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TOWN OF CHELMSFORD

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TOWN CLERK

Chelmsford
Planning Board
Town Offices
50 Billerica Road
Chelmsford, MA 01824
Phone: 978-250-5231

Meeting Minutes
Wednesday, May 26, 2021

Members Present: Tim Shanahan, Mike Raisbeck, Paul McDougall, Erica Clifford, Mike Walsh Nancy Araway, Deirdre Connolly, Henry Parlee, Christina Papadopoulos, Town Engineer

Others Present: Evan Belansky, Com. Dev. Director, 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. He read the Governor's order suspending certain provisions of the open meeting law

Administrative Review:

**Trammel Crow Residential request for Planning Board
vote to submit request for state guidance on**

255 Princeton Street

Zoning Eligibility Determination

<https://www.chelmsfordma.gov/DocumentCenter/View/12582/255-Princeton-DHCD>

Atty. Melissa Robbins appeared before the board and presented legislation that may or may not apply to this parcel. The legislation, if applicable, will allow a zoning change at Town Meeting to pass by a simple majority rather than a 2/3 vote. The request is to have the board take a vote to allow Robbins and Belansky to explore this avenue. Raisbeck made a motion to allow the

community development director to contact DHDC for guidance on this legislation in regard to the parcel at 255 Princeton Street, seconded by Araway, Unanimous. 7-0

New Public Hearing:

1 Billerica Road / 44 Central Square

The Chelmsford Planning Board will conduct a Public hearing on **Wednesday, May 12, 2021** at **7:30 pm**, via Zoom Meeting platform, to consider an application submitted by Americal Management Co. located **at 1 Billerica Road and 44 Central Square** requesting the Board to make a determination pursuant to G. L. c. 40A, s. 16 that the new proposal contains “specific and material changes in the conditions upon which the previous unfavorable action was based” and if so then consider Site Plan Approval, section 195-104, and Special Permits under Article XXII, Village Center Overlay District (VCOD), section 195-124.C (2), (4), (5) and 195-126, and Article XIV, Aquifer Protection District, and any other relief that may be deemed necessary,

The proposed project consists of reuse and redevelopment of the Odd Fellows Hall into commercial space as a 100seat restaurant and 8 apartments respectively and the subdivision of the existing property into three new lots. The site is located in the Village Center Overlay District and consists of approximately 3.5 acres as shown on Assessors Map 84, Block 334, Lots 10 and 11.

From 5-12-2021

<https://www.chelmsfordma.gov/DocumentCenter/View/12504/44-central-sq-Reconsideration-letter-Americal>

https://www.chelmsfordma.gov/DocumentCenter/View/12505/44-central-sq-reconsideration-20210405_15119_OddFellows_Waivers

https://www.chelmsfordma.gov/DocumentCenter/View/12506/44-central-sq-reconsideration-15119---Site-Plan_Stamped

<https://www.chelmsfordma.gov/DocumentCenter/View/12508/1-Billerica---44-central-sq-reconsideration-request>

Parlee recused himself on this hearing

The Chair read the legal ad to open the public hearing. It was noted that the hearing was scheduled to open at 7:30pm. The Board agreed to table this until that time.

The Vice Chair read some general rules and considerations the Board would like the public to follow during the hearing. Atty. Melissa Robbins went over the preliminary plan and the waivers that they will be looking for. The project will consist of a 100 seat restaurant and 8 1 bedroom apartments. Fred Faust wanted to make clear that the rear lot is not part of the project. They

showed the deterioration of the building. They explained the division of the land is required to obtain financing. They discussed the issues in the center related to parking. The department letters were read into the record. The Chair opened the hearing up to the public. Mike Rigney, Billerica Road, spoke about the contamination and hoped this project could be completed in a responsible manner. He asked if we could get the department letters on the agenda. He also wanted a better plan for the parking. We would like more discussion and ideas on how to create more parking and again suggested the rear lot that is not for sale. Steven Stowell, 22 Pleasant St, spoke in favor of the project and noted many historical uses that are being proposed again with this project. John Harrington, Boston Road, spoke in favor of the project and also owns the building directly adjacent. He hopes the board will do the right thing and approve this project before this building can no longer be saved. Donna Ready, 11 Cushing Place, is also supportive of the project. She is also on the historic committee and remembers when the buildings were vibrant. She is also in favor of dividing the parcel in hopes that it will become more attractive to future developers and they will choose to invest in the historic structures. She spoke highly of Ali the owner of Fishbones and the applicant on this project. She also hopes that the board acts positively on this opportunity and supports the redevelopment of the center. Jim Moriarty, 11 Cushing Place, he is in favor of this and believes this will be a great revitalization for the historic feeling of the center. He said this is long overdue and the board should be 100% behind this project. Raisbeck made a motion to continue the hearing to the next meeting, seconded by McDougall, unanimous.

