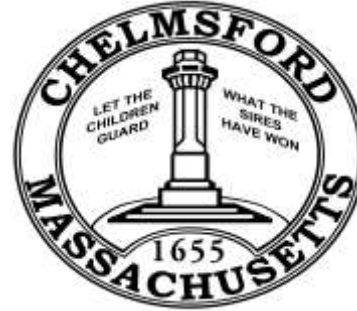


Chelmsford
Planning Board
Town Offices
50 Billerica Road
Chelmsford, MA 01824
Phone: 978-250-5231



Meeting Minutes
Thursday, February 10, 2021

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

Members Absent:

Others Present: Evan Belansky, Com. Dev. Director, Christina Papadopoulos, Town Engineer, Colleen Stansfield, Department Assistant

The chair opened the meeting and stated that this meeting is being recorded and televised by Telemedia and is being held partially remote and he read the Governor's order suspending certain provisions of the open meeting law.

Meeting Minutes- 10-28-2020

<https://www.chelmsfordma.gov/DocumentCenter/View/11984/10-28-2020-cs>

Kohl made a motion to approve the minutes of 10-28-2020, seconded by Raisbeck. Unanimous.

1-13-2021

<https://www.chelmsfordma.gov/DocumentCenter/View/12232/1-13-2021>

Kohl made a motion to approve the minutes of 1-13-2021, seconded by Raisbeck. Unanimous.

CONTINUED PUBLIC HEARINGS:

Spring Town Meeting Warrant Articles:

The Chelmsford Planning Board will conduct a **virtual Public Hearing** pursuant to G. L. c. 40A, s. 5, on **Wednesday, January 27, 2021 at 7:00 p.m.** for purposes of receiving public comment to amend The Town Code, Chapter 195, "Zoning Bylaw" as follows:

-To amend Article XVIII A "Center Village Zoning" section 195-98.3.A "Parking" and Article XXII

“Village center Overlay District” section 195-126.C for purposes of reducing the by-right 50% parking reduction, and

-To amend Article III, “Use Regulations”, Attachment 1 “Use Regulation Schedule” and Article XX “Terminology”, for purposes of establishing and regulating new uses and definitions for e-commerce, fulfillment center, ghost kitchen and dark stores.

-To amend Article III, “Use Regulations”, Attachment 1 “Use Regulation Schedule” and Article XX “Terminology”, for purposes of establishing and regulating new uses and definitions for adult use marijuana (recreational, non-medical).

<https://www.chelmsfordma.gov/DocumentCenter/View/12117/Pb---zoning-articles---final-draft-1-25-21>

Belansky started the discussion on the proposed bylaw changes with the Center village parking. There was no one from the Center Village Committee in attendance. The Board moved on to Ecommerce and definitions. Belansky stated that this was in the Master Plan and the reason for identifying Ecommerce as a worthwhile land use option is that it addresses emerging trends. This would allow existing businesses and new business addition al options related to Ecommerce. This will define the difference between traditional retail and Ecommerce. He went on to state that this will be defined as business to business and business to consumer. Next we define fulfillment centers. We are creating two types of fulfilment centers, principle use and accessory use as long as the use is below 30% of the total square footage. The next definition is a dark store. A dark store is a micro fulfilment center and is defined as a retail use that is not open to the public. Ghost Kitchen is next. A Ghost kitchen is a commercial kitchen with no dining area and may be a caterer or a made to order type of kitchen. He then showed the use table and where these would be allowed by right and by special permit. Tammy Arena, 3 Burton lane, had a question about allowing warehouses in the CB zone but not a fulfilment center. Belansky stated that Warehouse distribution is currently defined and regulated through the use table. If this article passes it will clearly define Ecommerce uses such as fulfilment centers. She asked about Ghost Kitchens and Belansky stated that Ghost Kitchens in our definition does allow for take out. Jerry Lowe asked when this is going before Town Meeting and Belansky stated that the usual time for town meeting is the 4th Monday in April, however it appears that TM will be opened and continued to sometime in June. He then asked if someone could have a small accessory distribution center and Belansky stated that it would have to be part of a retail use. Brian Latina, 15 Jessie Road, asked if what the town envisions is an Amazon type of fulfilment center and Belansky stated that is an example and Amazon would be hard pressed to find a spot in town that is large enough to accommodate that kind distribution. Tracey Cole, Turnpike Road, had questions about the difference between a fulfilment center and a warehouse. Mike Rigney, Billerica Road, spoke about the parking in center village. He stated that the committee has not discussed this yet. Brian Milisci, Center Village, he stated that he feels you can make the 50% reduction by special permit and decide on a case by case basis. Joanne Stanway, 6 Lantern Lane, asked about handicap parking and the Chair stated that this will be for new projects. Stanway asked that the board keep ADA in mind when looking at a project in the center village because there is no handicapped parking in the village.

