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



TOWN OF  
CHELMSFORD  
PATRICIA E. DZURIS  
TOWN CLERK

**Meeting Minutes**  
**Thursday, March 10, 2021**

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

**Administrative Review:**

**61 Dunstable Road, Christopher Sullivan, Seeks a finding of Applicability under CEIOD for the property at 61 Dunstable.**

<https://www.chelmsfordma.gov/DocumentCenter/View/12309/61-Dunstable-CEIOD-applicability-2-24-2021>

<https://www.chelmsfordma.gov/DocumentCenter/View/12310/61-Dunstable-CEIOD-applicability-Plans-2-24-2021>

Belansky informed the Board that he had been in touch with Atty. Deschenes and he agreed to modify the plan according to Araway's comments. Raisbeck made a motion to approve the applicability for 61 Dunstable Road with the conditions requested by Araway, seconded by Houle, unanimous. 7-0

**Woodbine and Dulgarian Terrace**

**PB# 2017-13**

**Request Lot Release**

<https://www.townofchelmsford.us/DocumentCenter/View/12332/14-Dulgarian-Terrace-Minor-Modification>

The Chair opened the public hearing and asked to have the letters read into the record. The only letter was from the Town Engineer, Christina Papadopoulos, regarding the bond that is required (\$123,900) since the road is not complete. Atty. Gregg Haladyna, representing the applicant, described the situation. He stated that they came before a few years ago for a subdivision. Mr. Dulgarian has 3 lots, 2 lots have houses and one is vacant. The Subdivision, once approved gave Mr. Dulgarian 4 lots, 3 with houses and 1 vacant. The plan also brings down water and sewer services that were not there before. Therefore, the town would get the improvements and extension of the public way along with water, sewer and adequate drainage that was not there before. The plan required Land Court approval because this is registered and recorded land. That was an awfully slow process complicated by Covid. Luckily we did receive the approval a few months back and the plan was signed by this board. There is currently a couple of interested parties to purchase the vacant lot. He noted that the lot is on the public portion of Woodbine Street while the extension of the public way we are talking about is further down Woodbine Street. He then pointed out the condition that states that

the work on the extension of the public way shall be completed prior to issuance of the final occupancy permit. That would make the lot unsalable and the proceeds from the sale is intended to finance the all the work to extend the road. That makes the request of a minor modification to allow for the sale and occupancy of the vacant lot. Christina Papadopoulos, Town Engineer, is requesting the bond because she says there is no other way to ensure the Town that the work will be done. He hopes there is another way to ensure the work will get done without tying it to the sale or occupancy of the lot. He then suggested that a covenant could be entered into that would not allow for the lots with the houses on them to be sold until all work is complete and not restrict the vacant lot. He requested the board to not tie the sale or occupancy of the vacant lot to the completion of the road. The Town Engineer explained to the Board that the best way to protect the Town is a bond. The sale of the homes may not take place for 30 years and by then, nobody really knows what is going on. The Town has had this issue with other developments before and the covenant does not properly protect the Town. The Board agreed that the Bond is the best way to handle a surety for the road completion. Kohl made a motion to approve the minor modification with the language that a bond in the amount of \$123,900 is required to ensure the build out of the road as previously described and that there be no restrictions on the vacant lot, seconded by Raisbeck, unanimous.

Parlee recuses himself on the following application.  
Walsh takes over as Chair.

**Stonegate Construction, Inc., PB# 2020-03 Review & Ratify Decision**

**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.

**Raisbeck made a statement disclosing that he has a professional relationship with Atty Robbins, and has checked with Ethics. They do not find him conflicted.**

Raisbeck made a motion to ratify the decision, seconded by Kohl, unanimous 7-0.

**21-29 Drum Hill Road PB# 2019-01 Minor Modification**

**original legal ad** - Chelmsford Retail Management, LLC, **21-29 Drum Hill Road** for the demolition of the existing two-story 12,240 sq. ft. structure and **construction of a new one-story 7,615 sq. ft. multi-tenanted structure with one consisting of a fast food with drive-thru and associated site improvements.**

CB – Roadside Business District, .92 acres, Assessors Map 27 Block 101 Lot 5. Article XXI, **Community Enhancement and Investment Overlay District (CEIOD)** and associated Special Permits per Sections 195-112, 195-115.C, and any other permit relief as may be required under the Chelmsford Zoning Bylaw to allow the proposed use/project.

