

BEDFORD PLANNING BOARD
Town Center (Yellow Building) Flint Room
Regular Session Minutes
October 1, 2014

MEMBERS PRESENT: Shawn Hanegan Chair, Amy Lloyd, Clerk
Jeffrey Cohen and Sandra Hackman

MEMBERS ABSENT: Lisa Mustapich

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

STAFF ABSENT: None

OTHERS PRESENT: See Attached

Shawn Hanegan Chair convened the Planning Board meeting at 7:30 PM

Emergency Evacuation notice read by Amy Lloyd, Clerk

Amy Lloyd, Clerk read a public notice sharing information about E-Subscribe on the town's website homepage. Ms. Lloyd explained that the best way for residents and others 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.

DEVELOPMENT SESSION:

- 1) Bedford Market Place—the following documentation was submitted in relation to the developer's most recent request for minor modifications to a previously approved site plan.
 - September 23, 2014 letter from Taylor Dowdy, Project Mgr. with BSC Group highlighting development modifications.
 - Revised Plan sheets C-5, C-7 and L-1 dated September 22, 2014
 - September 26, 2014 memo from Catherine Perry, Assistant Planner sharing a review of the proposed small changes to the Bedford Market Place approved site plan.
 - Email dated September 26, 2014 from Catherine Perry, Assistant Planner to Adrienne St. John, Public Works Engineer, asking if DPW was satisfied with the current proposed changes, including the result of the Conservation Commissions most recent review, and confirmatory response dated September 26, 2014.

Taylor Dowdy reviewed information presented in his September 23 letter as follows—

Development Modification Highlights;

- the first four bulleted items listed relating to Building A were accepted by Conservation and DPW.
- Building B footprint is shown slightly reduced at the front corner along Great Road; however there is no change in the usable square footage of the building.
- Building C footprint was revised by moving a small addition in the rear of the store to accommodate a tenant's needs; however there is no change in the square footage of the building.
- Building A – the patio area was updated; landscaping features in front of building A have been distributed in the immediate surrounding islands closest to Building A.
- Striped crosswalks replaced stamped asphalt due to concerns regarding tripping and maintenance problems during winter operations (removal of snow and ice)

COMMENTS:

Amy Lloyd asked what the width of the sidewalk behind Building C is. Mr. Dowdy replied; the proposed sidewalk for that area was removed because there wasn't enough room to be ADA compliant.

Sandra Hackman asked if the patio area at the corner of Building B would have seating. Mr. Dowdy replied: yes, and added that the central patio in the landscape area at the front of the site will be a pedestrian use area. Mr. Dowdy also pointed out that the patio area for the Building A addition has potential for some seating.

Ms. Hackman asked if shade trees would be incorporated in the pedestrian walkway. Mr. Dowdy said yes, and that no pear trees will be in the islands, but there will be adcers and other varieties.

Jeffrey Cohen asked about striping maintenance and how often this would be done. Mr. Dowdy replied; on an as need basis.

Mr. Cohen, referring to Landscape Plan (L-1) dated February 1, 2008 (latest revision 9/22/14) asked about the location of the crosswalk in the vicinity of building A, and what were some of the considerations involved. Mr. Dowdy spoke about a catch basin being relocated in the area of the proposed crosswalk so adjustments were needed.

Board members spoke about previously approved site plan sets showing two crosswalks near the Marshalls/Whole Foods building; and then noted that only one of the two crosswalks appeared on the revised plans that are currently before them. However, board members did point out that the plans presented this evening by the development team did incorporate the other crosswalk located behind Building B that was possibly inadvertently omitted on the July 2014 plans. The engineer agreed to reinstate the missing crosswalk on the plans.

Board members discussed the area of land that separates the Bedford Marketplace Shopping Center and Blue Ribbon Plaza. The Board acknowledged that landscape plantings and a fence

are shown on the current plan; however, to date, a fence design has not been submitted as required. Ms. Perry pointed out that the fence has been marked on the plan as a 4' chain link fence with privacy slats, and questioned if that would be adequate. The Board requested that the engineer provide a better quality design for the fence and part of that design should be an adequate break in the fence to ensure easy pedestrian access.

