

**BEDFORD PLANNING BOARD**  
**Town Hall—Selectmen’s Meeting Room**  
**Minutes**  
**October 13, 2015**

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: Pamela Brown (Attorney); Dot Bergin (Bedford Citizen Newspaper Representative); Caroline Fedele (Selectmen Liaison); David Powell, (Finance Committee); Barbara Aldoriso, 24 Chelmsford Road; John Jaillet, 28 Chelmsford Road; Elaine Davis 31 Evergreen Avenue; Carolyn Conte, 31 Evergreen Avenue; Karen Kenney, 33 Evergreen Avenue (all residents)

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.*

**OLD BUSINESS/ZONING BYLAW AMENDMENT:**

Zoning Bylaw Section 11: Conversion of Public School Buildings to Multiple Residential Use; amendment to allow additional dwelling units (Page Place Condominium Trust—Proponent)—  
Planning Board Deliberations and Recommendation to Special Fall Town Meeting.

Planning Board began deliberating its position on a zoning amendment (Warrant Article 2) proposed by Page Place Condominium Trust following a September 30 public hearing.

Planning Board member’s shared the following comments:

Lisa Mustapich reiterated her position to include affordable housing in the proposed zoning amendment; and commented that the article was poorly publicized by not including an affordable housing component. Ms. Mustapich added that she would have liked the proponent of Page Place to consider a similar affordable housing arrangement as 150A-162 South Road Planned Residential Development (application that is currently before the board).

Chair Lloyd asked Ms. Mustapich if she were okay with the overall zoning amendment with the exception of not including affordable housing. Ms. Mustapich said she would be okay with 15 additional units as long as 2-3 units were affordable.

Sandra Hackman admired the creativity of the proponent wanting to expand the site to pay for other needed amenities; however, she expressed that 2,400 sf. units are too big, there are too many additional buildings/structures being proposed, would like to see smaller unit sizes and a reduction in the number of garages. Ms. Hackman acknowledged that the proponent work hard on the proposed changes, but unit size still remains a problem for her; and therefore she is not ready to support the article.

Jeffrey Cohen echoed Ms. Hackman's concern regarding 2,400 sf units being too large and that the overall development would be too intense for the site. He too wasn't ready to support the article as written.

Shawn Hanegan articulated that he liked Catherine Perry's suggestion of having a limit of 1,500 sf. on the overall average size (based on the new units); however, he still has concerns with the number of units that could potentially have three or more bedrooms. Mr. Hanegan voiced that there should have been more of a trade-off with unit sizes/allowable bedroom mix if there isn't going to be an affordable housing component to make this zoning amendment amendable. Mr. Hanegan said he would be in favor of working towards an amendment that would make this article acceptable.

Lisa Mustapich suggested that the proponent bring the article forth to Annual Town Meeting and not to upcoming Special Fall Town Meeting.

Chair Lloyd agreed that the size of the proposed units is still a sticking point and if the proponent isn't going to provide an affordable housing proponent then they need to propose smaller units. Chair Lloyd commented that size follows price and that she is in favor of having smaller units at an affordable price, rather than adding an affordable housing component. Chair Lloyd said she can't support the proposal/article with 2,400 sf. unit size—too large.

Lisa Mustapich suggested that the proponent withdraw its proposal/warrant article and return in the spring.

Planning Director Garber said additional communication (between the Board and Planning staff *only*) is needed to gain consensus so staff can write a report for Special Fall Town Meeting stating the Board's position. Director Garber reminded everyone that the public hearing is closed and therefore no further public input is allowed.

A brief back and forth conversation took place reiterating various Board members' concerns and positions, and then the following motion was made.

*MOTION: Lisa Mustapich moved to recommend disapproval of Article 2—Zoning Bylaw Amendment—Conversion of Public School Buildings to Multiple Residential Use (by Petition) as*

*written in the warrant and for reasons discussed during the September 30 Public Hearing and this evening. (Jeffrey Cohen seconded the motion)*

*VOTE: 5-0-0*

Board members and staff continued discussing their concerns and position. Catherine Perry informed the Board that she is seeking their considerations so she could prepare a report for special town meeting.

Lisa Mustapich—proposes smaller units, include affordable housing, and have a similar affordable housing arrangement as the South Road (PRD) proposal.

Sandra Hackman—comfortable with 2,000 average unit size, and doesn't want to see more than 4 units consisting of 4 bedrooms.

Shawn Hanegan—okay with 2,400 sf.; however would like the number of units allowing four bedroom be reduced.

Jeffrey Cohen—initial comment remains; commended the adjustments that were made along the way; however, 2,400 sf. units are too large and the overall development is too intense for the site.

