

**Steven Hagan, Chair**

**PURPOSE**

The Planning Board is an elected, five-member board established under the provision of MGL C 41, § 81 A. The Planning Board is responsible for: administering the Subdivision Control Law; approving Zoning special permits for certain types of residential or mixed use development; reviewing site plans for commercial developments and for detached accessory dwelling units; drafting or reviewing Zoning By-law amendments; preparing the Town's Comprehensive Plan; undertaking planning studies and special projects; coordinating with regional programs and working with the economic development coordinator; holding public hearings for work on Scenic Roads affecting trees or stone walls, and making recommendations on various other matters.

**EMPLOYEE STATISTICS**

Full-Time 3



Proposed Assisted Living development at 240-244 South Road, approved in September 2021



Second biotech building under construction at Bedford Woods Office Park, off Middlesex Turnpike

### **FY22 HIGHLIGHTS**

- The Board continued to hold its meetings remotely via Zoom. Staff maintained office cover but worked partly remotely.
- The Board granted a special permit for the Assisted Living development under the new Overlay District that was passed at last year's Town Meeting.
- The Board brought some amendments to the zoning rules for the Great Road Zoning District to the fall Special Town Meeting and they were passed. These changes are seen as fine-tuning a complex bylaw.
- The Planning Board Handbook was completed, as a working document that can be added to in future.
- Barrett Planning Group were appointed as consultants for the review and reorganization of the Zoning Bylaw. Preparatory work done by staff was supplied to them and a start was made.
- The Board began to study and discuss ways to relax the zoning rules governing two-family dwellings, which are currently very restrictive. This is one of the recommended strategies from the Housing Study.
- The Board discussed draft guidance issued by state agencies under the recent legislation concerning zoning for multi-family housing in communities served by the MBTA (of which Bedford is one). Staff made a presentation to the Select Board and supplied information to the state to maintain eligibility for certain grants in the interim period while guidance is finalized and zoning changes are considered, if needed.

- Business park owners and the purchasers of the former Doubletree hotel on Middlesex Turnpike continued to reposition properties to accommodate biotech development. The Planning Board reviewed their submitted site plans or special permit amendments and used the opportunity to secure upgrades to site amenities where appropriate. The second large bio-manufacturing building that was previously approved at Bedford Woods off Middlesex Turnpike was constructed during the year, completing build-out of that site.
- A further restaurant was approved within the mixed-use property at 213 Burlington Road.
- Some previously approved residential developments continued to move toward completion. The last few cottages were built at Pine Hill Crossing (former Coast Guard housing site).
- Construction began at 100 Plank Street, which is the remaining portion of the site that includes the Village at Taylor Pond. It was originally intended for an office building but later changed to residential apartments with a smaller office element. Construction also began for a mixed-use building with 16 residential apartments at 310 Great Road, approved last year under the Great Road/Shawsheen subdistrict zoning.
- The Board held a pre-application discussion for an anticipated Planned Residential Development on land off Old Billerica Road.
- The Board received and responded to a presentation on potential 'friendly 40B' housing development concepts for two groups of lots on the north side of Carlisle Road (Kazarian parcels).
- Shawn Hanegan left the Planning Board after serving three terms and was elected to the Select Board. His seat was filled at the elections by Todd Crowley who brings useful experience from the Zoning Board of Appeals.

Most of these items are discussed in more detail below.

## **ZONING AMENDMENTS**

The Planning Board holds public hearings to review zoning amendments proposed by itself or other parties, and makes recommendations to Town Meeting.

### **Special Fall Town Meeting (November 1, 2021)**

Section 22 - The Great Road District: The Board proposed several amendments to this section. They are seen as fine-tuning a complex bylaw in the light of experience. The main changes are:

- Allow fourth story for rear buildings in mixed-use developments in Shawsheen Subdistrict, subject to constraints, by special permit
- Expand Planning Board's ability to waive certain dimensional requirements by special permit
- Allow Horizontal Mixed-use in Center Subdistrict (enabling rear buildings to be residential)
- Allow restaurants in mixed-use developments
- Clarify requirements relating to sidewalks and landscaping

Favorably recommended (passed)

### **Annual Town Meeting (March 28, 2022)**

No zoning amendments

## **ZONING BYLAW REORGANIZATION PROJECT**

The Board used a selection committee, including a Zoning Board of Appeals member, to review responses to the Request for Proposals. Barrett Planning Group, whose personnel previously worked

on Bedford's Great Road zoning, were appointed to lead the project. Town staff supplied newly typed chapters for a clean start, and extensive markups of known issues with the existing text and its formatting, together with a list of viewable developments that exemplify various zoning provisions. The consultants interviewed some users of the bylaw and began work on a zoning diagnostic.

