

BEDFORD PLANNING BOARD
54 Loomis Street Special Permit Public Hearing
Town Center Building—Flint Room
May 20, 2013

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

Emergency Evacuation read by Shawn Hanegan

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

Chair Cohen convened 54 Loomis Street Special Permit Public Hearing at 7:30 PM.

Chair Cohen stated that the Board will continue its' deliberations from March 19, 2013 special permit public hearing for a redevelopment project at 54 Loomis Street within the Depot Area Mixed Use Overlay District. Mr. Cohen reviewed for the record the following documentation that was submitted in conjunction with this public hearing:

- Letter dated, April 16, 2013, to Jeffrey Cohen, Chair, Bedford Planning Board, from Mr. & Mrs. David Cerundolo, property owners of 54 Loomis Street, stating that they have submitted revised plans for the redevelopment of 54 Loomis Street in accordance with the Depot Park overlay district.
- Letter dated, April 17, 2013, to the Planning Department, from Eugene T. Sullivan, P.E. stating that they are submitting revised plans C.1 thru C.4 prepared by ETS, Inc., revised Landscaping plan L.1 prepared by Olmsted Design; revised Floor Plans and Building Elevations prepared by db2 Architecture A-1 thru A-3, and revised Stormwater Management Report. Mr. Sullivan also provided responses to the Department of Public Works memo dated March 12, 2013.
- Letter dated, April 18, 2013, to Jeffrey Cohen, Chair Bedford Planning Board, from Attorney, Mark T. Vaughn of Riemer/Braunstein, stating that they have enclosed a zoning summary supporting the Applicant's assertion that the Project is in compliance with the applicable Special Permit criteria of the Depot Area Mixed-Use Overlay District Bylaw.
- Memorandum dated, April 25, 2013, to the Planning Board from Glenn Garber, Planning Director regarding 54 Loomis Street, Hearing Continuance (from March 19, 2013) third design iteration.
- Memorandum dated, April 24, 2013, to Glenn Garber, Planning Director and Catherine Perry, Assistant Planner, from Adrienne St. John, Public Works Engineer and Kristin Dowdy, Civil/Environmental Engineer sharing DPWs latest comments for 54 Loomis Street—Special Permit Application for Bedford Place Apartments.
- Memorandum dated, April 24, 2013, to Glenn Garber, Planning Director, from Christopher Laskey, Code Enforcement Director regarding parking calculations for the latest project submission (April 17, 2013) from Riemer/Braunstein for 54 Loomis Street.

- Email dated April 22, 2012 to Cathy Silvestrone, Planning Administrative Assistant, from Marc Saucier, Traffic Enforcement Officer, stating that the Police Department did not have any issues with the updated proposal for 54 Loomis Street.

Mark Vaughn, Attorney, Riemer & Braunstein, referring to the latest submittals, stated that the development team goal is to ensure that the revised plans for 54 Loomis Street redevelopment project are fully compliant with Section 18 of Bedford's Zoning Bylaws/Depot Area Mixed-Use Overlay District; and then commented that he believes they accomplished this.

Richard Tambone, developer, and Eugene Sullivan, Architect reviewed the following changes that have transpired since the March 19 special permit public hearing: **1)** the total number of residential units was reduced from 23 to 19 units (7 units will remain in Building A and 12 units are proposed for Building B) and the total number of bedrooms were reduced from 35 to 29. Mr. Tambone noted that *all residential units will be condominiums; and not apartments*; **2)** the height of Building B was reduced to 24' by removing the upper half story (the 3rd level); **3)** window mullions and a cornice was added to the storefront to break up the excessive glass appearance; **4)** include architectural features such as awnings, trim, and color schemes that will mimic the depot railroad and freight house/museum buildings; **5)** include a new outdoor gathering/seating area at the front of Building A and provide a row of bicycle racks; **6)** expand the green space area to the rear of the lot and include a new pedestrian gathering/outdoor seating area in efforts to implement improvements to existing easements that were granted to the Town by Cerundolo Realty Trust in 2001 for the purpose of pedestrian passage and walkway, the inclusion of amenities, and rights of access and maintenance; **7)** the walkway running through the property has been extended along the green space toward the rear of the property (all the way to the bike path) with a paver-style pathway; **8)** a bike-walking route will be established and have designated signage at both ends of the pathway allowing people to navigate through the site by walking their bicycles; **8)** improved water quality structure to reduce sediments to Elmbrook as requested by DPW.