The Board started the conversion on the marijuana articles. Belansky went through the language and definitions. Sue Carter, 16 Country Club Drive, went over the benefits to the town and stated that she is a civil engineer and has worked on many of these types of projects. She said you wouldn't know one if you stood right in front of the building. Walsh stated that the Vinal Square Committee voted unanimously to be treated the same as the Center Village. He also believes that allowing this by right in the IA Zoning Districts is wrong and it should be allowed by special permit. Tammy Arena, 3 Burton Lane, asked why marijuana research is allowed in CB not no other kind of research. Glenn Thoren, 18 Pinewood Rd., wanted to know what the building would look like and where it would go. Sue Carter answered that they look like any other Industrial building. If you know what to look for you will notice more air handlers and a bigger generator. Bill Gilet, Vinal Square Committee, wanted to support Walsh's comments in regard to Vinal Square. Tracy Cole, Turnpike Road, asked if she was correct in thinking that we are going to allow for research and development but not allow retail. The Chair stated she was correct. Belansky stated that in the CB we are changing that from special permit to prohibited and in the IA we are changing the by right to special permit, just to be clear. Shanahan made a motion to forward the revised language to the Select Board for inclusion in the warrant, seconded by Raisbeck, unanimous.

Administrative Review:

236 Groton Road, Northstar Realty, LLC., PB #2020-04 Minor Modification 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.

<https://www.townofchelmsford.us/DocumentCenter/View/12227/Groton-road-letter-minor-mod-19110-Northstar-PB-letter-2-4-21>

https://www.townofchelmsford.us/DocumentCenter/View/12228/Groton-Road-minor-mod-19110-Site-Plan_StampedReduced

Katie Enright representing the applicant, went over the changes that included an easement from 6 Burton Lane so that the sewer could be connected at Burton Lane which is a far less distance than connecting out to Groton Road. There were no concerns raised by the board. Kohl made a motion to approve the changes to the plan as proposed, seconded by Raisbeck, unanimous. 7-0

Continued Public Hearing:

248 Princeton Street PB# 2020-07 CEIOD / Special Permits

The Chelmsford Planning Board will conduct a Public Hearing on **Wednesday, January 27, 2021, at 8:00 P.M.** for on an application submitted by Page & Trahan Companies for property located at **248 Princeton Street** for the **construction of a ten (10) unit multi-family development with associated site improvements located on a newly created lot.** The site is located in the CB Commercial District and consists of approximately 32,637 sq. ft. as shown on Assessors Map 20,

Block 54, Lot 9. The applicant requests approval under Article XXI, Community Enhancement and Investment Overlay District and associated Special Permits per Sections 195-111.D for a Residential Use; Section 195-114 for increased FAR and Article XXIII Inclusionary Housing Bylaw.

