

**BEDFORD PLANNING BOARD  
Town Hall Multipurpose Room  
Minutes  
January 31, 2018**

**MEMBERS PRESENT:** Shawn Hanegan, Chair; Jacinda Barbehenn; Jeffrey Cohen; Timothy Gray; Amy Lloyd, Clerk.

**STAFF PRESENT:** Tony Fields, Planning Director; Kim Siebert, Recording Secretary.

**STAFF ABSENT:** Catherine Perry.

**OTHERS PRESENT:** Judi Barrett, RKG/Great Road Zoning consultant; Jack Ballan, 48-56 Great Road; Nikelle Biszante-Vercollone; Dot Bergin, 39 Hayden Lane; Richard & Winnie Callahan, 5 Springs Road residence/20 North Road business; Buzz Constable, TR Advisers; Karen Schiff Dines, 2 Ridgewood Lane; Margot Fleischman, Selectman; Eric Halvorsen, RKG Associates/ Great Road Zoning consultant; Dan Hurwitz, 3 Liljgren Way; Susan Lincoln, 228 Great Road; Katy O'Connor, 2 Radcliffe Circle; Mark Pearson, 106 Pine Hill Road; Daphne Politis, RKG/Community Circle/Great Road Zoning consultant; Lew Putney, 273 Chelmsford Road; Anita Raj, 4 Wildwood Drive; Rick Reed, Town Manager; Mark Siegenthaler, 28 Anthony Road/MAHT; Karl Winkler, 5 Lido Lane; Bruce Wistentaner, 168 Springs Road; Leslie and Paul Wittman, 56 Dunster Road.

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

Mr. Hanegan called the meeting to order in the Selectmen's Meeting Room at 7:34 p.m.

The Emergency Evacuation notice was read by Ms. Lloyd.

Public Hearings

- 1) Great Road Zoning Project (continued from January 23,2018) --review proposed amendments to the Zoning Bylaw, related to the Limited Business and General Business Districts along the Great Road and North Road

Materials in hand:

- Great Road Zoning draft in Word, in mark -up, and clean copy;
- Photocopied photographs of a variety of 3 and 4 story buildings.

Motion: Mr. Gray moved to re-open the Great Road Zoning Project public hearing at 7:34 p.m. Ms. Lloyd seconded. The motion passed, 5-0-0.

Mr. Hanegan said the Board would take public comments and then work, section by section, to edit the zoning draft/Town Meeting article

Public Comments:

Jack Ballan, property owner of 40, 52, and 56 Great Road, said 56 Great Road has been a

dentist's office since the 1950s. If the new use table is applied as planned, "dentist office" would not be an allowed use. He also asked about restrictions in the Center that would affect the ability to locate restaurants there. Depending on the specific address, either a Special Permit is required or the use is not allowed at all.

Mr. Fields said, as written, the new use table would prohibit medical and dental offices in the Center. Current uses will be allowed to continue, although they will be considered non-conforming. Since there are already several other medical offices in the Center district, Mr. Fields said the Board might decide to re-evaluate the designation.

Mr. Cohen said he believes the thinking behind requiring a Special Permit for restaurants in the Center is because the area is thickly settled. A review, required by a Special Permit, would serve to evaluate the potential impact on the surrounding residential population.

Mr. Gray said he did not know why current uses would be denied; the market will determine what is viable. Ms. Lloyd said the use question speaks to the larger issue of what is appropriate.

Karen Schiff Dines, 2 Ridgewood Lane, said she believes some of the zoning would permit/encourage businesses to be closer to the road than they are now, particularly in the Shawsheen district. She asked if safety features would be considered to prevent cars from jumping the curb and crashing into storefronts or people on the sidewalks. She asked the Board to look into accident rates in similar areas.

Mr. Hanegan said one of the reasons the Board wants storefronts closer to the road is to make them more accessible to pedestrians. Walking in the vast Stop and Shop lot in the Shawsheen district has its own kind of hazards. Setbacks from the road in front of the buildings are meant to shield pedestrians and storefronts.

Ms. Barbehenn said there would be a three-foot landscaped buffer between the curb and sidewalk. Additionally, the Great Road Master Plan includes a dedicated bike lane that would further distance vehicular traffic from sidewalks and storefronts.

Ms. Lloyd said there is currently a maximum height of 2 stories and a minimum setback of 10 feet in the Limited Business district along Great Road. The proposed zoning has a minimum front setback of 20 feet. Emphasis is being placed on providing pedestrian accommodations and creating a "human scale." If any areas seem vulnerable, the Board will require planters or bollards to shield the sidewalks.

