



Chelmsford Planning Board

Town of Chelmsford
50 Billerica Road
Chelmsford, MA 01824

Town Clerk Stamp



MEETING MINUTES **April 27, 2022**

TIME: 7:00 p.m.

LOCATION: McCarthy Middle School Auditorium – 250 North Road

Members Present: Michael Raisbeck, Chair
Deirdre Connolly, Vice Chair (via Zoom)
Nancy Araway, Clerk (via Zoom)
Michael Walsh
Annita Tanini
Tim Shanahan (via Zoom)
Paul McDougall
Erica Clifford, Associate/alternate (via Zoom)

Others Present: Evan Belansky, Community Development Director

Chairman Shanahan called the meeting to order at 7:06 p.m.

PUBLIC INPUT

No one from the audience, nor Zoom, spoke.

CONTINUED PUBLIC HEARING(S)

1) The Davis Companies on behalf of DIV Riverneck, LLC, for properties located at 191, 195, 199-201 Riverneck Road for the demolition of the existing structures and construction of a 247,860 +/- square feet industrial warehouse building with integrated surface parking, loading facilities and on-site infrastructure improvements.

Applicant submitted a written letter requesting their Public Hearing be continued onto the following Board meeting on May 11th.

Board Discussion:

Ms. Connolly expressed concern with consecutive requests to continue the public meeting. Would like to know why they have continued the hearing again. Mr. Belansky explained that their written request

to continue the public hearing indicated that they would like more time to address all the public comments/concerns and technical reviews so that all matters are addressed by the next meeting. Chair Raisbeck expressed interest in having a discussion regarding how to best handle hearing continuances with public interest; how to inform the public in a timely matter in order to avoid disrupting abutters'/residents' work schedules due to previously planned meeting attendance. The Board agreed to add this discussion topic to their upcoming working session.

Motion: by Mr. Walsh to continue this public hearing to May 11th. Seconded by Ms. Tanini.
Motion carries, 6-1. Ms. Connolly objected.

CONTINUED ADMINISTRATIVE REVIEW

- 1) ANR # 671 – Barnes Terrace – Tidan Corporation – Request for Endorsement - create separate lots from the existing Lot 2

AND (COMBINED PRESENTATION)

- 2) Barnes Terrace – Tidan Corporation - Construction of a Paper Street – create new roadway to serve as frontage and access for two new lots

Applicant's representative Seth Donohoe of Dillis & Roy Civil Design Group gave updates. They have addressed all of Beta Group's peer review concerns/comments. Applicant has no objections to the draft decision including the specified special conditions.

Phil Paradis from Beta Group, representative for the Board's peer reviewer of the proposed project, was present via Zoom. Mr. Paradis no further comments regarding the applicant's response to comments. Mr. Paradis suggested that five (5) additional special conditions, which he submitted in writing to the Board, be added to the final Decision.

Motion: by Mr. Walsh to grant ANR #671 to Barnes Terrace, as presented. Seconded by Ms. Araway. **Motion carries, unanimous, 5-0. Ms. Tanini and Mr. McDougall abstained.**

Motion: by Mr. Walsh to grant approval for construction of a Paper Street to Barnes Terrace, as presented and conditioned. Seconded by Ms. Connolly. **Motion carries, unanimous, 5-0. Ms. Tanini and Mr. McDougall abstained.**

CONTINUED PUBLIC HEARING(S)

1) 9 Acton Road LLC, requests a special permit per Article XXII, Village Center Overlay District, sections 195-124 C (2), (4) (5), 195-125.B, Table 2 (L1, L4, L8, L9, B9) and section 195-104, Site Plan Review, and Article XXIII, Inclusionary Housing Bylaw, as applicable, for the construction of a 22 unit multifamily townhouse development with associated site improvements and any other zoning relief that is deemed necessary. The site is in the VCOD - Village Center Overlay District and consists of approximately 57,264 sq. ft. as shown on Assessors Map 84-336-19.

Ms. Katie Enright, of Howard Stein Hudson, stated the applicant requested a hearing continuance for today due to having just received peer review comments from Beta Group just prior to the last Planning Board meeting. The peer comments included recommendation for soil testing, which was completed last week. She has subsequently received another response from Beta Group again yesterday, and the applicant has no objections to the peer review responses. They have a site walk scheduled with the Conservation Commission next week followed by a public hearing with the Commission the week after next. They are working with Commission to address all buffer zone concerns, invasive species removal (knotweed and bittersweet) as well as creating restoration and maintenance plans.

Mr. Phil Paradis, representative of Beta Group, the Board's peer reviewer, stated he would prefer to work with project engineer between second review and plan finalization to ensure all modifications are added to the plans accordingly before said finalization.

Mr. Paradis has one particular concern with needing additional treatment of phosphorus to avoid runoff into the brook. Typically, phosphorus pollution originates from direct impervious surface runoff into a stream. New EPA MS-4 treatment of phosphorus requires projects are designed to reduce phosphorus runoff by 50%. This is achieved predominantly via infiltration systems which are key to phosphorus treatment, as well as bacterial runoff reduction.