Chair Hanegan spoke about a gravel path connection located at the rear of the shopping center's site; and said that the plans shown on a display board this evening do not reflect changes that were previously approved (to eliminate the connection between the two paths but keep access from both of them into the shopping center site). Mr. Dowdy confirmed that the agreed changes are intended; the display plan was not fully up to date.

The Board spoke about the proposed bicycle racks (shown on the current plans)—racks are inverted-U design as requested and are appropriately distributed throughout the site. Board members asked the engineer to submit bicycle rack installation and spacing specs. The engineer agreed to submit this information.

Amy Lloyd expressed disappointment with the poor pedestrian connections to the Blue Ribbon Plaza, and asked if the break in the fence should be moved further west. Mr. Cohen, referring to the plan sheets dated 9-22-14, asked how wide the pedestrian path to the far right (east) of the site is. Mr. Cohen said he was concerned about pedestrian safety if the path moved further west.

Mr. Dowdy replied that the path through the trees on the east of the site is approximately 3-4 feet wide, and confirmed that it is still proposed.

Ms. Hackman stated that she walks the area frequently and felt that there was no safety issue.

Suzy Enos, 43 Hillside Avenue, said she would like to see better connectivity from existing trails and the bike path to the shopping center.

Chair Hanegan agreed with Ms. Enos comment and further suggested that these connections be composed of gravel or stone dust.

Amy Lloyd stated for clarification that the trail connections are not under review at this point; Mr. Hamlin, the property owner, will follow the 2008 site plan approval with the exception of any recent approved modifications.

Ms. Enos stated that she appreciated all the other issues that were addressed at the Bedford Marketplace.

Chair Hanegan also commented that overall Mr. Hamlin is doing a great job addressing issues town staff has brought forth.

Catherine Perry informed the Board that she would follow up on outstanding issues discussed with the applicant.

MOTION: Amy Lloyd moved to recommend approval of the changes to the Bedford Marketplace site plan as discussed, subject to reinstatement of the crosswalk in front of Marshalls that was shown on a previously approved plan set. (Jeffrey Cohen seconded the motion).

VOTE: 4-0-0

- 2) Irene Road—Continued Public Hearing for a Cluster Development Special Permit with Definitive Plan began at 8:04 PM.

Chair Hanegan briefly reviewed for the record the following documentation that was submitted in relation to the continued public hearing:

- Letter dated September 9, 2014 from Attorney Brown, outlining information pertaining to requested waivers to effectuate a most desirable cluster/definitive subdivision plan and updated plan sets and drainage report to respond to requests and comments made by DPW engineering staff.
- Letter dated August 25, 2014, from TEC (The Engineering Corp.), sharing an evaluation of the sight lines at the intersection of Pine Hill Road/Irene Road in conjunction with the proposed 5-lot subdivision.
- Memorandum dated September 26, 2014 from Glenn Garber, Planning Director sharing an updated review from the preliminary subdivision application to the current cluster development special permit and definitive subdivision application.
- Memorandum dated September 25, 2014 from Adrienne St. John, Public Works Engineer and Kristin Dowdy, Civil/Environmental Engineer, offering their latest response to comments in Attorney Brown’s September 9, 2014 letter in relation to the cluster development special permit and definitive subdivision application.
- **Draft** Special Permit with Findings: 2 Irene Road Cluster Development, Special Permit with Definitive Plan (prepared by Planning Director Garber) for Planning Board review.
- **Draft** Certificate of Planning Board Action—Definitive Plan, Irene Road—awaiting public hearing comments, waiver clarifications & specific conditions from the Planning Board (prepared by Planning Director Garber)
- Email dated September 10, 2014 from Adrienne St. John, Public Works Engineer responding to Fire Chief Grunes comment, reiterating that the standard for curbing on a public way is vertical granite.
- Email dated September 11, 2014 from Elizabeth Bagdonas, Conservation Commission Administrator stating that although the Conservation Commission will be reviewing Irene Road definitive cluster subdivision proposal under a future Notice of Intent application, the initial comments being provided for the October 1 hearing are related to the current Planning Board review and the future Conservation Commission review.
- New comments received October 1, 2014 from Elizabeth Bagdonas, Conservation Commission Administrator, with responses from Planning Director Garber.
- Email dated September 10, 2014 from Glenn Garber, Planning Director to Fire Chief Grunes—confirming that residential fire sprinklers will be required for any houses over 500’ from Pine Hill Road.

