoff will be mitigated by installing a new subsurface stormwater recharge area.

The assisted living facility will have a new driveway on Washington Street in the location of the previously approved Honey Dew Donuts driveway. It will also have access to the remainder of the site driveways including the traffic signal. A traffic impact analysis is included with this application which demonstrates that the development will have no impact on surrounding roadway infrastructure.

# **Permits Requested:**

It is respectfully requested that the Board take the following actions:

1. Issue a Special permit per zoning bylaw section 6.11.0 to allow a Village Planned Unit Development ("VPUD"):

The proposed project is eligible for approval as a VPUD per section 6.11.0 of the Zoning Bylaws since it meets the following criteria:

• Section 6.11.10 B: The project is serviced by a minimum of two driveways and a TIA is provided demonstrating that road capacity is available to service the project.

- Section 6.11.20 B: The project contains more than 25 acres of land and more than 10 acres exclusive of any wetlands resource areas or flood plains.
- Section 6.11.20 C: The project contains the required frontage as noted in section 7.
- Section 6.11.20 D: The project provides the required 20% open space.
- Section 6.11.20 E: Lot coverage of the portion of land in the aquifer protection zone does not exceed 50%.
- Section 6.11.20 F 1: Required buffer zones are provided. (We note that there are existing buffers to remain that are non-conforming.)
- Section 6.11.20 H: the project meets the height requirements of 7.100.
- Section 6.11.20 I: The project structures are located greater than 100' from any residentially zoned property.
- Section 6.11.50 B: The residential component of the VPUD is less than 20% of the VPUD area.

"Elderly Housing or assisted living facilities" are allowed uses in the VPUD per section 6.11.50 C of the zoning bylaws.

As demonstrated in the material filed with this Application, the proposed project is consistent with the purpose of the VPUD as described in section 6.11.0 of the Zoning Bylaws: The project creates an economically viable mixed-use development that provides a housing alternative to typical detached single family residential subdivisions; the includes a variety of building types in a village-style setting; and will create an area of distinct visual character consistent with traditional New England style development in close proximity to Route 53.

#### 2. Issue a Special Permit amendment to permit #PB08-10SP dated March 3, 2019

As described above, the Planning Board issued a special permit in 2019 to permit the current commercial development on the property. It is requested that the prior permit be amended to allow the addition of approximately 43,000 sf of land to the plans previously approved project and to substitute a 115 bed assisted living facility for the retail previously approved.

#### 3. Issue Site Plan Approval Amendment to permit #PB08-10SP per Section 10 of the Zoning Bylaws..

Site Plan Approval is required per section 10.020 of the Zoning Bylaws for the project which includes uses within the Water Resource Protection District (per Section 10.020 F); includes additions to off-street parking (per Section 10.020 L) and involves new structures exceeding 8,000 square feet (per Section 10.030).

As described in the attached Development Impact Statement the project will result in positive impacts to the Town.

As demonstrated in the material filed with this Application, the proposed project is consistent with the Criteria established in Section 10.200 of the Zoning Bylaws: The proposed project will: protect abutting property and the adjoining neighborhood from any detrimental impact resulting from the use of the subject property; ensure traffic flow and convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and ways; has adequate water supply and methods of disposal of sewage, refuse and other wastes; stormwater runoff and surface water drainage; provides sufficient off-street parking; contains scale of structures consistent with the existing terrain; will not impact public safety and fire protection and is in compliance with the provisions of the Zoning Bylaw.

#### 4. Issue the following waivers:

• Section 6.11.30 A which requires that dwellings in the VPUD shall be not less than 1/3 one-bedroom, not less than 1/3 two-bedroom and not more than 1/3 three-bedroom.

The project will provide a mix of units including studios, 1-Bedroom and 2-bedroom units.

The proposed mix is consistent with market needs for assisted living facilities.

Section 6.11.30 B which requires three (3) numbered parking spaces for each unit.

The project in its entirety provides for approximately 1,257 parking spaces. The assisted living facility is a low traffic generator and parking user. Very few of the residents will own cars. The spaces are generally used for staff and visitors. Generally 0.5 spaces per unit is sufficient. This would result in 45 spaces which is less than the approximately 80 spaces required for the previously proposed retail. The 2008 permit included an allowed reduction in parking requirements.

