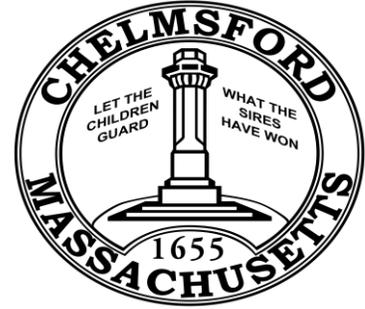


**Town of Chelmsford  
Planning Board  
Town Offices  
50 Billerica Road  
Chelmsford, MA 01824  
978-250-5231**



**PLANNING BOARD  
Meeting Minutes  
Wednesday, January 12, 2022**

**Members Present:** Mr. Mike Raisbeck, Ms. Deidre Connolly, Mr. Paul McDougall, Ms. Erica Clifford, Mr. Henry Parlee, Mr. Tim Shanahan,

**Attending remotely:** Member Ms. Araway, Member Mr. Mike Walsh, Town of Chelmsford Engineer Christina Popadopolous, Representing the Applicant: Thomas Peterson of Davis Company, Civil Engineer Brad Friedlander, Robert Buckley, Zach Chornyak, Cynthia Hern.

Residents: Susan Kinney, Anita Tanini, Bethany, Mike K, Annie Donoghue, Brenda Benson, Susan Mackinnon, Michael Moore, Mason Brunnick, Patrick O’Grady, Tracy Callahan, Erica C, Florence Jones, Amanda Collison, Zach Chornyak, Andy, Sean Egan, Andy, Jessica Robert, Mark Carota, Amy Gemelli, Marlene Cote, Rod Pelky, Greg Bogodsian, Neidre Nergi, Badhri Uppillappan, Eric Finney, Cathy Genovizian, Armand Navorian, Judy DeAngelis, Georgie Miller, Daniel Smith, Christopher Lavalle, Katie Melville, Peter Brink, Anita Tanini, Greg Dodge, Marlene Cote, Jeff Smart, Deborah Dery, Glenn Thoren, Matt Duff, Robert Delaney, John Jamain, Tracy Cole, Johnathan Aramic, Ed Buckley, Brian Letina,

**Members Absent:** None

Chair Raisbeck opened the meeting at 6:45 PM

**Administrative:**

**Continued Public Hearing(s):**

**University of Massachusetts (Umass) West Campus: Proposed Overlay Amendment:**

Chair Raisbeck began by stating this portion was to update the Board and public on a webinar he attended with the Department of Housing and Community Development (DHCD) concerning housing choice legislation. He found it was not very informative regarding this specific project except for the discussion regarding grants. One specifically concerned the “districts of choice” grant. The Umass project subject to this overlay grant would have to be filed by 2024, before such time the Board must designate and submit to the DHCD for approval, the specific areas and overlay. The application to apply for a “district of choice” grant will have to have been approved for this project to move forward.

Chair Raisbeck asked the Board if they had any questions. There were none. He asked the public if had any questions or comments. Resident and Chair of the Clean Energy and sustainability Committee, Mr. Badhri Uppillappan of 5 Jerridge Lane mentioned the articles for the overlay district contain no language regarding energy statues. He would like this incorporated for this and future projects out of concern for the environment as well as to meet the state’s goal of zero net operations in terms of energy use. It would also help the town achieve its goal of net zero by 2050.

Mr. Brian Latina of 15 Jessie Road asked for clarity on spot zoning and if this project would fall into this category. Mr. \*\*\* stated this is not spot zoning and elaborated on this matter.

Mr. \*\*\* made a motion to close the public hearing, second by \*\*\* . Roll call vote unanimous, motion passed.

Mr. \*\*\* made a motion to recommend the matter of amending Town Code, Chapter 195, “Zoning Bylaw” by adopting a new overlay district known as the “UMass West Multi-family Housing Overlay District” to rezone the real property at 255 Princeton Street and amend the Chelmsford Zoning Map to Special Town Meeting. Mr. \*\*\* seconded. Roll call vote was unanimous, motion passed.

**9 Acton Road, (Acton Road, LLC) PB# 2020-02 VCOD Site Plan / Special Permit:**

Chair Raisbeck stated the applicant sent in a letter asking for a continuance.

\*\*\* made a motion to continue the matter until January 26, 2020, second by \*\*\*\*. Roll call vote unanimous, motion passed.

**Administrative Review:**

**ANR plan 53 and 55 Woodbine Street**

Property owner, Aubrey Dumanian presented a plan and stated the reasons for the ANR. Community Development Director, Evan Belansky informed the Board this same property came before the Zoning Board of Appeals and was approved for two variances, one on each lot. He also mentioned there would be no structural changes. The Board concluded the plan met the requirements and had no questions.

Mr. \*\*\* made a motion to approve the ANR plan for 53 and 55 Woodbine Street with no change to zoning. Second by Mr. Raisbeck, roll call vote was unanimous. Motion passes.

