

Town of Chelmsford
Route 40 Study Committee
Meeting Minutes
March 12, 2019

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

Members Absent: Donald Van Dyne

Pam Armstrong called the meeting to Order at 6:10pm.

MINUTES: Emily Antul motioned to approve the March 5, 2019 minutes. Nance Gillies seconded. All in favor.

Evan Belansky, Community Development Director, attended the meeting in the public section and provided subject matter expertise.

OPENING DISCUSSION:

Pam Armstrong asked the public in attendance to identify any issues they had with the North Side overlay approach.

- Nancy Loiselle, 7 Doris Drive business address: Nancy and her husband feel that the underlying IA zoning on the north side is acceptable. If condos or apartment buildings are built, they would want to have fences installed to prevent children or other individuals from unintentionally coming into the business lot.
- Andrea Gauntlet, 264 Groton Road: Lives on the South Side. Stated that her home is valued at \$280K and, if the south side is rezoned, she knows she will be offered more money for her home.
 - Evan Belansky offered that he had advised residents who came to him requesting rezoning of the south side to wait for the Committee recommendations to go to the Planning Board and to then take their request through the Planning Board process.
 - Pam Armstrong suggested that residents ensure they have the correct information about market value of their homes under the existing zoning. A rough estimate example offered is that if someone sold their home on an RC lot in this area for \$250-350K with connection to town sewer lines the market value of a new home built on the lot would likely be \$350-400K.
 - Pam Armstrong asked how Ms. Gauntlet would like the south side rezoned. Ms. Gauntlet replied that she would like it rezoned to increase her property value for selling her home. Pam Armstrong and Committee members clarified that the Committee's role is not to establish a recommendation that will give residents who want to leave the most money for their homes, but to establish recommendations with the residents and businesses in the area who will be there at the outcome in mind and with consideration to town-wide stakeholder inputs.
 - Evan Belansky offered that, if changes were to be made to the South side in the future, they would need to be customized for South Side considerations (duplex vs. multi-family such as a "mini Scotty Hollow", abutting neighborhoods, available land area, electrical company easements, etc.).
 - Committee members reminded the attendees that the major reasons for not changing the South Side zoning included ensuring adequate buffering to other neighborhoods and ensuring that we are not enabling creep into other neighborhoods in North Chelmsford over the years that would fundamentally change the character of that section of town in a manner counter to why people have chosen to live there.

COMMITTEE DISCUSSION:

The Committee stepped through the current draft of the recommended Overlay. Some major comments not inclusive of the total line-by-line review included:

- Whether the article should be split into multiple articles. One example addressed was to keep the Zoning Area identification separate from the Overly District parameters description. Zoning areas include all the North Side lots.
- Strengthen clarity that when using the Continuing Care Community Overlay District (CCCOD) overlay, no other overlays can be applied.
- Reconciling “Independent Senior Living” (not defined) with “Facilitated and Independent Senior Living” as defined in the by-laws and adjusting specific line items accordingly.
- Moving personal care services to the Special Permit section and removing special permitting of retail stores and services not in support of the Senior population.
- Validating the recommended minimum percentage of area to remain as landscaped green area.
- Removing the minimum height requirement for new construction
- Addressing the setback requirements for buildings 3 stories and 5 stories in height.

PUBLIC INPUT SESSION

Doug Gordon, 2798 Rumney Route 25, Rumney NH (wife owns four acres on the south side that are land locked without access roads): Asked what happens to “the gas station” on the south side if the south side is “taken out” of the rezoning. The Committee explained that the south is not being “taken out” of anything, to the Committee’s knowledge there was never a gas station under consideration and the south side recommendations were formulated after a review of several options in prior months.

Tammy Arena, 3 Burton Lane: Asked Emily Antul to provide clarification on the recent report made to the Board of Selectmen by the Massachusetts Department of Transportation regarding traffic volumes and routing in North Chelmsford including Ledge Road and Swain Road. More information can be found in the video and meeting minutes for the BOS Meeting on March 11, 2019.

Wenlan Lu, NorthStar Realty: Requested that the committee remove the language about “retail focused on the Senior Population” and leave it as stated with size restrictions and other parameters. The rationale is that defining what retail for the senior population means is not clear. The Committee agreed with Ms. Lu’s request.

MEETING ADJOURNMENT: The meeting was adjourned at 8:38pm.

NEXT MEETING: Initially planned April 3, 2019 at 7:00pm during this meeting. Subsequently rescheduled to April 11, 2019. Focus is to review next revision of Overlay language and outline for Final Report.

Route 40 North Side Draft Articles Reviewed at Route 40 Study Committee Meeting on March 12, 2019

Town Meeting Article x – Revise Zoning of Area along Rt. 40

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, 18-84-4, 17-84-5, 17-84-6; and apply a new Continuing Care Community Overlay District to the entire Limited Industrial (IA) District thereby created, as follows

Article XXV# –Continuing Care Community Overlay District

[§ 195-148 Establishment of overlay district](#)

The Continuing Care Community Overlay District (CCCOD) addresses changing Town and regional market conditions, specifically the need to provide housing opportunities to the growing population of senior citizens that defines the framework for an Aging-in-Place Community that provides individual and multi-family housing opportunities, facilitated and independent senior living facilities, and graduated healthcare support service, with readily available Personal Care Services.