Amy Lloyd—2,000 sf. is a preferable average unit size (2,400 is too big), number of bedrooms isn't as crucial, but would like the price point to be around 400-600k.

**MINUTES:**

1) September 15, 2015 Minutes—

*MOTION: Lisa Mustapich moved to approve the September 15, 2015 Minutes with two minor amendments. (Shawn Hanegan seconded the motion)*

*VOTE: 5-0-0*

2) September 30, 2015 Minutes—

Board members agreed to postpone approval of September 30, 2015 minutes to next scheduled meeting on October 27.

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

Questions/Comments on Development Update Chart dated October 7, 2015 –

- 30 Chelmsford Road (Special Permit Cluster Subdivision)—Catherine Perry reported that Planning and other town staff met to discuss requirements for commonly owned open space in regards to 30 Chelmsford Road preliminary concept plan that was submitted by the applicant. Ms. Perry mentioned a legal opinion from Town Counsel was just received and their response supported town staff's position, such that the applicant's proposal does not meet the commonly owned open space requirements; and therefore staff is not sure

how the applicant plans to proceed. Director Garber said the applicant could move forward with a conventional subdivision versus a Special Permit Cluster Subdivision.

- 150A-162 South Road Planned Residential Development (PRD)—Ms. Perry shared that the applicant is addressing the 50' perimeter rule issue and the public hearing discussion on this development will continue on October 27.
- Eversource (approval for tree cutting on scenic roads, as part of a larger tree cutting package)—Planning staff received a list of trees slated for removal/replacement/or trimming. Director Garber met with representation from Eversource and DPW Director, Roy Sorenson (who also serves at the Tree Warden) on October 9 to discuss the details. Director Garber said most likely there will not be a public hearing; and that a determination needs to be made if the removal/replacement/trimming of these trees falls under the emergency tree statute.

Sandra Hackman reported that BARC (Bedford Arbor Resource Committee) is concerned that the town doesn't have a program in place to restore public trees that either need to be removed or replaced and as a result the town's stock of public trees is becoming depleted. Ms. Hackman suggested there be a future discussion regarding how to address the issue of preserving trees for town stock.

**DEVELOPMENT PERMITTING:** (Continued)

Evergreen Avenue (Yauckoes Farm) – continuation of preliminary review for potential Planned Residential Development (PRD) Special Permit

The following are submittals provided for the continued preliminary review:

- Memo dated October 9, 2015 from Catherine Perry, Assistant Planner sharing information on; Background and progress of the development proposal, current submission, and a list of initial comments.
- Email dated October 8, 2015 from George Dimakarakos, P.E./Vice President of Stamski and McNary, Inc. stating that he has prepared two conceptual PRD plans for the Board's consideration that now reflects the actual topography of the site and actual site features.
- Attached to above email: Conceptual Planned Residential Development (PRD Plans A & B) dated, October 8, 2015 and Conceptual Floor Plans (Main Floor and Upper Floor Plans) for unit Type (A, B, and C) all dated September 22, 2015.
- Color rendering of the potential streetscape.

Attorney Mark Vaughn, Riemer and Braunstein, introduced the development team and provided brief history of the project and site.

George Dimakarakos, P.E., reviewed two alternative conceptual PRD layout plans (Conceptual Plan A and Conceptual Plan B, both dated October 8, 2015) for the Board's consideration. Mr. Dimakarakos explained that the revised plans now reflect the actual topography and site features of the site, and provides a reduction in the number of units (19 to 17) by proposing two rather than three duplex buildings. Mr. Dimakarakos stated that the applicant's overall intent is to create a successful development while preserving many site features, including trees and some

existing stone walls. Mr. Dimakarakos shared that the current **Concept Plan A**—represents an improved PRD plan consisting of 17 units built around a teardrop-shaped loop road with a central landscaped area, and a visitor parking area near the entrance to the loop. **Concept Plan B**— is an alternative PRD design (also consisting of 17 units) located on a perimeter loop road with garages facing the road, and porches facing the landscaped interior area, but will not have a visitor parking area. Mr. Dimakarakos expressed that **Concept Plan A** is the applicant's preference; and that the applicant is seeking further guidance from the Planning Board and staff prior to submitting a formal Special Permit Planned Residential Development (PRD) application.