[https://www.chelmsfordma.gov/DocumentCenter/View/12341/21-29-Drum-Hill-Cover-letter-Board---Minor-Modification\\_Planning-Board](https://www.chelmsfordma.gov/DocumentCenter/View/12341/21-29-Drum-Hill-Cover-letter-Board---Minor-Modification_Planning-Board)

[https://www.chelmsfordma.gov/DocumentCenter/View/12342/21-29-Drum-hill-Cover-letter-for-Engineering-Minor-Modification\\_Engineering](https://www.chelmsfordma.gov/DocumentCenter/View/12342/21-29-Drum-hill-Cover-letter-for-Engineering-Minor-Modification_Engineering)

<https://www.chelmsfordma.gov/DocumentCenter/View/12343/21-29-Drum-Hill-Minor-Mod--Site->

Plan Stamped Reduced

Katie Enright, Engineer on the Project, went over the minor modification which included enhancing the drive through, adding the patio and signage for the fast food new tenant. They also added a bike rack. The department letters were read into the record. Araway suggested they change the sumac because it looks too much like poison ivy. There were no further comments from the Board. Kohl made a motion to approve the minor modification as presented, seconded by Raisbeck, unanimous. 7-0

**New Public Hearing:**

<b>39 North Road</b>	<b>Special Permit</b>	<b>Requests approval under 195-8 (b) Non-conforming uses &amp; structures</b>
<b>39 North Road, Matthew Hanson, (M/P 73/259/21) for a special permit under 195-8 (b), Non-conforming uses and structures.</b> (Changes, Extensions and Alterations of non-conforming use and structures), and any other permit relief as may be required under the Chelmsford Zoning By-Laws to allow for the change, extension, or alteration of the current pre-existing non-conforming use (two-family) to construct a new two-family home on the property		

- <https://www.chelmsfordma.gov/DocumentCenter/View/12305/39-north-Hanson-signed-SP-application>
- <https://www.chelmsfordma.gov/DocumentCenter/View/12306/39-North-Rd-Chelmsford-PB-Submittal>
- <https://www.chelmsfordma.gov/DocumentCenter/View/12307/39-North-Rd-Chelmsford-Site-Plan-021021>

The Chair read the legal ad to open the public hearing. The applicant, Matt Hanson was accompanied by his engineer, Brian Milisci. Milisci stated that the applicant inquired with staff on the application and was directed to Town Counsel. Town Counsel sent an email stating that the board may award a special permit for an extension of a pre-existing nonconforming use. The Board had questions about the possible re-zoning of the area and discussed if the area would be better suited to be zoned RC. Atty. Jeff Brown, representing the church as an abutter, questioned how this is an extension of a pre-existing, no-conforming use when the proposed structure is over 300 ft away. Atty. Doug Hausler, representing the greenwoods, stated that they would only support the project if it was done through a zoning change at town meeting. Daniel Heider, Facilities Manager for St. Mary’s Church, agreed with everything that has been said but he also has an issue with where the leaching field is being proposed and the venting pipes that give off odor. Tammy Arena, 3 Burton lane, wants to know if this sets a precedence. The applicant explained that he had spent time with town counsel before he came to the board and that town counsel agreed that this would be allowable under a special permit. He went on to say that if the board sees a better path for this to get approval he would love to hear it. The board took a straw poll and the Board was against this application and thinks that a zoning change would be the cleaner way to go. The applicant asked to withdraw the application. Raisbeck made a motion to accept the withdrawal without prejudice, seconded by Kohl, unanimous.

**CONTINUED PUBLIC HEARINGS:**

**Spring Town Meeting Warrant Articles:**

- [https://www.townofchelmsford.us/DocumentCenter/View/12311/CA-CB-CC-CD-CV-IA\\_Zone\\_aerial](https://www.townofchelmsford.us/DocumentCenter/View/12311/CA-CB-CC-CD-CV-IA_Zone_aerial)
- [https://www.townofchelmsford.us/DocumentCenter/View/12312/CB\\_IA\\_Zone\\_aerial](https://www.townofchelmsford.us/DocumentCenter/View/12312/CB_IA_Zone_aerial)
- <https://www.townofchelmsford.us/DocumentCenter/View/12313/PB-Zoning-Warrant-articles-STM-2021>

<b>248 Princeton Street</b>	<b>PB# 2020-07</b>	<b>CEIOD / Special Permits</b>
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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.

**New:**

<https://www.chelmsfordma.gov/DocumentCenter/View/12338/248-princeton-cover-letter-2121PB22221>

<https://www.chelmsfordma.gov/DocumentCenter/View/12337/248-Princeton---Fire-Truck-2128FireTruck22121>

<https://www.chelmsfordma.gov/DocumentCenter/View/12339/248-Princeton-Site-Plan-2128SitePlan22121>

<https://www.chelmsfordma.gov/DocumentCenter/View/12340/248-Princeton-Standard-9-2121OM22121>

**Old:**

<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>

The department letters were read into the record. Bruce Harper read his letter and opposed the project. Atty. Robbins went over the plan set and introduced Doug Lees, engineer on the project, who then went over the details. They then showed the landscape plan, went over the plantings, and talked about the sidewalks. The Board went over the deliverables for the next meeting, including the landscape plan, lighting plan and confirmed with the board that they are good with 10 units and making a payment in lieu to the affordable housing fund. The waivers were acceptable to the board. Atty. Robbins asked that the board continue the hearing in case there are more negotiations needed at the next meeting. Raisbeck made a motion to continue to the next meeting, seconded by Kohl. Unanimous.

**New business**

**Discussion / Schedule Worksession**

**Old Business**

**Next meetings**

***March 24, 2021***

***April 14, 2021***

The Board went over topics for future work sessions including streamlining the review process.

Raisbeck made a motion to adjourn, seconded by Kohl, unanimous.