9 Acton Road

PB# 2018-08

CVOD Applicability Update

9 Acton Road, John Faneros, requests the submitted plan be found in accordance with the findings of the CVOD applicability previously issued for this site

https://www.chelmsfordma.gov/DocumentCenter/View/12491/9-Acton-Road-20210422_21088_ConceptPlan

<https://www.chelmsfordma.gov/DocumentCenter/View/12492/9-Acton-Road-CVOD-Letter>

Katie Enright, engineer on the project, presented a 24 unit townhome project and is already getting comments and adjusting the plan. Paul Haverty, Town Counsel, addressed the Board on the sewer issue. He went over the requirements to allow this project to move forward with the original applicability finding that was issued before the sewer moratorium. It was determined that the applicability runs with the land.

Continued Public Hearings:

200 Turnpike Road

PB# 2021-03

Special Permit

200 Turnpike Road, All Star Management LLC, requests a special permit per section 195-5, "Use Regulations" and Attachment 1" use Table" to operate a 2,800sq. ft. doggie day care (commercial kennel), a special permit per section 195-18 to reduce parking and section 195-144

C to reduce buffer strips and any other zoning relief that is deemed necessary. The site is located in the IA – Limited Industrial District and consists of approximately 3.85 acres as shown on Assessors Map 106-328-5 and 6

Letters as of Friday, May 21, 2021

<https://www.chelmsfordma.gov/DocumentCenter/View/12598/Letters-to-date-5-21-2021>

NEW:

<https://www.chelmsfordma.gov/DocumentCenter/View/12581/200TurnpikeMemo000-5-26-2021>

<https://www.chelmsfordma.gov/DocumentCenter/View/12583/Acoustic-Consultant-Memo---Doggie-Day-Care-5-26-2021>

<https://www.chelmsfordma.gov/DocumentCenter/View/12584/new-plan-200-Turnpike-for-5-26-2021>

<https://www.chelmsfordma.gov/DocumentCenter/View/12589/200-Turnpike-Dog-Daycare---Chelmsford>

<https://www.chelmsfordma.gov/DocumentCenter/View/12590/200TurnpikeMemo000-5-26-2021>

Old:https://www.chelmsfordma.gov/DocumentCenter/View/12452/200-turnpike-16058---Site-Plan_Stamped

https://www.chelmsfordma.gov/DocumentCenter/View/12453/200-Turnpike-16058-Site_DogPark

Atty. Philip Eliopoulos, addressed the board and stated that he and his client have been unsuccessful in trying to satisfy the abutters and he does not think 2 more weeks will change that fact. He went over the sound mitigation efforts that the sound engineer suggested. They are going to limit the dogs to 40. He assured the board that if they want to change that number they would have to come back before the board for approval. Atty. Eliopoulos also noted in his memo to the board that the town has very strong bylaws when it comes to noise. If this becomes a nuisance, the town can take action against the facility up to and including not renewing the kennel license. He then stated that he had the engineer look at the traffic and it was found to have a minimal effect. The applicant has been approved for a kennel license in Westford and is in good standing. He then stated that visits to several businesses comparable to this one found that the noise was not a factor.

Technical difficulties dumped about ¾ of the participants. There was a severe thunderstorm in the area that knocked out power to parts of the Town. Several participants were without internet.

Araway asked for the type of azalea's to be put on the plan.

It became clear that there were power outages that some of the participants were affected by and Town Counsel suggested to not take any more testimony since they could not connect.

Raisbeck made a motion to continue this hearing to the next meeting, seconded by Connolly,

unanimous.

New business

Discussion / Schedule Worksession (ongoing?)

1. Itemized list of Topics

Old Business

Next meetings:

June 9, 2021

June 23, 2021

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