



## Chelmsford Planning Board

Town of Chelmsford  
50 Billerica Road  
Chelmsford, MA 01824

Town Clerk Stamp



### **MEETING MINUTES**

**May 10, 2023**

*(Approved 6/28/2023)*

TIME: 7:15 p.m.

LOCATION: Town Offices

ROOM: 204

**Members Present:** Deirdre Connolly, Chair  
Michael Walsh, Vice Chair  
Michael Raisbeck, Clerk  
Paul McDougall, Jr.  
Annita Tanini  
John Sousa, Jr.  
Chris Lavallee, Associate Member

**Member Not Present:** Tim Shanahan

**Others Present:** Evan Belansky, Community Development Director

Chairman Raisbeck called the public meeting to order at approximately 7:20 p.m.

**PUBLIC INPUT:** None

**ADMINISTRATIVE REVIEW:** None

**PUBLIC HEARINGS – CONTINUED:**

1. **25 Wellman Avenue – Lighthouse School, Inc.** for the construction of a 23,000 sq. ft. addition for classrooms and facilities with associated site improvements. The site is located in the IA Limited Industrial District and consists of approximately 33.4 acres as shown on Assessors Map 9, Block 6, Lot 1. The applicant requests Site Plan Review per section 195-104 of the zoning bylaw and any other zoning relief that is deemed necessary.

Brian Geaudreau representing the Lighthouse School gave the Board updates. All departmental comments/concerns have been addressed with Fire Department and DPW/Engineering, as is confirmed in their recent most recent letters to this Board. Conservation Commission closed and approved the project last night.

Raisbeck read the recent memos from Fire, NCWD, and DPW which outlined their conditions into the record. No comments/concerns from BOH.

Members did not have any further questions/concerns. Lavallee commented that the proposal's landscaping and plant species schedule received great reviews from the Conservation Commission.

No public input.

**Motion:** by Raisbeck to CLOSE the public hearing for 25 Wellman Avenue.  
Seconded by McDougall. **Motion carries, unanimously, 7-0.**

**Motion:** by Raisbeck to APPROVE the special permit for Aquifer Protection under Section 195-74 for 25 Wellman Avenue as presented and discussed. Seconded by Tanini.  
**Motion carries, unanimously, 7-0.**

**Motion:** by Raisbeck to APPROVE the Site Plan under Section 195-104 for 25 Wellman Avenue as presented and discussed. Seconded by Tanini.  
**Motion carries, unanimously, 7-0.**

Mr. Belansky will draft the decision document and present it to the Board at the next meeting to review and ratify.

2. **18-20 Chelmsford Street - Boars Head, LLC** for demolition of one existing building and the construction of a new building constructed in its place that will be used for two residential units and office. The site is located in the CV Center Village District and consists of approximately .48 acres as shown on Assessors Map 73, Block 322, Lot 6. The applicant requests approval under Article XVIII A Center Village Zoning, Section 195-98.1, for an accessory residential use, and section 195-98.3 for a 20% reduction in parking.

Attorney Kathy Farrell, from Farrell and Robbins, was present in lieu of Atty. Mellissa Robbins who could not attend this evening. Applicants Michael and Joanne Sargeant of Boars Head, LLC and project engineer Brian Milisci were also present.

Atty. Farrell stated that the Historic District Commission and the Historic Commission have both approved the proposal/building. Since the previous meeting, they have been working with the other departments to address their concerns and requirements. The project is for an accessory residential use, secondary to the primary commercial use. They have removed one parking space (space #9) for the 20% reduction in parking since the last departmental meeting.

Brian Milisci gave the Board site plans updates based on the departmental comments.

Raisbeck read the most recent departmental comment letters from Water, DPW and Fire into the record.

Board members did not have any further questions or concerns.

No public input was received.

**Motion:** by McDougall to CLOSE the public hearing for 18-20 Chelmsford Street. Seconded by Tanini. **Motion carries, unanimously, 7-0.**

**Motion:** by Raisbeck to APPROVE the Special Permit under Article XVIII A Center Village Zoning, Section 195-98.1, for an accessory residential use, for 18-20 Chelmsford Street as presented and discussed. Seconded by Tanini. **Motion carries, unanimously, 7-0.**

**Motion:** by Raisbeck to APPROVE the Special Permit under Section 195-98.3 for a 23% reduction in parking for 18-20 Chelmsford Street as presented and discussed. Seconded by Tanini. **Motion carries, unanimously, 7-0.**

- 3. 264 Groton Road** - Attorney Douglas C. Deschenes requesting a Definitive Subdivision approval for Newport Landing subdivision proposal consisting of a two-lot private way with a two-family dwelling in each lot (total of four new residential units). This property is located in the RC zoning district and is shown as Parcel ID Map 23, Block 92, Lot 8 and consists of approximately 1.81 acres.

Matt Waterman from LandTech Consultants represented the applicant. The Board asked that they get lot determination on the dimensional analysis. They have since received a letter of approval from the Building Commission regarding the lots. DPW has also submitted a letter stating that their concerns are being met as standard conditions. There is no new information to present to the Board this evening. They request that the Board consider the three waivers requested at the start of this public hearing process; one for the T-turnaround, one for eliminating the sidewalk and installing bituminous road curbing instead of granite, and the other for maintaining the roadway as a private way instead of a public way.

Raisbeck read the Building Commissioner's approval letter regarding that Lot 1 complies with the dimensional table requirements.

Walsh asked for clarification on the plantings along Lot 2 easement line. The easement is approximately 80-feet wide and fully cleared by National Grid. He asked for full landscaping coverage on the easement line to provide buffering for the rear neighbors. Raisbeck concurred. Mr. Waterman suggested adding some white pines behind the arborvitae in order to increase height screening. They will discuss options with the neighbors to add in shoulder and taller growth species. The plantings will be about 10-feet from the easement line.

