

JOHNSON & BORENSTEIN, LLC

ATTORNEYS AT LAW

12 Chestnut Street
Andover, MA 01810-3706
Tel: 978-475-4488
Fax: 978-475-6703
www.jbllclaw.com
mark@jbllclaw.com

Mark B. Johnson (MA, NH, DC)
Donald F. Borenstein (MA, ME, NH)

Patrick M. Groulx (MA, NH)
Keri M. Armstrong (MA, NH)
John M. Donnelly, Jr. (MA)
Gordon T. Glass (ME, MA)
Andrew T. Lechner (VT, MA, NH)

Of Counsel

Robert W. Lavoie (MA, NH)

Paralegals

Karen L. Bussell
Lianne Patenaude
Ellen M. Melvin
Tina M. Wilson

September 21, 2023

Jacki Byerley, Planner
Town of Andover
36 Bartlet Street
Andover, MA 01810

Re: Minor modification of SP20-03 Clubview Estates
60 Canterbury Street, Andover, MA

Dear Jacki:

I represent CA Investment Trust (“Developer”) who was the applicant relative to the above special permit. This letter is to request a minor modification of the decision.

The applicant’s intent is to retain the existing pool’s clubhouse in its current location (rather than relocate it to the parking area as shown on the approved plan) and convert it for residential use. The clubhouse will become Unit 1-1 and the three new units in building 1 will be adjusted to align with the existing building. The mailbox kiosk and sidewalk have been relocated and the site grading and utilities have been adjusted slightly to accommodate the preservation of the existing building as shown on the Minor Modification Plan enclosed herewith. The adaptive reuse of the existing building to a residential dwelling, incorporating it into the project, will reduce the disturbance on site and lessen the overall impact of the project.

It is my understanding that the Applicant has reviewed these minor modifications with Mr. Cronin in the Department of Public Works and Building Commissioner Clemente and that there are no objections from either department.

Additionally, my client is requesting that condition 16 be amended to delete the phrase to “prior to the issuance of a building permit for any dwelling unit,” and replace it with “prior to the issuance of an occupancy permit for any dwelling unit.” As written, a building permit cannot be obtained until all water systems, drainage systems and sewer systems have been installed, tested and approved by the Department of Public Works and a binder coat has been in place. The sequence of construction very often is to have construction of the houses taking place at the same time that utility and site work is done and very often the binder coat is not installed until after building permits are issued. The requested substitution allows the building process to occur simultaneously

Jacki Byerley, Planner
September 20, 2023
Page 2

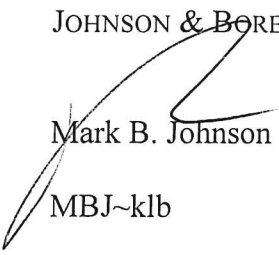
with the site and utility work, while still ensuring that all of said systems have been completed and tested prior to occupancy.

The changes detailed above comply with the By-law and are minor in nature in accordance with Section 18(1) of the Planning Board's Rules Governing Special Permits.

If you have any questions or require additional information, please contact me.

Very truly yours,

JOHNSON & BORENSTEIN, LLC



Mark B. Johnson

MBJ~klb