

BEDFORD PLANNING BOARD
Town Hall—Selectmen’s Meeting Room
Regular Session Minutes
December 9, 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

STAFF ABSENT: Cathy Silvestrone, Planning A.A.

OTHERS PRESENT: See Attached

Shawn Hanegan, Chair, convened the Planning Board meeting at 7:30 PM

Emergency Evacuation notice read by Amy Lloyd, Clerk

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

BUSINESS SESSION:

1. Signing of Irene Road Cluster Subdivision Plans

The Board signed the definitive subdivision plans for the Irene Road cluster development, which was approved on October 1, 2014.

2. Special Permit extension request – 100 Plank Street

Attorney Pamela Brown introduced a request on behalf of Greylock Investments, the prospective purchaser of the Plank Street site, for a one year extension of the special permit for a housing and office development. A letter making the request was included in the Board’s packets. Ms. Brown explained that a Purchase and Sale Agreement is in place and the purchasing company is conducting its due diligence. It hopes to be able to go ahead with the purchase and commence development of the site (possibly with some requests for design adjustments) during 2015. To minimize its uncertainties it would be helpful to have more time before the special permit expires; currently that date is July 10, 2015.

Catherine Perry, Assistant Planner, explained that special permits normally lapse after two years if construction has not commenced, but they may be extended for good cause under Section 14.6.2 of the Zoning Bylaw. Ms. Perry stated that the current owner of the site has been seeking a purchaser and the fact that an office component is included in the permitted project may have slowed this process. The mixed use basis of the special permit has been made clear to the prospective purchaser, who appears to intend to go ahead with a development within the general terms of the approval, although potentially with some design changes that would be submitted to the Board. The project is not covered by the state Permit Extension Act which allowed many projects an extra four years, since it was approved after the relevant time window. Taking the situation in the round, Ms. Perry recommended approval of the requested one year extension.

Shawn Hanegan asked what was involved in the due diligence process. Ms. Brown responded that it included checking on environmental conditions and other matters.

Lisa Mustapich noted that she voted against the special permit and remains opposed to this development.

MOTION: Jeffrey Cohen proposed that the Board approve a one year extension of the special permit dated July 10, 2013 so that it remains valid to July 10, 2016. (Amy Lloyd seconded the motion).

VOTE 4-1-0 (Lisa Mustapich voted against).

3. Review of RFP for housing on Coast Guard site

Town Manager Rick Reed introduced Elizabeth Rust, the Regional Housing Services Office Director. Assistant Town Manager Jessica Porter also attended for this item. Mr. Reed reviewed the fact that the Planning Board and Selectmen endorsed the idea of purchasing the disused Coast Guard housing site on Pine Hill Road and turning it over to a developer to pursue the type of housing that the town would like to see. The Request for Proposals (RFP) is a competitive process to select a developer. Once a price is agreed with the federal government, it will be stated in the RFP so that the developer will know the cost. The developer will have time after taking ownership to go through a permitting process, either a comprehensive permit (Zoning Board of Appeals) or rezoning (Town Meeting), in order to implement the town's vision that emerged from the charrette. The Municipal Affordable Housing Trust will be the body through which the transfer of land will take place.

Mr. Reed explained that the Planning Board has an opportunity to give input to the wording of the RFP. It will be further reviewed by the Selectmen, Municipal Affordable Housing Trust and Town Counsel to finalize it. Since the federal government's General Services Administration (GSA) is still going through its own process to prepare for the sale, the town has 1-2 months to finalize the document. Chairman Shawn Hanegan noted that the Planning Board has received written comments from staff, including a prepared draft comment letter.

Board members each offered comments as follows:

Jeffrey Cohen noted that Section 6, Zoning and Permitting, refers to the Town's vision but commented that it is not clear that the rest of the RFP reflects the same vision from the charrette. On a more detailed point, he asked if the number of parking spaces to be provided for visitors should be stated. Lisa Mustapich commented that the Housing Trust thought this might be better left to the developer; also Chris Laskey may weigh in on it. In response to a question about the Stretch Energy Code, it was noted that the State Code has overtaken it with higher requirements. In Evaluation Criteria point V, Mr. Cohen wondered if two weeks was too short a period to allow for the developer to begin the project, and if it was clear what action was required.