5. Issue a finding or waiver relative to the existing buffer requirements per Section 4.420 of the Zoning Bylaw.

As noted above the Section 6.11.20 F of the Zoning Bylaw requires that a 50' buffer be maintained from the limit of the VPUD. As shown on the plans there are a number of areas where existing buffers are less than 50'. The buffer to the south of the assisted living facility will be 50' the buffer between the facility and Washington Street will be approximately 35'. This is less than the buffer that existed for the prior tile store and less than that approved for the previously proposed Honey Dew Donuts facility. The existing buffers on the remainder of the property will not be reduced in size. Bringing said non-conformance into compliance is not feasible or not appropriate and waiving of such will not be substantially more detrimental to the neighborhood.

We look forward to presenting this project to you at your next scheduled meeting. If you have any questions or desire any additional information regarding this matter, please do not hesitate to call our office.

Sincerely,

KELLY ENGINEERING GROUP, INC.

Digitally signed by David Noel Kelly

P.E. DN: cn=David Noel Kelly P.E., o=Kelly Cngineering GRoup, Inc., ou, email=dkelly@kellyemgoineeringgroup.com, c=US

Date: 2019.10.15 12:03:52 -04

David N. Kelly, P.E., President

# APPLICATION FOR SITE PLAN & SPECIAL PERMIT



App	licant Information
Name	BSL Hanover Development LLC
Full Address	201 Jones Road Ste. 300 West, Waltham MA 02451
Telephone	781-489-7170
Fax	NA
Email Address (optional)	egardner@benchmarkquality.com
Owner of Record & Address (attach documentation)	See Attachment 1
☑ Same as Applicant	
Other (Please identify name, address, and phone)	

Project Locu	is & General Info	rmation	A CONTRACTOR OF THE	No.
Address(s) (All Street Numbers)	See Attachment			
Map & Lot Number(s) (Use "Two-Digit Dash Three-Digit" Format available from Assessors Office. Example: 12-345)	See Attachment			
Status of Scenic Roads	☐ Within 300 ft.	Not Applicable		
Status of Wetlands (WPA - M.G.L. Ch. 31, S. 40)	Present On Pro	perty Within 1	100 ft.  Not Applicable	
Status of Flood Plain & Flood Zones	Present On Pro	perty Not App	olicable	
Status of Current & Former Uses of Property (List applicable dates for start and end of each use accordingly. Attach documentation if necessary. Include status of previous Site Plans and Special Permits Approved.)	The property	is currently a Washington Str	retail Plaza anchored eet was formerly a til	i by Le
Status of Site Plan Review	☑ Required ☐ No	t Required 🗖 Lin	nited Review Requested	
Zoning District(s) (Check all that apply) (* Indicates Overlay District) († Proposed overlay for applicable projects)  Additional Permits/Reviews Required (Check all that apply)  List All Specific Permits Here:  Filed Concurrently?  Yes  No	☐ Residence A D ☐ Business Distri ☐ Industrial Distri ☐ Fireworks Distri ☐ Well Protection ☐ Wireless Teleco ☐ Village Planned ☐ Building Depar ☐ Conservation C ☐ Board of Healti ☐ Board of Select ☑ Fire Departmer	istrict	nned Shopping Center District mited Industrial District uifer Protection Zone od Zone * istrict * nt (VPUD) † Electrical, Sign, etc) inds, etc.) ter, etc.)	rict
Proposed Use(s) of Property (List All)(Include total square footage for each proposed use)	The existing retail pl	hington Street. An as ing retail plaza prop	d by 1 Ac. ssisted living facility will be cons erty and on 1143. See attached l	
Development Impact Statement	☑ Required ☐ No	Required		-
Anticipated Traffic (Vehick numbers per day)	Buses/Trucks:	Autos: -248 (See traffic r	report) Employee Autos:	$\dashv$
PLANNING BOARD	1000	THE THE RESERVE	VERSION: FY 2006 (9/27/	/052
TOWN OF HANOVER, MASSACHESETTS P.	AGE 1 OF 2	APPLICATE	ON FOR SITE PLAN & SPECIAL PER	MIT