COMMENTS:

Lisa Mustapich asked if all town staff comments/issues have been addressed.

Eugene Sullivan commented that most town staff said their comments were addressed; and then mentioned that the development team is willing to work directly with the Fire Department to address their latest access/circulation concerns.

Shawn Hanegan raised a question regarding what is the language on the signage for the bicyclists cutting through the property.

Mr. Sullivan said there will be some directional arrows to the Minuteman Bikeway and signage that will indicate that bikers should walk their bike through the site.

Lisa Mustapich asked if affordable housing and handicap accessible units were still included in the revised proposal.

Mr. Sullivan replied; yes.

Chair Cohen asked if comment #14 in DPW memo, dated April 23, 2013 has been addressed. (*DPW requested that the applicant reset the existing granite curb to tie into the proposed berm at the project site and provide landscaping in the area between the existing curbing and the new curbing at the shared property line near #80 Loomis Street*)

Eugene Sullivan stated that they will reset the curbing and provide landscaping in this area as requested by DPW.

Chair Cohen requested that after the existing trees located along the front of the property are removed, that there be coordination between the applicant and DPW regarding the number, location, size, and variety of the replacement trees and that varieties other than Pin Oaks be provide.

Mr. Sullivan said he agrees with DPW that there should be at least four replacement trees; and that he will coordinate with DPW when the time comes.

Lisa Mustapich commented that she didn't want any plants that are classified as invasive species; and request them not to plant Bradford Pear.

Sandra Hackman suggested that the applicant work with DPW and Arbor Resources Committee when replacing the trees along the front of the site.

Amy Lloyd was concerned that the dumpster screening might allow for that area to become a late night hangout and disturb residents of the new development.

Catherine Perry asked what lighting for the site is being proposed.

Mr. Sullivan replied; most units will have their own lighting; however, there will be additional lighting (with timers) positioned in different areas on site for safety purposes.

Joy Kenen, 44 Loomis Street, asked; what happens if the property owner can't sell the units?

Richard Tambone stated that they do not feel this will be an issue.

Elizabeth Brosgol, 57 Loomis Street, expressed that although the applicant made some changes to break up the excessive amount of glass on the storefront, she believes more could have been done. Ms. Brosgol also expressed that she is concerned about the light/glare that will come from the storefront glass.

Mr. Tambone said once the area is landscaped it will minimize the amount of glare from the glass.

Cheryl Milroy, 7 Winthrop Avenue, stated that she didn't believe that traffic concerns were addressed.

Chair Cohen noted that the Police Department was part of the review process; and that the Traffic Safety Officer informed the Board that this project will not have a significant impact on the existing area traffic; and therefore the Police Department has no concerns with the proposed project regarding traffic input.

Planning Director Garber acknowledged there is an existing problem with local cut-through traffic; however, during a development review process, the Board and town staff can only look at potential traffic impacts from the proposed site. Director Garber informed residents/neighbors that they have the right to reach out to the Selectmen (as Road Commissioners) or the Police Department to resolve existing traffic/safety issues.

Chair Cohen stated that the Board is not trying to minimize neighbors' concerns; and then reiterated that the Board has before them an email from the Police Department indicating that this site/project will have an insignificant impact to the existing area traffic; and that's what the Board is reacting to.

Leo Kenen, 44 Loomis Street, asked if any additional landscaping is being provided since the previous proposal the Board reviewed.

Mr. Sullivan replied; the proposed landscaping from the original proposal will remain the same with the exception of additional green space to the rear of the building.

John Peterson, 18 Lido Lane, shared that in efforts to resolve neighbor's concerns regarding traffic safety issues; mitigation measures, such as providing speed bumps, signage, or working with the timing of the traffic signals could be incorporated.

Amrutha Raja, 53 Loomis Street, expressed the following; 1) both buildings are still too big; 2) the front building has too much glass and will allow too much light to pass through; and 3) shared concern regarding the potential of retail establishments to stay open too late.

Chair Cohen pointed out that this is a commercial district that people chose to live near; and therefore you should expect there will be some impacts.

Kristina Philipson, 22 Hartford Street, asked what the pricing is for the residential units.

