

Town of Chelmsford
Route 40 Study Committee
Meeting Minutes
January 8, 2019

Members Present: Pamela Armstrong, Emily Antul, Nancy Araway, Virginia Crocker Timmins, Nance Gillies, Donald Van Dyne, Mike Walsh

Members Absent: None

Attachment: (1) Chelmsford Water Department Inputs

Pam Armstrong called the meeting to Order at 7:00pm.

COMMITTEE ADVISORY PARTICIPATION CHANGE:

Mike Walsh originally joined the Committee as a resident representative. Nancy Araway and Donald Van Dyne are the appointed Planning Board members with Mike Raisbeck originally attending in an advisory capacity. Since the Committee's last meeting, Mr. Walsh was sworn in to fill an open seat on the Planning Board. To keep the number of Planning Board members to three such that the Committee meetings do not constitute a public meeting of the Planning Board subject to the open meeting law, Mike Raisbeck withdrew from participating in the Committee discussions.

MEETING MINUTES

After clarification on a Committee member's intent, the December 11, 2018 minutes were amended to include a 7th option which was all CC on both the North and South sides. Mike Walsh made a motion to accept the minutes as amended. Nancy Araway seconded. All others in favor.

WATER DEPARTMENT INPUTS

The Committee members reviewed Attachment (1). Chelmsford buys its sewer output from Lowell. Any change in water usage must meet state regulations. The water department review of proposed projects to assess compliance with the regulations is funded by the applicant.

TOWN ZONING RECORDS

The Committee addressed apparent discrepancies in the town's official zoning records and discussed clarifying questions related to the accuracy of the assessors' maps for the region of town we are reviewing.

ALTERNATIVES DISCUSSION

Discussion points on the seven alternatives identified at the last meeting on December 11, 2018 are noted below. Where overlays were suggested, it was acknowledged that we can adopt existing overlays or create a unique overlay for this area.

Alternative 1: Do Nothing. Leave the South side RC and leave the North side a mix of RC and IA. The RC zoning on the North side is the first 200 feet.

- The Committee decided to consider this option in the context of discussing the other options.

Alternative 2: Re-zone according to the recommendations provided at the Meetings in August, which had full Commercial CC on the North Side, 300 feet of CC on the South side, and RM for the remainder of the South side.

- IA was preferred over CC from a traffic perspective.
- There was a question about whether the residents would like a supermarket in this area which CC zoning would enable. The sentiment was that there are enough supermarket options nearby.
- Most members felt this option is not viable or desired based on the town residents' response in August.
- Most members did not see a compelling advantage of CC in this area.

- South side leave as RC vs. change to RB or RM discussion and clarification points:
 - RM zoning is 3 stories max above ground. If parking is at grade, that is the first story.
 - Recent data shows properties have sold and will sell at market value including a recent property sale on Groton Road 4 lots from the highway. There was some discussion about market trends and values selling a little below asking price. General preference was to leave the South side residential.
 - The area is currently functioning as RB; there are no two-family homes in the area.

Alternative 3: Leave the South side alone as RC. Modify the North side to be IA with a BAOD or unique overlay.

- Westford has not gone over two stories or a similar height limit. We would like to see a 2-story or height limit contiguous with Westford.
- BAOD Clarification – The BAOD was developed for the Route 129 area. If an overlay is required, we can modify this existing one or write a new one. Current trends are to provide amenities in business areas in order to get more industrial tenants. For example, many companies are no longer providing cafeterias.
- A concern was expressed that brick and mortar businesses will continue to be less popular in the future and that we will be creating more vacant space. Service oriented businesses (medical, etc.) like those on the Westford corridor of Route 40 might make more sense. There was an observation that we have had excess retail space in Chelmsford since the 1980s and that we are not filling existing spaces.
- Regarding retail restaurants and recreation – There was discussion about the level of services needed in this area being less than those in the Route 129 corridor.
- Industrial use: One view is that we have low intensity use industrial businesses on Route 40. Another view is there are already a lot of industrial businesses in other parts of Chelmsford and in Nashua. The question of whether we really need or can sustain more was raised. It appears that Tyngsboro may be struggling with similar attempts at Exit 34.
- If current owners sell, the 20 acres on the North Side might be amenable to something like a life sciences park with a campus environment enabled by an overlay. This is likely not feasible on Route 129 because of the number of high value properties that would have to be purchased. Businesses are being priced out of areas like Cambridge.
- The need was acknowledged for senior housing, nursing homes and memory care units.
- It was requested that if we have an overlay then we consider our vision for the area and be mindful that there have been and will likely be residents in this area for decades.