Lisa Mustapich said she was satisfied with the RFP and observed that it seemed to include the points raised in the Housing Trust and Housing Partnership's reviews.

Amy Lloyd commented that the RFP seemed to have a mixed message as to whether the priority was affordable housing almost exclusively, or the form of the development (which will have an affordable component). Ms. Lloyd said she felt it should be the latter. She pointed out that this development is likely to be seen as a test case for developments with small units and higher densities in other areas of town, and that its form and quality are likely to be critical to its public reception. She liked the energy efficiency stipulations but believed that other aspects needed to be more clearly specified, especially the form of housing (detached or attached, and square footage). She favored grouped parking as it is often the key to the style of the site. Ms. Lloyd commented that DSK doesn't have specific experience with cottage housing and that some of the densities discussed were too high.

The Board discussed various numbers of housing units. Assistant Planner Catherine Perry suggested that as the draft RFP does not include the attachments (and the references to them aren't entirely consistent), it may help to clarify what they will contain. The write-up from the charrette, which is on the town website, covers three scenarios: A with 29 units, B with 35 units and C with 50 units. Ms. Perry said she recalled the boards favored scenarios A and B. It was confirmed that those are what is encompassed in the vision for the RFP, together with a lower baseline figure of 15 units which allows for the possibility of rehabilitating the existing Coast Guard houses.

Sandra Hackman suggested that wording about realistic and ideal budgets in Evaluation Criteria point II needs to be clarified; Jessica Porter agreed to reconsider it.

Shawn Hanegan asked if the five evaluation criteria should be weighted. Rick Reed responded that state law does not permit that. Mr. Hanegan also asked if the evaluation committee can look at a developer's whole body of work and contact people who were not put forward as references. Mr. Reed clarified that the RFP isn't looking for a set number of references so the review will be wider. Mr. Hanegan asked if the developer will be responsible for demolition and for removal of any harmful materials found. Mr. Reed responded that it is the intention for the buyer to assume liability, and that a site visit will be arranged through the GSA. Also the GSA is doing a Phase 1 Environmental Assessment, so there will be some information available for the developer. It was further explained that the dates in the RFP will change due to the delay on the federal side.

Planning Director Glenn Garber said he strongly recommends some reference in the RFP to the form of development, so that developers will respond to it in their proposals. Beyond that, there is the question of design style in more detail; the Board indicated in previous discussions that it favored cottage type styles and Mr. Garber supplied reference examples to the Town Manager's office. He considered these types of design likely to gain citizen support due to their visual charm and appropriateness to emerging needs such as empty nesters and other small households. Mr. Garber also offered a few suggestions for fine-tuning on developer's qualifications and evaluation criteria. Mr. Reed responded that the intention was to attach the previous boards' resolution and the charrette report but that if a little more language is needed, some could be added.

Amy Lloyd reiterated that it is important to provide guidance on design; if we don't want the standard builder issue, we have to ask for something nicer. She pointed out that the pictures used in the charrette were a wide range, including some very standard builder designs with two car

garages. Lisa Mustapich noted that referring to scenarios A and B from the charrette will exclude apartment blocks. On the question of non-attached parking, she commented that she wants to see a good degree of accessibility for all units, while not necessarily requiring the legal standard for people with disabilities.

Jeffrey Cohen suggested using wording along the lines of “cottage style units on small lots” and Sandra Hackman added that there should be reference to high design values with architectural detailing and good aesthetics. Also she thought 35 units may be too high to achieve the concept; maybe 30 would be a better maximum. Amy Lloyd commented that the only local example is Concord Riverwalk, although the Board has looked at materials on examples from the west coast. She considered that high densities on small lots are not scalable if open space elements are to be incorporated in layouts, so the density assumption may be too high. She cautioned against provoking citizen opposition.

The Chair thanked town and regional office staff for their work on the RFP and said he was pleased that the idea had progressed this far with the GSA.

