Members Present: Glenn Kohl, Henry Parlee, Donald Van Dyne, Henry Houle, Mike Walsh, Tim Shanahan, Nancy Araway, Michael Raisbeck

Members Absent:

Others Present: Colleen Stansfield, Department Assistant

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

Administrative Review:

12 Kidder Road PB#2016-07 Request

Endorsement of Mylars

12 Kidder Road, John Bachini requests endorsement of the mylars for the project at 12 Kidder Road.

The Board read a letter requesting that this item be continued to the next meeting.

Public Hearing Fall Town Meeting Zoning Articles

The Chelmsford Planning Board will conduct a Public Hearing pursuant to G. L. c. 40A, s. 5, on Wednesday, August 28, 2019 at 7:00 p.m. at the Town Offices located at 50 Billerica Road, Chelmsford, MA 01824 for purposes of receiving public comment to amend The Town Code, Chapter 195, “Zoning Bylaw” as follows:

1. To amend Article XXI “Community Enhancement and Investment Overlay District”, sub-section 195-113 “Residential Uses” to delete the prohibition of multi-family within IA zoning districts, and

Pam Armstrong, Chair, Route 40 Study Committee, addressed the Board and described the committee’s efforts in looking at the possibilities along the west of Route 3 on Route 40. The Committee’s recommendation was to zone the entire north side IA while leaving the south side as RC. The committee also recommends the Planning Board consider an overlay to allow for senior housing, Continuing Care Overlay District (CCOD). The Chair opened the hearing to the public. Norman LeBrecque, 2 Longspur Road, had concerns about allowing by-right development and by-passing the Board’s review. Gerry Hall, 34 Lovett Lane, made a statement in support of the proposed zoning change. Marie Burnham, 255 Groton Road, stated concerns about the surveying work that is taking place. Sam Chase, Rivermeadow, read a statement from the Economic Development Committee stating that they do not believe this zoning change is adding any economic opportunities and do not support the proposed change. Pam Armstrong, Scotty
Hollow, stated that the committee spent 9 months studying this issue, and that the EDC had a representative on the committee who was welcomed to comment. Scott Rummell, 24 Lovett Lane, wanted to set the record straight that the Master plan states that any rezoning should take the resident’s concerns into account, not just consider the residents. Andrea Gauntlett, 264 Groton Road, stated that she has not heard from anyone regarding how this rezoning will affect her and her family. Nance Gillis, 248 Groton Road, stated that she was on the Route 40 Committee and felt that notifications of their meetings were available on the Town website and it was not the committee’s job to knock on doors.

2. To adopt a new zoning overlay bylaw and associated zoning Map amendments, Article XXV “Continuing Care Community Overlay District (CCCOD)” for purposes of adopting a new zoning overlay to permit a mix of uses and to amend the zoning map to create the new CCCOD and to revise the zoning of properties directly abutting and north of Rt. 40 and west of Rt. 3, from RC to IA, to include properties Identified by Book and Lot as 10-22 -1, 16-22-1, 16-22-2, 17-22-1, 17-22-2, 17-22-3, 17-22-4, 17-22-5, 17-22-6, 17-84-1, 17-84-2, 17-84-3, 17-84-4, 17-84-5, 17-84-6.

George Zaharoolis, Princeton Street, noticed that the numbering of the proposed articles is wrong and should be corrected.

3. To amend section 195-8 “Non-Conforming Uses and Structures, sub-section 195.8.E (1) “By-right non-conforming single and two-family structures” for purposes of amending applicable provisions, and Pam Armstrong, Scotty Hollow, asked if the Building inspector could send a questionable project to the Board of Appeals and it was stated that the Commissioner regularly denies building permits and the residents that have these denials can apply to the Board of Appeals for review. Norman LeBrecque, 2 Longspur Road, thought that this article does not help residents but makes more properties non-compliant. The Board stated that this article will do the exact opposite.

4. To amend Article VII, “Signs and outdoor lighting”, sub-section 195-37 “Sign Advisory Committee” for purposes of deleting in its entirety, and

5. To amend Article XVIII “Planned Open Space Development”, section 195-93.A to reduce the minimum 10 acres down to 5 acres, section 195-93.C to reduce the perimeter setback from 100 ft to 75 ft., section 195-94 to revise the definition / formula for providing open space and to amend the Use Regulation Schedule, Attachment 1, line A.7 to indicate “by-right” in the RA and RB zoning districts, and The Board explained that the requirement for these open space developments is a minimum of 10 acres which is now hard to find in Chelmsford. This is not about taking open space for development but rather encouraging open space within a project by allowing for smaller lots and the remainder of the 40,000 square feet required for a buildable lot be designated as open space. Pam Armstrong, Scotty Hollow, asked what the change is and it was stated that the requirement of 10 Acres is proposed to be reduced to 5 acres.
6. To adopt a new zoning bylaw, Article XXVI, “Historical Preservation and Reuse”, for purposes of providing zoning options and regulations for the preservation and reuse of historical structures. Nancy Araway explained her proposal and stated that this was driven by the 2010 master plan and the historical and cultural plan. She has been working on this for some time with the historic commission. George Zaharoolis. 191 Princeton Street, stated that he did not believe that the ability to create (cut off) a new lot at ½ the requirement of zoning is appropriate and should be rejected. He went on to state that he would like to know the enforcement mechanism that once this bylaw is used what keeps the historic home from being demolished from neglect. Ken Tassi, 60 Gay Street, stated he agrees with the previous speaker and does not support this proposition. He does not think the ability to cut off a reduced lot and be able to make a 3 family of a historic structure is something the Town should support. Pam Armstrong, Scotty Hollow, asked about how this bylaw prevents letting the historical structure become dilapidated and need to be torn down and he does not support this article. Ken Tassi, 60 Gay Street, asked if anyone has ever been fined as this bylaw suggests. George Zaharoolis, 191 Princeton street, does not support the cutting off a lot ½ the size of the zoning district. Ken Tassi, 60 Gay street, stated he supports preserving historical homes but thinks there is a better way. He does not support this article.

3. Sign Advisory committee – delete Pam Armstrong, Scotty Hollow, asked if all the current laws will stay on the books and it was stated that all the current bylaws will remain in place.

4. Community Enhancement and Investment Overlay District, sub-section 195-113 “Residential Uses” to delete the prohibition of multi-family within IA zoning districts

Parlee made a motion to close the public hearings for the Fall Town Meeting warrant articles, seconded by Raisbeck, unanimous.

Parlee made a motion to adjourn, unanimous