

## **Minutes of the Planning Board Meeting of January 10, 2017**

Pursuant to a notice filed with the Town Clerk, the Planning Board met at 7:00 p.m. on January 10, 2017 in the First Floor Meeting Room, 141 Keyes Road, Concord, MA.

Present:

Brooke Whiting Cash  
John Cratsley (arrived at 8:25 p.m.)  
John Canally  
Rob Easton  
Gary Kleiman  
Allen Sayegh

Elizabeth Hughes, Town Planner  
Nancy Hausherr, Administrative Assistant

Absent:

Matt Johnson

The meeting commenced at 7:00 p.m. and was audio-recorded. Chair Whiting Cash announced that a member of the League of Women Voters was video recording the meeting for future broadcast on CCTV for informational purposes. Ms. Whiting Cash asked that anyone else present recording the meeting needs to inform the Board.

### **Recommendation to the Board of Appeals** **Comprehensive Permit #23** **Christopher Heights at Junction Village, Assisted Living Facility** **6X Winthrop Street (Parcel 2013-1)**

Chair Whiting Cash asked Town Planner Hughes to give a brief overview of the Planning Board's role and purview in review of this application. Ms. Hughes explained that the Planning Board has an advisory role which is to consider the project proposal as it relates to the pertinent aspects of Site Plan Review in order to make a recommendation to the Zoning Board of Appeals, who is the permit granting authority in this matter.

Chair Whiting Cash noted that the Board has not yet received a third-party outside consultant review report and therefore will not discuss the following items: the Applicant's stormwater drainage report and plan, the floodplain compensatory storage, the Applicant's traffic reports, and safety issues related to the proposed Bruce Freeman Rail Trail crossing on the site. She explained that those topics will be addressed at a future meeting after the Board has received a report from the outside consultant.

Peter Fulton, a member of the audience and resident of Winthrop Street, asked for more information on the third-party peer review process. Town Planner Hughes explained that Massachusetts General Law, Chapter 44, Section 53G, authorizes the Zoning Board of Appeals to procure an outside consultant, with fees received from the Applicant, to examine the

application under their review. She described the process and explained that the Planning Board will receive copies of the report that is prepared for the Zoning Board of Appeals.

Walter Ohanian, of The Grantham Group LLC; Brian Laroche, of Potomac Capital Advisors, Inc.; and Daniel Delany, of Fuss & O'Neill, Inc., were present to discuss the application of The Grantham Group LLC for a Comprehensive Permit, under M.G.L. Chapter 40B, with waivers to the Town of Concord Zoning Bylaws, for an 83-unit affordable assisted living facility at 6X Winthrop Street.

The Board considered the Planner's Report dated 1/6/17; a comment and support letter dated 1/5/17 from the West Concord Advisory Committee with six suggestions; and emails from two residents (M. Kimball and T. Haut) with concerns.

Mr. Ohanian distributed photographs depicting the proposed architectural design features of the building. He began the presentation by introducing the development team members who were present and describing the types of residents and services to be provided at the assisted-living facility.

Mr. Laroche presented plan sheets showing the proposed façades and architectural features. He described the attempt to adhere to the West Concord Design Guidelines and to match the existing West Concord 5 & 10 store characteristics. Mr. Laroche explained why the orientation of the building is proposed the way it is. He said that it was to benefit the residents and to orient the view from the common areas towards the green space.

Mr. Delany presented the site plans sheets and pointed out the locations proposed for stormwater management areas, emergency access, and forty-three parking spaces. He described the proposed landscaping and grading.

Ms. Whiting Cash opened the discussion to the Board and began by giving her comments. She expressed disappointment that the developer's plans do not adequately respond to the Planning Board comments made to the development team in June, 2016 after their presentation to the Board and before the application was submitted to the Zoning Board of Appeals. She stated that she is extremely bothered by the formulaic nature of the proposed building. She pointed out that the site is not adjacent to Commonwealth Avenue business district, nor is it in an urban setting, and opined that attempting to match those areas architecturally is not germane to the site, which sits by itself in an open space area. She urged the developers to provide a design that appropriately fits this particular site.

Mr. Kleiman shared Ms. Whiting Cash's concerns that the site design is not particular to Concord but also said that he recognizes the potential benefits that this development offers; that he supports the concept of an affordable assisted living facility; and that he sees the potential for the open space. He mentioned the need to balance the potential benefits with the needs of local residents. He referred to the email received 1/10/17, addressed to the Planning Board and the Zoning Board of Appeals, from Tricia Haut, of the local organization "Mothers Out Front". Comments in the email urge the Boards to consider that "the Town should ensure that any new projects take into account sustainability and the effects of Global Warming" and to consider

methods and equipment that achieve energy efficiency over traditional gas/HVAC systems. He referred to the Planning Board's letter dated 6/17/16 to the Select Board and a letter from the Town's Comprehensive Sustainable Energy Committee dated 1/30/15 suggesting sustainability principals in the design and energy efficiency features.

Mr. Canally referred to concerns about the use and maintenance of the open space area and the Board's previous suggestions for the orientation of the building on the site.

Mr. Sayegh opined that he likes the idea of an affordable assisted living project but cannot say anything positive about the Applicant's proposed design which doesn't fit the site and Concord.

