

**BEDFORD PLANNING BOARD**  
**Town Hall— Selectmen’s Meeting Room**  
**Minutes**  
**March 15, 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:** Yakov Kogan and Elina Kiner, 30 Chelmsford Road; David and Julie Brown, 20 Chelmsford Road; Barbara Aldoriso, 24 Chelmsford Road; Robert Dorer, 2 Otis Street (Bedford Citizen News); Amy Nastasi, Architect and Stephen Garvin, Samiotes Engineering

Amy Lloyd, Chair convened the Planning Board meeting at 7:31 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.*

**REORGANIZATION OF THE BOARD:** (Board officers’ election)

*MOTION: Lisa Mustapich moved to nominate Jeffrey Cohen to serve as Chair for the coming year. (Shawn Hanegan seconded the motion) Mr. Cohen accepted the nomination.*

*VOTE: 5-0-0*

*MOTION: Sandra Hackman moved to nominate Lisa Mustapich to serve as Clerk. (Shawn Hanegan seconded the motion) Ms. Mustapich accepted the nomination.*

*VOTE: 5-0-0*

**DEVELOPMENT PERMITTING:**

**30 Chelmsford Road**—Planned Residential Development (PRD); continued public hearing from January 6, 2016

The changes to the plans and documentation since the first hearing were outlined by the Planning Director and discussed among all five Board members. These included: increase in open space from 25.3% to 27.5%; reduction in maximum grade road grade from 7.5% to 6.2%; addition of more street trees; sidewalk surfacing changed to pervious material; rain gardens added to house lots; extensive adjustments made to stormwater system; adjustments made to construction details for slope modification and retaining walls; street name changed from Elina Drive to Gregory Drive.

Various Board members raised the following issues, with responses discussed in parentheses: sight distance at Chelmsford Road (data provided to Planning and DPW); maintenance of low impact development facilities (will be maintained by a homeowner's association); maintenance of undergrowth near road as it affects safety (homeowners will be required to maintain on new road right of way, although that could change to a public responsibility if the road is accepted; architectural design standards (generally along the lines of the elevation drawings provided).

Neighbors' Comments: David Brown, abutter at 20 Chelmsford, asked why new plantings weren't being provided along the rear of his property. It was answered that there was no need for this because a significant band of existing vegetation will be retained as buffer. Barbara Aldoriso of 24 Chelmsford Road reiterated the concerns expressed in a prior communication in regard to traffic, drainage and impact on the site from development of this project.

MOTION: Lisa Mustapich moved to close 30 Chelmsford Road Public Hearing. (Amy Lloyd seconded the motion) VOTE: 5-0-0 Public Hearing closed at 8:30 PM

MOTION: Lisa Mustapich move to approve a waiver for general road design (Shawn seconded the motion) VOTE 5-0-0

MOTION: Amy Lloyd moved to approve the Special Permit for a cluster development at 30 Chelmsford Road, with special conditions. Jeffrey Cohen seconded and suggested that the following are specific conditions that should be addressed appropriately in the decision: specify that the tree line be maintained and proper landscape buffer be provided along abutting neighborhood property lines on Chelmsford Road; change the name of Elina Drive to Gregory Drive; include protective measures that came from the Conservation Administrator's review of the project; identify the Conservation Commission as the coordination agency on conservation restrictions, and that a finding shall be included in regard to the split zoning district issue in relation to lot and tract size and possible need for Zoning Board of Appeals action. VOTE 5-0-0

**OLD BUSINESS:** *Amy Lloyd announced for the record that she has examined minutes in detail from a missed meeting on March 2, 2016; and therefore she is prepared to vote on the following:*

Annual Town Meeting Articles:

- 1) Re-vote on Article 14: Limited Business: increase in retail floor area and related matters (ZBA Petition) as amended in printed warrant

*MOTION: Shawn Hanegan moved to recommend approval to Annual Town Meeting, of Article 14: Limited Business (ZBA as proponent), as it appears in the warrant. (Amy Lloyd seconded the motion).*

*VOTE: 5-0-0*

- 2) Vote on Article 12 Measurement and Regulation of Building Height

*MOTION: Amy Lloyd moved to recommend approval to Annual Town Meeting, of Article 12; Building Height. (Sandra Hackman seconded the motion)*

*VOTE: 5-0-0*

- 3) Vote on Article 8: Conversion of Public School Buildings to Multiple Residential Use

Amy Lloyd asked Board members to share their positions.