Mr. Gray and Mr. Hanegan said the Board wants to create a pedestrian-friendly streetscape, similar to Lexington Center, that will slow traffic and make the Great Road seem less like a freeway.

Seeing no other speakers rising from the audience to comment, the Board began to work through the zoning draft, section by section. Mr. Fields made note of specific edits.

Mr. Hanegan reflected that the idea of four distinct commercial areas originally came out of the most recent Comprehensive Plan, entitled, "The Bedford We Want." It was recognized at the time that Bedford does not have a traditional economic center. This is why the Board is now contemplating four different subdistricts and a different scale and range of uses, depending on

the district. The goal is to make the districts distinct from one another yet tie them together cohesively.

Edits to “ 20.1. Purposes” and “20.2. Districts and Subdistricts” were discussed and noted by Mr. Fields.

### 20.3 Context, Form and Shape

The issue of **height** was addressed. Mr. Hanegan acknowledged that the potential for allowing three-story development has caused alarm in the community but he pointed out that three-story buildings already exist throughout the corridor. Four-story buildings would only be allowed away from the road, on parcels with depth sufficient to satisfy required setback dimensions. Mr. Cohen said, because of the setback, the only parcels where four-stories are possible are in the Shawsheen district and the Marketplace district.

Karl Winkler, 5 Lido Lane, asked what kind of buildings would be in these areas. If they are commercial buildings, the minimum per floor height is 10-12 feet. The Marketplace is only one story and yet the buildings are tall. He urged the Board to work on the language for a height definition to avoid a repeat of the Marketplace design.

Ms. Lloyd said the zoning specifies both the number of stories and the number of feet allowed. Both the current and new regulations say “3-stories/37 feet”. The Board is now putting a lot of emphasis on design features so that there will be appropriate contextualization and stylistic features. Mr. Cohen said, to avoid a repeat of the Marketplace, a maximum floor height for the first floor is 18 feet across all districts. Code enforcement would be tasked with assuring building code compliance.

Mark Siegenthaler, 28 Anthony Road, said that all the three-story building being held out as examples have a sloping roof third story and are not square with flat-roofs. He asked the Board to clarify whether a building could have three or four full stories.

Ms. Lloyd said, the 4 story buildings the town currently has might more accurately be described as 3 ½ stories because of the slope of land or an attic space with sloping roof. Also, ceiling heights in the older buildings are low, making the total height lower than would be built by today’s standards.

Margot Fleischman, Selectman, noted there are buildings in some of the neighboring towns that could be used as examples which might quell some of the anxiety about height allowance. She said it is useful to find some new construction examples that would illustrate the scale.

Ms. Lloyd proposed reconsideration of the question of 4 stories and make it allowable only in the Shawsheen district. Mr. Cohen agreed that the Board should not propose 4-story buildings in the Marketplace district even under a Special Permit. Mr. Hanegan offered a second alternative which would separate the 4-story option into a stand-alone article.

Ms. Lloyd said she did not believe a separate article would pass. If 4-stories are not allowed, it will diminish the re-development incentive. Ms. Barbehenn said she believed the zoning should remain as written, allowing 4-stories in both the Shawsheen and Marketplace districts. On the whole, there are not many parcels to which the 4-story allowance would applied and the ability

for developers to maximize investment would more certainly secure the amenities people say they want that the Board would ask for in the Special Permitting process. Additionally, the residential-over-retail concept in an elevator-equipped building is what will provide downsizing options for seniors to age in place. Rather than abandoning the vision, Ms. Barbehenn said the Board needs commit to educating the public.

Mr. Gray said height is a lightning rod issue. He asked if it is worth losing the whole rezoning effort for the possibility of a fourth floor in a handful of locations. He asked if the Board could come back to the issue down the road if developers were not responding as the Board hopes they will. Mr. Hanegan said this would be possible. Ms. Barbehenn said that pulling out the 4<sup>th</sup> story risks having a developer come in and construct 3 stories, resulting in fewer downsize units.

Mr. Cohen said he agreed that height was “a poison pill” and asked if 3 ½ stories sounded more palatable. He believes there is too much to be lost by pushing the 4<sup>th</sup> story, particularly in the Marketplace because of its proximity to the center of town.

Ms. Barbehenn asked the Planning office to provide maps that would quantify how many parcels are in play for 4-story development in the Shawsheen Plaza, Mead Brothers’ property, and Marketplace areas.

