



Chelmsford Planning Board

Town of Chelmsford
50 Billerica Road
Chelmsford, MA 01824

Town Clerk Stamp



WORKING SESSION **Meeting Minutes** **May 4, 2022**

TIME: 7:00 p.m.

LOCATION: Town Offices, 50 Billerica Road, Chelmsford, MA

ROOM: 205

Members Present: Michael Raisbeck, Chair
Nancy Araway, Clerk
Michael Walsh
Annita Tanini
Paul McDougall

Others Present: Evan Belansky, Community Development Director
Jeff Owen, NMCOG contact

1) 7-8 p.m. – NMCOG – DLTA - Zoning & Land Use Conflicts

Jeff Owen, Regional Planner with North Middlesex Council of Governments (NMCOG) is working with Chelmsford and other regional towns to identify land use and zoning conflicts. Particularly properties that may have been developed legally, or were previously conforming, but then became non-conforming years later due to zoning changes.

Approximately 95 hours are budgeted for NMCOG to work with the Town of Chelmsford.

Some of these properties/parcels have already been identified with the Assessor's Office and featured on the map within the handouts Mr. Owen distributed to the Board. Other potential impacts are commercial or industrial areas bordering residential areas creating problems such as traffic, noise, or environmental land pollution uses next to residential areas. Mr. Owen is here to identify additional areas that are not represented on the map handouts.

Chair Raisbeck stated there are places in town that zoning is being observed, but they are problematic for other reasons. Not sure that those are all mapped out. Mr. Owen stated that this is precisely the information he is here to identify tonight.

"conflicts along roadways" - These are abutting use areas of residential and commercial zones separated by the roadway itself (i.e. Littleton Road, Turnpike Road, etc.). These are also referred to as split-zone areas.

“neighborhood conflicts” – This is essentially a generic term with generic circles/delineations on the maps for village areas that have a variety of zoning districts. They are highly mixed-use areas (i.e., South Chelmsford - Acton Road/Route 127, or Center Village – Summer Street). This does not suggest that this is problematic, it is simply to point out the mixed zoning within an area of the Town.

Mr. Belansky and Mr. Owen tried to identify types of zoning conflicts and types of land use conflicts and create subcategories. Mr. Belansky would like the Board to review these maps and themes and determine if there are additional areas or themes/subcategories that need to be considered, or renaming the categories/subcategories, if the Board deems it is appropriate, or if themes need further definition. Perhaps some are not worthy of consideration or resolution, while others may be deemed priorities for resolution.

Tonight’s discussion is to a first look at the maps and concepts, sort whether the themes and concepts make sense, maybe adding themes or revise themes, and ultimately agree upon what NMCOG should focus their study on.

The Board suggested adding Vinal Square to the neighborhood conflict because it is essentially a village center situation where it is highly mixed-use.

Mr. Belansky pointed out how Middlesex Street, off Vinal Square, is a classic example where the properties along the frontage of the street do not comply with the underlying zoning district. Therefore, it is in the orange circle theme, representing “neighborhood conflicts.” There is residential mixed with commercial, industrial, etc. The neighborhood itself may not perceive the mixed-use as a conflict; it could be a well sustained neighborhood. The area simply represents an inconsistent policy based on the current zoning district map versus what is actually out there on the ground.

The Board needs to identify where there is a true conflict (a problem), and how to address and resolve those conflicts within those priority neighborhoods. In some neighborhoods, the mixed-use may be well accepted. In others, residents may not enjoy their location and would rather sell their house, and have it converted to commercial use to blend in with the area, while they move to another residential area. In the end, the Board needs to decide what is best for a neighborhood or what is best in-line with what is going on in the adjacent neighborhood for zoning purposes.

The Board discussed that Vinal Square should definitely have an orange circle around it. However, it is so highly mixed-use, it will probably remain that way. The Board’s intension is not necessarily to change it.

Within any existing commercial zoning district, the CEIOD (Community Enhancement Investment Overlay District) applies. The purpose of the CEIOD is not to directly resolve conflicts, but rather it provides an opportunity for new development. In doing so, anywhere that the CEIOD applies it indirectly can be a tool to resolve a conflict. In some cases, the Board may decide a zoning map change is needed. In other cases, the Board may decide a change in the zoning map is not needed instead the CEIOD can be applied over time to make the needed changes to the neighborhood to resolve existing conflicts.

The point of reviewing the zoning maps is to identify the discrepancies with the zoning districts and determine if the discrepancies truly warrant a need for land use change or zoning map revisions. Currently, our zoning map is not representative of what the community wants to see on the ground. That

is the point of this map review and study; to have the Board work with the community to decide where there are true conflicts that need to be addressed and resolved by changing the current zoning districts or should zoning district maps simply be revised to reflect what is actually on the ground.

Board Discussion:

There are areas that years ago were residential and later were changed to industrial IA district, and those residents are not happy about the current industrial development changes to their neighborhood. In other cases, there are residential streets that abut IA, and those residents may prefer to have their road changed to IA because their property is worth more sold as commercial versus residential.

