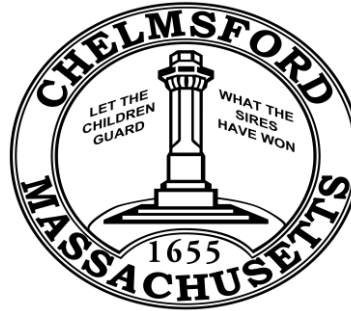


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Meeting Minutes
Thursday, March 24, 2021

Members Present: Tim Shanahan, Glenn Kohl, Mike Raisbeck, Mike Walsh, Nancy Araway, Donald Van Dyne, Henry Parlee
Members Absent: Hank Houle
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 remotely and he read the Governor's order suspending certain provisions of the open meeting law.

Glenn Kohl Recuses himself for 26 Wildwood Street

36 Wildwood **PB# 2016-13** **Request Extension/Vote Covenant**

Glenn Kohl, 26 Wildwood St. Requests extension of the definitive subdivision and vote to accept the Form J, Private way covenant.

<https://www.townofchelmsford.us/DocumentCenter/View/12381/Form-J---Wildwood>

<https://www.townofchelmsford.us/DocumentCenter/View/12382/26-Wildwood-Plan-re-Lots-2A-and-2B-002>

Brian Milisci, engineer on the project and representing the applicant, appeared before the Board and requested an extension of the definitive subdivision for the property at 26 Wildwood St. He also mentioned that due to the state of emergency for the covid pandemic, active permits have been extended. However, that will be expiring soon and the applicant would request an extension of 24 months. There were no questions from the Board. Raisbeck made a motion to approve the request to extend the permit for 24 months. Unanimous.

Kohl Joins the meeting

Street Acceptances for Spring Town Meeting 2021 – Steve Jahnle, Asst. DPW Director

<https://www.townofchelmsford.us/DocumentCenter/View/12377/Combined-Street-Acceptance-Packets>

Christina Papadopoulos, Town Engineer, stated that she will be representing the DPW in going over the street acceptances for the spring town meeting. She stated that this has been an effort by the DPW for some years now and that they have been doing the research on unaccepted streets and portions of streets. There are 7 streets for this town meeting, Hazen St., Chamberlain Rd, Tadmuck Rd., Tuttle Road, Twiss Road, Oak Street and Maple Road. The vote being requested is for the Planning Board to endorse and recommend to the Select Board, acceptance of these streets. Kohl made a motion to recommend acceptance to the Select Board, seconded by Raisbeck. Unanimous, 7-0

61 Dunstable Road

PB# 2021-02

Review/Sign Decision

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 went over the applicability decision and pointed out a correction in the motion, This is not a special permit but a by right use. There were no questions from the Board. Kohl made a motion to endorse the applicability finding, seconded by Raisbeck. Unanimous. 7-0

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/12312/CB_IA_Zone_aerial

<https://www.townofchelmsford.us/DocumentCenter/View/12313/PB-Zoning-Warrant-articles-STM-2021>

Henry Parlee, Chair, invited Dominic Shelty to speak about his business, Wellman Farm. They are an adult use cultivator with licenses in Lowell and Colrain, Ma. This is a family business with himself and sister in law, Julianne and brother, Joseph. They have been in business for 2 years and he stated that they approached the Town about a year and half ago, to see if there was any interest in locating a facility in Chelmsford. He was told due to zoning there was no place that was allowed this use. He believes they have been the primary group asking that the town to take a look at the zoning. They mostly do outside cultivation to the maximum allowed of 2 acres. He explained that they would need support of the host community, being the Select Board. He went over the security required to have such a facility. Walsh stated that he said they have been talking to the town and he wanted to know if they owned land in town or if there is a particular property they are looking at. Shelty replied no, they would looking to lease land and work with a local farmer. The Board asked Belansky if there was any possibility of an out door facility here in Chelmsford. Belansky said highly unlikely if not impossible since this warrant article only proposes in 2 zoning districts, IA and CB. Belansky stated he is not aware of any farms in those districts. The Chair asked if there was anyone from the public here to speak for or against this article. Annita Tanini stated that she only asks the Board to be smart about the zoning and how this is presented, although this is an opportunity, what are we giving up. Joe Tierney stated that yhe was on the call to be sure that Vinal Square will be treated the same as center village in regard to this zoning proposal.