Karl Winkler commented that the Board’s caution is well-founded because townspeople are already upset with how the Marketplace came out and how it compares to the more appealing Blake Block. Mr. Cohen explained that the Blake Block went through a different regulatory process that required a Special Permit whereas the Marketplace had only a site plan review.

Karen Schiff Dines said she was at first upset by the thought of 4 stories; now that she understands they would be set back from the road, it sounds more appealing, particularly if it could be stipulated that the highest floor would be residential only. Visuals would tell the story more clearly. Ms. Lloyd said the residential stipulation is already included. She asked the other Board members to consider a 3 ½ story limit. She noted that since the Marketplace has been recently redeveloped, it is unlikely that a developer would re-develop it before another twenty years goes by.

Margot Fleischman said that the Shawsheen district is distinct from the other districts in that the parcels have the depth and because commercial activity takes place on both sides of the street. If it is important to the success of the node to have 4- story buildings, then the Board should make the case for height there, specifically.

Mr. Hanegan asked for consensus on these issues:

**Should the Board go ahead with one article or separate the 4<sup>th</sup> story question into a separate article?**

- Mr. Hanegan is for a separate article;
- Mr. Lloyd is not for separate article, believing it will certainly fail the 2/3 vote;
- Mr. Cohen said he is in favor of 3 stories in the Marketplace (with a Special Permit) but he could support 3 ½ in the Shawsheen district and support including the height in a

single article. Alternately, he could support 4 stories by Special Permit in the Shawsheen district only but separate the question in a stand-alone article.

- Ms. Barbehenn supported allowing 4 stories in both the Shawsheen and the Marketplace and keeping the height question as a component of a single article;
- Mr. Gray supported eliminating the 4<sup>th</sup> story in the Marketplace; he believes, philosophically, that 4 stories make sense in the Shawsheen district but he is unwilling to risk failure of the whole amendment. He would support 3 ½ stories in the Shawsheen district.

**What is the level of support for 2 ½ stories/25 feet high by right and 3 stories/37 feet high with Special Permit for the Marketplace district?**

Mr. Cohen said these dimensions make sense, considering that the Marketplace is the gateway to the Historic District;

Ms. Lloyd asked for input from the RKG consultants.

Judi Barrett said the Board should look at the rest of the bylaw and standards because there are economic issues at stake in limiting height. Some of the desired amenities might not be possible if heights are lowered. Ms. Barbehenn echoed Ms. Barrett's concern.

Mr. Hanegan said there seemed to be an inherent contradiction between saying, on the one hand, there are not many places in the corridor where the 4-story maximum would apply and, on the other hand, that 4 stories is essential to achieving the vision.

Ms. Barrett said RKG has tried to provide language in the zoning amendment that places fewer requirements on smaller business projects and more on larger projects. Not every development would be required to do everything identified in the development standards. Different size thresholds would trigger different amenity requests. She is not certain what the economic impact would be of 3 ½ floors versus 4 stories.

Ms. Lloyd asked for audience feedback on the trade-offs between keeping heights low/doing without public spaces and adding extra height/having the ability to ask for amenities.

Karen Schiff Dines said there are not many public spaces available now and she likes the potential of improving that situation. The loss of potential public space would be a negative, in her opinion.

Mark Siegenthaler expressed skepticism that these spaces would happen in the way that's envisioned. He noted that the Blake Block was supposed to include a public space amenity that was, through a series of unfortunate events, not realized as intended. He believes the Board may be reaching too far, the goals may be too many, and the rules may be too complicated. He would simplify and lower the density expectation. The bylaw already allows for a second floor over retail but no one has ever done it.

Ms. Lloyd said the public gathering spaces Mr. Siegenthaler called out—the Blake Block and Marketplace sidewalks—are the result of the current, flawed zoning. Mr. Siegenthaler said these places are under-utilized because people do not want to dine while looking at Great Road or a

parking lot. Ms. Lloyd said the gathering places the Board is not talking about are within a development, not next to the roadside.

Daphne Politis, RKG consultant, clarified that the new zoning aims to provide financial incentive so that investors will develop the commercial properties. Adding only one story over first floor retail does not promise enough return on investment.

Katy O'Connor, 2 Radcliffe Circle, said she prefers the concept of 4 stories with the setback, wide sidewalks, and landscaping.