The Board needs to decide how much neighborhood involvement/input it wants in determining any changes to zoning. Most often, a residential neighborhood would prefer to remain residential. However, changing everything to residential is not sustainable for town purposes. Historically, the Board has not zoned for Town revenue purposes. One of the factors to keep in mind is also neighborhood *livability*. Residents want to have places to shop, get personal services like haircuts, dine, etc. You need to create and maintain various zoning districts to create that balance within the Town.

Might not be possible to have industrial zones without any abutting conflicts. The zone needs to abut to another zone at some point. In this case the CEIOD is an opportunity to allow for transitions between the abutting zones. For example, having multi-family units between industrial and residential creates that sense of transition, and it works/fits.

The last comprehensive zoning district map changes were done over twenty years ago. The last major rezoning codification of the bylaws were in 1998. But the map has not changed much.

The last significant zoning change in Town was creating the Route 129 industrial area, over 40 years ago. Prior to that, the area was farms. Route 495 had been built through the Town, and land was being constantly subdivided into single-family home developments in the 1960s and 70s. Chelmsford was one of the fastest growing communities in the state. The Planning Board agendas were constantly full of subdivisions; their meetings constantly lasting until 11pm to midnight for years. Thousands of homes were being built. In fact, all the current school buildings were also built during that time to accommodate the massive growth rate. The Town did not want any more single-family home developments because it couldn't sustain the rapid growth. Therefore, the Town decided to convert Rt. 129 farm area from a residential zone to industrial to "stop the bleed". Then in the mid 1970-80s, the rapid industrial development took place; after Apollo moved in. This strategy served the Town well at the time. Granted it also did create some conflicts at the borders of the different zones.

Moving forward, we need to focus on which areas need conflict identification and resolution. Mr. Owen presented the Draft Chelmsford Land Use and Zoning Conflict Assessment Form to the Board. This form is a first draft of a template to analyze each of the zoning districts, their abutting conflicts, and the impacts of their conflicts (traffic, noise, environmental pollution, etc.). The next part of the form is to identify potential solutions (no change, change zoning, eliminating future non-conformities, or needing for more research for suggestions on how to best address the conflicts, etc.). Identifying potential solutions will definitely be a work in progress.

Ms. Araway asked, how do you phase out detrimental non-conformities throughout the Town?

Mr. Belansky stated it is important for everyone to understand that Chelmsford has always treated non-conforming uses and structures as significantly more permissible compared to what the state minimum zoning laws allow. Chelmsford is very property owner-friendly; allowing more non-conforming uses to continue and perhaps expand over time. Chelmsford treats it on a case-by-case basis. In some cases, it works out great and in others it may create more discontent by allowing further non-conforming uses when approving Variances.

Mr. Belansky envisions this conflict evaluation process to include neighborhood input. Anywhere the Board is thinking of changing the zoning, a direct mailing can be mailed out to survey those residents in the proposed zoning change area to get a better sense of what the community genuinely wants for their neighborhood. If the neighborhood can come to a consensus on what they want, then that makes the Board's job a lot easier in making these long-term changes.

Ms. Araway would like to see the existing map that identifies all the RB properties built before 1938. This map was generated a few years ago. The bylaw permits these properties to convert from single to two-family dwellings. It would be helpful to see where those concentrations are and potentially change them from RB to RC designation. It would also be helpful to see the properties that have already converted to two-family and the properties that remain eligible to convert.

Chair Raisbeck noted that in order to get this assessment process rolling we need to complete the list of conflict areas and then prioritize them. Therefore, each Member should take the form and map handouts and work on them individually until the next Board working meeting.

Mr. Walsh suggested that for future work meetings, the Board focus on segments of the map (i.e., zoning districts, neighborhoods, school-districts, or divide the map into quarters) to evaluate each area thoroughly one by one. The Board agreed.

2) 8-9 p.m. – Rt. 129 – Discussion of Current and Future

The reason Ms. Tanini asked for this item to be added to this meeting agenda was to discuss the concerns with current and future development aspects of Rt. 129. She is concerned with the possibility of having distribution centers move into the Rt. 129 area (as is being proposed) when the area is designated as commercial use. She does not believe you can have a large distribution fulfillment center on one side of the road coexist with prime commercial office space buildings. She is concerned that once one distribution center is approved it will begin a conversion of the whole area to distribution centers. Several owners of the existing commercial office spaces along Rt. 129 have already reached out to Board members to express their concern and dislike to being located next to a distribution center, such as the one proposed for the former Mercury building. Ms. Tanini's biggest concern is that overall, the Town will lose the greatest potential for their prime commercial real estate should this shift occur.

Bedford and Burlington are hot towns for the life sciences industry right now, and Ms. Tanini feels Chelmsford could benefit next from the growing industry because we are just a few miles north on Rt. 3. The sewer moratorium should not be of concern for deterring biotechnology companies, because biotech R&D does not consume more water than the average office buildings which are already present on Rt.

