

**BEDFORD PLANNING BOARD**  
**Town Hall—Selectmen’s Meeting Room**  
**Regular Session Minutes**  
**October 14, 2014**

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

MEMBERS ABSENT: None

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. Irene Road Cluster Subdivision – Finalization of Special Permit and Certificate of Action. Planning Director Garber provided the following documentation for the Board to review prior to signing and filing with the Town Clerk.
  - a. CERTIFICATE OF PLANING BOARD ACTION – Definitive Plan, 2 Irene Road, approved October 1, 2014.
  - b. SPECIAL PERMIT DECISION with Findings: 2 Irene Road Cluster Development, Special Permit with Definitive Plan approved October 1, 2014.

Board members reviewed the above two decisions for Irene Road and suggested a couple of minor edits.

*MOTION: Jeffrey Cohen moved to accept the Certificate of Planning Board Action and Special Permit with Findings for Irene Road including minor suggested edits, and to allow the Planning Director to sign these decisions on behalf of the Board for filing with the Town Clerk.  
(Amy Lloyd seconded the motion)*

*VOTE: 4-0-1 (Lisa Mustapich abstained—absent when Board gave initial approval on Oct. 1, 2014)*

2. Athena Lane Subdivision—follow-through on corrective measures

Planning Director Garber provided a memo dated October 9, 2014 sharing an update on actions the developer had taken to correct construction errors that deviated from what was proposed in the approved Athena Lane subdivision plan. Mr. Garber explained in his memo that the developer has been cooperative and acted quickly to correct the cited issues to restore conditions from the approved definitive subdivision plan. Mr. Garber also provided an update on completeness and noted that the applicant is requesting to lift the restrictive covenant on the right of way; however, there is one remaining contingency—the final bituminous wearing course.

Attorney Brown submitted a letter dated October 9, 2014 requesting a release from the Planning Board covenant for Athena Lane Subdivision and stating that all work required by the subdivision approval is complete or will be complete by the October 14 meeting. Ms. Brown provided a brief update on items that were remaining.

Ms. Brown discussed the following changes that have occurred since she last met with the Board: 1) fire hydrant was installed in lieu of installing a fire sprinkler system in the home at 4 Athena Lane; 2) a displaced street tree was installed as suggested by town staff during a site visit and additional trees were planted along Hartwell Road sidewalk; 3) water, sewer, and gas utilities have been installed; 4) the drainage swale has been installed as designed; 5) a Homeowners Association covenant has been drafted and it includes an Operation & Maintenance plan.

Ms. Brown said everything has been completed with the exception of locating and showing some utility structures on the as-built plan, and commented that so far DPW has been happy with most work. Ms. Brown requested that the Board vote to release the covenant on the right of way (instead of requiring a bond) so lots can be released for sale to potential buyers, and in the meantime have Planning staff hold the covenant until updated as-built plans are submitted.

Jeffrey Cohen asked if the top coat has been installed.

Ms. Brown replied: yes, the top coat is complete.

Mr. Cohen (referring to section 6.3.3.1-Hydrants in Subdivision Rules & Regulations), asked if it is appropriate to include waiving the requirement for hydrants in the list of requested waivers since a hydrant was installed.

Ms. Brown replied that once the covenant is released, this will become a moot point.

Ms. Lloyd pointed out a wide gap in the trees located at the end of Athena Lane (just beyond the fence) and asked if additional screening would be added.

In response to a question about the types of trees along the fence, the developer agreed to label them on the plan.

Director Garber replied; yes, additional screening will be included. Mr. Garber shared that some of the trees that were inappropriately planted as street trees were removed and will be replanted in the area that Ms. Lloyd mentioned to fill in this gap.

Sandra Hackman asked Director Garber if he was confident to hold the covenant until he receives updated as-built plans.

Mr. Garber said he is confident, because the developer has shown good faith to quickly correct the issues on site.

*MOTION: Amy Lloyd moved that the Board acknowledges that the applicant has taken necessary measures to correct issues on site to align with the approved definitive subdivision plan at Athena Lane. The Board delegates to staff time which to lift the covenant on the right of way, thereby releasing the house lots so they can become available for sale to potential buyers contingent upon the following stipulations: 1) Planning staff holds the covenant until a final set of accurate as-built plans incorporating all changes are submitted; and 2) Developer provides mylar plan sheets prepared for Planning Board signing (Layout, Grading and Utility—and possibly a Lotting Plan), to amend the record and incorporate all adjustments to the plan. (Jeffrey Cohen seconded the motion)*

*VOTE: 5-0-0*

#### **STAFF UPDATES:**

1. Case studies of cottage housing – Planning Director Garber provided a memo dated October 9, 2014 highlighting four projects located in Massachusetts: two that are already built and two that are not yet constructed, as examples of cottage style housing that offer a range of densities and parcel sizes. Director Garber explained that staff is conveying this information to the Board for future discussion. Board members shared some brief comments, thanked Director Garber for providing this information, and said they look forward to having a future discussion.

