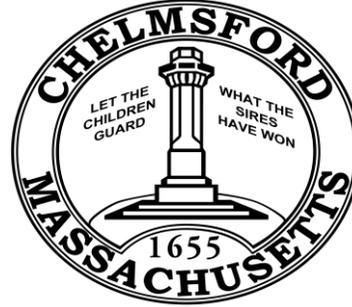


Chelmsford
Planning Board
Town Offices
50 Billerica Road
Chelmsford, MA 01824
Phone: 978-250-5231



Meeting Minutes
Thursday, July 8, 2020

Members Present: Glenn Kohl, Henry Parlee, Mike Raisbeck, Tim Shanahan, Nancy Araway, Mike Walsh, Donald Van Dyne, Hank Houle
Members Absent: None
Others Present: Evan Belansky, Com. Dev. Director, Christina Papadopoulos, Town Engineer, Colleen Stansfield, Department Assistant

Pursuant to **Governor Baker's March 12, 2020**, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the **Governor's March 15, 2020** Order imposing strict limitation on the number of people that may gather in one place.

The chair opened the meeting By reading governor Baker's order regarding covid.

Northstar Realty requested to be taken out of order. The chair allowed it.

Northstar Realty LLC. 236 Groton Road for an eleven-lot Definitive Subdivision. The Applicant requests Definitive Subdivision approval and applicable waivers under Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in the Town Of Chelmsford. The project calls for the construction of a new dead end roadway, and the construction of 11 duplexes on 11 new lots. One new duplex is proposed to replace an existing home using frontage for 236 Groton Road. The site is located in the RC Residential Zoning District. The project consists of 5 properties totaling approximately 8 acres as shown on Assessors Map 123, Block 92, Lots 1, 2, 3, 4 and 9.

Attorney Melissa Robbins representing Northstar Realty appeared before the board And stated that she wanted to present a new plan with a few of the units moved. Katie enright, engineer on the project showed the plan with two of the duplexes moved in front of the National Grid easement And away from Burton Lane. The chair stated that these plans came in late and they have not had time to review them. Ms. Enright explained that these aren't plans for review, she just wanted to show where their concept is going and how they addressed some of the concerns from the abutters on Burton Lane. When they come back before the Board, they will

have engineered plans for full review. She then stated that she has changed the sewer due to the fact that the easement they thought they had with one of the property owners on Burton Lane, was never recorded in fact. So the sewer will be connected through route 40, Groton Rd. She asked for feedback from the board so she could use that input to engineer the new plan. Enright updated the board on her application before the Conservation Commission. They had a site walk recently for the Conservation Commission to verify that they were comfortable with the wetlands as marked. She stated that the commission was good with the wetland flags on the plan. Henry Parlee stated that he spent time looking at the registry of deeds for the easement that they had presented to the board. He stated this is disconcerting that it has not been recorded and was presented that it was recorded. Parlee went on to state that this isn't the first time this has happened and he can go into it now in public if she'd like. He did not think this was the time or place to go through this. He went on to state that submitting incorrect information is really troublesome. He then commented on the plan and stated that this is a much better plan than what was first presented. Tim Shanahan stated that he liked the plan better and he wanted to make sure that all the letters were read into the record from abutters. Donald Van Dyne stated he has no concerns and he feels at this plan Addresses all the major concerns that have been brought up thus far. He then stated he wanted to say something about Henry's comments on the easement plan not being recorded. Van Dyne stated he did not believe that Katie had brought that forward to mislead the board. He felt this was easily looked up at the registry of deeds just as Henry said he did. Nancy Araway stated that she likes the plan a lot better. She still thinks there is a need for screening for the abutters. She went on to state again that she really likes this plan. Mike Raisbeck commented That he completely agreed with the screening. Hank Houle commented that he also liked this plan. He wanted to know if they could restrict the two larger lots to not be able to be subdivided again. Mr. Belansky said that the board can indeed put that restriction in the decision. Enright asked if some of the abutters could speak so that she could get some of their input. Parlee said no, not until there is a full plan. She asked again, saying that since this is advertised as a public hearing, and Parlee said, I have answered your question and I am not going to take much more and I will start listing out what other false information you have given this Board in public right now, no. Melissa Robbins asked to continue for one month until August 12 2020. Call me the motion to continue the hearing to August 12, 2020 seconded by Shanahan Unanimous.

Steve Jahnle, Assistant DPW Director- Sewer capacity discussion

Steve Jahnle, Assistant DPW Director, appeared before the board And stated that over the past couple of meetings the board is had some questions about sewer capacity and what the town is doing about it. He stated that with the master plan update committee it seemed the time to go back over an update of sewer capacity. The study showed that we were hovering right around our capacity limit with the city of Lowell. He stated the report is not complete yet however he's been working with Evan during this process to assess the projects that are either in Front of the

planning board or the ZBA or have been recently permitted. He stated that back in the 80s the sewer Commission had sold off 350,000 gallons of flow to the town of Tyngsborough. He talked about one of the solutions being to come up with a by law that allows for septic or small treatment plants whereas right now the town requires everybody who can hook up to sewer shall hook up to sewer. Shanahan asked if they were comfortable with all the projects before the planning board right now being approved. Steve stated he was comfortable. Shanahan asked if filling up along 129 starts how will this effect the status of the sewer. Steve answered that each project is looked at as it comes up individually. Van Dyne asked if all the buildings on 129 already had usage being accounted for? Steve said yes but he's basing his estimates of flow now on actuals and there is no actual flow from some of those buildings. He went on to say that 2020 is basically a throwaway year. Nothing was normal about this year. Raisbeck made the comment that the board needs to know these things basically a year ahead of time in order for a developer not to be blindsided. Houle asked if the town needed substations or if Lowell had to increase their treatment facility. Steve stated that this is a regional issue it all comes down to how much duck island can process per day and we all get a small piece of the pie. He went on to describe the UMass Lowell West campus project as one that might need its own treatment facility. Walsh asked if Steve was keeping a master plan list of all the projects approved by the planning board and under review at this current time? Steve stated that they have a spreadsheet did either has bedrooms in units or square footage if it's a commercial property. Kohl asked if they could have any future project start with a letter from sewer stating that there is adequate capacity before they even submit to the planning board? Steve agreed they could do what the board is suggesting he just asked to have Evan keep in touch with the sewer Department during applicability applications.

