

FINAL/APPROVED Regular Session Minutes

BEDFORD PLANNING BOARD
Selectmen's Meeting Room – Town Hall
Regular Session Minutes
June 24, 2014

MEMBERS PRESENT: Shawn Hanegan, Chair; Amy Lloyd, Clerk (arrived at 8:05 pm); 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

Chair Hanegan convened the Planning Board meeting at 7:33 PM

Emergency Evacuation notice read by Chair Hanegan

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

COMPREHENSIVE PLAN IMPLEMENTATION

Board members and staff discussed alternatives to amend current Industrial Mixed Use (IMU) zoning. Planning Director Garber provided a memo dated June 24, 2014 for this discussion and included the following: *an issues analysis, points for discussion, general options to consider when amending IMU, a comparison of allowed uses in the three underlying Industrial Districts and the Commercial District, and a marked-up copy of the current IMU bylaw.* Catherine Perry, Assistant Planner, also shared relevant information and provided a written note with a summary of the bylaw's purpose and historical context, its key provisions and the locations where it has been applied.

Board member comments that emerged from the IMU zoning discussion were as follows;

Sandra Hackman—

- shared how the maximum F.A.R (Floor Area Ratio) in section 15.5.9 of the zoning bylaws was set at .50. (.25 business/office/residential; .15 housing plus 10% retail)
- prefers to see density and retail bonus given to developers; and mentioned she wasn't sure if a separate IMU bylaw is needed. (Director Garber stated he would like to do some research on the allowed 2,000 sq. ft. retail unit size)
- suggested extending restaurant use to all industrial districts.
- suggested raising the F.A.R. requirements along the Middlesex Turnpike area.

Jeffrey Cohen—

- expressed he wasn't in favor of eliminate IMU; however he would like to remove the residential component in time for Special Fall Town Meeting showing that Planning has engaged in changes based on what they've heard from the public and also based on a desire to preserve the land in that district for industrial-type uses; and then later pursue other modifications to the IMU bylaw.
- raised a question regarding Exhibit B (Section 15.4.1 Density through 15.4.3 Floor Area Ratio) whether dimensional and density standards would be applicable to non-residential mixed use developments if

residential uses were removed. (Director Garber commented that you can't take out the residential uses without revisiting the .50 F.A.R.; and that feedback is needed on non-residential projects prior to taking out residential use).

- asked if .35 F.A.R. is reasonable (Director Garber replied; it's better than the existing .25). Mr. Cohen commented that .25-.35 range might be more palatable to people at Special Town Meeting even though he would be comfortable with .40; and then Mr. Cohen suggested waiting until Annual Town Meeting/Spring 2015 to change F.A.R. percentages that are tied to residential use.

Lisa Mustapich—

- commented that mixed use development may work in other community industrial parks; however, it doesn't necessarily mean that it's a good fit for Bedford.
- in favor of retaining an affordable housing component within larger housing developments
- suggested changing F.A.R. in manageable bites; and to consider changing F.A.R. to .35 across all industrial districts as a start.

Shawn Hanegan—

- agreed with other Board members and reiterated Selectman Moonan's comment made during the Planning Board/Selectmen joint CP Implementation discussion; not to throw out the entire mixed use concept, but consider removing the housing component.
- suggested allowing .35 F.A.R. in Industrial C and .25 in the others (like the current base zoning).

Amy Lloyd—

- favors mixed use development; however is okay with removing the housing component, but keeping retail.

A question was raised if any new uses should be incorporated in the IMU district.

Sandra Hackman suggested solar farms and Amy Lloyd mentioned including corporate apartments within a facility.

Director Garber said; in terms of old office parks, it would be extreme to include housing due to commercial square foot value.

Catherine Perry shared her personal experience of being in temporary corporate housing with no amenities on site, which can be a poor living environment. She also commented that it may be advisable to draw a clear line between temporary housing such as the hotel/motel self-catering suites that companies sometimes use, rented on a monthly basis, and long term housing where over time there will inevitably be school aged children with a need for busing, and a general need for connection into the fabric of the town.

Amy Lloyd mentioned allowing corporate suites (with parameters) to be located within hotel/motels.

Director Garber suggested doing some additional research regarding Ms. Lloyd's suggestion to include some corporate apartments in the office/industrial areas

Director Garber spoke about hotel/motel use currently being prohibited in certain districts and asked if this restriction should be liberated.

Jeffrey Cohen asked if there are enough hotels/motels in Bedford to support the need for extended stay scenarios and he also asked; how the length of stay would be controlled. Mr. Cohen also mentioned that he is

not sure about extended hotel/motel use in other districts because he doesn't want to lose other industrial-type businesses as a result.

Amy Lloyd discussed trying to maintain walkability when possible even though areas such as Middlesex Turnpike will never be pedestrian friendly/walkable in the way citizens expect. Ms. Lloyd mentioned that it is important for the Planning Board to state that they had the best intentions when the IMU was created; however, changes are needed; and that improvements will be made moving forward as data is reviewed.

Jeffrey Cohen agreed that overall things went well under the IMU bylaw, but also agrees that IMU needs to be modernized and move forward with revitalization.

Director Garber asked Board members for their opinion relating to integrating restaurants, motel/hotel and retail on the same property.

Some Board members commented that the retail portion seems to have failed in the past.

Jeffrey Cohen pointed out that *visibility* of a business in the IMU district is a *key* factor regarding whether or not a business makes it.

