

November 4, 2025

Mr. Michael Parker, Chairman
Planning Board
365 Boston Road, Room 211
Billerica, MA 01821

Re: 1&2 Federal Street, JLB Billerica
Site Plan Review
Per MCMOD Zoning Bylaw Section 5.E.12.

Dear Chairman Parker and Board Members:

On Behalf of the Applicant, JLB Realty, LLC Allen & Major Associates, Inc (A&M) respectfully submits this Site Plan Review application for a proposed 255-unit, for rent, multi-family¹ development project located at 1 and 2 Federal Street further identified as Map 77, Parcel 162 and Map 68, Parcel 8-4 respectively, on the Town of Billerica Tax Assessor's Map. Located just off Route 3, 1 & 2 Federal Street are a combined 11.4 acres. The Site Plan Review application is submitted under the Billerica Zoning Bylaw Section 5.E.12: MBTA Communities Multi-Family Overlay District ("MCMOD"). Specifically located within the MCMOD – Subdistrict C Federal Street, Multi-family housing with the accessory garage buildings are a permitted use as of right within the MCMOD Zoning Overlay District.

1 & 2 Federal Street currently have two vacant office buildings totaling nearly 160,000 Sqft and associated paved parking areas. The Proposed project calls for the existing obsolete office buildings to be razed and redeveloped for rent multi-family community totaling 255 units and associated parking and courtyards . The Proposed Project will not only significantly increase tax revenue to the Town but help beautify one of the main entrances to Billerica and bring much needed and diverse housing options to Billerica that helps the Town meet their goals under their approved Housing Production Plan.

The redevelopment will result in an overall reduction of impervious surface through the introduction of additional landscaping area, outdoor amenity space in addition to the substantial improvements to stormwater management which includes treatment and infiltration that is not currently achieved under existing conditions.

The following materials are being submitted in support of this application:

- Site Plan Review application form and a check for \$350 for the filing fee.
- 300-ft. certified abutter lists for each of the two properties.
- 3 full size and 9 reduced copies of Site Development Plans for JLB Billerica, 1 & 2 Federal Street, dated November 3, 2025, prepared by A&M (includes landscape and site lighting plans by Hawk Design, Inc.)
- 3 full size and 9 reduced copies of Building elevations , prepared by Embarc Design
- 9 copies of Narrative of compliance with applicable design standards of Section 5.E.12. (see attached).
- 3 copies of Drainage Report
- 3 copies of Project Traffic Report

¹ Under M.G.L. c. 40A, Section 3A and Section 5.E.12 (MBTA Communities Multi-Family Overlay District) Multi-Family use is a use "permitted by right". A "use permitted by right" is defined in Section 5.E.12.C (Definitions) as a "Development that may proceed under the Zoning in place at the time of application without the need for a Special Permit, Variance, Zoning Amendment, Waiver, or other discretionary Zoning approval."

During preparation of this application, the applicant and design team have had numerous preliminary meetings with the Town Planner, Town manager, conservation agent, Fire Department, Engineering Department, and Building Department and received constructive feedback from their initial review of the site layout. Please note the applicant has submitted a Notice of Intent (NOI) application for the proposed development with the Conservation Commission and will be seeking approvals from the Planning Board simultaneously. The NOI approval is sought for the development on 2 Federal Street only due to work in the buffer zone of bordering vegetated wetland. A Stormwater Permit will also be sought from the Board of Health per Billerica's Stormwater Management Bylaw and Regulations.

The applicant is seeking Waivers from Sections G.2(iv) and G.9(i) of Section 5.E.12.G (General Design Standards) for the following reasons:

1. Per Section G.2(iv) (Site Design), parking is not allowed between a building and a front-line lot line. Further, parking is not allowed on a corner lot between the building and the front and side yard lot lines. The Applicant seeks relief from this General Development Standard as both 1 and 2 Federal Street are corner lots.
2. The Applicant seeks relief from Paragraph 9(i) of Section G (General Development Standards). This paragraph provides that surface parking shall be located to the rear or side of the principal building and provides that parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way".