MOTION: Sandra Hackman proposed that the Planning Director send a letter to the Assistant Town Manager offering input to the RFP based on the draft letter with minor edits based on points raised in tonight’s discussion. (Jeffrey Cohen seconded the motion)

VOTE: 5-0-0

4. MAPC Technical Assistance application

Glenn Garber reported that there is no firm deadline for the technical assistance program but it is best to submit soon for calendar year 2015. The legislature has not yet released an appropriation to MAPC but hopefully there will be some funding for this work. Mr. Garber said he has discussed initial ideas with Mark Racicot of MAPC’s land use division, who said he would not favor a further transit study but was encouraging about our suggestion for a land use study of the east end of The Great Road, which would collect data as a preliminary to looking at renewal.

Staff has prepared a draft proposal (included in Board packets) outlining the concept, in a form suitable for submission to MAPC; Mr. Garber put together the scope of work and Ms. Perry related it to the regional perspective and goals and to other related work in Bedford. Ms. Perry outlined her approach and commented that renewal of older developed areas, particularly on bus routes, is in line with regional planning strategy. Mr. Garber added that we are proposing to include an in-kind contribution in the form of work by Town staff, which should help to make an appealing bid. Ms. Perry mentioned that the proposal will need the Town Manager’s support.

Board members said they were very pleased with the proposal. Ms. Lloyd and Mr. Cohen supplied minor edits. Ms. Hackman noted that the proposal is only asking for information gathering and not development of action ideas or alternative scenarios from MAPC staff, and asked if there will be an opportunity to seek their ideas. Mr. Garber responded that ideas will be welcomed during the course of the study but that MAPC staff support would be most useful on data collection and analysis; the work will extend as far as interviewing businesses and property owners. Mr. Hanegan asked if customers and citizens might be included in the interviews. Ms.

Perry said that a public visioning exercise had been considered but staff thought it was important to have a better understanding of the facts first. It was agreed that consideration could be given to including collection of public input in an efficient way such as an online tool.

Ms. Lloyd asked how much of the approximately 165 hours of in-house work is planning staff time. Mr. Garber said it was a mix.

The Board suggested emphasizing that the proposed study follows on from the Comprehensive Plan and helps to ensure that it won't just sit on the shelf. Ms. Hackman suggested sending copies of the proposal to the Selectmen, and the Board agreed.

5. Wayfinding grant application – update

Glenn Garber reported that the application for a wayfinding grant under the Massachusetts Downtown Initiative program of DHCD was submitted on December 4. Economic Development Coordinator Alyssa Sandoval led the writing of this proposal but planning staff assisted. The maximum grant is \$10,000 and the program is competitive. If this bid is not successful, there may be potential to adapt the idea to qualify for CPA funding. Shawn Hanegan observed that it could potentially be linked to historical presentation and noted that different funding sources each have their own criteria.

6. Ideas for further Industrial zoning amendments

Staff supplied a series of working documents:

- Discussion points for industrial base district uses, for dimensions and floor area, and for further potential amendments, with analysis tables (Glenn)
- Analysis table for possible changes to address consistency with new Industrial Mixed Use bylaw (Glenn)
- Note on pattern of existing non-conforming properties in industrial areas (Catherine)
- Note of comparative research on parking requirements (Catherine)
- Note on height in the Route 3 employment area (Catherine)

The Board reviewed the discussion points, which mainly pointed to a number of items in the current bylaw to consider adjusting. On the question of building height, Glenn Garber said that ideally we'd study heights and viewsheds all along Route 3 but an easier option might be to only consider the Industrial C zone. Mr. Garber also reported that he has been in touch with the Middlesex 3 Coalition and discussed the Transportation Management Association. One approach would be to require membership in a TMA (either Route 128 or Middlesex 3) as a condition of allowing greater height.

Sandra Hackman commented that she supports asking for TMA membership generally and that it is a fairly simple and not onerous step. Amy Lloyd said she could support a moderate height increase on the east side of Route 3 but that there is also a need to think about traffic. On the question of the need to study viewsheds, Board members considered that most views of this area were distant or not open and that big impacts were therefore unlikely.

