The Chair opened the meeting and stated that the meeting is being videotaped, recorded and broadcast by Chelmsford Telemedia.

Mr. Belansky stated that Town Counsel was here to answer questions and help the Board with the final language for the warrant articles for Fall Town Meeting. The Board took the first article out of order.

**Zoning Work Session with Town Counsel –**

5. Sign Advisory committee – delete  
Mr. Belansky explained the thought behind deleting this from the bylaws which included the fact the Sign Advisory Committee has struggled with its membership on and off over the years. The Board did not have any questions and it was stated that the Zoning Board of Appeals was supportive of this action.

1. rt. 40  
Atty. Haverty addressed the Board and explained the affordable housing component of the possible overlay and what qualifies for the affordable housing inventory. He then went over the age restrictions and stated that 55+ housing cannot prohibit occupants under 18 years old. The route 40 committee also was agreeable to a non-age restricted zoning overlay. It was stated that unlimited commercial opportunities were never on the table.

2. Cluster  
[https://www.townofchelmsford.us/DocumentCenter/View/10168/Cluster----zoning--revision](https://www.townofchelmsford.us/DocumentCenter/View/10168/Cluster----zoning--revision)  
[https://www.townofchelmsford.us/DocumentCenter/View/10171/Large_res](https://www.townofchelmsford.us/DocumentCenter/View/10171/Large_res)
Mr. Belansky went over the proposed changes which include decreasing the required acres from 10 to 5 acres. He stated that that meant the requirement for the perimeter setback should also be adjusted from 100 feet to 75 feet. It is also proposed that the land does not need to be contiguous and on site.

3. Non conforming
https://www.townofchelmsford.us/DocumentCenter/View/10169/Pre-existing-Non-conforming-195-8
https://www.townofchelmsford.us/DocumentCenter/View/10172/ResByYear
This is proposed to lessen the burden on residents with pre-existing, non-conforming lots and structures. Mr. Belansky explained that this would allow the building department to make determinations based on the zoning that was in place at the time of construction. Hence, the zoning of the time is the character of the neighborhood. This proposal also eliminates the “sliding scale” that is currently being used. A map was shown that was color coded with zoning by date.

4. Historic preservation
https://www.townofchelmsford.us/DocumentCenter/View/10173/20190723_HistPres_and_Rear_Lot_Proposals1-CS
https://www.townofchelmsford.us/DocumentCenter/View/10174/Historic-Map
The issues of what type of restriction should be required was discussed. It was stated that the preservation restriction (PR) is an application approved by the Commonwealth and that this is a long and expensive process which has no guarantee of approval. While the restrictive covenant (RC) can be done through the town and is less burdensome. The biggest difference is that PR is recorded in perpetuity while the RC can only be for a maximum of 30 years. Town Counsel stated that in the bylaw, the town cannot require an applicant to get an unattainable permit/restriction. It was also stated that although the RC can only be for 30 years, the Board can have the restrictions in the decision that would reach beyond the 30 years. Any future owners do have the option to ask the Board for a modification to the decisions. Another aspect is to allow for the creation of a new lot that is half the size of the requirement in the zoning district that it exists.

6. Community Enhancement and Investment Overlay District, sub-section 195-113
“Residential Uses” to delete the prohibition of multi-family within IA zoning districts. There was little discussion on this topic. The Board generally thought this is what is happening with the BAOD overlay and to extend multi-family to be allowed in the CEIOD seems appropriate.

The Board then discussed the rear lot modification and Mr. Belansky stated that he did not include this in the legal ad for Fall Town Meeting. The Board asked if this could be advertised and still meet the deadlines required for Town Meeting and Belansky said he would check but he thought if we placed the legal ad in the Lowell Sun we could make it.
**Public Input – 1 hour**

Chris Bowman, Julio Street, asked about the public hearing and was told it is scheduled for the next Planning Board meeting on August 28, 2019.

Kim Bennett, 25 Lovett Lane, asked about the format for the public input session and if there will be a power point presentation.

**Administrative Review:**  None

**Continued Public Hearings:**

278 – 282 Mill Road, Rainbow Builders Corp.,  PB#2019-07  Site Plan / BAOD/CEIOD

278 – 282 Mill Road, Rainbow Builders Corp., Seeks Site Plan Review and a special permit for the construction of a 5,400 gross sq. ft. single story multi-tenanted commercial building. Tenants include a 3,000 sq. ft. restaurant with 100 seats and two retail tenant spaces and associated site improvements.

The site is located in the IA zoning district and is shown as parcel Id’s Map 97, Block 328 Lot 7 & 8 consisting of approximately 1 acre. The applicant requests approval under Article XXIV, Business Amenity Overlay District” and Article XXI, Community Enhancement and Investment Overlay District (CEIOD) and associated Special Permits per Sections 195-114. a and b – side and rear dimensional setbacks and 195-115. C – location of parking between front elevation of building and street and any other permit relief as may be required under the Chelmsford Zoning Bylaw to allow the proposed use/project.


Brian Geaudreau, Engineer on the project, addressed the Board and stated that he was still working on a few technical issues with the Town Engineer but those should be complete prior to the endorsement of the plan. He then stated that he felt confident that they will be able to work within the constraints of the planned paving of Mill Road. The Chair opened the hearing up to the public. Chris Bowman, 3 Julio Street, had concerns about the past approval of 197 Billerica Road and that she believed the owner was having trouble finding tenants for the restaurant there and questioned the need to approve another restaurant space when past approvals have not been filled. She also stated concerns about the intersection of Mill Road and Billerica Road and asked that the renderings submitted to the Board be more realistic. There was no one else to speak. The Board went over the draft decision. Raisbeck made a motion to close the public hearing, seconded by Parlee, unanimous. Raisbeck made a motion to
approve the application with the changes discussed this evening, seconded by Parlee, unanimous. 7-0

New Business-

- Master Plan update committee
George Zaharoolis updated the Board on the Master Plan Committee.

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Next Meeting

Parlee made a motion to adjourn, unanimous.