Shawn Hanegan expressed that knowing existing residents want to remain at this location if a larger unit becomes available, makes the project more desirable to him and he also expressed that these units are affordable compared to most in Bedford.

Lisa Mustapich shared that she had done some math calculations to see if the development could survive if affordable housing units were provided and she believes that it could.

Amy Lloyd offered her analysis that the economics of the project has two parts: 1) developer gets a profit and 2) the residents most likely just break even.

Sandra Hackman said she doesn't want to set a precedent and understands Ms. Mustapich's desire to include affordable housing in new developments; however, Ms. Hackman pointed out that Page Place isn't a new development; it's an expansion of an existing one. She also noted that this existing development is much more affordable than the average homes in Bedford, plus offers other amenities. Ms. Hackman added that expansion at this location is good for the town because it could offer a key pedestrian trail network link and that the town could request a payment in lieu of affordable housing.

Jeffrey Cohen agreed with other board members that the units at this location are more affordable than most in town and that he would be willing to support the article, but will keep close tabs on the outcome regarding the total number of units. Mr. Cohen added that he would like to see consideration of a payment in lieu of affordable housing.

Amy Lloyd shared that she would rather see smaller units, as this piece of the market isn't being served; however, she could still support the article. Ms. Lloyd said that the details could be further discussed during the special permit process.

Lisa Mustapich conveyed that Bedford Village may turn into condos which could reduce the number of affordable units in town. Ms. Mustapich also argued that the applicant is seeking a density bonus and that they should therefore include affordable housing in their proposal. Ms. Mustapich reiterated the Housing Partnership's position (6-1 vote): that excluding affordable units sets a terrible precedent when seeking greater density and although the partnership appreciates the amenities, such as common space and trails, they could only support the zoning article if it requires an affordable component or significant contribution in lieu of an affordable component, commensurate with the current value of affordable unit(s).

Board members had a back and forth conversation regarding what requests can be made of a developer during the special permit process under the proposed zoning bylaw amendment and what can be required through conditions.

*MOTION: Sandra Hackman moved to recommend approval to Annual Town Meeting of Article 8: Conversion of Public School Building to Multiple Residential Use (Page Place as proponent). (Amy Lloyd seconded the motion)*

*VOTE: 4-1-0 (Lisa Mustapich against)*

**NEW BUSINESS:**

1. Work Session: Warrant Article Reports to Town Meeting:

Board members reviewed who will be presenting each report and recommendation to Annual Town Meeting. Amy Lloyd, regarding Article 14-Limited Business (ZBA-proponent), urged the Board not to get overly involved with this article and let questions at town meeting be answered by ZBA members. Ms. Lloyd shared similar advice for Article 8-Conversion of Public School Buildings to Multiple Residential Use (Page Place-proponent) and commented that the Planning Board has several of its' own critical zoning amendments to be involved with. Catherine Perry suggested outlining what was heard at the public hearings, and reminded members that the Planning Board has a statutory role in relation to all zoning amendments, to hold the public hearing and give a report with recommendations to Town Meeting. The report can be either written or oral, but it should give some sense of the reasons for the recommendation . It was agreed to keep the reports on non-Planning Board articles brief..

Jeffrey Cohen informed the Board that he plans to provide some slides showing how residential building height is measured, when reporting on Article 12, and that although he appreciates staff's effort in providing pictures of different houses, he is not inclined to present them because he believes residents may get the wrong idea of the scope of the article.

Director Garber reported that he worked with Planning Intern, James McClung, to produce a potential handout: Zoning Comparables from Other Towns (Acton, Burlington, Canton, Chelmsford, Concord, Lexington, Sharon, Westborough and Westwood). Director Garber explained that dimensional regulations were extracted from other towns' zoning bylaws for industrial districts and were compared, showing low, high and median values. Director Garber said this information could prove valuable and be used as examples when Shawn Hanegan presents the Industrial Zoning Amendments to ATM. Amy Lloyd expressed that although it's great to have this information available she is against overwhelming the public with too much information. She suggested using the zoning comparables as backup when answering public concerns/questions, but not using them as a handout or as part of the presentation.