Waiver Justification:

By definition, "corner lots" do not have "rear yards". Per the General Development Standards, parking is not allowed in front yards or side yards on corner lots. Because a corner lot does not have a "rear yard", it is impossible to design a site with required parking. Strict compliance with the above sections is not feasible and the Applicant respectfully requests that the Planning Board waive those provisions of the General Development Standards. It should be noted that both 1 Federal and 2 Federal Street are developed properties. Parking has existed in the front yards and side yards along Concord Road and Federal Street for decades without issue nor screening. As mitigation for its Waiver requests, the Applicant has augmented the landscaping and screening along Concord Road to help beautify this entrance.

Existing properties:

Both properties are currently occupied by vacant three-story office buildings with supporting services including parking and infrastructure. These sites are shown below:



Aerial Photograph 1: Easterly direction. #2 Federal (left building) and #2 Federal (right building) with Concord Road along bottom of photograph.



Aerial Photograph 2: Alternate view of Easterly direction. #2 Federal (left building) and #2 Federal (right building) with Concord Road along bottom of photograph.

We believe this project represents a model MBTA-Community development—transforming an underutilized commercial property into a vibrant, sustainable residential community that advances Billerica's housing, economic, and environmental goals. We look forward to working collaboratively with the Board to deliver this important investment for the Town. Should you have any questions or need additional information, please do not hesitate to contact me at 508- 923-1010.

Very Truly Yours,

ALLEN & MAJOR ASSOCIATES, INC.

Philip Cordeiro, P.E.
Principal

NARRATIVE OF COMPLIANCE
JLB BILLERICA MULTI-FAMILY HOUSING DEVELOPMENT
1 & 2 FEDERAL STREET
November 5, 2025

This narrative describes how the proposed development at 1 and 2 Federal Street in Billerica, Massachusetts complies with both the purpose and the general design standards of Billerica's Zoning Bylaws, Section 5.E.12: MBTA Communities Multi-Family Overlay District. Per Zoning Bylaw Section 5.E.12.D.1. and 3., multi-family housing with accessory parking and accessory parking garage buildings are a permitted use as of right within the MCMOD Zoning Overlay District, Subdistrict C Federal Street, where the two properties are located.

Please note that only the applicable sections of the bylaw pertaining to the design standards for multi-family buildings per Section 5.E.12.E. through G. are discussed. As part of this narrative, reference is made to Site Development Plans for JLB Billerica, 1 & 2 Federal Street, dated November 3, 2025, prepared by Allen & Major Associates, Inc. (A&M) which includes landscape and site lighting plans by Hawk Design, Inc., and refer to the Building Elevations prepared by Embarc Design.

PURPOSE:

Section 5.E.12 (A): The purpose of the MBTA Communities Multi-Family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). The zoning provides for as of right multifamily housing to accomplish the following purposes:

1. *To ensure compliance with MGL c. 40A 3A*

In December 2024 at Town Meeting, the Town voted to approve the MCMOD Zoning overlay and achieve compliance. This project meets the standards set forth in the Zoning Act. The compliance allows the Town to continue to receive MassWorks grants in addition to other critical State funding.

2. *Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;*

The proposed project will contain a diverse unit mix of rental options from small 1-bedroom units to large 3-bedroom units and will include affordable units to provide the local community with a variety of housing options at different income levels. 10% of the units will be dedicated affordable in perpetuity.

3. *Support vibrant neighborhoods by encouraging an appropriate mix and intensity of uses to support an active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services.*

The proposed project will redevelop two vacant and desolate office buildings into a beautiful and vibrant apartment community at one of the main entrances into the Town of Billerica. The project will have rental options for various income levels providing equal access to housing. The project will create over 100 construction jobs and numerous jobs at stabilization.

4. *Locate housing within walking distance of public transit to promote general public health, reduce the number of vehicular miles traveled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality.* The project is ideally located just off Route 3 and nearby Lowell Regional Transit Authority bus stops providing easy and convenient access to employment, recreation and other lifestyle amenities. The project will be all electric, drastically reducing greenhouse gases caused

by natural gas and oil. The project will promote sustainability through EV car chargers, LED lights, Energy Start smart appliances, and low waste plumbing fixtures. The proposed project is adjacent to the to-be-built Yankee Doodle Bike path promoting biker oriented travel, and supports a healthy lifestyle.