Belansky then went over the Center Village parking article that will change the 50% reduction of parking requirements I the village to 80% reduction. Kohl made a motion to recommend article 37 to town meeting seconded by Shanahan, unanimous.

Ecommerce article 38 was then discussed. The vinal square committee asked that ecommerce not be allowed in the CB zoning district. Araway asked that the area along Route 110, Chelmsford Street, from Rt. 495 to the center, although it is zoned CB, be allowed for Ecommerce with a foot note.

Belansky said on this Article 38, he is looking for a motion to recommend with 2 changes, one being to change under CB in the use table from PB to an N, and to add a foot note to permit the accessory fulfillment center in the Chelmsford Street CB zoning district from Route 495 to Wilson Street. Kohl moved the motion, seconded by Raisbeck.

Belansky went on to article 39 and stated that it was good the hear from the subject matter expert. First point is that Marijuana cultivation does not meet the state standard definition of agriculture. He also stated that the Select Board would be required to sign a host community agreement prior to any application being submitted.

Kohl made a motion to recommend article 39 to town meeting, seconded by Raisbeck, motion passes 6-1, Walsh votes nay.

Article 40 will only be needed should article 39 pass to further regulate marijuana retailer. Raisbeck made a motion to recommend article 40 to town meeting, seconded by Van Dyne, Motion passes 6-1, Kohl votes nay.

Kohl made a motion to close the public hearing on the town meeting warrant articles, seconded by Raisbeck. Unanimous.

248 Princeton Street

PB# 2020-07

Review Draft Decision

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>

Belansky went over the decision. The board was good with all the changes including the fully blacked out lights facing the abutter. The public hearing being still open, Bruce Clark spoke against the project. There was no one else to speak, Kohl made a motion to close the public hearing, seconded by Raisbeck, unanimous. Raisbeck made a motion to approve the CEIOD special permit, seconded by Kohl, unanimous. 7-0. Raisbeck made a motion to accept the payment in lieu of \$40K, seconded by Kohl, unanimous.

New Public Hearings:

330 Billerica Road

PB# 2020-06

BAOD Special Permit and Site Plan

The Chelmsford Planning Board will conduct a Public Hearing on **Wednesday, March 24, 2021, at 7:00 P.M.** at the Chelmsford Town Offices, 50 Billerica Road, Room 204, to consider the application of The **RMR Group LLC**, for property located at **330 Billerica Road** for the **reuse and an existing 5,675 sq. ft. into a 125 seat fast casual restaurant with a drive-though and associated site improvements.**

The site is located in the IA zoning district and is shown as parcel Id 97, Block 291 Lot 1 consisting of approximately 319,457 sq. ft. The applicant requests approval under Article XXIV, Business Amenity Overlay District", sub-sections 195-145 C. (4), and Article XXI, **Community Enhancement and Investment Overlay District (CEIOD)** sub-sections 195-111 C (1), 195-115 B,C and D, 195-116 and associated Special Permits per Article XIV Aquifer Protection District sub-sections 195-7, 195-74, 195-75, and any other permit relief as may be required under the Chelmsford Zoning Bylaw to allow the proposed use/project.

<https://www.townofchelmsford.us/DocumentCenter/View/12327/330-Billerica-Road-Application-PB>

[Traffic Study pg. 34](#)

<https://www.townofchelmsford.us/DocumentCenter/View/12328/330-Billerica-stamped-cover-letter>

Mark Bronstein, attorney on the project, appeared before the Board and went over the proposal which will also require a special permit for the drive through. The department letters were read into the record. The Town Engineer, Christina Papadopoulos, stated she has not written a letter but is happy to answer any questions the board may have. She then stated that her comments are standard. The Board had questions about pedestrian access. The question

came up about the 53G accounts and it was stated that there is significant money in the Route 129 account. The issue of elections also came up and the Board decided to try for a special meeting so that this applicant can finish up with the Board as it sits and not have to readvertise the hearing if there are new members. The Board went over what they would like presented at the next meeting. Shanahan made a motion to continue to 6pm, Wednesday, March 31, 2021, seconded by Raisbeck, unanimous. 7-0

Minutes: 1-27-2021, Raisbeck made a motion to approve the meeting minutes for January 27, 2021, seconded by Shanahan. Unanimous; 7-0

New business **Discussion / Schedule Worksession**

Old Business

Next meetings ***April 14, 2021*** ***April 28, 2021***

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