# HANOVER PLANNING BOARD

Project Locus & General Information (cont.)			
Special Permits Requested from Planning Board (List all that apply. Use additional sheets if necessary)  Concurrent Subdivision Filing	Bylaw Section	Type / Description	
SEE ATTACHED LETTER			

Basic Bylaw Requirements*				
	Required	Existing	Proposed	Variances Granted
Site Size (min) (sq.ft.)	44,000 sf	1,629,219 st.	1,672,192 sf.	
Structure Coverage (max) (%)	15	12.0	13.6	
Frontage (min) (ft.)	200	1438+/-	1,627+/-	
Side Yard Setback (min) (ft.)	15	56	56	
Reat Yard Setback (min) (ft.)	25'	64	64	
Side Yard Buffers (min) (ft.)	50'	16'+/-	16'+/-	
Rear Yard Buffer (min) (ft.)	50'	25'+/-	25'+/-	
Front Yard Buffer (min) (ft.)	50'	20'+/-	20'+/-	
Parking Spaces (min)	1,283	1,283	1257	

\* Please see applicable Zoning Bylaw Sections (Section 7: Table 7 & Section 9: Table 9-1) for requirements. If you need assistance please contact the Planning Department.

(1) (1) (1) (1)	Additional Requirements
Project Narrative	Attach any additional information required by the Hanover Zoning Bylaw and Subdivision Rules and Regulations as appropriate. All applicants should provide a letter or narrative describing the project locus, context, property history and background, proposed project and any permits requested from the Board.
Attach Hereto:	Checklist for Site Plan & Special Permit Submission (currently not required)     Checklist for Definitive Subdivision Plan Submissions (if applicable)
Filing Fees:	Required for all applications in accordance with the current Planning Board "Fee Schedule."
Consultant Review:	All applicants must forward a copy of the full application and all supporting materials to the Planning Board's Consultant Review Engineer unless otherwise provided by law.
Important Note:	All information is required unless otherwise noted. Applications will be deemed incomplete if the applicant fails to provide all submission materials or to complete required fields (legibly). No hearings or meetings will be scheduled and no action will be taken on incomplete submissions.

Requi	red Signatures
41. Cardne	gulatzen Owner
Print Name Eric Gardner, for BSL Hanover Development LLC	Print Name Joshua Katzen, for Hanover Washington LP

Office Use Only			
Filed with Town Clerk (Time Stamp)	Received By Planning Department (Date Stamp)		

PLANNING BOARD
TOWN OF HANOVER, MASSACHUSETTS

Page 2 of 2

VERSION: FY 2006 (9/27/05)
APPLICATION FOR SITE PIAN & SPECIAL PERMIT

# **Attachment 1 Property Owners**

1167 WASHINGTON ST

Map/Lot: 24/13

Owner: TARGET CORPORATION

1000 NICOLLET MALL MINNEAPOLIS, MN 55403

1207 WASHINGTON ST

Map/Lot: 24/11

Owner: HANOVER WASHINGTON LTD PRTSHP

P O BOX 610100 NEWTON, MA 02461

1165 WASHINGTON ST

Map/Lot: 24/12

Owner: HANOVER WASHINGTON LIMITED PARTNERSHIP

P.O BOX 610100 NEWTON, MA 02461

1143 WASHINGTON ST

Map/Lot: 24/55

Owner: BRI INC

2 TAUNTON ST

PLAINVILLE, MA 02762

# DEVELOPMENT IMPACT STATEMENT IN SUPPORT OF THE APPLICATION FOR SITE PLAN REVIEW AND SPECIAL PERMIT

#### October 8, 2019

\*This Development Impact Statement is written for the assisted living facility. For Development Impact Statement of the entire property, see previously approved Special Permit and Site Plan Review and subsequent modifications.

#### Introduction:

The property as previously permitted in 2008 and in subsequent minor modifications to those permits is comprised of 4 assessor's parcels that comprise approximately 38.8 acres located on the east side of Washington Street (Route 53). The property is approximately 1 mile south of Route 3 and proximate to the Hanover Mall. The prior permits allowed for the construction of four new buildings and the reuse of one existing office building. The Target retail store (Building "A" in the permit), Retail "B" anchored by Pet Smart and the office building reuse were constructed shortly after the permits were issued. The permit included a proposed restaurant on the southerly end of the site. The permit was modified in 2018 to allow a bank instead of a restaurant. The bank is currently being constructed. The 2008 permit allowed for a 16,826 sf retail building (Building "B") which was never constructed. The current request is allow the addition of an approximately 43,000 sf parcel (1143 Washington Street) to the property and to construct a 97-unit, 115 bedroom assisted living facility instead of the previously proposed retail building on the now combined property.

