



Chelmsford Planning Board
Town of Chelmsford
50 Billerica Road
Chelmsford, MA 01824

Town Clerk Stamp



MEETING MINUTES

June 14, 2023

(Approved August 9, 2023)

TIME: 7:30 p.m.

LOCATION: Town Offices

ROOM: 204

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

Members Not Present: Michael Walsh, Vice Chair

Others Present: Evan Belansky, Community Development Director

Chair Connolly called the public meeting to order at approximately 7:30 p.m.

PUBLIC INPUT: None

ADMINISTRATIVE REVIEW:

1. **200 Turnpike Road:** Review and ratify decision document

Chair Connolly is waiting for feedback from Town Counsel regarding whether the Board can hold a discussion regarding the decision document after the hearing deliberations have taken place, the hearing was closed and a decision was voted on. Mr. Belansky suggested waiting until they hear back from Town Counsel before proceeding on this item.

2. **270 Billerica Road:** Minor modification to a previously approved Site Plan

Mr. Belansky addressed the topic of minor modification versus major modification for a previously approved site plan. Typically it is deemed "minor" if it does not modifying any of the elements associated with the zoning permit used (i.e. not alter parking, square footage, layout, etc.). In this

particular case, it will modify stormwater details. Stormwater is usually peer reviewed and approved by DPW.

Attorney Douglas Deschenes, from Finneran and Nicholson, representing the applicant, HD Holdings, LLC. The requests applies to all three special permits granted for this project. He believes the changes are minor because the it does not change the layout of the site, intensity of the use, egress/access, no impact to traffic, no increase in square footage of the building. Overall, the modifications are to reduce matters, specifically the visual impact of the building from the road. They are proposing to 1) lower elevation of the site by 2.5-feet, making it less visible from the road, and eliminate 12,000 cubic yards of fill originally proposed and approved, 2) reduce height of the building, by 3-feet, making it less visible from the road, and 3) final architectural design approval, to make it more visually pleasing and to look more like an office building instead of a warehouse.

Phil Paradis, peer reviewer from BETA Group, believes the representative gave a valid summary of the changes. The stormwater changes have been appropriately addressed. Overall, the flow is improved due to pre-treatment units being added to the filtration BMP.

The applicant will be going back to Conservation Commission to amend the Notice of Intent/Order of Conditions.

Motion: by Raisbeck to GRANT the minor modification requested for 270 Billerica Road. Seconded by McDougall. **Motion carries, 4-1.** Members Connolly, Raisbeck, McDougall, and Sousa voted in favor. (Tanini opposed because she voted against the original approval. Lavallee abstained.)

PUBLIC HEARING – NEW: None

PUBLIC HEARING – CONTINUED:

1. **11 School Street** – Elise Loiselle / Ellevate Med Spa for the operations of an approximately 16,000 sq. ft. medical spa, including services but not limited to: injections, collagen, infusions, laser and esthetic services, wellness services within an existing 26,000 sq. ft. existing building. The site is located in the RB Residential District and consists of approximately 13.77 acres as shown on Assessors Map 35, Block 142, Lot 5. The applicant requests a special permit per Section 195-8.C, for the change from one preexisting non-conforming use to another pre-existing non-conforming use and/ or any other zoning relief that is deemed necessary.

Philippe Thibault, from Philippe Thibault Architect, LLC, from 1168 Lakeview Avenue in Dracut, MA represented the applicant, Elise Loiselle / Ellevate Med Spa. They have been working with DPW, CWD, and Sewer Department to address their concerns.

Member Raisbeck read letters into the record from CWD who no longer has concerns, and DPW whose concerns are being addressed. BOH will be involved in future phases when the applicant creates a smoothie bar, but no concerns are applicable for this phase.

Public Input: None received.

Motion: by Lavallee to CLOSE the Public Hearing for 11 School Street.
Seconded by McDougall. **Motion carries, unanimously, 6-0.**

Motion: by Raisbeck to APPROVE the special permit under Section 195-8 (C) to change from one pre-existing nonconforming use to another for 11 School Street.
Seconded by Tanini. **Motion carries, unanimously, 6-0.**

DISCUSSIONS: NMCOG MBTA Zoning – scope of work discussion

Michael Asciola, Senior Housing and Land Use Planner, and Jennifer Raitt, Executive Director, both from NMOCOG presented to the Board.

Presentation Agenda: *(presentation slides were distributed to Board members and attached to the meeting agenda)*

1. Questions for the Planning Board;
2. Brief overview of Chelmsford requirements stated in EOHLC guidelines;
 - Chelmsford is a MBTA “adjacent community” under state law
 - Zoning must allow for a capacity of at least 1,477 units
 - Minimum land area: 50 acres
 - 50% of the district must be in one contiguous area
 - Multifamily by right, but still have site plan review
3. Kick off discussion of zoning goals, qualities, and considerations based on Master Plan and Housing Production Plan;
4. Review potential locations identified in Action Plan; and
5. Next steps / project schedule.

Presentation slides were distributed to Board members, attached to the meeting agenda, and available on the following weblink:

<https://www.townofchelmsford.us/DocumentCenter/View/15863/MBTA-Communities--Kickoff-NMCOG-presentation-to-Chelmsford---06122023>

Process: Mr. Belansky pointed out to the members that the Board may continue to work with NMCOG as the point of contact and through this forum to prepare the final MBTA zoning overlay for Town Meeting approval. The Board can also reach out to and/or bring in stakeholders for discussions, invite other committees/commissions/departments and Town officials to these discussions. The Board will want to identify opportunities for real development, or strategize and identify properties that will not be redeveloped (such as Brick Kiln Road), and/or embrace opportunities for new housing in Town.

Members discussed areas that could potentially be included in this overlay to meet the state requirements (i.e. UMass West Campus, UPS-owned lots, abutting Brick Kiln Road condominiums). Some expressed concern that creating a new by-right overlay could incentivize current owners to sell their land for redevelopment and potentially displace current Town residents (i.e. mobile home community), and/or zoning undeveloped land could

further increase the Town population and result in a greater burden to the (at capacity/congested) school district.

The members agreed they want more public outreach from NMGOG to educate residents and Town officials on this state mandate and the intricacies of such rather than public input sessions.

NEW BUSINESS

Chair Connolly asked that future agendas always include a “new business” section. This section will also have a placeholder for liaison updates.

MEETING MINUTES TO APPROVE – April 26, 2023 and May 10, 2023

Chair Connolly tabled the approval of meeting minutes so that the Board would have more time to review them before approval.

- NEXT MEETING DATES(S):**
- June 28th and July 12th
 - June 26th joint meeting with Select Board to appoint a new PB member to fill current opening (Tim Shanahan resigned)
 - July 12 (only meeting scheduled for July)

ADJOURN

Motion: by Tanini to ADJOURN at approximately 9:30 p.m.

Motion carries, 6-0.

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