### **SITE PLAN RULES AND REGULATIONS**

Amendments were made to Site Plan Rules and Regulations to add references to Detached Accessory Dwelling Units, following last year's zoning bylaw amendment (Public Hearing held 12/14/21)

### **PLANNING BOARD HANDBOOK**

Staff continued work on the production of a handbook to guide Board members. The Board suggested topics and reviewed sections as they were produced. The document was approved for use. It may be added to or revised as needed in the future.

### **REVIEWS OF PROPOSED DEVELOPMENT**

The Planning Board conducted detailed regulatory reviews as follows:

#### **Special Permits** (require advertised public hearings)

- 240-244 South Road, LCB Senior Living: special permit application pursuant to newly adopted Section 23 to construct an Assisted Living Facility (approved with conditions 9/14/21)

#### **Special Permit Amendments - Major** (require advertised public hearings)

- 213 Burlington Road, CMT Realty Partnership: Industrial Mixed Use (IMU) special permit amendment pursuant to Section 15 to convert 4,063 square feet of former office space to a 114 seat restaurant (approved with conditions 8/24/21)
- 20-36 Crosby Drive, Cobalt Propco 2020 LLC/Anchorline Partners: Industrial Mixed Use (IMU) special permit amendment to construct 160,000 square foot life science facility and 442 space parking structure (approved with conditions 5/24/22)

#### **Special Permit Amendments - Minor** (do not require advertised public hearings)

- Pine Hill Crossing, Pine Hill Crossing LLC: reduce the size of two dwelling units on Michelson Road (approved submitted design with conditions 7/27/21)

#### **Site Plan Reviews**

- 36 Middlesex Turnpike, Brickpoint Properties on behalf of Kowari LLC: 6,600 square foot addition to office/industrial building (approved with conditions 9/28/21)
- 160 Middlesex Turnpike, FW Webb: parking lot expansion (approved with conditions 10/26/21)
- 25 Overlook Drive: detached accessory dwelling unit (approved with conditions 12/14/21)
- 135 South Road, Cranberry Hill Associates: addition to office/light manufacturing building (approved with conditions 1/11/22)
- 202 Burlington Road, MITRE Corporation: research structure (approved with conditions 4/12/22)
- 158 Great Road: lighting plan for Bank of America pursuant to Section 22.4.5 of Zoning Bylaws (approved with conditions 5/10/22)
- 44 Middlesex Turnpike, Camber Development: 294,000 square foot life science facility in two buildings with associated site improvements (approved with conditions 6/14/22)

#### **Approval Not Required (ANR) Plans**

Planning Board endorsement is needed prior to recording a plan that divides land but does not

require approval under the Subdivision Control Law.

- 27, 27A, 27B Carlisle Road and 100 North Road (Brian DeVellis d/b/a Carlisle Road Bedford LLC): voted to endorse plan 9/14/21
- 82 Carlisle Road and 136, 136A, 136B North Road (Brian DeVellis d/b/a Carlisle Road Bedford LLC): voted to endorse plan 9/14/21
- 58 Wilson Road and 1 Hilltop Drive (lot line adjustment); voted to endorse plan 9/28/21

### **Pre-Application Development Discussions**

The Board encourages early discussion by owners or developers of potential permitting routes and planning considerations. In addition to projects which evolved into firm applications described above, the Board held discussions on the following:

- 27, 27A, 27B and 82 Carlisle Road, and 100, 136, 136A and 136B North Road (Kazarian parcels): discussed potential residential development scenarios including conceptual plans for 'friendly 40B' developments with mix of housing types. Conveyed favorable impression and interest in seeing more detail.
- 5 Pine Street: discussed redevelopment options
- 55 Summer Street: discussed potential development of a contractor garage
- 229, 251A and 251F Old Billerica Road – discussed potential Planned Residential Development