Mr. Paradis is concerned that the majority of the proposed parking area, about 50% of the paved area, is not being directed into any infiltration area. The applicant should provide an increase to impervious recharge area to achieve the 50% phosphorus reduction goal.

Ms. Enright stated that Mr. Paradis' comments and suggestions regarding capture readjustment for the phosphorus removal are appreciated and being taken into consideration. However, for a redevelopment project the standards are "to do the most to maximum extent possible." The project plans are already proposing a significant improvement to the existing conditions. In response to the peer review comments, they can make the infiltration slightly larger with minor modifications to the plan. Regarding the bacteria, there will also be some significant improvements to the existing site. They will be removing the existing sewer connection which will significantly improve the impact on site. There is not a large I&I problem in Chelmsford, so it is best to address and identify sources onsite. A solution is to identify those sources in the condominium association manual and stormwater pollution plan, to identify source reductions such as picking up animal waste, no dumping of leaves and grass clippings within the buffer zone, etc. Maintaining a vegetated buffer zone between the units and the brook will also help to reduce those source runoffs. There is no septic system currently onsite, and they are providing a new sewer connection. They are happy to work with Beta Group and incorporate these modifications to the final plans for the Board to approve.

Chair Raisbeck is optimistic that the site will be significantly improved. He questioned whether it was necessary to continue the hearing for these minor modifications to the plans, or if the remaining concerns could be addressed with a special condition within the final Decision. Mr. Belansky stated that the Board can indeed decide to close the Hearing, and only sign the final plans once the Board receives final comments from Mr. Paradis that all his suggestions are addressed on the final plans.

Public Input:

Badhri Uppiliappan, 5 Jerridge Lane, Precinct 11 representative and member of Clean Energy and Sustainability Committee. He would like to go on the record to invite the developer to meet with the

Clean Energy and Sustainability Committee to work toward making this redevelopment project more “Net Zero” friendly. The Town of Chelmsford has adopted the Net Zero Policy of 2050. The Town is working toward net zero carbon emissions standards. It is important for the Town to begin working with and influence new developments to adopt “greener” development standards for building practices so that the Town can reach its new net zero standards by 2050 and begin changing the industry standard of development to create greener operating buildings and use more energy efficient materials. These types of greener buildings will be beneficial to the Chelmsford and will benefit the developer too when they sell their buildings (even though the upfront costs may appear higher). Long term, these buildings will improve industry standards toward valuing greener energy efficient operating buildings. Therefore, Mr. Uppiliappan would like to reach out to this development to collaborate toward this Town goal. This could potentially be the first building in Chelmsford to establish this goal.

Ms. Enright stated she has Mr. Uppiliappan’s contact information and will it along to this developer to potentially incorporate the Committee’s suggestions.

Board Discussion:

Mr. Walsh wanted to know the status of the PILO (payment in lieu of) and ask Ms. Araway if she still had concerns regarding the proposed landscaping/tree planting plan.

Mr. Belansky stated it should be 4.5 units with the Board’s prior approval to round down the calculation, as agreed upon.

Ms. Araway has not reviewed the most updated landscaping plan. But she had issues with the initial plan with regard to particular plants being proposed. Ms. Enright suggested adding landscaping plan revisions to the conditions rather than continuing the Hearing once again, due to the tight deadline her firm has with the landowner. The Board agreed.

Motion: by Mr. Shanahan to close Public Hearing for 9 Acton Road and grant all Special Permits, as presented and conditioned. The Decision will be drafted with said Conditions, then reviewed and ratified by the Board at following Board meeting. Seconded by Ms. Connolly. **Motion carries, 6-0. Ms. Tanini abstained.**

NEW PUBLIC HEARING(S)

None.

NEW BUSINESS

- Items for May 4th work session, Room 205 at 7p.m.
 - o NMCOC – zoning map / land use restrictions
 - o Rt. 129 discussion – Lisa Marrone and the Town Manager will be present
 - o Others:
 - Ms. Connolly has a running list but was not sure if there will be time allotted for additional topics at this meeting. She will share the list via email with the Board.
 - Ms. Araway establishing communication practices and/or boundaries with the public regarding Public Hearings.
- PB appointments to the Master Plan Implementation Committee

- Town Meeting member or Resident-at-large
- Member of the 2021 Master Plan Committee

MEETING MINUTES TO APPROVE

April 13, 2022

Motion: by Mr. Walsh to approve the Meeting Minutes of February 23, 2022, as presented.
Seconded by Ms. Tanini. **Motion carries, unanimously, 7-0.**

NEXT MEETING DATE(S)

Work session – May 4th at 7 pm
May 11, 2022 – regular meeting

ADJOURN

Motion: by Mr. Walsh to adjourn the meeting at approximately 8:02 p.m.
Seconded by Ms. Tanini. **Motion carries, unanimous 7-0.**

Respectfully Submitted,

*Becky DaSilva-Conde
Departmental Assistant*