Catherine Perry, Assistant Planner, summarized the outcome of the Board's July 28 review of the proposed development and revealed that of the two previously submitted concept plans, (conventional subdivision layout and PRD with loop road) that the Board favors the PRD concept over a conventional subdivision. The Board also articulated that they preferred not to have a connecting road from the proposed site to Wiggins Avenue because that would encourage general traffic to cut through. The Board also pointed out during the previous review that the property's tract size of 125,000 sf exceeds the minimum requirement for a PRD located in Residence C District; and then offered suggestions and comments. Some of the highlighted suggestions were as follows; 1) reduce the number of units, 2) preserve existing stone walls and trees, 3) create connection(s) to bikeway, 4) try to reduce the number of bedrooms allowed in a unit, 5) consider exterior lighting for the central area, 6) obtain status regarding the appropriateness to demolish the historic farmhouse, 7) consider the feasibility of an emergency access from Wiggins Avenue because the length of Evergreen Avenue's cul de sac exceeds 500ft. and 8) consider proposing smaller sized units.

Ms. Perry reported that since the July 28 review, the applicant listened to Board and town staff comments/suggestions; and that the latest plans in front of the Board this evening reflect that discussion. Board members discussed the pros and cons of both concept plans and were pleased to observe that in **Concept A** the retaining wall (along with some trees) located on the right of the roadway approaching the loop, would remain; and although a portion of one of the stone walls (that runs along the route to the bikeway) would be replaced by a housing unit, the applicant commented that it's possible to relocate this section of wall to the edge of the easement. In **Concept B**, even though the interior open space will be free of cars, this layout reduces the amount of area for perimeter landscape screening and provides a much longer roadway. In both concepts, the Board expressed its content with the total number of housing units being reduced from 19 to 17 and also noted that the number of required affordable units would therefore be reduced from 4 units to 3.

**COMMENTS:**

Board members acknowledge that one vital unresolved issue is that the developer needs to provide a secondary egress because Evergreen Avenue's cul de sac exceeds 500ft. requirement.

Lisa Mustapich shared the following comments: 1) okay with inner road; 2) suggests that the developer go before the affordable housing committee; 3) concerned about losing existing stone walls and is in favor of the developer replicating stone walls that need to be removed and locating them somewhere else on site; and 4) concerned about the loft area in the proposed units becoming an additional bedroom.

Sandra Hackman expressed that she was pleased to see the number of housing units reduced, was further pleased that there is a maintenance plan in place to clean sidewalks, and favored the inner roadway design and other extra features that were incorporated in the latest Concept plan A. Ms. Hackman also suggested that the developer submit a pedestrian trail/path plan for the development and provide more pervious surfaces on the roadways and driveways.

Jeffrey Cohen appreciated the reduction in number of housing units and voiced that he believes the central/ inner road design is the better choice. Mr. Cohen asked if it were possible to reduce some of the three bedroom singles to two bedrooms—Mr. Melanson informed Mr. Cohen that two bedroom single housing units wouldn't be marketable. Mr. Cohen also asked if this will be a public or private road. Mr. Dimakarakos replied it will be a public road with the town having the responsible for its maintenance.

Shawn Hanegan mentioned that at first glance he liked the inner ring scenario for the roadway, but understood why the developer may want to go with the exterior ring. Mr. Hanegan further mentioned that he would be okay with either of the proposed roadway scenarios and agreed with Ms. Hackman's suggestion for the developer to provide more pervious surface on the roadways and driveways.

Chair Lloyd agreed that the larger single family housing units may have the opportunity to create an additional bedroom; and then asked the developer if it were feasible to build the houses a little smaller. Ms. Lloyd also pointed out that that the topography of the site made the outer ring roadway scenario very difficult to work; and that she prefers the inner/roadway design. Ms. Lloyd applauded the developers effort to preserve as many existing stone walls (and trees) as possible and their plans to rebuild walls that need to be removed.

Karen Kenney, resident of 33 Evergreen Avenue, expressed concern regarding snowstorms. Ms. Kenney mentioned that she has witnessed in the past that if DPW doesn't plow on time, vehicles were unable to access Yauckoes property. Shawn Hanegan suggested contacting DPW and informing them of the situation.

**NEW BUSINESS:**

Bedford Marketplace—brief discussion on upcoming zoning bylaw amendment as follows:

The Planning Board held a discussion on the proposed Bedford Marketplace rezoning of the remaining Limited Business classification in the front "half" of the shopping center to General Business, the district that covers the back part of the long-established shopping center. This discussion was pursuant to the pending public hearing on the petition to be held on October 27, 2015, and contributory to the required report to the special fall town meeting on November 2, 2015. In the course of the conversation, several board members expressed frustration at the extremely late submission of this warrant article, but acknowledged that the Selectmen had voted 3-2 to place it on the warrant, so the Board had no choice but to initiate required process.

Planning Director Glenn Garber outlined a brief history of the zoning on this site, explaining that the original intent decades ago was to keep smaller stores in the front, and the so-called big box stores to the rear, where Marshall's and whole Foods are located. The problem was that the retail sales area limit for LB was set so low—at 2000 SF—that in today's market, this zones out many retail and service enterprises, which in turn requires a variance from the Zoning Board of Appeals in every instance where the operation exceeds 2000 SF. This is both an unrealistically low upper limit on floor space and poor zoning practice.