Ms. Lloyd asked what the definition of aviation was, and Mr. Hanegan asked if it could potentially include drone activity. Its current inclusion in uses for the Industrial Park A and Industrial C districts was believed to have originated with Hanscom Airfield. It would be extended to all industrial areas if the districts were consolidated. Another option suggested would be to limit aviation use to the area near Hanscom and separate the zoning for that area off while consolidating the other areas/districts; also to consider if the definition needs modernizing. Mark Siegenthaler urged caution in making any change to the zoning for Massport and federal land.

Shawn Hanegan asked about floor areas; he noted they seem to have gone up over time and may have reflected development pressures, but he wanted to understand the changes.

Initial reactions to other use issues were:

Hotel – only allow through IMU special permit in Industrial B

Home occupation – allow in Commercial District

Adaptive reuse – general support

Utility – noted need to update wireless communications to reflect statutory change, and research utilities terminology

Indoor amusement – exclude big movie theatres, consider other uses such as video games, paintball; also examine treatment of indoor sports/fitness

Restaurant – only allow through IMU special permit in Commercial District

Bank – only allow through IMU special permit in Commercial District

Vehicular dealership – remove from Commercial District

The Board deferred review of the other discussion pieces to a future date.

7. Minutes

- October 28, 2014 minutes

MOTION: Lisa Mustapich proposed that the minutes be approved with one minor change (seconded by Jeffrey Cohen)

VOTE: 5-0-0

- November 6, 2014 minutes

MOTION: Amy Lloyd proposed that the minutes be approved with a minor addition suggested by the Chair (seconded by Jeffrey Cohen)

VOTE: 5-0-0

- November 17, 2014 minutes

MOTION: Amy Lloyd proposed that the minutes be approved with edits (seconded by Sandra Hackman)

VOTE: 5-0-0

DEVELOPMENT UPDATES

120 Great Road -- Catherine Perry reported that an application has been submitted to the Zoning Board of Appeals for a special permit for restaurant use. The submitted plan is only a basic sketch. It shows a 5,000 square foot restaurant with access via the Browns' law offices property. Insufficient parking is shown but the applicant is suggesting that additional parking could be provided on the adjacent property. The project will need to come to the Planning Board for site plan review and to the Historic District Commission, and the Selectmen will need to approve any changes in the right of way of The Great Road. Ms. Perry recommended that a board member attend the first session of the ZBA public hearing on December 18. The hearing is likely to be continued. Amy Lloyd and Jeffrey Cohen said they will attend. Ms. Perry also recommended that the Planning Board hold a joint meeting with the HDC on January 7 when both boards have scheduled meetings, to minimize process complications. The Board agreed that the Chair will write to the HDC Chair to invite the Commission to the Planning Board meeting.

Other:

Glenn Garber reported on attending a Middlesex 3 Coalition discussion on transportation issues and said that there is a question of whether the Planning Board can become more involved by requiring various traffic mitigation measures through permitting of development. Measures might be requiring large employers or large trip generators to join the TMA, or to use shuttle buses or operate trip reduction programs of various kinds. It may be possible to start with a resolution or an interim regulation and work toward a bylaw. He reported that MAPC's transportation planning staff is working on a model Transportation Demand Management (TDM) bylaw. A bylaw or other provision may help the Board to increase industrial densities on a rational basis.

Lisa Mustapich recalled that TDM has gone to Town Meeting several times and been rejected; she is therefore uncertain of such a Planning Board resolution without Town Meeting knowledge even if the wider climate of discussion is changing. Sandra Hackman commented that the 20% trip reduction requirement in the earlier proposed bylaw amendments was more problematic than TMA membership. The Board supported working up a draft resolution.

ADJOURNMENT

MOTION: Amy Lloyd moved that the Board adjourn. Lisa Mustapich seconded.

VOTE: 5-0-0

TIME: 10:00 PM

Minutes submitted by Catherine Perry. Approved as amended January 20, 2015