<https://www.chelmsfordma.gov/DocumentCenter/View/11983/Landscape-Plan---248-Princeton-St>
<https://www.townofchelmsford.us/DocumentCenter/View/12053/1-Billerica-44-Central-Square-Proof-of-Mailing>
<https://www.townofchelmsford.us/DocumentCenter/View/12054/248-Princeton-2128SitePlans122120>
<https://www.townofchelmsford.us/DocumentCenter/View/12055/248-Princeton-StreetStamped-Copy>
<https://www.townofchelmsford.us/DocumentCenter/View/12057/Princeton-Building-Elevations--Floor-Plans>
<https://www.townofchelmsford.us/DocumentCenter/View/12058/Princeton-Renderings>

Atty. Melissa Robbins, representing the applicant, went over the proposed project and showed a PowerPoint presentation. The proposal calls for a complete redevelopment with demolishing the current building and ripping up the pavement. She showed the original plan from the applicability application that was for 12 units with 2 affordable. They heard concerns from the abutters and the Board so they changed the project to a 10 unit development with 2 duplexes on Princeton St. and they will negotiate the payment in lieu with the Board. Doug Lees, engineer on the project, went over the proposed 10 unit plan. They are not looking for any waiver other than the use and the floor area ratio. The applicant stated that they have not had time to address the Town Engineer's comments but will come back with that for the next meeting. Kohl made a motion to continue to the next meeting, seconded by Raisbeck, unanimous.

Stonegate Construction, Inc., PB# 2020-03 Site Plan Approval/ Special Permits

1 Billerica Road and 44 Central Square requesting Site Plan Approval, section 195-104, and Special Permits under Article XXII, Village Center Overlay District (VCOD) and any other relief that may be deemed necessary. The proposed project consists of reuse and redevelopment of the Fisk House and Odd Fellows Hall into commercial space and a 100 seat restaurant and 8 apartments respectively. A 32 unit multi-family structure is proposed for the adjacent parking area. The site is located in the Village Center Overlay District and consists of approximately 3.5 acres as shown on Assessors Map 84, Block 334, Lots 10 and 11.

NEW:

<https://www.townofchelmsford.us/DocumentCenter/View/12229/1-Billerica-44-central-sq-Proposed-Multifamily-Elevation-View-0221>
<https://www.townofchelmsford.us/DocumentCenter/View/12230/1-Billerica-44-central-sq-2021-1-30-rev-A4-exterior-elevations>
<https://www.townofchelmsford.us/DocumentCenter/View/12231/1-Billerica-44-central-sq-2021-1-30-A6-roof-plan>
<https://www.chelmsfordma.gov/DocumentCenter/View/12262/HAB-letter---1-billerica-road-pilo>
<https://www.chelmsfordma.gov/DocumentCenter/View/12261/Water-district-letter---Melanson>
<https://www.chelmsfordma.gov/DocumentCenter/View/12260/Shanahan-letter>

Atty. Melissa Robbins addressed the Board and spoke about the waivers that are being requested. She stated that the bylaw allows for these waivers to encourage new and redevelopment. She then stated that they are not seeking relief from the setback, they meet zoning. The Board has been focused on the height and not that they meet zoning. The height request is now 9 feet. They have lowered the building and request for relief. Enright went over the height calculations. They now have 17 available parking places. Ben Swenson, owner

of the property, wanted to say a few things. He stated that he heard from the town that the buildings were falling into disrepair. They then started looking into a redevelopment and was introduced to Katie Enright who has done a fabulous job on this site. They looked for local developers. They found Ali and Jay Finnegan and are very happy with the work they have done on this project. He stated that he hopes the Board will approve the project and if it is not approved he is likely to lose one if not both of the partners. The Board members spoke about the changes and how they felt about the project. The Board went through the waivers requested. They then discussed the PILO. Araway asked for a new proof plan. Atty. Robbins asked the Board if the information they are requesting is going to change anyone's mind on the waivers. 3 members stated that they are still against the height. Kohl made a motion to close the public hearing, seconded by Houle. Motion passes, hearing is closed. 4-2 (Araway and Raisbeck vote nay). Kohl Made a motion to approve the application and all the waivers, seconded by Van Dyne. Motion fails 2-4 (Kohl, Araway, Walsh, and Houle vote nay)

Henry Parlee took over as chair

New Business:

Schedule a worksession per Chair (possibly February 17, 2021)

The Chair stated to let this wait for a couple of weeks.