Alternative 4: Change the South side back to RB as it originally was; there are no two-family homes in this area. Make the North side all IA, possibly with a BAOD or unique overlay. Existing houses would not be affected. Houses built prior to 1938 could convert to two family with special permits.

- The South side is still functioning as RB. After the 2011 Town Meeting vote to change it to RC to accommodate a resident who wanted to convert to a two-family, there were no two-family homes built.
- If the North side becomes all IA, the homes on the North side become pre-existing non-conforming and are grandfathered. Their current use has the right to remain until the homes get torn down and rebuilt, at which point the properties would be subject to the IA zoning.
- Because of regulations put in place in 1938, properties built prior to 1938 maintain their ability to expand to two family homes.

Alternative 5: Change the North side to CC. Leave the South side RC or change the South side to RB.

- Covered by discussions above.

Alternative 6: Make the South side RM. Make the North side IA with a BAOD or unique overlay.

- Covered by discussions above. Consensus to leave South Side RC or move back to RB.

Alternative 7: Change the zoning to CC on both the North and South sides.

- Covered by discussions above. Majority consensus not to zone either side CC.

General Reflections after Options discussions:

- Recommendations are leaning toward keeping South side residential (RC or RB) and changing North Side to all IA with possible overlay. The Committee will discuss this in more detail at the next meeting.
- There was a question asked and clarification given about the downside of leaving the 200 feet of RC on the North side instead of making it all IA. Keeping the RC zone would eliminate the ability of businesses to have visibility at the road, do roadside landscaping, etc. Current homeowners will likely have property value appreciation by being in an IA zone because developers will pay premium for their properties.
- There was a question about whether zoning changes can be written with an effective date delay. Planning Board members experience is that there is no benefit to doing that and it cannot be implemented. It creates a burden on a property with the banks if owner conveys the property.

PUBLIC INPUT SESSION

Scott Rummel, 24 Lovett Lane: Suggested the Committee perform economic analysis to evaluate town revenue impacts. On the South side, consider the difference in revenue with single family housing (RB) vs. duplexes (RC). On the north side, assess the real economic benefit to all IA and adding professional services such as food and laundry. If there is minimal revenue increase, then it might make more sense to leave it the way it is.

Kim Bennett, 25 Lovett Lane: Suggested the Committee consider the impact to home values on they South side by making the North side all IA.

Tammy Arena, 3 Burton Lane: Heard that someone wanted to put in a motorcycle shop in this area. Requested that zoning recommendations do not allow motor vehicle businesses. Also referenced an earlier comment about duplexes being starter homes with a caution about thinking about them that way. As one example, Dunstable Road duplexes are selling for over \$500K.

Jeff Gilles, 248 Groton Road: Asked for clarification on duplex per acre density. The answer is that one can build 4 units or 2 duplex buildings per acre. Two-family housing is ½ acre lot zoning.

OTHER DISCUSSION:

Consider any set-back requirements desired on South side whether single family or duplex. The National Grid easement/clearing takes up 80 feet of set-back.

One should not expect instant gratification. Vinal Square and Central Square were zoned to allow residents above commercial first floor businesses several years ago and little has changed yet. Little has happened with the implementation of the Route 129 overlay.

MEETING ADJOURNMENT: Mike Walsh motioned to adjourn at 8:52pm. Nance Gillies seconded. All in favor.

NEXT MEETING: January 22, 2019 at 7:00pm.

Route 40 Study Committee Action Items			
Date	Assigned	Action	Status
11/20/2018	P. Armstrong	Follow up from Oct 30 discussion. Give Water District and Sewer opportunity to provide input.	Closed 1/8/2019 with Committee reviewing inputs.

Attachment 1: Chelmsford Water Department Inputs

Chelmsford Water Department Bruce Harper

Water impact supply study would have to be done Hydrolic study would have to be done
Fire Flows studies need to be done

Due to the elevation, you would have to add to the Scotty Hollow/Kelshill 15" main and extend it to Westford line otherwise you would have low flow bad pressure

State regulates how much water you can output, regardless of how much you have
It effects neighboring communities as they all pull from the underground supply feeds

Cox had already approached Water Dept for studies, but they were discontinued, when brakes were put on project (They talked about a 99, longhorn, veterans housing, 6 story hotel and or apt building, retail space and a whole foods if they could by adjoining land)

Sewerage - there was a moratorium on new sewer output for a short time

Many projects have to reuse/reclaim water

le: the water department has to put gray water into the treatment plant for reuse

U Mass building more in Lowell which will take more of the sewer output allowed

Could be projects that are built before this one