

BEDFORD PLANNING BOARD
100 Plank Street Industrial Mixed Use Special Permit Amendment
Public Hearing Minutes
Town Hall—Selectmen’s Meeting Room
June 18, 2013

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

Emergency Evacuation Notice read by Shawn Hanegan, Clerk.

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

Chair Cohen convened 100 Plank Street Special Permit Amendment Public Hearing @ 7:32PM.

The following documentation was submitted for review in conjunction with 100 Plank Street continued Industrial Mixed Use Special Permit Amendment Public Hearing:

- Revised Layout and Materials Plan dated November 20, 2012 with Garage Relocating Revisions dated 4/1-/13 and Site Plan Revision dated 6/12/13.
- 59 Middlesex Turnpike-Phase II Building B-Revised Conceptual Ground Floor Layout dated 6/10/13
- Memo dated May 31, 2013 from Vince O’Neill/Walk the Plank, LLC re: Plank Street Office (Building 7)/Criterion Special Permit. Mr. O’Neill, Manger of Walk the Plank, LLC shared in this memo a timeline of events leading up to the current application to provide 6,000 square feet of commercial space on the 1st floor of the front building, or 12% of the proposed project.
- Memo from Glenn Garber, Planning Director dated June 13, 2013 re: Continued Public Hearing at 100 Plank Street for a mixed use special permit major amendment.
- 100 Plank Street—June 2013 C. Perry shared FAR (Floor Area Ratio) and parking calculations based on the applicant’s submissions.
- Memo from Catherine Perry, Assistant Planner, dated April 11, 2013 re: application to amend existing special permit for 100 Plank Street (59 Middlesex Turnpike Phase II)/Vinco Properties, represented by BSC Group, Inc.
- Email dated May 30, 2013 from Catherine Perry to Glenn Garber re: Supplementary write-up

Vince O’Neill discussed the most current mixed use proposal for 100 Plank Street as follows; Mr. O’Neill plans to provide 6,000 sq. ft. of commercial space on the first floor of the front building and include a total of 44 multi-family units (7-studio, 28 one bedroom and 9 two bedrooms); and provide 19 garage spaces. Mr. O’Neill shared that the garage building closest to the driveway was eliminated which will provide additional uninhibited frontage so vehicles passing by can clearly view the commercial space from the street. Mr. O’Neil further

shared that two garage buildings towards the rear of the site will remain to provide privacy for the first floor units from the road and separate the commercial and residential portions of the project.

Mr. O'Neill reviewed parking provisions.

Sandra Hackman asked if a shared parking arrangement was discussed with the property owner of Village at Taylor Pond (formerly known as Criterion).

Catherine Perry said that she asked Mr. O'Neill to provide clarification regarding shared parking.

Mr. O'Neill pointed out that some of the existing spaces that were constructed for Village at Taylor Pond will be eliminated; and that the Village at Taylor Pond property owner told him that this site has more parking that it needs, and therefore, Mr. O'Neill didn't find this to be an issue.

The Board had a further discussion regarding the proposed parking and determined that the proposed parking was adequate or a little above the norm. The Board observed that some of the proposed parking for Lot 1 is on Lot 2; and therefore requested that the developer provide evidence of agreement with the owners of Lot 2 (Village at Taylor Pond) on the assignment and management of parking areas.

Sandra Hackman suggested that the applicant provide a revised landscape plan showing the final positions of the garages and showing a detailed design for the piece of land near Plank Street site's entrance where there was once a garage building.

Amy Lloyd asked Mr. O'Neill if he had price points for the residential units.

Mr. O'Neil replied; approximately \$1,400/Studio, \$1,700/1-bedroom and \$2,000/2-bedrooms.

Ms. Lloyd spoke about the need to attract young educated technical people to the area so that the business parks in the area remain viable. Ms. Lloyd asked what the marketing approach would be to have this happen.

Mr. O'Neill said marketing this area more as a corridor.

Mark Siegenthaler, Selectman, commented that the Selectmen as a group hasn't recently spoke about this site; however, he personally would like to see this site developed. Mr. Siegenthaler said he believes the Planning Board is doing the best they can to come to a decision and by approving this current proposal, it wouldn't be a huge violation of what the Planning Board expects to see at this site versus what's being proposed.

Catherine Perry expressed that the Industrial Mixed Use Bylaw suggests that the Board finds the mix of uses to be compatible and sufficiently advantageous to the Town before it be appropriate to depart from the requirements of the underlying bylaw; and that it may vary the "normal" dimensions under the I.M.U. bylaw if it finds it would improve the design. Therefore Ms. Perry suggested that the Board look to why they may be departing from these requirements when making their decision.

Sandra Hackman, referring to Catherine Perry's earlier recommendation not to approve of the application, and Glenn Garber's comments stating that the project appears to meet the dimensions, density, height and massing, and parking within the Industrial Mixed Use Bylaw noted that the decision comes down to the compatibility of the mix of uses. She asked Ms. Perry and Mr. Garber to further share their thoughts.