APPOINT SELECT BOARD MEMBER TO ROUTE 3 HIGHWAY INTERCHANGE ADVISORY BOARD

<https://www.chelmsfordma.gov/DocumentCenter/View/12235/Rt-3-study-next-steps>

<https://www.chelmsfordma.gov/DocumentCenter/View/12236/Rt-3-market-study>

Raisbeck will attend this meeting

Next Meetings-

February 24, 2021

March 10, 2021

Shanahan made a motion to adjourn, unanimous.

Document pages -

1/27/2021 Meeting Documents

<https://www.chelmsfordma.gov/DocumentCenter/View/11996/Waiver-List>

<https://www.chelmsfordma.gov/DocumentCenter/View/11997/Monetary-and-other-financial-contributions-w-Property-Taxes-01-07-20>

<https://www.chelmsfordma.gov/DocumentCenter/View/11998/1-Billerica-rd-Housing-Renderings-12-3-20>

Requested Documents for 44 Central Square / 1 Billerica Road

Approvals to date:

Historic District Commission Approvals

Certificates of Appropriateness - Odd Fellows Building

Certificates of Appropriateness - New 32 Unit Residential Building

[https://www.chelmsfordma.gov/DocumentCenter/View/12128/HDC-cert of appropriateness odd fellows 02-03-20](https://www.chelmsfordma.gov/DocumentCenter/View/12128/HDC-cert%20of%20appropriateness%20odd%20fellows%2002-03-20)

[https://www.chelmsfordma.gov/DocumentCenter/View/12129/HDC-cert of appropriateness stonegate 02-03-20](https://www.chelmsfordma.gov/DocumentCenter/View/12129/HDC-cert%20of%20appropriateness%20stonegate%2002-03-20)

Conservation Commission – Order of Conditions

<https://www.chelmsfordma.gov/DocumentCenter/View/12166/ConCom-approval>

New January 27, 2021

<https://www.chelmsfordma.gov/DocumentCenter/View/12167/1-Billerica-Rd--Layout--Materials>

<https://www.chelmsfordma.gov/DocumentCenter/View/12168/Building-Measurements-Aug-2015-Fiske--Odd-Fellows>

<https://www.chelmsfordma.gov/DocumentCenter/View/12169/15119---Parking-Update-1-27-2021>

<https://www.chelmsfordma.gov/DocumentCenter/View/12170/15119---Elev-Plan-1-23-21-ELEVATION-PLAN>

<https://www.chelmsfordma.gov/DocumentCenter/View/12172/15119---Layout-Exhibit>

Building Areas added and the elevation adjusted to remove the 18”.

<https://www.chelmsfordma.gov/DocumentCenter/View/12171/2021-1-26-chelmsford-arch-dwgs>

Presentations

<https://www.chelmsfordma.gov/DocumentCenter/View/12120/15119---Elevation-Exhibit>

<https://www.chelmsfordma.gov/DocumentCenter/View/12121/15119---Layout-Change-9-3-20-for-submit>

<https://www.chelmsfordma.gov/DocumentCenter/View/12122/15119---OVERLAY>

<https://www.chelmsfordma.gov/DocumentCenter/View/12123/19222-Planning-Board-7-22-20>

[https://www.chelmsfordma.gov/DocumentCenter/View/12124/Central-Sq-Presentation-Updated-01-07-21 CM-compressed-1](https://www.chelmsfordma.gov/DocumentCenter/View/12124/Central-Sq-Presentation-Updated-01-07-21%20CM-compressed-1)