1143 Washington Street was the previous location of a tile store that was recently demolished in preparation for a Honey Dew Donuts facility that was permitted but not constructed.

Sewer will be connected to the existing wastewater treatment plant on the property. The treatment plant was designed with sufficient capacity to allow the connection of the proposed assisted living facility.

An extensive stormwater management system exists on the site. The proposed project will result in a small increase in additional impervious area. The additional runoff will be mitigated by installing a new subsurface stormwater recharge area.

The assisted living facility will have a new driveway on Washington Street in the location of the previously approved Honey Dew Donuts driveway. It will also have access to the remainder of the site driveways including the traffic signal. A traffic impact analysis is included with this application which demonstrates that the development will have no impact on surrounding roadway infrastructure.

Water will be provided by the Town of Hanover Water Department.

Refuse will be handled privately.

# A. Traffic Impact Assessment:

# 1. Existing Traffic Conditions

Average daily and peak hour volumes, average and peak speeds, sight distances, accident data, and levels of service (LOS) of intersections and streets and ways likely to be affected by the proposed development. Such data shall be presented for all streets and ways and intersections adjacent to or within one thousand (1,000) feet of the project boundaries and shall be no more than twelve (12) months old at the date of application, unless other data are specifically approved by the Planning Board.

See attached Traffic Impact Assessment by MDM

# 2. Projected traffic conditions for design year of occupancy:

Statement of design year occupancy, background traffic growth on an annual average basis, impacts of proposed developments which have already been approved in part or in whole by the town.

See attached Traffic Impact Assessment by MDM

# 3. Projected impact of proposed development:

Projected peak hour and daily traffic generated by the development on streets and ways in the vicinity of the development; sight lines at the intersections of the proposed driveways with streets and ways; existing and proposed traffic control devices in the vicinity of the proposed development; and projected post-development traffic volumes and levels of service of intersections and streets and ways likely to be affected by the proposed development.

See attached Traffic Impact Assessment by MDM

# 4. Proposed mitigation measures:

Description of measures for mitigation of any potential adverse impacts identified above.

The proposed use is a low traffic generator. The traffic generated will be far less than the previously approved retail and Honey Donuts facility. Washington St. (Route 53) has undergone extensive reconstruction and the roadway has been widened to provide two lanes of travel on the north and south bound sides. Route 53 also includes a middle lane for left turns. A traffic signal is located at the main entrance to the site. Other improvements in the corridor have also been made including the bridge widening and Route 3 off ramp signal. Traffic will be fully accommodated within the property. There will be no queuing of vehicles off the property.

# B. Environment Impact Assessment:

# 1. Identification of potential impacts:

Description and evaluation of potential impacts on the quality of air, surface water, and ground water adjacent to or directly affected by the proposed development; on-site and off-site loading, erosion, and/or sedimentation resulting from alterations to the project site, including grading changes and increases in impervious area:

#### Overview:

The site is located in the Town's Aquifer Protection Overlay District. A Water Quality Certificate of Compliance will be applied for as necessary for the proposed use. The proposed work will occur outside the 100' buffer to wetlands.

An extensive stormwater management system exists on the site which fully complies with DEP Guidelines for Stormwater Management. The system consists of the following Best Management Practices (BMP's):

- Detention/ recharge basins
- Subsurface recharge systems
- Stormwater quality basins
- Bioretention swales
- Proprietary pretreatment water quality devices
- Catch basins with deep sumps and oil separating elbows.
- An operations and maintenance program

During construction, an erosion control plan will be instituted which will insure that no silt leaves the site. This erosion control plan will include tracking pads at the access point to the site, erosion controls consisting of silt socks that will prevent erosion of the surrounding vegetation, and silt sacks in drainage inlets to prevent silt from entering the drainage system.

The small addition of impervious area will be mitigated by a subsurface stormwater recharge system design to ensure that there will be no increase of runoff from the property.

