

October 18, 2023, Revised November 15, 2023

Matthew W. Perkins, Chairman
Hanover Zoning Board of Appeals
Town Hall
550 Hanover Street
Hanover, MA 02339

RE: Petition for Variance for: Lot Coverage and Front Yard Parking Spaces
Application of 2103 Washington Street, LLC.
2103 Washington Street Proposed addition to Merchants Row

Dear Mr. Perkins:

On behalf of the petitioner, we request that the Zoning Board of Appeals grant a variance for an increase in maximum lot coverage from 73.9% to 75.0%. This variance are requested for the redevelopment of the 2103 Washington Street property which is intended to be incorporated into the existing Merchants Row (Map 5 Lots, 13, 18, and 75) property. The properties are located within the Commercial Zoning District. The required maximum coverage for lots in the Commercial Zoning District is 60%, as listed in Table 7-1 of the Zoning Bylaw. The petitioner is seeking to obtain relief for lot coverage to allow for the redevelopment consisting of a one-story building to replace the existing multi-level building and provide better access and circulation within the site.

Criteria for Variance:

Massachusetts General Laws chapter 40, section 10 requires that four findings be made in order to grant the requested relief. We believe that the criteria for these four findings are met, as follows:

- 1. That there are circumstances relating to the soil conditions, shape or topography which especially affect the land or structure in question, but which do not affect generally the zoning district in which the land or structure is located.*

Due to the existing infrastructure at Merchant's Row, and the request for the 2103 Washington Street property to merge with the Merchants Row site, new driveway entrances and additional parking are necessary to accommodate customers for the proposed 7,500 SF GFA building. The existing building is 2.5 stories with a total of 12,267 SF GFA according to the building card. Retail and bank uses are best suited by one level structures for accessibility for customers, inventory deliveries and services. With these constraints, it is not possible to redevelop the site with a one-

story structure with the same GFA and meet the maximum coverage requirements. The proposed redevelopment includes approximately 38% less gross square footage than existing conditions.

- 2. That due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the zoning bylaw would involve substantial hardship, financial or otherwise to the petitioner or appellant.*

The lot coverage shall not exceed 60% in the commercial district. As described above, it is not possible to construct a single-story structure with the same square footage on the property that would meet the lot coverage requirement due to the limited developable area of the lot. The project proponent would encounter hardships by shrinking the building any further. The overall building coverage will be reduced from 20.5% to 20.4% even though there will be a slight increase in the overall lot coverage from 73.9% to 75.0%. The site layout will provide improved site circulation by closing all the existing curb openings within the intersection of Washington and Webster Streets and allowing access through the existing Merchant's Row driveway entrances. This will enhance the safety of the intersection. Literal enforcement of the bylaw would not allow for the redevelopment to utilize a single-story structure which would be a substantial hardship both financially and from a safety standpoint for the petitioner.

- 3. That desirable relief may be granted without substantial detriment to the public good.*

The granting of the requested variances would not cause any detriment to the public good and would provide substantial benefits to the area residents, patrons that use the retail plaza and the employees that work there. The proposed project will result in a net positive impact on the public good in abutting areas. Multiple curb closures will be completed at 2103 Washington Street which will result in less traffic safety issues on Washington and Webster Street. Vehicles will enter Merchants Row through the existing driveways at 2053-2057 Washington Street and will be able to access the proposed site via new driveways on the northeast and southeast sides of 2103 Washington Street. Additionally, improvements to the stormwater facilities are proposed providing increased treatment prior to any discharge to groundwater or adjacent resource areas which is a substantial benefit to the area and a vast improvement over current conditions on site.

- 4. That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the zoning bylaw.*

Relief if granted would allow the petitioner to use the property as they wish and, in a manner, consistent with other similar uses in Town and with the intent and purpose of the Zoning Bylaws for pre-existing nonconforming structures and uses. The existing building currently sits 17.4 ft from the front property line which has a 75' minimum setback in this district and is a 76% reduction in the required setback. The new

structure will be held at least 63.6 ft from the front property lines increasing the required front setback compliance and is only a 15.2% reduction in the required front setback. The overall building coverage would be decreased by 0.1% resulting in a maximum building coverage of 20.4% which is less nonconforming than the existing building coverage. The overall lot coverage increases slightly from 73.9% to 75.0% requiring relief.

The redevelopment project will revitalize this corner property and enhance the Merchant's Row retail center by providing new retail space, job opportunities and encouraging shopping options. The updated site will discourage blight and enhance the visual environment of the Town.

Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

MERRILL ENGINEERS AND LAND SURVEYORS



Deborah W. Keller, P.E.
Director of Engineering

cc: Applicant