Mr. Sullivan replied; \$275k/one bedroom, \$325k/two bedrooms and \$345k/townhouses.

Renu Bostwick, 23 Hartford Street, commented that the number of residential units is still too many for this area.

Virginia Whitesides, 25 Hartford Street, shared that the problem lies within the current town bylaws which allows this type of development in this area; and therefore this is a town problem and not the developers.

Kristina Philipson conveyed that the general commercial district is not welcoming and that what's being proposed is better than having an industrial building. Ms. Philipson further conveyed that she would like to see the area get revitalized; and that this project is a good start.

Brian O'Donnell, 30 Fayette Road, said he recognizes people's concerns; and then mentioned that historically this location was once a hockey rink, redemption center, fitness center, printing company, warehouse etc.; and that the proposed project is an advance compared to what could be built at this site. Mr. O'Donnell noted that the developer has come a long way since they first approached the town to develop this site.

Kenneth Larson, 34 Hartford Street, said he sympathizes with residents who live in the area and understands that they don't want to have a lot of residential units and retail stores added to this area; however growth happens and this project, with a few more adjustments, is a good idea plus the beginning of revitalizing the area. Mr. Larson suggested that the developer further listen to the neighbor's desire to achieve a neighborhood village-feel style development by further reducing the number of residential units and consider more of a Victorian-style storefront.

Peter Cooper, 55 Loomis Street, shared concern regarding the reduction of parking spaces at this site. Mr. Cooper pointed out that the parking spaces at this location, especially at lunchtime, already fill up even with no tenants currently in the building.

David Cerundolo, property owner of 54 Loomis Street, stated that people parking at his site are going to Patriot Pediatrics. Mr. Cerundolo pointed out that Patriot Pediatrics has plenty of parking at their location (74 Loomis Street); however, their patrons choose to park at 54 Loomis for convenience.

Amy Lloyd asked if there will be assigned parking spaces for the tenants. Mr. Sullivan replied; yes.

Board members discussed type of lighting, lighting timing, and how to handle potential overspill lighting issues.

Director Garber stated that a lighting plan can be included in the decision with stipulations.

Chair Cohen suggested that non-resident lights on should be off by 10:00PM.

Amy Lloyd pointed out that the type of lighting is unknown at this point because lighting will depend on the needs of the tenants.

Sean Tierney, 29 Hartford Street, noted that reducing the number of residential units further and increasing the cost of each saleable unit would please the neighbors.

Richard Tambone said they reviewed that option, but the numbers just wouldn't work.

Lisa Mustapich asked if limits on business hours can be set for tenants.

Director Garber said it is common to set limitations on business hours; however that's tied to individual businesses after tenants are chosen.

Joy Kenen said she feels for the developer; however the residents would rather an industrial building be at this location than what's being proposed.

Virginia Whiteside stated that this project has come a long way; and that she appreciates the developer reducing the number of residential units and having them all for sale (no apartments); however, she further stated that 19 residential units in this area is still a lot even with the number already being drastically reduced from the original proposal.

Ms. Whiteside asked the developer if they could provide some information regarding the furnishings within the residential units.

Richard Tambone said they will have included upgraded kitchens with high quality finishes because you won't have the same turnaround of people as with apartments.

Shawn Hanegan, referring to an earlier comment that this site is better off being left industrial, stated that the Planning Board still needs to make a determination regarding what's immediately in front of them under the Depot Area Mixed-Use Overlay District Bylaw.

Ellen Powers, 27 Hartford Street, asked that the board keep in mind the quality of life of the residents when making a decision.

Sean Tierney stated that he would appreciate it if the Board would reflect the residents' opinions when coming to a decision.

Virginia Whitesides echoed Mr. Tierney's statement.

Chair Cohen stated that it's time for the Board to decide if they want to continue or close the public hearing for 54 Loomis Street.

*MOTION: Lisa Mustapich moved to close 54 Loomis Street Special Permit Public Hearing.
(Shawn Hanegan seconded the motion)*

VOTE: 5-0-0

TIME: 8:55PM

BOARD MEMBERS COMMENTS

Chair Cohen said the question the Board needs to answer this evening is; does this project meet the spirit of the Depot Area Mixed-Use Overlay District Bylaw.