<https://www.chelmsfordma.gov/DocumentCenter/View/12125/Final-Present-6-24-20>

<https://www.chelmsfordma.gov/DocumentCenter/View/12126/Final-Present-10-28-20>

<https://www.chelmsfordma.gov/DocumentCenter/View/12127/Present-2-3-20>

Dept Letters

<https://www.chelmsfordma.gov/DocumentCenter/View/12133/Department-letters>

<https://www.chelmsfordma.gov/DocumentCenter/View/12134/Engineering-leter-2020-03-pb-letter-Central-Square-3-002>

<https://www.chelmsfordma.gov/DocumentCenter/View/12135/New-Fire-Prevention-letter-1-26-2021--PB---2020---44-Central-Sq-1-Billerica-Rd-mixed-use-development-002>

<https://www.townofchelmsford.us/DocumentCenter/View/12160/Fire-Prevention-letter-1-27-2021>

<https://www.townofchelmsford.us/DocumentCenter/View/12159/Engineering-letter-1-27-2021>

<https://www.townofchelmsford.us/DocumentCenter/View/12158/Board-of-Health-Dept-Letter>

<https://www.chelmsfordma.gov/DocumentCenter/View/12163/Belansky-Memo-to-PB-1-27-2021>

Applicability

<https://www.chelmsfordma.gov/DocumentCenter/View/12119/floor-plans-Odd-Fellows-Applicability-2-12-2020New>

2-12-2020

<https://www.chelmsfordma.gov/DocumentCenter/View/10699/44-Central-sq--1-billerica--CVOD-Letter-19222-19223-2-7-20>

<https://www.chelmsfordma.gov/DocumentCenter/View/10700/44-Central-sq--1-billerica--Cover-Sheet>

<https://www.chelmsfordma.gov/DocumentCenter/View/10701/44-central-sq-1-Billerica--Conceptual-Layout>

<https://www.chelmsfordma.gov/DocumentCenter/View/10703/44-Central-Sq--1-Billerica-Road-Proof---Yield-Plan>

6-24-2020

https://www.chelmsfordma.gov/DocumentCenter/View/11227/1-Billerica-Road-Streamline_The-Chelmsford_Dusk_With-Shutters_Opt_04-

<https://www.chelmsfordma.gov/DocumentCenter/View/11228/1-Billerica-Road-2019-12-18-chelmsford-arch-dwgs>

<https://www.chelmsfordma.gov/DocumentCenter/View/11229/1-Billerica-Road-19222-19223---Drainage-Maps>

<https://www.chelmsfordma.gov/DocumentCenter/View/11230/1-Billerica-Road-19222-19223---Supplemental-Data-Report>

<https://www.chelmsfordma.gov/DocumentCenter/View/11231/1-Billerica-Road-19222-19223-Applications>

<https://www.chelmsfordma.gov/DocumentCenter/View/11232/1-Billerica-Road-19222-19223-Deed>

<https://www.chelmsfordma.gov/DocumentCenter/View/11233/1-Billerica-Road-19222-19223-Odd-Fellows-Reconstruction-Plans>

<https://www.chelmsfordma.gov/DocumentCenter/View/11234/1-Billerica-Road-19222-19223-Plan-of-Land>

<https://www.chelmsfordma.gov/DocumentCenter/View/11235/1-Billerica-Road-19222-19223-PostDevelopment-HydroCAD-Report>

<https://www.chelmsfordma.gov/DocumentCenter/View/11236/1-Billerica-Road-19222-19223-PreDevelopment-HydroCAD-Report>

https://www.chelmsfordma.gov/DocumentCenter/View/11237/1-Billerica-Road-19222-19223-Site-Plan_Stamped

<https://www.chelmsfordma.gov/DocumentCenter/View/11238/1-Billerica-Road-19222-19223-Transmittal-Letter>

<https://www.chelmsfordma.gov/DocumentCenter/View/11239/1-Billerica-Road-19222-19223-Elevation-Propose-Color-East-Elevation>