5. *Preserve open space in a community by locating new housing within or adjacent to existing developed areas and infrastructure.*

The redevelopment will result in a significant overall reduction of impervious surface through the introduction of additional landscaping area, outdoor amenity space in addition to the substantial improvements to stormwater management which includes treatment and infiltration that is not currently achieved under existing conditions. The proposed project will have the benefit of tying into existing public infrastructure and utilities that exist today.

6. *Support public investment in public transit and pedestrian- and bike-friendly infrastructure.*

Part of the subject property has been taken by the Town to construct the Yankee Doodle Bike Path. The community will have enough on-site bike storage and encourage the use of the bike path. The project will provide direct access to the bike path.

7. *Increase the municipal tax base through private investment in new residential developments*

The large private investment in the Town of Billerica through the proposed project will drastically benefit the Town through increased tax revenue over the existing vacant office buildings, provide exercise vehicle tax, and bring a diverse mix of residents with disposable income who will shop and dine in the local businesses helping to support the local economy. The increased revenue to the town from the project can be used to help fund Billerica public schools, and other programs to better the town.

COMPLIANCE WITH SECTION 5.E.12.E. DENSITY AND DIMENSIONAL STANDARDS

On site plan sheets C-105 and C-106 (Layout & Materials Plans), Zoning Summary Charts are provided showing all proposed apartment and accessory garage buildings comply with the Height, Minimum Open Space, Gross Density and Setback requirements as enumerated in the Table of Dimensional Standards for Subdistrict C: Federal District. Lot area and frontage requirements for the underlying Industrial Zoning District are also met.

Each of the two proposed apartment buildings will be 3 stories, not to exceed 40 ft. in height as required. The redevelopment of 1 and 2 Federal Street will provide approximately 34.9% and 45.9% open space, respectively, exceeding the required 20% minimum. Given the lot areas of 3.24 and 7.85 acres and proposed dwelling count of 81 and 174 units, respectively, the proposed Gross Densities are 25.0 and 22.2 units per acre for 1 and 2 Federal Street, respectively, below the requirement is 25 units per acre. And lastly, all building setbacks for Front, Side and Rear yards are met as shown on the Layout & Materials Plans.

COMPLIANCE WITH SECTION 5.E.12.F. OFF-STREET PARKING

1. On site plan sheets C-105 and C-106 (Layout & Materials Plans), summary tables listing the Parking & Loading Requirements per this bylaw based on the number of 1, 2 and 3-bedroom apartments are provided, with 143 parking spaces at 1 Federal Street and 299 spaces at 2 Federal Street required. These minimum requirements are met by providing 19 and 23 garage units on the 2 lots. The site layouts also provide the necessary accessible parking spaces per town, state and federal requirements, with 1 ADA-accessible garage on each lot.

Please note that the applicant is seeking a conditional approval to not construct all of the 299 town-required parking spaces on 2 Federal Street, where a total of 52 "banked" spaces are shown to be left undeveloped and/or as landscaped areas (see Sheets C-105 and L2.1). The applicant's rationale to provide future banked

parking is based on their experience at other multi-family development sites where a ratio of approximately 1.4 spaces per dwelling has been more than sufficient. Using the 1.4 multiplier for 174 dwelling units at 2 Federal results in the applicant's need of 247 spaces to be constructed. This reduced parking request will allow additional open space and reduced impervious area, and result in decreased stormwater runoff and curtail excessive heat from larger paved expanses. This town preference is not enumerated in the MCMOD guidelines but has been applied in this location given two notable constraints on the property: 1. A large footprint Bordering Vegetative Wetland area regulated by the Town of Billerica Conservation Commission with an approximate delineated area of 28,000 square feet and 2. A taking by easement of land for the Yankee Doodle Bike Path. A project undertaken by the Town that renders approximately 1 acre of land on 2 Federal Street unusable for development.

2. **Number of bicycle parking spaces.** and **3. Bicycle storage.** One bicycle parking space will be provided for each dwelling unit integrated into the structure of the buildings as required; each apartment building is designed with a communal, first-floor bike storage room. Bicycle racks are shown within each building.
3. **Number of electric vehicle (EV) charging stations.** As noted in the Parking & Loading Requirements tables, electric vehicle (EV) charging stations are proposed to meet the town's Zoning bylaw requirement of one EV space for every 20 parking spaces, and additional EV and EV-ready spaces are provided to meet the state's Stretch Energy Code requirements. As such, 15 EV and 14 future EV-ready spaces are provided at 1 Federal exceeding the town-requirement for 8 EV spaces, and 30 EV and 30 future EV-ready spaces are provided at 2 Federal exceeding the town-requirement for 15 EV spaces. Initial space allocations are shown on the site development drawings.