Mr. Waterman suggested that the Board could approve the project conditional upon providing a planting plan for approval at a later date. Lavallee suggested the applicant work with the Tree Committee to come up with some suggestions with this area and the conflict with the easement maintenance.

Walsh suggested conditioning this project for three stories at grade level, so that there is no future conflict similar to the Jackson Road project further down the road where the buildings are actually four-story townhouses (garage at grade level).

McDougall would prefer to having granite curbing along this roadway.

Sousa asked for clarification regarding the private way. Mr. Waterman stated that the project is currently designed to be a private way with the waivers. However, if the Board does not grant the waivers, then the applicant would need to build the roadway to standard requirements and would have no motivation to maintain it as a private way. Therefore, if the waivers are not granted then the applicant will ask the Town to accept it as a public roadway (snow and trash removal, road maintenance, etc.)

Attorney Deschenes joined the meeting via Zoom.

Raisbeck read the departmental letters into the record from DPW/Engineering, Fire, NCWD, BOH, and Building Dept. The applicant also submitted a letter to the file granting an extension to act on this matter.

Public Input:

Virginia Timmins, 28 Lovett Lane – Thanked the Board for the discussion regarding the variety of landscaping to increase screening because she is a direct abutter to the project. Had concerns that if the planting on the easement line, will it withstand National Grid’s clearcut seasonal maintenance. In previous discussion with National Grid, they require 20-foot distance for structures from their easement line for safety reasons. However, the project is only proposing 8-foot distance. Perhaps the Board should consider moving the building closer to the frontage line to comply to avoid conflicts. She also has concerns with the landscape screening being cut down by National Grid.

Mr. Belansky suggested reaching out to Christine Clancy from DPW who has a contact at National Grid and Jose Negrón, Building Commissioner, to see if they have insight on the easement encroachment issue.

Atty. Deschenes stated that technically National Grid has no authority with respect to any property outside of their easement or encroachment to the line. Technically they do not have the authority to touch/cut anything outside of their easement line.

Eligible voting members tonight: Tanini, McDougall, Walsh, Connolly, and Raisbeck.

**Motion:** by Raisbeck to CLOSE the public hearing for 264 Groton Road.  
Seconded by Walsh. **Motion carries, unanimously, 5-0.**

Board members discussed taking one single vote to approve the project versus making separate votes for each waiver requested. McDougall expressed he would only vote to approve if the project has granite curbing. Tanini agreed, although she is in favor of the proposal. She wanted to know if the applicant would consider granite curbing.

**Motion:** by Walsh to REOPEN the public hearing for 264 Groton Road.  
Seconded by Raisbeck. **Motion carries, unanimously, 5-0.**

Atty. Deschenes stated that the purpose of the curbing waiver is because granite curbing is only required for public roadways. It is not cost effective to install granite curbing for a private way. McDougall expressed that granite curbing becomes maintenance free for the homeowners' association. The Board would not be requesting a sidewalk or other public road requirements, such as road lighting. Mr. Waterman suggested that the Board consider granite curbing only up until the T-turnaround since the remaining becomes private driveway areas between the units and add the granite curbing connecting to the Groton Road entryway.

Atty. Deschenes stated that if the Board accepts to stop (taper off) the granite curbing at the T-turnaround by issuing a limited waiver then that will be acceptable to his client.

**Motion:** by Raisbeck to CLOSE the public hearing for 264 Groton Road.  
Seconded by Tanini. **Motion carries, unanimously, 5-0.**

**Motion:** by Raisbeck to APPROVE the Definitive Subdivision Plan for 264 Groton Road as requested with the following waivers:

1. Allowing the T-turnaround fire access area versus cul-de-sac roadway.
2. Limited granite curbing waiver as discussed, having granite up through the fire truck access T-turnaround area and bituminous curbing thereafter, in addition to no sidewalks and no street lighting requirements.
3. Accepting the roadway as a private way instead of a public roadway.
4. Decreasing the "bulb" radius of the paper cul-de-sac down to 50-feet to move the frontage location, allowing Lot 2 Building to be built closer to the roadway to increase the building's distance to the utility easement line for purposes of increases the landscape screening without encroaching on the utility easement.

Furthermore, approval is conditional upon reviewing and approving a landscaping plan.

Seconded by Tanini. **Motion carries, unanimously, 5-0.**

4. **Off of Turnpike Road (a/k/a #200) – CJ Martel Crane and Tree Removal** for the construction of a new 3,500 sq. ft. Contractor's Garage and Outdoor Contractor's Yard with associated site improvements. The site is located in the IA Limited Industrial zoning District and consists of approximately 1.62 acres as shown on Assessors Map 106, Block 382, Lot 6. The applicant requests approval for a special permit per 195-5 "Use Regulations" E. 5a for an outdoor contractor's yard and Site Plan Review per 195-104 and any other relief deemed necessary.

**\*\*\* REQUEST FOR CONTINUATION WITHOUT DISCUSSION TO MAY 24, 2023 \*\*\***

**Motion:** by Raisbeck to CONTINUE the public hearing to May 24, 2023.  
Seconded by Tanini. **Motion carries, unanimously, 8-0.**

**NEW BUSINESS**

- MBTA Zoning: Mr. Belansky reported that NMCOG will present at the next meeting on May 24<sup>th</sup>, and suggested that the begin at 6:30 p.m., if possible.

- Policies and Procedures: added to June 14<sup>th</sup> agenda

**ADJOURN**

**Motion:** by Sousa to ADJOURN at approximately 8:40 p.m.

**Motion carries, 7-0.**

*Meeting minutes respectfully submitted by Becky DaSilva-Conde, Departmental Assistant, Community Development Office.*