**New Public Hearing:**

**191, 195, 199-201 Riverneck Road; DIV Riverrneck LLC**

**Demolition of existing structures and construction of a 247,860 square foot industrial warehouse with integrated surface parking, loading facilities and on-site management. Property is in both the IA and the RB zoning districts and is shown as Parcel ID: Map 64, Block 275, Lots 4,5, 7 and 16 containing approximately 21.03 acres. Applicant requests approval under Article XXIV, Route 129 Business Amenities Overlay District (BAOD) and Article XXI, Community Enhancement and Investment Overlay District (CEOID) sub-sections**

**195-111 D, 195-115, 195-116 and associated Special Permits per Article XIV Aquifer Protection District, Sub-section 195-74, Article XV Floodplain District, sub-section 195-83, Article XI Major Business Complexes, and any other permit relief, including but not limited to Articles V and IX, as may be required under the Chelmsford Zoning Bylaw to allow the proposed use / project.**

Chairman Raisbeck read the legal ad into the record.

Attorneys for the Developer, Mr. Robert Buckley of Riemer & Braunstein, LLP along with Attorney Cynthia Hern were present at the meeting. Mr. Buckley began by stating one of the main objectives at this meeting is to address the concerns raised at a previous meeting and to gather legitimate feedback to understand the position of the public. He also gave some background on The Davis Company.

Mr. Buckley described the proposed project as being primarily warehousing facility. The multiple lots and existing abandoned buildings were part of Mercury Computer Systems office buildings except for one residential lot which was also acquired for this project. Mr. Buckley introduced Senior Engineer, Zach Chornyak of Tighe and Bond to present an overview of the proposed plans.

Mr. Chornyak displayed plans to indicate the existing conditions on the site as well as the proposed. He gave a brief overview of the sanitary systems, stormwater management systems, parking, access, landscaping, lighting as well traffic.

Mr. Chornyak indicated the placement of the proposed buildings, existing landscape screening to abutting residents as well as additional plantings The Davis Company will add for an additional buffer. He indicated the location of the loading docks as being specifically placed to the north (in the back of the structures) in order to have the largest separation from existing residences. He stated motor vehicle traffic will largely use the same entrance and exits used by Mercury Computer System with some slight modifications.

Mr. Chornyak mentioned the developer is asking for a reduction to the number of parking spaces which leaves room for additional buffers to residences. Reserve spaces have been accounted for when the full build-out is complete. Parking spaces to the east, west and south account for 321 spaces with the option to provide an additional 308 spaces reserve parking space. Mr. Chornyak mentioned that the stormwater system is essentially overdesigned according to the zoning requirements to compensate for the parking, and possible use of the reserve spaces.

Mr. Chornyak stated the utilities will all be new services with the current suppliers. Sanitation will be a pump system out to Riverneck Road as it is currently. Stormwater management regulations by the Department of Environmental Protection (DEP) as well as the requirements of the Town of Chelmsford have been exceeded. They plan to install on-site deep sump catch basins with hoods, oil / water separators, sub-surface treatment, bio-retention cells and a large amount of infiltration systems to ensure the quality and accommodate the quantity of stormwater. Mr. Chornyak concluded his presentation.

Mr. Buckley resumed his presentation using a pie graph to show the points of interest from the community gathered from a previous meeting on December 12, 2021. The major concern seemed to be traffic. He gave showed some statistics of the area and stated the next meeting will have a detailed analysis of the traffic plan and solutions. Another issue of great concern to the

public was the type of business occupying the warehouses. Mr. Buckley cited a few examples of high-quality establishments that may be interested in the space. He referred to the project as an “industrial flex” facility which will be tailor fit to respond to the client base. He stressed they are designing a space that will fit the needs of the community and marketplace.

Mr. Buckley spoke to the concern regarding the number of loading docks and vehicles (specifically large trucks) entering and exiting the location. He told the Board much of the visual and sound impact would be contained to the rear of the building and other areas would have increased buffers to defer. He also stated most of the lighting will be diverted away from residences.

Mr. Buckley moved on to the safety concerns that were raised. He stated The Davis Company has a reputation of working with the community and stakeholders to enhance the host community and encourages feedback. He feels strongly that after the project is completed, the area will be safer than it is today.

Mr. Buckley concluded his presentation with the positive points of the project, some being increased tax revenue for the town, jobs, reduced traffic (compared to existing), additional customers for local businesses, improved stormwater management and improved landscape screening along residential borders.

Chair Raisbeck read comments from the Fire Prevention Department, the Water District and the Town Engineer. He noted there were many comments received in writing and they would be added to the file. Some of the comments received were from: Nina Lewin, Katie Melville, Frank Smart, Jeff Smart, Amy Smart, Chris Lavallo, Karen Shaheen, Chris Bowman, Florence Jones. Chair Raisbeck said there were others and each Member had copies and they will be taken into consideration.

Chair Raisbeck stated he would now ask the Board for questions and comments, then open the public hearing. At that time the public would have a chance to speak. He stressed that this is the first of many hearings and the main reason for this meeting was for the Developer to make their presentation. Many of the topics the residents will bring forward will be brought up will be discussed at length throughout the process. He wanted the residents to know their concerns will be heard and the Developer’s representatives will go into greater detail on all topics, this was an opening meeting. For this reason, he asked that public input be considerate, respectful and brief.