# 2. Systems capacity:

Evaluation of the adequacy of existing or proposed systems and services for water supply and disposal of liquid and solid wastes.

## Water:

The proposed project will utilize the existing utility systems that currently exist on the property and service the existing building. The water usage based Title 5 is expected to be 17,250 GPD (115 Beds @150 GPD/bed). Based on usage from other facilities Benchmark Senior Living expects that the flow will actually be 6,900 GPD (60 GPD/bed).

# Sewage:

Sewer will be connected to the existing wastewater treatment plant on the property. The treatment plant was designed with sufficient capacity to accommodate the proposed development.

#### Other Waste:

Onsite dumpsters will be provided on the site. These will be serviced by a licensed private hauler.

#### 3. Proposed mitigation measures:

Description of proposed measures for mitigation of any potential adverse impacts identified above.

As noted above, the proposed project will have little adverse impacts on the property or surrounding properties.

# C. Fiscal Impact Assessment:

# **Fiscal Impact Assessment**

# 1. Projections of costs arising from increased demand for public services and upon the infrastructure of the Town:

The proposed project will have little impact to demand for public services or to the Town's infrastructure. As noted above the existing utility systems are available and adequate to serve the site. Sewage disposal is provided on-site. The site utilizes private waste haulers for refuse removal. Demand on fire and other emergency services will be minimal since the project will be designed to fully comply with current standards for fire and safety. Furthermore, demand for emergency services is significantly less on a per capita basis in a supportive assisted living environment than when seniors are living in their own homes. The assistance of 24/7 onsite resident care staff, onsite nurses, an emergency call system, a comprehensive security system including wander management, medication management, fall prevention efforts, wellness checks and programing, nutritional programming, etc. all tend to reduce the need for emergency services. Benchmark will contract with a private ambulance service to provide non-emergent transport services to area hospitals and medical offices. This will help limit the impact on emergency services. On average a community of this size can be expected to generate 8-10 emergency calls a month.

- 2. Projections of benefits from increased tax revenues, employment (construction and permanent) and value of public infrastructure to be provided:
- The proposed building construction and the site work will create approximately 100 construction and related industry jobs plus ancillary sales of local supplies and worker support services.
- The Town will receive the benefit of new job creation by the new assisted living facility development. The facility is anticipated to create approximately 65 full-time equivalent permanent jobs (FTE's)..
- The Town of Hanover assesses both the land and building on the property. The proposed development will provide increased property tax revenues to the Town. It is expected that the proposed development will generate approximately \$200,000 per year in new tax revenue.
- The proposed development will provide secondary and tertiary economic benefits to the community since staff and visitors will patronize local restaurants and services.

3. Projections of the impacts of the proposed development on the values of abutting properties:

The proposed project will benefit abutting properties by providing a more vibrant retail and commercial community. It will provide a much needed service to senior members of the community and their families.

4. Five-year projections of the increased Town revenues versus costs resulting from the proposed development:

This project will not result in increased costs to the Town of Hanover as indicated above. The Town will receive real estate taxes, water assessments and revenues through permit fees from the owners and the tenants.

# D. Community Impact Assessment:

1. Site design and neighborhood impact: Evaluation of the relationship of proposed new structures or alterations to the surrounding pre-existing structures in terms of character and intensity of use (e.g., scale, materials, color, door and window size and location, setbacks, roof and cornice lines, and other major design elements) and the location and configuration of proposed structures, parking areas, and open space with respect to neighboring properties.

The proposed project is located within the Commercial District and is to be permitted as a VPUD. The property is abutted by Route 53 and other commercial properties. The project has been designed to fully comply with the Town's bylaws for density, open space, setbacks and buffering. The landscape buffer along the Washington Street will be maintained.

The proposed architecture within the within the development will be consistent in design with other similarly sized buildings and projects in the community. Copies of the proposed building elevations are included with the application.

2. Historic impact: Identification of impacts on significant historic properties, historic districts or areas, or archeological resources in the vicinity of the proposed development.

There are no historic properties, historic districts or archaeological resources on or near the proposed development.

3. Development goals: Evaluation of the proposed project's consistency or compatibility with existing local and regional master plans or comprehensive plans.

The proposed project is located within the Commercial Zoning District, is to be permitted as a VPUD and is consistent with allowed uses within the commercial and VPUD overlay district.