

**BEDFORD PLANNING BOARD**  
**Town Center Building—Flint Room**  
**Minutes**  
**February 9, 2016**

**MEMBERS PRESENT:** Amy Lloyd, Chair; Sandra Hackman, Clerk; Jeffrey Cohen, Shawn Hanegan and Lisa Mustapich

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Glenn Garber, Planning Director; Catherine Perry, Assistant Planner  
Cathy Silvestrone, Planning A.A.

**STAFF ABSENT:** None

**OTHERS PRESENT:** David Powell, Finance Committee; Mark Siegenthaler, Selectmen; Mark Vaughan, Attorney (Riemer & Braunstein); Charles Landry, (National Development); and Scott Weiss, (Gutierrez Company)

Amy Lloyd, Chair convened the Planning Board meeting at 7:30 PM

**Emergency Evacuation notice** - read by Sandra Hackman, Clerk

Sandra Hackman, Clerk informed the public that the best way to stay informed of town board & committee meetings, agendas, and minutes is by subscribing to E-Info. on the town's website.

*Note: All meeting submittals are available for review in the Planning Office.*

**NEW BUSINESS:**

**Zoning Bylaw Amendments Public Hearing**

- **Article #9**—Package involving use, dimensional, density, bulk and other provisions in the industrial and certain business districts.
- **Article#10**—Amendments to Bedford zoning map
- **Article#11**—Adjust dimensional and density requirements within industrial and certain business districts to more closely align with the existing development patterns

The public hearing opened at **7:31 PM**. Sandra Hackman, Clerk, read a legal notice stating that the Board will be reviewing the above three zoning articles (9,10,and11) prior to Town Meeting. The package of articles would make changes to the three Industrial zoning districts in the Zoning Bylaw, known as Industrial Park A, Industrial B and Industrial C, as well as limited related changes in certain other districts. The articles involve: a) adjustments to various dimensional and related quantitative standards to be more in line with what is built on the ground; b) extensive changes to dimensional requirements, density/floor area entitlements, height, land use, permitting status of certain uses, and related items; and c) map amendments on three parcels (or groups of lots in unified control) located along the northern section of Middlesex Turnpike,

wherein two parcels of Industrial Park A and a parcel of General Business would all be rezoned to Industrial B.

Planning Director Garber noted that all final warrant article changes need to be provided to the Town Manager's office before February 16 final closing of the warrant. He also explained that the narrative for Article #15 (Bedford Business Zoning Funding Request) needs to be shortened.

**Articles (9, 10& 11)**—Director Garber briefly reviewed new handout: **Special Annotated Version of Articles 9, 10, and 11** and shared that the purpose and benefit of each individual amendment is explained in highlighted typeface.

Chair Lloyd asked if anyone in the audience wants to ask questions regarding these articles.

**Article 9—Package Involving Use, Dimensional, Density, Bulk and Other Provisions in Industrial and Certain Business Districts;**

Mark Vaughan, Attorney at Riemer and Braunstein spoke about the latest proposal for Crosby Corporate Center, which in its 2<sup>nd</sup> phase would involve a hotel, 6 stories and perhaps 70' in height, that would exceed the increased height currently being proposed in Article 9, which is 56' and 4 stories. He asked if an amendment could be added to the current package, to allow additional height for a hotel use only, by special permit from the Planning Board. The Board informed Mr. Vaughan that with the warrant about to close in a few days, and that a quick change now or a floor amendment hitting the town meeting for the first time, with no prior analysis and public vetting, might be a difficult proposition. All five members agreed that it was at least worth considering a hotel height increase in the future, but not at this time. Staff and Board further discussed options for a height increase under a future Industrial Mixed Use special permit, or an amendment before a future town meeting.

**Article # 10 Amendments to Bedford Zoning Map;**

Scott Weiss, Gutierrez Company, referring to Bedford Woods, shared that he appreciates the proposed changes; however, when reviewing potential future development of their half-built campus, he wonders what happens if the new articles pass at town meeting, largely in regard to dimensional vesting, such as lot width or frontage. Director Garber explained that the existing buildings will certainly have protected rights (grandfathering) but only a detailed legal and spatial analysis of their site, the lotting (or future lot changes), their future development scenarios and any grandfathering rights the developers might enjoy would answer the question more definitively. Other implications of changing from General Business were also discussed, and it was agreed that there needed to be a comparison of the baseline GB rights to the newly amended Industrial B to fully understand the situation.