#### 20.4 Development Standards

20.4.3 Walkways: Mr. Hanegan asked that “accessible” be added to the language.

20.4.4 Landscaping: Mr. Hanegan noted comments from Bedford Arbor Resources Committee (BARC) that include a recommendation to change the minimum planting buffer from 3 feet to 4 or 5 feet because vegetation is more likely to thrive. Judi Barrett said she had never seen such a recommendation for sidewalk buffer landscaping and added that there is a combined buffer and sidewalk width “budget” of only 10 feet to work with. Daphne Politis said widening the landscape buffer is at odds with providing accessibility. Ms Lloyd said major landscaping can be done in clusters rather than in a linear configuration. A minimum of three feet of landscaping could be wider if warranted/desired. The Board has discretion within the Special Permitting process.

The Board reached consensus to stipulate “a minimum of 3 feet” for the landscaping buffer strip. Consensus was also reached to leave out mention of “monoculture” in the bylaw and address the matter, case by case— along with landscape vegetation maintenance—in the Special Permitting process.

Motion: Ms. Lloyd moved to table the Great Road Zoning Project Public Hearing until after the Pine Hill Crossing/ Former Military Housing Overlay final recommendations are approved. Mr. Gray seconded. The motion passed, 5-0-0.

#### Other Business

- Finalize recommendation on Military Housing Overlay District/Former Coast Guard Property

Mr. Gray relayed sentiments from Bedford Housing Authority member Lewis Putney that centered on concerns about the potential for an increase in school children from the Pine Hill Crossing development. Mr. Putney also feels the size of the proposed units is too large for seniors.

Mr. Cohen said the Board has already heard these views from other residents. The Board determined to move ahead with voting the recommendation.

Motion: Mr. Gray moved that the Planning Board recommend approval to Annual Town Meeting of **Article 6—Pine Hill Overlay District** and **Article 7—Amendment of Bedford Zoning Map—Pine Hill Overlay District**. Ms. Lloyd seconded. The motion passed, 5-0-0.

### Return to Great Road Zoning Project Public Hearing

Motion: Ms. Barbehenn moved to reopen the Great Road Zoning Project Public Hearing. Ms. Lloyd seconded. The motion passed, 5-0-0.

#### 20.4.8 Buildings

A discussion about blank walls and wall features took place; edits were made to the relevant text.

The Board discussed what the floor or unit threshold should be to require an elevator. RKG will come to the meeting on February 6<sup>th</sup> with suggested text. Mr. Fields said the Building Inspector can also comment on the threshold that would trigger the code application.

#### 20.6 Use Regulations

The subject of medical offices was addressed. Mr. Cohen said there are already a good number in the corridor but noted this kind of business was not vibrant and that it yields a high level of traffic.

Ms. Lloyd clarified that she has no problem with small, low-impact medical offices but clinics and group practices were not desirable. Mr. Hanegan said he was comfortable saying medical offices would require Special Permit.

More discussion took place about the Use Table and adjustments were noted.

#### 20.7 Vehicular and Bicycle Parking Requirements

Ms. Lloyd said she believes the requirement for long term bike parking accommodations is too onerous for small businesses.

For the continuation of the Great Road Zoning Project Public Hearing on February 6, 2018, these issues will be discussed:

- The question of 3 ½ stories versus 4 stories with examples of both provided;
- A map of the parcels that have the depth required to achieve the 4-story height;
- Whether the height factor should be separated from the main article;
- Whether there is enough time to provide the public education needed or whether the initiative should be postponed until fall;
- How to motivate supportive people to attend Town Meeting;
- Long term and short term bicycle parking requirements;
- Finish the revisions.

Motion: Mr. Gray moved to continue the Great Road Zoning Project Public Hearing to February 6, 2018 at 7:30 p.m. Mr. Cohen seconded. The motion passed, 5-0-0.

#### Reports/Development Updates

The Chamber of Commerce is finishing up the Great Road Zoning FAQs. Mr. Cohen will send out the list of town boards and groups for assignment to Board members to make a promotional pitch prior to Annual Town Meeting. Ms. Lloyd said the Board needs to develop unified messages, customized to the audience. Ms. Lloyd and Mr. Cohen are participating in a special episode of Bedford Common to report on the Great Road Zoning Project. Ms. Barbehenn reported there is new app-based technology that has been developed for outreach such as this. It includes a response mechanism.

Motion: Ms. Lloyd moved to adjourn the meeting at 11:20 p.m. Mr. Cohen seconded. The motion was passed, 5-0-0.

Adjournment

Respectfully submitted,  
Kim Siebert, Recording Secretary