129. To the contrary, biotech/pharmaceutical manufacturers do consume much more water. The comment made at a previous Board meeting that Chelmsford is not suited for the life sciences industry to move into Rt. 129 is simply not true. Rt. 129 is well suited for biotech R&D.

Lisa Marrone, Business Development Director, joined the discussion. Ms. Marrone is in her fifth year now with the Town. During this time there have been a lot of ups and downs, her role has not been easy to fulfill due to the excess in empty office spaces on a regional scale. Half of Ms. Marrone's time is allocated to Rt. 129 and the other half to town wide.

Ms. Marrone has been able to make some progress attracting some businesses and redeveloping vacant office buildings. However, attracting big businesses to Chelmsford is challenging given the current sewer moratorium, which becomes a business deterrent. Therefore, the Town needs to be assertive and pursue the types of business it truly wants. Achieving biotech-ready elevation to platinum status was a huge milestone. It took Ms. Marrone three tries to get that ranking for the Town. It is the highest biotech-ready rating you can get as a Town.

Biotech companies prefer to be clustered with other biotech businesses. They do not necessarily compete with one another. To achieve platinum status, we have to already have existing biotech companies established in Town, so the industry is already here.

220 Mill Road transitioned well into a high-bay manufacturing space. It is a great example of the process. Currently there are four empty buildings: 300 Billerica Road, 100 Apollo Drive (150 Apollo is not completely empty), 270 Billerica Road, and Riverneck Road.

We are at 11.3% vacant in Crossroads area. Pushing it down to 5%. Meeting with owner of the two Apollo Drive buildings. They are signing papers with new businesses who are moving in. We are getting close to announcing these new businesses. 270 Billerica Road is currently being looked at, and 300 Billerica Road is always being looked at. You know the current consideration for Riverneck Road (warehouse distribution).

The market trend is high-bay space. Currently, there is no empty high-bay space in the area. As soon as a property is listed for sale around Rt. 129 area it is sold quickly. Developers are constantly looking and waiting for opportunities to buy space in Town. They are following the markets and analyzing business opportunities to pursue. Tritan Systems created the high-bay space in the 220 Mill Road building, they are now looking into 300 Billerica Road as another opportunity.

There is a lot of opportunity and potential to continue business growth in Chelmsford. Ms. Marrone is optimistic that the Town will continue the slow and steady process of filling up all the vacant business spaces. It is a process to collaborate with the landowners and create a trusting and confidential relationship with them, and to encourage and help them pursue new business opportunities for their spaces. She has been working with [Komue Associates\(?\)](#), an economic development firm specialized in business attraction and retention strategies to help guide her.

However, we have lost a couple of businesses due to lack of amenities – that seems to be a common denominator. Businesses are constantly stating that they are leaving or will not move in due to lack of amenities/conveniences/comforts in the area for their workforce. Before the pandemic, we had about

7500 people commuting into the Crossroads area for work on a daily basis. It is a 600-acre business area with approximately 150 businesses and 7500 jobs. Now we are transitioning to a new way of life toward post-Covid. Businesses are still interested in looking into new office space. We are being aggressive to create an appealing and competitive image for Chelmsford compared to other office buildings in other towns in the region, to draw in new businesses.

We continue to stay engaged with property owners to ensure they understand all of their opportunities, of which they are not always aware. These include tax incentives and a municipal response for workforce development such as expedited permitting, zoning overlays, etc.

The Town has established the Business Amenity Grant in an attempt to draw in new business and create more of the work-live-play environment that people and businesses are looking for. The new residential projects are also helping to create this experience. Prest Café is under construction and will provide a new amenity to the area, with a drive thru as well. Prior to the pandemic we have had seven different projects apply for the grant funding to open new food business opportunities. The Town was about to announce the winners, then the pandemic shutdown occurred and the project collapsed. The grant monies would have expired, so the Town allocated all of it to incentivize Prest Café to build in Chelmsford.

The Town has put in a lot of effort into rebranding the Rt. 129 area with the Crossroads branding with a logo and website. To create a diverse work-live-play space that is more than just industrial office space. We had a business association meet monthly on Rt. 129 but that also collapsed due to the pandemic. We are the only municipality that is actively advocating for privately-owned land space to prospective businesses. Doing everything we can to promote a business-welcome image for the Town of Chelmsford.

3) 9 p.m. – Other items

Upcoming agenda item next week: applicability for space behind the Forum for self-storage.

Other:

- 93 Brick Kiln Road next to UPS: all indicators state this property has been sold and will be used as industrial-flex warehousing
- Assessor’s value of a warehouse space vs. R&D office space: \$64.02 sq.ft. v. \$90.21 sq.ft., on average. The building use of the facility has greater cost impact than the size of the facility.

NEXT MEETING DATE(S): May 11, 2022 – Town Offices, Room 204

ADJOURN

Motion: by Ms. Araway to adjourn the meeting at approximately 9:02 p.m.
Seconded by Ms. Tanini. **Motion carries, unanimous 5-0.**

These minutes were respectfully submitted by Becky DaSilva-Conde, Departmental Assistant.