COMPLIANCE WITH SECTION 5.E.12.G. GENERAL DEVELOPMENT STANDARDS

2. **Site Design.**
 - i. **Connections.** Adequate sidewalks are provided at each property to connect parking areas with building entrances, and to connect to the sidewalk on the west side of Federal Street. A crosswalk is also provided across Federal Street to connect pedestrian travel between the two apartment buildings.
 - ii. **Vehicular Access.** Each property will have two curb cuts on Federal Street. Two new curb cut locations are proposed at 1 Federal (one existing curb cut will be removed and landscaped, while the second existing shared curb cut will remain for use by the office building at 3 Federal Street). At 2 Federal, the two existing curb cuts shall be used, where one of these is a shared curb cut with the office building at 4 Federal Street. This meets the intent of the bylaw to minimize curb cuts and encourage shared driveways.
 - iii. **Open Space.** Proposed uses of the open space on each property includes the following:
 - At 1 Federal: landscaped areas, a fenced-in dog park for exercising pets, and outdoor recreational and amenity space within a central courtyard area of the main building.
 - At 2 Federal: landscaped areas, natural wetland/wooded areas, and an outdoor recreational and amenity space within a central courtyard area of the main building. A swimming pool is proposed within the courtyard area, and there will be a walkway connection from the sidewalks surrounding the apartment building to the Commonwealth's proposed Yankee Doodle Bike Path along the east side of the property.
 - Together, these open space amenities shall meet the bylaw's requirements for acceptable activities and wildlife and native plant habitats. The landscape plans show detailed planting plans for the courtyard and building and parking perimeters which will provide natural areas to protect the wetland and provide attractive landscaping features around the site.
 - iv. **Location of Parking.** Paragraph 2.iv states: "Parking, either surface or structured, is not allowed between a building and front yard lot line. On a corner lot, parking is not allowed between the building and the front and side yard lot lines." A waiver per Section 5.E.12.G.10. is requested to allow parking on a corner

lot between the building and the front and side yard lot lines because these two lots are corner lots and there is no rear yard, and compliance with this section as written would be unattainable. See also waiver requested per Section 5.E.12.G.9.i. described below. These waiver requests are also noted on the cover sheet of the Site Development Plans.

- v. **Screening for Parking.** There is an existing sidewalk along the frontage of 1 Federal Street, i.e. the west side of Federal Street. Proposed parking spaces at 1 Federal Street are set back from the street at least 15 ft. and will be suitably landscaped to buffer the existing sidewalk with aesthetically pleasing trees, shrubs and other plantings.
- vi. **Parking Materials.** Proposed parking shall be provided using asphalt as allowed in this section.
- vii. **Plantings.** Native plant species are proposed as required. In addition, invasive species removal from the wetland edge within the buffer zone on 2 Federal Street is proposed, subject to Conservation Commission approval.
- viii. **Lighting.** Site Lighting is proposed in conformity with this section. Refer to Lighting plans in the landscape plan set prepared by Hawk Design.
- ix. **Mechanicals.** Mechanical equipment will be screened and not visible from, the public right of way
- x. **Dumpsters.** Trash removal facilities for each lot are shown on the Site Development Plans. As proposed, trash compactor and dumpster locations shall be located away from Federal Street, and shall be fenced in with locking gates for security with landscaped plantings.
- xi. **Stormwater Management.** The project is a proposed redevelopment project per the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Management Regulations (Standard 7) because the completed construction will result in less impervious area from existing conditions, a reduction of approximately 2,158 s.f. As noted in the Drainage Report, the proposed stormwater system is in compliance with the MassDEP Stormwater Management Regulations and Billerica's Stormwater Management Bylaw and Regulations, and the Site Development Plans include erosion and sediment control plans and snow removal plans (see Sheets C-001, C-107 through C-108, and C-111 through C-112). The Drainage Report contains an Operation & Maintenance plan that covers construction-period and long-term maintenance requirements. Overall, the proposed stormwater management system will improve existing conditions by reducing stormwater runoff, improving water quality by incorporating treatment best management practices (BMPs), and providing long-term operation and maintenance guidelines to keep the systems functional. The stormwater system has been designed to meet the stormwater standards where feasible as described in the attached Drainage Report.