Chair Raisbeck asked the Board for questions and comments. Mr. McDougall stated that Amazon was not on the list of possible tenants of the building and that was a major point of contention. Mr. Walsh asked he would like clarification on the size of trucks associated with the businesses which will occupy the space. Mr.\*\*\* asked what the process of retaining a Peer Reviewer would be and if it was allowed. Mr. Belansky answered hiring a traffic Peer Review analysis and attendance at future meetings is more than reasonable and explained the process of hiring an outside consultant to do so. Ms. Connolly stated she feels the project is too large for the area and explained her position. Mr. Parlee echoed the concern regarding having Amazon as a tenant. Ms. Araway has concerns regarding the size of the project and said a Special Permit, according to the bylaw states ‘consideration of surrounding neighborhood must be compatible to the surrounding neighborhoods’ and feels this is project goes against this standard.

Ms. Clifford’s concerns had been already mentioned. Mr. Raisbeck said he, like most, has concerns regarding traffic, noise, safety and who the tenant might be.

Mr.\*\*\* made a motion to close the public hearing, second by Ms. Connolly. Roll call vote was unanimous. Public Hearing was closed.

Public comments were received at this time. Abutter Eric Finney of 8 Clark Avenue voiced his concerns regarding having an “Amazon type” business and hopes that language could be added during the permit granting process to prevent this type of business. Another concern was regarding the traffic study being completed during the Covid-19 crisis and is not accurate.

Ms. Cathy Genovizian of Moore Street asked for the definition of “flex” as the project is described. She fears this leaves the property wide open to house all types of warehousing and companies as it likes. She is also concerned about traffic and potential for hazardous materials affecting the environment. Traffic was also a concern. Mr. Armand Jack Navorian of 5 Bailey Terrace voiced his concerns on the size of the building, safety on Riverneck Road and traffic patterns. Ms. Judy DeAngelis of 217 Riverneck Road has traffic concerns, specifically during school bus arrivals and drop offs. Ms. Georgie Miller of Riverneck Road questioned the hours of operation of the warehouses and the effect on the resident’s quality of life. She presented a petition against the project with 1300 signatures. Mr. Christopher Lavalle of 10 Edgewood Road spoke to his concern regarding the end of Riverneck Road by the UPS facility which was not part of the traffic study. Ms. Daniel Smith of 16 McFarland Road stated her concerns to the safety of the bus stop area. Ms. Katie Melville of 6 Monmouth Street had similar concerns regarding bus stop safety, Mr. Peter Brink of 23 Monmouth Street agreed with the concerns regarding safety, specifically along Riverneck Road as it is very narrow and windy. Mr. John Jamali of 211 Riverneck Road felt the traffic study was not accurate and stressed the disruption heavy trucks would have on to his home, the road itself and disruption to everyday life. Safety along the road was also a concern. Mr. Robert Delany of 33 McFarland Road feels the same as others regarding the enormous size of the operation, health issues to the environment, animals and water becoming contaminated. A gentleman (who did not mention his name or address) was concerned about the height and size of the building. Anita Tanini expressed her concern that this development will impact all of East Chelmsford and elaborated. Mr. Greg Dodge has an engineering business located at 196 Riverneck Road voiced his concern regarding the noise factor of the large trucks and its effects. Ms. Marlene Cote of Sprague Avenue echoed the concerns of the truck traffic and wanted clarification on how many and what size they will be. Mr. Jeff Smart of 223 Riverneck Road has concerns regarding property value and the effect the project would have on sales and purchases in the area as a result. Ms. Deborah Dery of 19 Stedman Street has concerns regarding traffic and safety through the Golden Cove area. Mr. Matt Duff of 10 Clark Avenue said he has all the same feelings. He hopes the developer changes their plans to consider the residents concerns. Mr. Glenn Thoren referenced the size of the building and the look of the area when it is built and hopes this is taken into consideration. Ms. Tracy Cole of 97 Turnpike Road was also concerned with the size and look of the building. She suggested another route possibly going to the warehouse rather than utilizing and disrupting existing roads. She voiced her concern that the developer would sell the building and whoever buys it can put whatever business they want, let them work whatever hours they want and the “unknown” down the road is of great concern to her. Mr. Johnathan Aramic of 7 Clark Avenue is concerned about the safety of the children playing along the streets in the neighborhoods around the development. Mr. Ed Buckley 27 Buckman Drive had concerns regarding traffic and rules in place not being followed. He feels this development will negatively affect the Route 129 revitalization project.

Mr. Parlee made a motion to continue the Public Hearing until the February 23, 2022 meeting. Motion seconded by Ms. Connolly and unanimous among the entire Board.

Next meetings January 26, 2022 and February 9, 2022

Mr. Parlee made a motion to adjourn, \*\*\* seconded. Vote was unanimous, meeting closed.

Chair Reidy closed the Public Hearing at 9:34 PM.