Catherine Perry said it's difficult to predict what will happen in the future if this project is not approved, but a larger office or other non-residential component may eventually be built on this site.

Glenn Garber voiced that he agrees with Catherine Perry's assessment because he believes it would be very hard to determine the long-term viability of an office use at this site. Planning Director Garber then reviewed the I.M.U. vision for the site and then commented that it's impossible to consider this development outside of the context of the larger issue regarding whether there is too much multi-family housing along Middlesex Turnpike. Director Garber pointed out that the Board's decision on this particular project needs to be based on the IMU zoning bylaw, and that the resolution of the larger issue(s), should be discussed in future settings.

Ms. Perry stated that she had sympathy for the argument that there is a mix of uses in the wider area; however, for this particular site, the mix may not be an exact match for the vision in the bylaw.

Chair Cohen observed that the amount of space between the garages doesn't meet the dimensional requirements in the IMU bylaw.

Catherine Perry explained that there is only 10 feet of space separating the garage buildings within the two groups; however a variation from the bylaws dimensional requirements could be considered acceptable in the interests of aligning with the existing garages on Lot 2, and maximizing open space.

Amy Lloyd voiced that the project doesn't seem to match what was original approved; however, she agreed that leaving the site the way it is doesn't benefit anyone.

Shawn Hanegan asked Mr. O'Neill; theoretically, if the Board said no to the current proposal, what would he do?

Mr. O'Neill said he wasn't sure and that he would be stuck with a complicated situation.

Lisa Mustapich expressed that she is sympathetic to Mr. O'Neill's situation; however, she noted that the market for office space has gained momentum and therefore she sees potential, but wasn't in support of his request.

Mr. O'Neil agreed that the market for office space has somewhat moved forward; however, it would take way too long to get to the point where office could make it at this site.

Sandra Hackman expressed that she is sorry that things didn't work out as originally planned, but the Planning Board may need to be flexible in responding to current demand.

MOTION: Lisa Mustapich moved to close 100 Plank Street Special Permit Amendment Public hearing.

VOTE: 5-0-0

TIME: 8:06 PM

DELIBERATIONS:

Amy Lloyd said although the site doesn't fully meet the I.M.U. intent, and the mix of uses is not ideal, she emphasized that the developer has agreed to build up to 6,000 square feet of office space, which is better than empty space.

Shawn Hanegan stated that he appreciated all of the time and compromises that Mr. O'Neill made when working with the town on a resolution for this site. Mr. Hanegan further stated that he appreciated Ms. Lloyd pointing out that the developer has proposed to include up to 6,000 square feet of office space; and that this is a better alternative to empty space.

Sandra Hackman said she prefers that the site provide a balance of alternative uses that meet the exact definition of the IMU bylaw; however, this property is unique and therefore she is willing to be flexible.

Chair Cohen agrees that the proposed project is not in perfect harmony of the IMU's bylaw intent, but that under the circumstances it is good enough and that varying from the dimensional requirements by only requiring 10' of space between the garage buildings isn't enough to deny the project.

The Board discussed including the following as findings to be included in the Special Permit Amendment Decision for 100 Plank Street: 1) the proposed uses fall into categories that are allowed under Section 15.3; 2) the development remains in harmony with the purpose and intent of the IMU bylaw and contain compatible uses that are advantageous to the town; 3) it is appropriate to vary the dimensional requirements to the extent needed to allow the development to be constructed (FARs and space between the garage buildings); 4) note that the parking provisions are adequate.

MOTION: Amy Lloyd moved to approve including the above findings discussed in the Special Permit Amendment Decision for 100 Plank Street. (Sandra Hackman seconded the motion)

VOTE: 4-1-0 (Lisa Mustapich—against)

The Board discussed the following as conditions to be included in the Special Permit Amendment Decision for 100 Plank Street: **1)** the development shall be constructed as per the plans listed (including most recent revisions); **2)** applicant to provide architectural elevation drawings for the buildings, include detail of the garages on Plank Street and provide plans/sketch for an attractive appearance from the street for Planning Board approval; **3)** applicant to provide final landscape plan and include planting details for the area of the site near the Plank Street entrance; **4)** applicant to provide revised engineering plans, include grading and stormwater management that reflect the new location of the garages and submit a revised Drainage Report to satisfy all DPW comments; **5)** provide evidence of a long-term agreement with Village at Taylor Pond (owner of Lot 2) regarding the allocation of parking provisions between 100 Plank Street and Village at Taylor Pond; **6)** applicant needs to designate 11 affordable housing units to households with income at or below 80% of the area median income and provide marketing of these units, pursue the process to qualify the units to Bedford's subsidized housing inventory and monitor the units for continued compliance.

MOTION: Amy Lloyd moved to approve including the above discussed conditions in the Special Permit Amendment Decision for 100 Plank Street. (Shawn Hanegan seconded the motion)

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