Mr. Garber explained that it was not simply a matter of raising the ceiling on the 2000 SF, because this would raise the limit in all of the other LB districts along The Great Road, where in some instances the 2000 SF number might be appropriate. He noted further that at some point in the future, a new district (or overlay) whose metrics fall somewhere in-between LB and GB might be worth exploring, but that there clearly was no time to pursue that in this minimal time frame. He summarized potential Board positions for the report to town meeting. Recommending a negative vote is definitely an option, but would guarantee that all enterprises with more than 2000 retail area would have to pursue a hardship variance. A recommendation to table the article for future consideration would merely defer the matter and not address the current situation, where the petitioner claims to have a viable tenant in negotiations for a space exceeding 2000 SF.

The discussion then circled back to the actual landowner's petition and article: to change the LB at Bedford marketplace to GB. Mr. Garber analyzed the risk factors of this part of the shopping center housing a big box store. Arguing against this were mitigating circumstances such as: there was an approved site plan which memorialized the approved layout for the two new buildings (and much more) designated as B and C, with B nearly completed and the developer having building plans in design for C and will later be submitted to Code Enforcement. Any change to that layout would require a new site plan review before the Board. It was also pointed out that the substantial capital investment in new buildings B and C would make razing them for a big box store a highly unlikely event for the foreseeable future. Sandra Hackman pointed out that GB would allow a 37' high building, and Mr. Garber noted that 37' is also allowed in LB, when setbacks are increased. Atty. Pamela Brown, speaking for the petitioner, reiterated that building plans are in design and will be submitted for building C with a height not exceeding 25' and that they could not simply change them.

All five Board members, as an initial reaction, discussed the potential risks of rezoning from LB to GB, but in the end agreed that risk was minimal and that the GB re-classification was the most practical way in the short term to allow business occupancy to proceed at this redeveloping shopping center. Ms. Amy Lloyd, Ms. Sandra Hackman and Ms. Lisa Mustapich expressed the hope that at some point in the future, the town could address the retail zoning in a more direct and thoughtful way.

**REPORTS/DEVELOPMENT UPDATE:** (Continued)

1. Sandra Hackman, liaison to MAGIC (Minuteman Advisory Group on Inter-local Coordination) reported that she attended a walk/talk session in which she learned that the Town of Lexington is a leader when it comes to preserving open space. The Lexington Greenways Corridor Committee identifies, actively plans, and recommends implementation of pedestrian, bicycle and other greenway corridors to link to conservation, recreation, and other open space areas in town, as well as to regional trail systems and open space in neighboring communities. Ms. Hackman shared that this committee follows new development projects in the pipeline and works with the developer in advance to consider the “whole” picture to ensure that the town gets extra amenities it desires. Ms. Hackman voiced that a lot can be learned from Lexington’s system and also mentioned how Lexington labels its trails (loops) which are very inspiring for walkers.
  
2. Catherine Perry informed the Board that Central Mass Regional Planning Commission is hosting a Village Center Tour on October 23, 2015 (rain date- October 30) and the Blake Block and Depot Square will be part of the tour. Board members were offered to attend.
  
3. Chair Lloyd conveyed that CPTC (Citizen Planner Training Collaborative) 2015 Fall Workshops are posted online and suggested board members may want to review what’s available.
  
4. Chair Lloyd briefly spoke about an email from David Coelho, Director of Finance for Bedford Public Schools regarding a follow-up on enrollment of school aged children in various multi-residential developments. Catherine Perry commented that the number of school aged children have increase over the past years. Chair Lloyd asked how planning staff communicates with the schools so the number of school age children from developments is fairly accurate. Planning Director Garber said Planning staff will continue to provide Superintendent, Jon Sills and Mr. Coelho, Finance Director/Schools with the same development update list that the Board receives regularly.
  
5. Director Garber announced that he will be working on the following reports for Fall Town Meeting: Board’s position on the Discontinuance of Crosby Road and Lavender Lane street acceptance, plus an Industrial Zoning Amendment (draft) PowerPoint presentation. Catherine Perry will provide a report on Article #2, Page Place—Amendment to Section 11 Zoning Bylaws.
  
6. Director Garber informed the Board that the next scheduled meeting, October 27, so far appears to be a jam-packed agenda; and then asked members if they would be willing to have an early start. Board members agreed to a 6:30pm start to the October 27 meeting to accommodate the extremely busy agenda.

*MOTION: Sandra Hackman moved to adjourn the meeting (Lisa Mustapich seconded the motion)*

*VOTE: 5-0-0*

*TIME: 9:53PM*