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February 18, 2022

Michael Riley, Chair  
Billerica Planning Board  
Town Hall  
365 Boston Road  
Billerica, MA 01821

RE: Shops at Billerica  
Planned Unit Development  
Status of Project and Minor Site Amendments

Dear Mr. Riley:

I am writing to provide you and the Planning Board with a status of the above referenced project and notify the Board of certain minor amendments to the approved Site Plan as required by Section 5.E.10(17) (Minor Amendments)<sup>1</sup> of the Billerica Zoning Bylaws.

FB Billerica Realty Investors, LLC has retained a general contractor and pulled the permits for the renovation of the former Kmart space and will begin work for the new national supermarket imminently. They have also continued their campaign to aggressively market the newly approved 18,000 +/- square foot retail/restaurant space. As a result of the feedback obtained from prospective tenants, FB Billerica Realty Investors, LLC is proposing minor changes to the 18,000 +/- square foot retail/restaurant space. First, the approved freestanding building contiguous to the retail/restaurant space is being modified consistent with the layout required to provide for the needs of a nationally recognized coffee shop. Secondly, the layout of the additional proposed restaurant has been enlarged slightly to accommodate the prototypical needs of a regionally recognized full service restaurant chain. You will also note that the minor changes call for the elimination of the proposed "drive thru" on the east end of the new retail/restaurant building and adjacent parking to the storefronts for customer convenience.

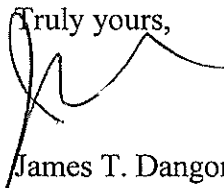
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<sup>1</sup> See Section 16 of 5.E.10 which provides in pertinent part: "...after approval of the Special Permit by the Board, the Developer may seek amendments to the Final PUD Plan...Minor amendments as specified in this Section shall be authorized by written approval of the Board." Denial by the Board does not invalidate the Special Permit to construct the PUD in conformance with the previously approved Final PUD Plan.

In addition, given the feedback received from their committed national grocer and feedback from the existing commercial tenants, FB Billerica Realty Investors, LLC has tweaked the design of the residential portion of the site with the goal of reducing the construction timeline. This compression will help expedite the opening of the grocery store and the new retail businesses as well as avoid prolonged disruption to the existing businesses operating at the site. The updated residential footprint moves the residential structure an additional 25 feet plus +/- away from Tower Farm Road. In addition, the top floor previously positioned on the north end of the residential building has been eliminated. Accordingly, the average height of the building has been reduced by 5.5 +/- feet. These changes to the residential building will not increase the number of residential units (200 units). There will be no change to the mix of affordable and market rate units previously approved by the Board. The residential building will still incorporate the same level of amenities as previously approved by the Board. The amended Plan provides for the same number of residential parking spaces (299) as the previously approved layout and accordingly, the parking ratio of 1.495 spaces per unit will be maintained. The project will continue to comply with the floor area ratio, landscaping requirements and green space requirements set out in the Zoning Bylaws.

Along with this correspondence, you will find 10 plan sets detailing the minor amendments set forth above. Also enclosed is a \$5,000 check made payable to the Town of Billerica as required by Condition 27 of the Board's Certificate of Decision.

Should you have any questions or comments, please do not hesitate to contact me at any time.

Truly yours,  


James T. Dangora, Jr.

JTDjr./ams

Enclosures

Cc: Timothy J. Williams, P.E., Allen & Majors Associates, Inc.

Cc: RD Management, LLC