Catherine Perry, Assistant Planner, supplied copies of a news article she wrote for the town website: An Overview of Eight Articles Involving Planning Board Recommendation to Annual Town Meeting, 2016. In the overview, Ms. Perry provided information relating to the process by which zoning amendments are produced for vote by Town Meeting, as well as brief summaries sharing the essence of each current warrant article. Board members appreciated receiving the information provided by Ms. Perry and suggested forwarding it to the Bedford Citizen on-line news reporting service for further dissemination.

Article 15 Bedford Business Zoning Appropriation—Amy Lloyd asked staff if they have any information on the history of the general and limited business zoning. Director Garber stated that staff has been looking into the roots of limited business along Great Road; and that the latest amendment happened in 1979. Director Garber stated he would provide some history for Ms. Lloyd. Sandra Hackman pointed out that the town did try to update its regulatory framework when Planning introduced Architectural Design Guide Lines in 2006. Ms. Hackman also pointed out that the current zoning amendments will have little effect on the Bedford Market Place because it's already largely built. Board members discussed: the balancing act to add value to the Bedford tax base through customized building, the importance of aesthetics and concerns with repeat, unvaried uses which may relate to the current antiquated bylaws. Director Garber said zoning amendments are needed and that people should be open-minded and have no preconceived agenda. Director Garber added that the stakeholders and citizens will be the ones to determine what the needs are.

2. Other Warrant Articles—Catherine Perry submitted a memo to the Board dated March 15, 2016 providing notes on non-planning warrant articles for ATM, to assist Board members in reviewing articles that don't have a direct input from planning, but have some relevance. Board members briefly discussed the substance of Ms. Perry's memo and provided the following motions and votes.

## **Article 20: Community Preservation Budget**

*MOTION: Lisa Mustapich moved to support the item for the Minuteman Bikeway Extension design funding, if it comes up for discussion. (Shawn Hanegan seconded the motion)*  
*VOTE: 5-0-0*

**Article 21: Pilot Program for Expanded Local Transit**

*MOTION: Amy Lloyd moved to support Article 21 (Jeffrey Cohen Seconded the motion)*  
*VOTE: 5-0*

**REPORTS/DEVELOPMENT UPDATE:** (verbal reports; non-deliberative by Staff and Planning Board members)

--Director Garber reported that he is meeting with developers representing Bedford Woods Office Park on March 17 because they would like to freeze the zoning by filing a preliminary subdivision plan followed by filing a subdivision plan within 7 months, which will preserve their development rights for 8 years.

--Jeffrey Cohen asked if Bruegger's Bagels plans to return to the ZBA regarding outdoor seating. It was noted that the final site plan shows concrete in that area and not landscaping. Director Garber confirmed that Bruegger's will be returning to the ZBA.

--Jeffrey Cohen suggested allotting time on a future agenda to discuss/revisit Planning Board priorities and goals once things get settled post Town Meeting.

--Lisa Mustapich informed the Board that the Coast Guard property project is back on track. The Housing Partnership will be discussing this and the property will be reappraised by the town. Active negotiations are going on and its months away from transactions. RFP's will not go out for a while.

--Sandra Hackman announced that the MAGIC legislative breakfast on February 2 was cancelled due to snow and rescheduled to April 29. Amy Lloyd plans to attend.

--Jeffrey Cohen shared that the Lane School project's original estimate was covered without debt exclusion; cost was 2 million, but now up to around 3-4 million. The Finance Committee is in support of the project; however, they want to be assured that they can cover the cost. There may be a need for another special election.

**MINUTES:**

- February 2, 2016

*MOTION: Shawn Hanegan moved to approve February 2, 2016 meeting minutes as submitted (Amy Lloyd seconded the motion)*

March 15, 2016 FINAL/APPROVED MINUTES

*VOTE: 5-0-0*

- March 2, 2016

*MOTION: Lisa Mustapich moved to approve March 2, 2016 meeting minutes with minor amendments (Sandra Hackman seconded the motion)*

*VOTE: 4-0-1(Amy Lloyd abstained; was not present at 3/2/16 meeting)*

**ADJOURNMENT:**

*MOTION: Amy Lloyd moved to adjourn the meeting. (Lisa Mustapich seconded the motion)*

*VOTE: 5-0-0*

*TIME: 10:10PM*