2. Zoning Articles: staff presentations to the Finance Committee and Selectmen – Catherine Perry reported that Mr. Garber and she had presented the two zoning amendment articles (4 & 5) that Planning is proposing to Special Fall Town Meeting to the Finance Committee and Selectmen. David Powell, Finance Committee, and Mark Siegenthaler, Selectmen, both shared that their Committee/Board will be providing a recommendation of approval on both articles at Special Fall Town Meeting.

#### **DEVELOPMENT UPDATES:** (brief verbal updates by C. Perry)

- Instrumentation Laboratory—upcoming site plan review; applicant targeting the October 28 meeting. Ms. Perry said she informed the applicant's project manager that the Bicycle Advisory Committee has asked if any provisions for bikes will be made on the site and also advised the project manager to consider inserting a few trees close to the west side of

the building, because the building is partially visible from the abutting Hartwell Farm residential development.

Ms. Perry also spoke about the Bicycle Advisory Committee looking into the possibility of performing a survey of major employers in town, including Instrumentation Laboratory, to see what provisions they have currently available on site for bicyclists. Bicycle racks and showers are some of the provisions they would be inquiring about. It was confirmed that Instrumentation Laboratory does have bicycle racks and available showers on site.

- Freedom Estates—follow-through: a letter was sent, dated October 10, 2014, to David and Laura Veo, owners of Freedom Estates Development Corporation, suggesting that they finish all required work in the subdivision and aim for street acceptance at 2015 Annual Town Meeting in the spring.
- Bedford Market Place—follow-through: developer has supplied corrected plan reinstating crosswalk, and details of bicycle racks, in connection with approved minor changes. However, the developer's engineer recently mentioned that the developer no longer is sure that he wants to construct the proposed fence behind the Blue Ribbon Plaza; and therefore asked it would be acceptable to omit it. Ms. Perry informed the Board that she responded to the developer's engineer that she thought it would be acceptable to omit the fence because the fence was added to the site plan at the developer's request and not the Board's, but that she would need to confirm.

Board members agreed to allow the developer the option to omit installing the fence.

*MOTION: Lisa Mustapich moved to allow the developer the option to omit installing a fence behind Blue Ribbon Plaza; however, the developer is still required to implement planting along the edge of the site (in this same area) as shown on the plans.  
(Sandra Hackman seconded the motion)*

*VOTE: 5-0-0*

- Other—
  - 1) Planning Staff met with Alyssa Sandoval, Economic Development Coordinator and Richard Reed, Town Manager to discuss the topic of food trucks.
  - 2) Director Garber stated that Planning staff will have PowerPoint presentations ready for review in connection with Special Fall Town Meeting Zoning Amendment Articles 4 & 5 at the October 28 meeting.
  - 3) Lisa Mustapich reported that in preparation for the last HATS meeting, she inquired about the fact that MAPC's representative had said that in June of 2014 the Bedford Planning Board voted to support land use reform. MAPC's rep. stated that the vote was taken under the leadership of Chair, Jeffrey Cohen. Ms. Mustapich explained to him that the Board has not discussed land use reform since 2011, and that 3 of the 5 current Board members were not on the Board and Jonathan Silver was the Chair at the time. Ms. Mustapich further explained that at some point in the future, Bedford

Planning Board may have a discussion about the current version of land use reform. Ms. Mustapich also pointed out that Shawn Hanegan, and not Jeffrey Cohen was the Chair in June of 2014 and requested that MAPC correct their records. Ms. Mustapich said she just wanted it known to the Board that their actions (or lack of action) were misrepresented by MAPC regarding Land Use Reform, and that when HATS releases the minutes, she will share them with the Board and staff.

**BUSINESS SESSION**

- Minutes—approval will be postponed to next scheduled meeting.

**ADJOURNMENT**

*MOTION: Jeffrey Cohen moved to adjourn the meeting. (Lisa Mustapich seconded the motion)*

*VOTE: 5-0-0*

*TIME: 8:28 PM*