<https://www.chelmsfordma.gov/DocumentCenter/View/11240/1-Billerica-Road-19222-19223-Elevation-Propose-Color-North-Elevation>

<https://www.chelmsfordma.gov/DocumentCenter/View/11241/1-Billerica-Road-19222-19223-Elevation-Propose-Color-South-Elevation>

<https://www.chelmsfordma.gov/DocumentCenter/View/11242/1-Billerica-Road-19222-19223-Elevation-Propose-Color-West-Elevation>

<https://www.chelmsfordma.gov/DocumentCenter/View/11243/1-Billerica-Road-19222-19223-Elevation-Propose-Color-South-Elevation>

<https://www.chelmsfordma.gov/DocumentCenter/View/11244/1-Billerica-Road-19222-19223-Elevation-Propose-Color-West-Elevation>

<https://www.chelmsfordma.gov/DocumentCenter/View/11245/1-Billerica-Road-19222-19223-Elevation-Propose-Color-South-Elevation>

7-22-2020

<https://www.chelmsfordma.gov/DocumentCenter/View/11416/1-Billerica-15119---Elevation-Exhibit>

<https://www.chelmsfordma.gov/DocumentCenter/View/11417/1-Billerica-19222-LM-REV-7-16-20---Site-Plan>

<https://www.chelmsfordma.gov/DocumentCenter/View/11418/1-Billerica-Fiske-House-App-CHC-7-14-2020>
<https://www.chelmsfordma.gov/DocumentCenter/View/11419/1-Billerica-19222-19223-Transmittal-Letter-7-16-20>

9-9-2020

<https://www.chelmsfordma.gov/DocumentCenter/View/11591/44-Central-Sq-1-Billerica---Layout-Change-9-3-20-for-submit>

10-28-2020

https://www.chelmsfordma.gov/DocumentCenter/View/11728/2020_10_16_CutFill_Analysis
https://www.chelmsfordma.gov/DocumentCenter/View/11729/2020_10_16_HSH_Riverfront-Alternatives-Analysis
https://www.chelmsfordma.gov/DocumentCenter/View/11730/2020_10_16_HSH_Site_Plan_Drainage_Maps
https://www.chelmsfordma.gov/DocumentCenter/View/11731/2020_10_16_PostDevelopment_HydroCAD_Report
https://www.chelmsfordma.gov/DocumentCenter/View/11732/2020_10_16_PreDevelopment_HydroCAD_Report
<https://www.chelmsfordma.gov/DocumentCenter/View/11733/15119---Stamped-Plans>
<https://www.chelmsfordma.gov/DocumentCenter/View/11734/15119---Supplemental-Data-Report-10-16-20-w-cover>
<https://www.chelmsfordma.gov/DocumentCenter/View/11735/Construction-Sequence-Prelim>
https://www.chelmsfordma.gov/DocumentCenter/View/11995/20084---Site-Plans_Stamped-Reduced-cs-reduce
<https://www.chelmsfordma.gov/DocumentCenter/View/11996/Waiver-List>
<https://www.chelmsfordma.gov/DocumentCenter/View/11997/Monetary-and-other-financial-contributions-w-Property-Taxes-01-07-20>
<https://www.chelmsfordma.gov/DocumentCenter/View/11998/1-Billerica-rd-Housing-Renderings-12-3-20>
<https://www.chelmsfordma.gov/DocumentCenter/View/11999/20084---Response-to-Comments-1>
https://www.chelmsfordma.gov/DocumentCenter/View/12000/20084---Site-Plans_Stamped-Reduced
https://www.chelmsfordma.gov/DocumentCenter/View/12001/Supplemental-Data-Report_Stamped
<https://www.chelmsfordma.gov/DocumentCenter/View/12053/1-Billerica-44-Central-Square-Proof-of-Mailing>

Petition

<https://www.townofchelmsford.us/DocumentCenter/View/12161/Petition---19-Billerica-Road>