Lisa Mustapich admitted that she wasn't in favor of the project at the beginning of the review process; and that she appreciated the developer's willingness to make changes. Ms. Mustapich said when reviewing projects, she likes to look at an area holistically; and not just by site; and therefore she is hoping that this project will be the beginning of revitalizing the whole area. Ms. Mustapich also suggested the following: 1) that affordable housing units are offered in perpetuity; 2) that all DPW issues are addressed; 3) hours of operation be addressed; 4) lighting be addressed; and 5) the price point of housing is affordable. Lastly, Ms. Mustapich mentioned that she agrees that traffic calming measures is something that should be discussed with the Police and Board of Selectmen in efforts to resolve pre-existing traffic/safety conditions.

Amy Lloyd noted that there is an underserved market for middle-class senior housing; and that this project may provide options for residents who want to downsize. Ms. Lloyd also shared that over time surrounding properties in the area will eventually need to change too; and therefore it's important as a town to try to control this progression as best as possible. Ms. Lloyd said she felt the developer has done a good job bringing the project forward with positive changes that reflected people's concerns/opinions.

Shawn Hanegan thanked everyone for their time and said that he heard the neighbor's comments; however the question before the Planning Board is; does this development meet the spirit of the Depot Area Mixed-Use District Bylaw; and then Mr. Hanegan stated he believes it does. Mr. Hanegan said he realizes there are growing pains, especially because this is the first development utilizing this district's overlay zoning. Mr. Hanegan reiterated that the neighbor's concerns were heard even if the project isn't exactly what they envisioned; and then said that he agrees with others that there is still too much glass on the storefront; and therefore he would recommend details along the bottom to further break-up that mass.

Sandra Hackman expressed that she agrees with other Board members that this project meets the spirit of the bylaw. Ms. Hackman said she realizes it's difficult for neighbors to imagine retail use and 19 residential units on this site, and then pointed out that because the proposed units are smaller, they could be a draw for seniors or young professionals; a housing alternative which is greatly needed in Bedford. Ms. Hackman further pointed out that people want to live in areas where they can bike and walk, and that she truly believes this project will work. Lastly, Ms. Hackman stated that she would like less glass on the storefront and have a light plan in place.

Chair Cohen said he agrees with fellow board members' comments; and noted that this project is not a precedent setting proto-type and that people need to look at the area holistically and not just this site. Mr. Cohen commented that although some improvement to the zoning bylaw is needed the Board will look for other projects to play off of this one. Mr. Cohen shared that the Board carefully listened to neighbors' concerns and took what they said into consideration; however, the Board is also in the position where they need to listen to property owners as well. Mr. Cohen further shared that he agrees this area is a draw; and that he favors the housing opportunity the project presents because of its potential to attract homeowners who may be priced out of Bedford. In closing, Chair Cohen stated that this project may not be perfect; however, it does meet the intent of the zoning bylaw.

MOTION: Lisa Mustapich moved that the Board grant a special permit for 54 Loomis Street/Bedford Place Mixed Use Development with the following conditions listed below: (Sandra Hackman seconded the motion)

Conditions: *1) add a lower panel to the storefront to reduce the amount of glass; 2) include two affordable housing units in perpetuity (as per Section 18.5.16 of the bylaws; these A.H. units must meet state guidelines for the inclusion in the Subsidized Housing Inventory and also meet MGL Chapter 40B guidelines; 3) provide hours of operation for retail tenants (Board suggested 7:00am to 10:00pm) –if individual tenant hours of operation varies from this suggested time guideline, then the tenant shall come before the board for a minor amendment to the special permit; 4) provide a lighting plan for parking lot and outdoor lighting fixtures for future Planning Board review; 5) provide an amended landscape plan or detailed sketch to the Planning Department showing enhancements to the front landscaping in conjunction with the removal of 4 existing pin oak trees and planting of replacement trees, plus any other landscape improvements discussed; 6) applicant shall continue to work with the Fire Department in conjunction with optimizing vehicular circulation patterns for public safety purposes; 7) address any outstanding comments DPW submitted.*

VOTE: 5-0-0 (unanimous)

Role Call Vote:

Shawn Hanegan, yes; Sandra Hackman, yes; Lisa Mustapich, yes; Amy Lloyd, yes; and Jeffrey Cohen, yes.