Amy Lloyd voiced that shared parking arrangements are essential and also mentioned that the current alcohol policy impedes restaurants.

Moving forward, more case study is needed regarding mixed use development without residential for the Board to review.

Chair Hanegan restated the board's position to move forward with some quick hits/changes to IMU in preparation of Special Fall Town Meeting and Annual Town Meeting in the spring; and work on the broader issues later.

BUSINESS SESSION

1. **Shawsheen River Flood Plain Update** (information on FEMA work: potential future zoning amendment)—Catherine Perry reviewed written notes that she provided to the Board and explained that during the FEMA study for the Shawsheen River floodplain update (*note: this study is similar to FEMA's recent floodplain update for the Concord River*) DPW discovered a data error relating to the Page Road bridge which will significantly affect the findings; and further explained that FEMA did not respond to DPW's concern regarding this matter. Ms. Perry reported that FEMA did proceed with publishing the preliminary Flood Insurance Rate Maps and related Flood Insurance Study for a 90 day appeal period, and that the town is submitting a formal appeal. Ms. Perry said that the town is notifying approximately 140 property owners that would be affected by the flood information changes; and that DPW staff has prepared GIS maps at neighborhood level highlighting changes, and is willing to answer people's questions. Lastly, Ms. Perry commented that, based on FEMA's schedule for completing the Shawsheen River Flood Plain update, it will be timely to amend the zoning bylaws in the spring-2015 prior to the new data coming into full effect in summer-2015.

2. **Remote Participation in Board or Committee Meetings**—Richard Reed, Town Manager forwarded a Memo dated May 5, 2014 (***with two attachments**) stating that the Selectmen are considering acceptance of an optional provision of the Open Meeting Law that would allow remote participation in a Board/Committee meeting when a member can't be present. Before moving forward with a decision, the Selectmen request that Boards/Committees discuss remote participation and report to the Selectmen whether or not a majority of its members are in favor of accepting this provision.

Planning Board members discussed remote participation and reviewed the *two attachments; Section 29.10: Remote Participation (Code of Mass. Regulations Office of the Attorney General) and the Town of Lincoln's Remote Participation Policy. Chair Hanegan offered to share the following response to the Selectmen in behalf of the Board: Planning Board members were in favor of the concept being approved and thought that it would be very useful for some boards in town, but generally felt like it should only be allowed in a narrow set of circumstances for the Planning Board. Specifically, the Board was concerned about remote participants lacking access to visual presentations and audience reactions. There was also concern about the legal issues that might arise if a connection were dropped or there was doubt about whether the removed participant was able to hear everything during a public hearing. Board members agreed that they were generally supportive of allowing remote participation for the Planning Board only for policy discussions without many people in the audience.

DEVELOPMENT UPDATE

Verbal updates by C. Perry:

- **2 Irene Road**—anticipating the developer filing a Cluster Subdivision application
- **57 & 75 Hartwell Road** (property located near Beacon Street)—anticipating the filing of a Cluster Subdivision application
- **Bedford Market Place** (Marshalls/Wholefoods Shopping Center)—Selectmen will be discussing traffic issues Monday, June 30 and depending upon outcome of discussion, there is potential for the developer to return to the Planning Board for site plan modification. (Jeffrey Cohen informed Board members that he plans to attend the Selectmen's June 30 meeting; and that he will update the Board regarding the outcome of the this discussion.
- **Hartwell Farms**—Planning staff received a request from Pulte Homes of New England to reduce its existing bond for completion of additional work at Hartwell Farms. This request is scheduled for review during the next meeting.

Other items:

- **Coast Guard Housing/off Pine Hill Road**— Mark Siegenthaler, Selectman liaison to Planning Board reported that Selectmen received draft report from consultants; and that bidding is slated for mid-July. Mr. Siegenthaler also reported that the Selectmen did share comments/suggestions with the consultants regarding framing issues and the bidding process.
- **Other**—Mark Siegenthaler, shared that there will be a site walk Monday, June 30th @ 6:30pm to review preliminary options for the Minuteman bikeway extension in Railroad Avenue area.

BUSINESS SESSION (Continued)

3. Approval of Minutes—

a. May 13, 2014 Regular Session Minutes—

MOTION: Lisa Mustapich moved to approve May 13, 2014 Regular Session Minutes with minor amendments.

(Jeffrey Cohen seconded the motion)

VOTE: 5-0-0

b. May 27, 2014 Regular Session Minutes—

MOTION: Lisa Mustapich moved to approve May 27, 2014 Regular Session Minutes as submitted.

(Jeffrey Cohen seconded the motion)

VOTE: 5-0-0

- c. June 9, 2014 Regular Session Minutes--** (including a copy of the Selectmen Meeting notes on a joint CP discussion on Implementation)

*MOTION: Jeffrey Cohen moved to approve June 9, 2014 Regular Session Minutes as submitted.
(Amy Lloyd seconded the motion)*

VOTE: 4-0-1 (Lisa Mustapich abstained—not present at the June 9 meeting)

4. **Other**—Planning Director’s Performance Review; Planning staff adjourned the meeting at 9:32pm. Board members remained and discussed the Planning Director’s Performance Review until 10:03pm.

ADJOURNMENT:

MOTION: Jeffrey Cohen moved to adjourn the meeting. (Sandra Hackman seconded the motion)

VOTE: 5-0-0

TIME: 10:03 PM