Chair Lloyd acknowledged that the situation from Gutierrez's point of view needed to be analyzed in greater detail to see if there was any loss of development potential, but suggested

that the focus should be on whether they would gain or lose overall. Mr. Garber pointed out that the amended Industrial B would offer increased development rights from the existing IND B, and that the overriding zoning issue is that GB “shopping center-type” zoning was no longer appropriate for upper Middlesex Turnpike, and that the intent was to have a greater concentration of desirable office/industrial/corporate/R & D uses in this underdeveloped part of town, where the infrastructure also is being upgraded.

Mr. Weiss explained that there are complex agreements in place on the site, so his main concern is to be able to complete the office park as envisaged. The Chair said that the Board would work with them to address their concerns.

Mr. Garber informed everyone that staff notified the three property owners via certified mail and shared details regarding how the proposed bylaw could affect them.

**Article 11— Adjust Dimensional and Density Requirements within Industrial and Certain Business Districts to More Closely Align with the Existing Development Pattern;**

Chair Lloyd read the explanation regarding why other adjustments were necessary

Ms. Hackman offered some edits.

Chair Lloyd inquired if staff has received any more feedback or concerns regarding dimensions such as setbacks. Director Garber shared that most likely no new non-conformities would be created and noted that in Industrial B properties are well over the existing setback requirements.

*MOTION: Shawn Hanegan moved to close the Public Hearing. (Jeffrey Cohen seconded the motion)*

*VOTE: 5-0-0*

*MOTION: Shawn Hanegan moved to recommend approval of Article 9-- Package Involving Use, Dimensional, Density, Bulk and Other Provisions in Industrial and Certain Business Districts to Annual Town Meeting. (Jeffrey Cohen seconded the motion)*

*VOTE: 5-0-0*

*MOTION: Lisa Mustapich moved to recommend approval of Article 10-- Amendments to Bedford Zoning Map to Annual Town Meeting. (Shawn Hanegan seconded the motion)*

*VOTE: 5-0-0*

*MOTION: Jeffrey Cohen moved to recommend approval of Article 11—Adjust Dimensional and Density Requirements within Industrial and Certain Business Districts to More Closely Align with the Existing Development Pattern to Annual Town Meeting. (Sandra Hackman seconded the motion)*

*VOTE: 5-0-0*

Discussion on Annual Town Meeting Reports by Planning Board Members

Board members had a brief discussion regarding Annual Town Meeting reports to be prepared on zoning and planning articles. The Board agreed to the following presenters:

Jeffrey Cohen—Article 12; Building Height

Amy Lloyd—Article 15; Bedford Business Zoning Appropriation

Shawn Hanegan—Articles 9, 10, 11; Package Involving Use, Dimensional, Density, Bulk and Other Provisions in Industrial and Certain Business Districts, Amendments to Bedford Zoning Map and Adjust Dimensional and Density Requirements within Industrial and Certain Business Districts to More Closely Align with the Existing Development Pattern.

Sandra Hackman—Article 8; Conversion of Public School Buildings to Multiple Residential Use (Page Place as proponent)

Lisa Mustapich—Article 13 and 14; Revised Flood Insurance Rate Maps and Limited business District (ZBA as proponent)

**REPORTS/DEVELOPMENT UPDATE:** (verbal reports; non-deliberative)

- Other Updates/Announcements--

- David Powell, Finance Committee Liaison, reported that FINCOM hasn't voted on any Zoning Articles yet, but may before Town Meeting.

- Planning staff agreed to provide Planning Board recommendations on relevant articles for the warrant wherever available. Catherine Perry shared that she has relayed the Board's position on Article 13 and 14 to the Town Manager's office.

- Staff will circulate information that the intern has been working on if it proves to be useful.

- Questions/Comments on development update chart--

- Director Garber shared that the developer of 614 Springs Road recently acquired an extra piece of land; and therefore plans to move forward soon with a conceptual proposal. He also reported that development case load will be demanding in the month of April and beyond.

- Planning Board Liaison to Boards & Committees (verbal updates)—

- Board members commented that they are interested in the plans for the Mudge Way area

- Jeffrey Cohen reported the following: **1)** Verizon withdrew its application for the installation of an underground generator on the town common property; **2)** The meeting on adding solar panels to school roofs was canceled because the legislature has not yet acted to raise the cap on

net metering, which has been reached; **3)** re: the house located at the corner of May and Davis Road, developer returned to the ZBA with a lower design and received approval; **4)** School Space Needs Committee—four companies were interested in the Job Lane School expansion proposal.

**MINUTES:**

1. January 7, 2016

*MOTION: Lisa Mustapich moved to approve the minutes of January 7, 2016 with minor corrections. (Sandra Hackman seconded the motion)*

*VOTE: 5-0-0*

**ADJOURNMENT:**

*MOTION: Lisa Mustapich moved to adjourn the meeting. (Shawn Hanegan seconded the motion)*

*VOTE: 5-0-0*

*TIME: 10:25 PM*