### **OTHER DISCUSSIONS**

- Implications and interpretation of draft guidelines issued by state agencies under new Section 3A of Zoning Act (passed in January, 2021) requiring MBTA communities (of which Bedford is one) to have a zoning district of reasonable size that allows multi-family housing with certain density and other attributes. After asking technical questions, it was believed possible that the requirement might be satisfied by the existing mixed-use zoning provisions in two of our Great Road subdistricts. Staff made a presentation to the Select Board and supplied basic information to the Massachusetts Department of Housing and Community Development which is overseeing follow-through on the legislation. Those actions serve to maintain eligibility for certain grants in the interim period while state guidance is finalized and town zoning changes are considered, if needed.
- Two Family Dwellings: potential Zoning Bylaw amendments to relax current constraints, as recommended in Housing Study
- Residence C District historical use and dimensional criteria, and potential Zoning Bylaw amendment to establish Village Center zoning or reinstate old dimensions in certain areas
- CHAPA Municipal Engagement Initiative: Board voted not to apply for this program but supplied letter of support for application by Bedford Embraces Diversity
- Net Zero Stretch Code – Recommendation to Select Board on multi-town letter of support
- New Design Guidelines for Great Road Business Districts and Depot Area: review of ideas and examples, and drafts of introductory sections
- Principles of Inclusive Design/Human Centered Design
- RMI Building Electrification Acceleration Program and current scope of Planning Board powers

### **LEARNING AND TRAINING**

Planning Board members and staff often make use of opportunities for attendance at conferences and training sessions, many of which have been available online this year. Relevant press articles and research reports are frequently circulated in the Board's meeting packets.

## **COLLABORATIVE COMMITTEE WORK**

Members of the Planning Board continued to act as liaisons to many other committees and boards in FY21. The Board and Staff take an active interest in a range of topics related to planning, including: economic development; multi-modal transportation; measures to address housing and demographic needs; arts and cultural events; protection of natural and historic assets; and energy/ climate change/ emergency planning and response.

## **WEBSITE & NEWS MEDIA**

[www.bedfordma.gov/planning](http://www.bedfordma.gov/planning) and <http://www.facebook.com/BedfordMAPlan>

Both pages provide a wealth of information including: the Comprehensive Plan; meeting agendas and minutes; Zoning Bylaws and map; Subdivision Rules and Regulations; project design guidance and forms; background work on zoning amendments or other studies; and periodic news articles and announcements.

Legal advertisements for public hearings are placed in a local newspaper and on the main bulletin board in Town Hall, as required by law. The online Citizen newspaper often provides news coverage of planning issues. Meetings are usually recorded by Bedford TV, and the video posted on the planning website and You Tube. When major new initiatives such as significant zoning changes are being developed, the Board and staff provide presentations and opportunities for input. The department's bulletin board display in our office can also be a source of useful information.

## **FY23 PROJECTIONS**

- The Board and staff expect to ramp up the pace of work on the Zoning Bylaw Reorganization Project with our consultants. The aim is to produce a more stable, clear, consistent, up-to date and well-formatted document. There will be opportunities for public comment and any substantive changes proposed as a result of this exercise will be brought to Town Meeting for approval.
- The Board will continue to explore zoning ideas related to housing, based on recommendations in the Housing Study and other sources. It hopes to bring a proposal to relax the rules pertaining to two-family dwellings to Annual Town Meeting.
- The final state guidance on the new statutory multifamily housing zoning requirement for MBTA communities was issued by the Department of Housing and Community Development on August 10, 2022. Although Bedford is now classed as an 'adjacent community' with a lower requirement than in the draft, the treatment of mixed-use zoning is unfavorable. The Board will need to consider how to respond in terms of proposing changes in our zoning. This is likely to involve significant analysis and discussion. To remain eligible for certain state grants, an Action Plan must be submitted by January 31, 2023.
- An increase in the height allowance in the Industrial C District may also be brought forward by the Board, via a public hearing and Town Meeting article.
- A Planned Residential Development special permit application is expected for the land at 251A and 251F Old Billerica Road, incorporating the historic house at 229.
- Further commercial and mixed-use projects are likely to come forward as the economy continues to evolve and as properties become available.

- The Planning Board will comment on any residential projects that are progressed under ‘friendly 40B’ rules.
- Staff will continue work on revised Design Guidelines for the Great Road and Depot areas, although their finalization may be delayed if any zoning revisions are needed in those areas.
- Staff has been working with DPW staff and consultants to review various bylaws and regulations in relation to stormwater and Low Impact Development practices, for compliance with federal programs; while we generally perform well, some adjustments to these documents will be brought forward in convenient phases.
- The Board is contemplating the need to start preparing a new Comprehensive Plan in the near future and will propose a budget and timeline for consultant assistance.