The CCCOD can be applied as an overlay to any zoning district. Plans submitted under the CCCOD are required to meet these basic requirements and objectives:

A.

Promotes orderly, effective and quality development and redevelopment;

B.

Provides housing opportunities that will be compatible and complementary with the surrounding area;

C.

Enhances the aesthetic qualities and characteristics of the area, such as architectural style, streetscape character, open space, connectivity, and overall setting in a manner that protects and enhances the value of surrounding real property; and

D.

Does not disturb residential neighborhoods or detract from the appearance of the Town and results in the maintenance of a balance and workable relationship between the existing area and use, the new utilization and adjacent residential neighborhoods.

E.

When multiple overlays are applicable to an area, the CCCOD is intended to be used as an alternative to, and not a supplement to, the other overlays.

[§ 195-149 Establishment of overlay district](#)

The location and boundaries of this overlay district are hereby established and made part of this bylaw as shown on the Continuing Care Community Overlay District Map, dated mm/dd/yyyy.^[1]

[1]

Editor's Note: Said map is on file in the Town offices.

§ 195-150 Use regulations.

A.

The existing use Regulation Schedule (Chapter 195, Attachment 1) shall be applicable within the underlying zoning districts.

B.

Within the overlay the following uses are permitted by right:

(1)

Attached and detached ~~Multi family dwellings limited to Senior occupancy, Independent Senior Living Facilities~~ up to a density of 20 units per acre; Facilitated ~~and independent~~ senior living facilities (iaw Article XVII), and (~~exempt and~~ nonexempt) Adult Day Care facilities.

(2)

Nursing/convalescent or rehabilitation homes (excepting drug rehabilitation facilities).

(3)

Personal Care Services, such as but not restricted to barber, salon, laundry/dry cleaner, financial services agency, and pharmaceutical supplies (~~single tenant free-standing are not permitted~~).

(4)

Restaurants no larger than 3000 sq. ft. (~~single tenant free-standing and~~ drive-throughs are not permitted)

(5)

Pharmacy and Banks; (drive-throughs are permitted, ~~excluding single tenant freestanding~~).

(6)

Medical Offices, Clinics and Centers

(7)

Parking garages / structures as an accessory use / structure only.

C.

The following are permitted by special permit:

(1)

Two-family and Multifamily housing when provided as part of an Aging-in-Place Community.

(2)

General Multifamily housing compliant with Article XII Multifamily Housing, sections 195-59, 195-61 through 195-63 and Article XXIII Inclusionary Housing Bylaw.

(3)

Retail stores and services not focused on ~~support of sales to~~ the Senior population, under 1500 sq. ft., ~~excepting free-standing units.~~

(34)

Reduction of residential unit size in multifamily housing dwellings limited to Senior Citizen (over 55) occupancy, below the limits established in ss 195-113 Residential Uses.

(45)

Buildings that exceed the height of the underlying zoning district, as provided for in ss 195-151.

(56)

Senior Multifamily housing and Independent Senior Living Facility density in excess of 20 units per acre, subject to ss 195-63 Density Bonus for affordable housing, excepting that in the CCCOD, one unit for each 5 units set aside may be permitted.

(67)

Maximum building coverage and floor area ratio may be increased by up to 50% above that required by the underlying Zoning District, provided that a minimum of 20% of the area of the property is maintained as landscaped green area.

§ 195-151 Special provisions for all CCCOD.

A.

~~Building height. For lots in the Rt. 40 Industrial area, buildings that are set back from Rt. 40 by more than 600 feet may be up to 5 stories tall and 60 feet high.~~

~~B.~~A.

Parking garages / structures shall not be counted towards the floor area ratio.

~~CB.~~

New construction shall be a minimum of 2 actively used stories high.

~~DC.~~

~~New construction of Restaurants, Banks, Pharmacies, Personal Care Services and other Retail and Services (iaw 195-150 B 3-5 and C2) shall not be single tenant free standing structures.~~

E.

Except as specifically defined in Article ~~XXHXXV~~, the dimensional standards of the underlying zoning district shall apply.

§ 195-152 Special provisions for CCCOD implementation in specific areas.

A.

Building height. For lots in the IA District north of Rt. 40, buildings that are set back from Rt. 40 by more than 200 feet may be up to 5 stories tall and 60 feet high.

B.

Setback of all Improvements. For lots in the CB district on the south side of Rt. 40, 100 feet of unpaved landscaped area shall be maintained as a buffer to adjacent RB districts, and dense green planting areas shall be maximized in these buffers to the extent possible.

§ 195-~~152~~-153 Applicability of CCCOD to overlay district.

A.

All provisions in Article ~~XXH-XXV~~ shall have precedence over other sections of the Zoning Bylaw.