3. **Buildings: General.**

- i. **Position relative to principal street.** Both properties are corner lots and require adherence to Section G.7. Buildings: Corner Lots. Both apartment buildings are situated such that Federal Street is the primary access point, and will have attractive facades as shown on all elevations prepared by Embarc Design. At 1 Federal, the primary entrance is located at the northeast corner of the building, close to Federal Street. The primary entrance for 2 Federal faces Federal Street, with a circular driveway that approaches the entrance.
- ii. **Entries.** As required, both of these primary entrances clearly define the entries and are linked by sidewalks to the public sidewalk on Federal Street. The entries and onsite sidewalks on the two lots are connected by a proposed crosswalk in Federal Street.

4. **Buildings: Multiple buildings on a lot.** This section is not applicable because each lot only contains 1 principle apartment building, and the garage buildings are considered accessory use.

5. **Buildings: Mixed-use Development.** This section is not applicable because each lot only contains one multi-family apartment building as is allowed by right. The project is not considered a mixed-use development, and no special permits are required.

6. **Buildings: Shared Outdoor Space.** All outdoor space on both lots shall be accessible by residents of the 2 apartment buildings. A crosswalk is provided in Federal Street to connect sidewalks on the 2 properties. Each

building shall have amenity space built in to the courtyard common areas for recreational use with a swimming pool at 2 Federal as well as outdoor patio areas. An outdoor, fenced-in, dog park is provided on 1 Federal.

7. **Buildings: Corner Lots.** Refer to the description above for Section G.3.i. and ii. relative to each corner lot and the treatment of the building facades and entries that comply with this section.

iii. There are no fire exits located along the building facades facing Federal Street in compliance with Section G.7.iii.

8. **Buildings: Infill Lots.** This section does not apply.

9. **Buildings: Principal Façade and Parking.**

i. **Surface Parking.** This standard states "Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way." A waiver per Section 5.E.12.G.10. is requested to allow parking on a corner lot between the building and the front and side yard lot lines because these two lots are corner lots and there is no rear yard, and compliance with this section as written would be unattainable. See also waiver requested per Section 5.E.12.G.2.iv. described above. These waiver requests are also noted on the cover sheet of the Site Development Plans.

ii. **Integrated garages.** integral to the apartment buildings proposed. Several detached garage buildings with separate garage bays for individual cars are proposed on each lot, located along the parking driveways. The principal pedestrian entry into the apartment buildings are very prominent near the front of each building. At 2 Federal, there is a circular driveway leading up to the entrance on 2 Federal, providing a sense of arrival and welcoming.

iii. **Parking structures.** There are no large, drive-through, structured parking garages proposed. The applicant's proposed use of smaller garage buildings with individual bays complies with this section; see also description for subsection ii. above.

10. **Waivers.** As allowed in this section, the Planning Board may waive general development standards in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD. As noted above for Sections 5.E.12.G.2.iv. and 5.E.12.G.9.i., waivers relative to parking spaces located between the principal apartment buildings and the public way and side lot lines are requested because the two properties are corner lots without rear lot lines. Furthermore, the proposed site design and building elevations will provide aesthetically pleasing and functional layouts, making good use of previously developed but under-utilized and obsolete, vacant office buildings. This multi-family apartment project meets the overall purpose and objectives of the MCMOD as listed in Section 5.E.12.A. Purpose, where (1.) the project complies with MGL c. 40A, Section 3A; (2.) new housing will be available to people with a variety of needs and income levels (some ADA accessible units and affordable housing units will be constructed as required); (3.) vibrant apartment buildings will support active common spaces for its residents; (4.) new multi-family housing will be provided within an area designated for such use per the Billerica Zoning Bylaw, a short distance from MBTA commuter rail stations in N. Billerica or Wilmington; (5) open space will be preserved by locating new housing within an existing developed site; (6) the project will support public investment in public transport and bike-friendly infrastructure by developing new multi-family housing within a designated zoning district close to commuter rail and adjacent to the future Yankee Doodle Bike Path; (7.) municipal tax base will benefit from private investment in this multi-family development.