- Email dated September 15, 2014 from Heidi Porter, Board of Health Director, stating that the Board of Health doesn't have any further comments relating to the latest Irene Road cluster and definitive subdivision proposal.
- Email dated September 10, 2014 from Marc Saucier, Police Traffic Enforcement Officer informing the Board that the Police Department doesn't see any issues with the current project proposed for Irene Road.

Attorney Brown discussed recent responses to requests and comments of various town departments raised through the public hearing process for Irene Road—(refer to Attorney Brown's September 9, 2014 letter for more details)

- Ms. Brown pointed out the no-cut zone to the Board on the plans and identified which trees were to be preserved.
- Ms. Brown asked for a street tree waiver, but wasn't sure if it's still needed
- Ms. Brown noted that the plans have been updated to reflect a 3-foot wide grass strip between the sidewalk and curb as discussed.
- Ms. Brown pointed out that the sidewalk adjacent to the road between Pine Hill Road and the driveway for Lot 1 will not have a green strip because there is not enough room.
- Ms. Brown reported that Al Gala will work with DPW to fine tune engineering items.
- Ms. Brown stated that DPW doesn't want the infiltration system under a driveway, and that the applicant agreed to look for an alternative solution. Ms. Brown conveyed that the developer has worked cooperatively with town staff to come to an agreeable solution.

COMMENTS:

- Sandra Hackman discussed previous concerns raised by some residents and Board members relating to vertical curbing, and noted that DPW staff still appears to remain firm in retaining the use of vertical curbing even though neighbors found it physically challenging to maneuver. Ms. Brown stated that she spoke with town staff regarding the concerns raised, and confirmed that DPW still wants vertical curbing because of its durability.
- Sandra Hackman asked about the construction of proposed trails; Paul Marcus, developer, spoke about keeping the trails as natural as possible.
- Sandra Hackman (referring to street trees) asked about spacing. Ms. Hackman conveyed that she thought the proposed spacing was 30'; however, Ms. St. John recommended 50' spacing. Paul Marcus was willing to do whatever was required.
- Jeffrey Cohen (referring to DPW's latest comments) asked how high the proposed small retaining wall would be. Paul Marcus replied that it will have around a 12" exposure.
- Jeffrey Cohen said he was curious about the connectivity to the trails, and then asked, where people who use the trails would park. Paul Marcus replied: at the end of Wildwood Drive or near the opening with Pine Hill Road.

- Amy Lloyd questioned why Ms. St. John wanted 50' spacing for street trees. Director Garber replied that he believes it has to do with maintenance and survival of the trees.
- Amy Lloyd (referring to Section 6.4.1 of the Subdivision Rules and Regulations) asked a question about the green strip waiver and then referred to Sections 8.2.8 and 6.2.12 in the Zoning Bylaws (perimeter greenbelt and 50' no-build area) and asked why Director Garber agreed with a waiver request. Ms. Brown said the applicant is trying to maintain a buffer, but a trade-off was needed. Ms. Lloyd said she would be in favor of granting this waiver; however, she inquired if it would be advisable to waive the no-build rule. Catherine Perry explained that this development doesn't need such a waiver and in fact the rule cannot be waived. It was further explained that the waiver was only for the planting and fencing standards, not for the 50' strip.
- Jeffrey Cohen asked which lot needs to have a sprinkler system installed; the reply was lot 4.
- Shawn Hanegan asked if lighting would be addressed on the plans; the reply was: yes.
- Director Garber discussed new comments Planning staff received the day of the meeting from Elizabeth Bagdonas, Conservation Commission Administrator, via email. Director Garber commented that bullet items 1, 2, 4 and 5 can be handled; and noted that under bullet item #3 Ms. Bagdonas had concerns with the finished grades (Lot1). Director Garber suggested placing a condition in the special permit to reflect Ms. Bagdonas' latest concerns.
- Jeffrey Cohen asked how far the driveway needs to shift. Paul Marcus replied that they could move the driveway to go alongside of the garage.
- A question was raised about the use of solar energy for the new houses. Paul Marcus said he would consider that possibility.
- Ms. Brown asked that the final decision clearly outlines the waivers that were discussed and approved by the Planning Board.