Administrative Review:

56 Pile Drive

PB#2019-09

Request for Endorsement

56 Pile Drive (Map 75, Block 291, Lot 55), **HUB Foundation**. The property is located in the IA Limited Industrial zoning district. The project proposes an outdoor contractor yard with a 4,000 sq. ft. structure and associated site improvements. Applicant requests Site Plan Approval, section 195-104 and a Special Permit for the use per Chapter 195, Attachment I, subsection E.5.a and any other relief that may be deemed necessary.

Evan explained that this is a simple endorsement of the mylars of a project that has been approved. The town engineer read her letter stating that she was satisfied with the plan and that she recommends endorsement. Call made a motion To endorse the mylar seconded by Shanahan Unanimous 5 dash 0

Decision

35 Devonshire Crossing, Peter Ianuzzi, Jr, M/P 33-120-1, is seeking a special permit under 195-11, Accessory Structures, to construct a 60'x40' detached garage that is over 900 sf on a conforming lot and any other relief deemed necessary.

Evan stated that this project was approved about a month ago, And there was an issue with the public chiming in on the public hearing. The board had asked if they could go back and reopen the public hearing. Evan stated That this property will be watched for commercial use and then the neighbors have all get informed on how to issue is owning complaint. The board was fine with the approval that they had granted previously. Shanahan made of motion to ratify the decision seconded by Kohl, unanimous.

New Public Hearing:**Historical Preservation-**

To adopt a new zoning bylaw, "Historical Preservation", for purposes of providing zoning options and regulations for the preservation and reuse of historical structures.

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The Chelmsford Planning Board will conduct a Public Hearing pursuant to G. L. c. 40A, s. 5, on **Wednesday, July 8 at 7:00 p.m.** via Zoom Platform due to **Governor Baker's March 12, 2020**, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the **Governor's March 15, 2020** Order imposing strict limitation on the number of people that may gather in one place.

The purpose of this public hearing is to receive public comment to amend The Town Code, Chapter 195, "Zoning Bylaw" as follows:

<https://www.townofchelmsford.us/DocumentCenter/View/11269/REVISED-FINAL-Draft-TM-Article-3-4-20-kohl>

Araway stated that the Historic Commission will be reviewing this at their next meeting.

Raisbeck made motion To open the public hearing seconded by Shanahan, unanimous. There was no one from the public to speak on the hearing. Airway made a motion to continue the public hearing to the next meeting seconded by raisbeck unanimous. 7-0

Continued Public Hearings:

1 UPS Road

PB# 93-101

Review Decision

UPS, Casey Wolf, Facilities Engineer for property located at 1 UPS Road (Map 77, Block 271, Lot 18). The property is located in the IA- Limited Industrial zoning district. Applicant requests Site Plan Approval, section 195-104, for an expansion of the parking lot and pavement extension into the northeastern portion of the site, to allow for an additional 138 parking spaces. There is associated earth removal and landscape work as a part of this design, along with minor utility adjustments (underground water line, and associated electrical site lighting) and any other relief that may be deemed necessary.

<https://www.townofchelmsford.us/DocumentCenter/View/10601/UPS-Chelmsford-Permit-Drawings-Submittal>

<https://www.townofchelmsford.us/DocumentCenter/View/10602/UPS-Chelmsford-Stormwater-Memo-Final-1-13-2020>

<https://www.townofchelmsford.us/DocumentCenter/View/10603/UPS-Chelmsford-Traffic-Impact-Study-with-Attachments>

NEW Plans:

<https://www.townofchelmsford.us/DocumentCenter/View/11266/UPS-Updated-plan-L-1>

<https://www.townofchelmsford.us/DocumentCenter/View/11267/UPS-Updated-plan-L-2>

Evan stated that the board had received a draft decision via email. The board asked if anybody from the public was there to speak. Krishna, 4 Jennifer Lane, asked about the height of the fence and also the fabric that was stated to be up to 30 decibels of sound dampering. He also mentioned the lights on the building causing light to flow over onto his property. He also mentioned the honking at night and asked that that end as well. UPS stated that they were doing everything they can to lessen the noise and address the neighbors concerns. Natasha, representing the abutter at 93 Brickhill Rd, Stated that the public has a serious lack of support towards this project and although UPS has attempted to make this more palatable they are failing with protections to the neighbors. Noah Parek, 93 Brick kiln Road, Stated that there is no regard for community anymore. He took issue with the neighbors not being able to walk down the street for fear of UPS trucks hitting them. He stated that the neighborhood is no longer a neighborhood. Anil Patel, 57 Brick kiln Road, Ask how far you are going with the tree plan along the property line. He suggested they can come up with a plan To make the area quieter and less lit up and they can stick to their own plan It's up to them. Chester Bartels, Stated that they are putting too many trucks in traffic next to residential areas. He said he had a vested interest in the property next door future development. The board discussed some of the measures that