MOTION: Sandra Hackman moved to close the public hearing. (Amy Lloyd seconded the motion)

VOTE: 4-0-0

TIME: 8:37PM

MOTION: Sandra Hackman moved to approve Irene Road Cluster Development Special Permit application including a Definitive Subdivision Plan set dated June 27, 2014 and further revised on 9-8-14 and 9-24-14 with the following conditions:

1) provide a fire sprinkler system that meets the National Fire Protection Association standards and is acceptable to the Fire Chief in the house on Lot #4—monitoring of compliance of the sprinkler system shall be done before obtaining a building permit and during the rough-in stage of the installation; 2) plant approximately nine deciduous shade street trees along Irene Road

(final number of trees is to be determined by DPW and Planning staff); 3) sidewalk green strip, curbing and light fixtures shall be installed as shown on the latest revised plan set dated 9-24-14 --DPW and Planning staff will work with developer on details; 4) developer will work with DPW on remaining engineering details; 5) finished grades and driveway location (along the frontage of Lot #1) will be adjusted to its final location in the field, in consultation with DPW Engineering and the Conservation Commission; 6) the final layout and design of the proposed trail through the common open space area, including establishing a connecting point to the York Conservation Area and through that property to the Narrow Gauge Trail can be worked out in the field between the applicant, Conservation Commission, Trails Committee, as well as Planning and DPW engineering—final changes should appear on a revised plan and submitted to Planning; 7) the developer is to provide field adjustments to stones and boulders that are to be excavated from the site and re-used in other areas; 8) the developer is to clearly mark the cut-to tree cover protection lines and the individual mature trees shown on sheets C-4 & C-5 in the field prior to beginning site work. The developer will be expected to replace any additional vegetation that inadvertently gets removed during construction through a special permit modification; 9) the applicant needs to facilitate the granting of the open space to the town.

In conjunction with the above motion and conditions of approval, Ms. Hackman also moved to approve the following waivers: perimeter screening requirements in Sections 8.2.8 and 6.2.12 (waiving the full planting standard but retaining the minimum no-build dimension of 50'), and construction of the required sidewalk green strip along the segment where the isolated wetland exists in the frontage of Lot #1, with the green strip to be constructed along the remainder of the east side of the right of way for Irene Road.

(Amy Lloyd seconded the motion)

VOTE: 4-0-0

DEVELOPMENT SESSION: (brief verbal updates from planning staff)

- 1) Instrumentation Laboratory potential site plan review— C. Perry reported that the applicant is going through Conservation Commission review, and therefore Planning staff assumes that the applicant will be coming forth for site plan review in the immediate future.
- 2) 140-142 Great Road— G. Garber reported that this property is currently on the market, and potential uses for this location were briefly discussed with an agent.
- 3) Greenbelt Zoning Amendment Comments (post September 16 public hearing) –Planning staff received additional comments from Mary Elloian (her main concerns: 1) roads in buffer around cluster developments or adjacent to existing house lots; 2) clear cutting of sites by developers prior to construction; and 3) over-development of the town, putting strain on the roads and schools. Also, Jaci Edwards, Chair of Bedford Arbor Resources Committee, forwarded an email dated September 30 offering informal comments from

individual BARC members regarding their concerns about the proposed zoning amendment language. Director Garber shared a reply to BARC stating that the Zoning Amendment Article has already been modified; the 50' no building strip around residential clusters and PRD's is now remaining but; accessory structures will be allowed within it.

- 4) Athena Lane Subdivision (formerly 93 Hartwell Road)—G. Garber gave a brief update regarding follow-up corrective measures that the developer has complied with since the September 23 development discussion. Director Garber stated that the applicant is targeting the October 14, 2014 meeting to get approval on recent modifications so that they can accommodate potential buyers and get the lots released.

BUSINESS SESSION:

- 1) Scheduling/upcoming meeting dates—C. Silvestrone, Planning A.A. provided a memo dated October 1, 2014 listing tentative upcoming meeting dates. Board members tentatively agreed to Thursday, November 13, Tuesday, November 25 and Tuesday, December 9.

ADJOURNMENT:

MOTION: Jeffrey Cohen moved to adjourn the meeting. (Amy Lloyd seconded the motion)

VOTE: 4-0-0

TIME: 9:00 PM