Mr. Easton thanked the development team for the presentation and stated that while he respects the comments of his fellow Board members, he recognizes that there is a necessary economy of the building's design in order to retain a financially viable project, and one that considers the taxpayer's subsidy (in the form of CPC funding) to the overall cost.

Mr. Laroche explained why the use of cogeneration was not advantageous because the hot water needs for an assisted-living facility are not sufficient to make it economically viable. He explained that the Applicant is working toward a LEED standard in the design of the building and that other Grantham Group facilities are not large users of energy, that lowering water and energy consumption is of importance. He explained that only the common areas are proposed for air-conditioning, not the resident's units. Residents will have the option to have an individual A/C wall unit. He said that rooftop solar rebate opportunities are getting harder to obtain, but that the structural design of the building will be sufficient to handle rooftop solar.

Mr. Kleiman asked if the Applicant was open to new ideas and suggestions about energy efficiency measures. Mr. Laroche replied in the affirmative. Mr. Laroche said there may still be time to incorporate changes since the plan is in the schematic design phase.

Mr. Ohanian expounded on the reasons for the choice of the design of the building, noting the average age of the residents and the distance from rooms to the elevator to the common areas. He noted that lowering the building to two-stories would make those distances too great for an elderly person with a cane, walker or in a wheelchair, causing them to more than likely stay in their room. This is something they try very hard to prevent. He explained that the state has guidelines on the cost per unit and that the project is at a maximum now.

Ms. Whiting Cash asked about the proposed food service for the facility. Mr. Ohanian replied that it is expected that almost 100% of residents will use the three meals per day dining option. He pointed out on the plan the location of the production kitchen on the lower level and the "country kitchens" proposed on the second and third floors. He explained that an off-site linen service is proposed. Ms. Whiting Cash notes that lower level service with a hand cart ramp and no loading dock seemed like a big operational burden. Mr. Laroche explained that by locating service space in the basement, the cost per square foot was a significant savings compared to above grade space.

Ms. Whiting Cash pointed out that none of the submitted plans show the perimeter of the leased parcel or boundaries of open space. She asked about the proposed emergency access over the septic field area. She asked who will be responsible for the maintenance and management of the leased portion of the site. She commented that it is unclear from the plans what that area will be post-construction and how it will be maintained. She asked that the Applicant be prepared to respond to that at the next meeting. Mr. Delany noted that the septic could take emergency vehicle loading should the reserve area be required in the future. It could co-exist with the emergency access.

Mr. Kleiman asked about proposed affordability level of the units. Mr. Ohanian explained the proposed income eligibility levels will be 17 units at 30% AMI, 26 units at 60% AMI, and 40 units at 150% AMI so that all of the 83 units will count towards the Town's subsidized housing inventory. A Board member asked why this is not clearly stated in the application (only a portion of the units' income levels are specified).

Mr. Canally asked if any of the other assisted living facilities operated by The Grantham Group are adjacent to a public recreational trail such as the proposed Bruce Freeman Rail Trail. Mr. Ohanian replied that there are none situated near a public recreation trail. He suggested that the Applicant take the proximity to the proposed trail into consideration.

Mr. Easton asked if any of the assisted living units will be part of a memory care unit. Mr. Ohanian replied that a memory care unit is not proposed for this development.

Phil Posner, Chair of the Concord Housing Development Corporation, explained that the CHDC will create a ground lease to The Grantham Group separate from the rest of the open space area. However, he explained, the CHCD's focus as a non-profit housing corporation is the creation of affordable housing opportunities, not the development and maintenance of community open space areas. Ms. Whiting Cash asked if there was any discussion between the CHDC and other entities such as the Town's Natural Resources Commission, the Concord Land Trust, the Sudbury Valley Trustees, or similar groups about partnering opportunities for the open space area. Mr. Posner replied that he will look into that.

Ms. Whiting Cash asked for public comment. Mr. Canally asked that she remind the audience of the four topics that will not be discussed until a third-party peer review report is received. Ms. Whiting Cash repeated her previous comments.

Town Planner Hughes recapped the outstanding comments contained in the aforementioned Planner's Report that the Applicant should be prepared to address and/or provide more information on prior to their next appearance a Planning Board meeting. These include:

- Fire Department access & site design
- Public Works comments
- Health Director comments – Title V and Applicant's flow determination DEP.
- Natural Resources – open space comments
- West Concord Advisory Committee – six points in letter, especially addressing the suggestion of extending the Concord preference in perpetuity

Landscaping and visual buffers  
Connectivity between triangular open space are and “wall of landscaping”

Kara Stokes, 20 Winthrop Street, spoke in opposition to the project.

Joanne Gibson, 88 Walden Street, spoke in opposition to the project. She mentioned her participation in the 2005 Long Range Plan update, the West Concord Call to Action group, and the Town’s Community Preservation Committee. She opined that the plan is not smart-growth and the development will not help the shops in the West Concord Village and that the proposed open space should be given to the Town so a conservation restriction can be put on it. She suggested that a smaller scale, smart-growth residential development would be more appropriate for the site.

Margot Kimball, 21 Winthrop Street, said that she likes the concept of affordable assisted living but has mixed feelings about the current proposal and design. She spoke about the need to incorporate areas where visitors and facility residents can be outside, walk, sit, and perhaps connect to the proposed Bruce Freeman Rail Trail. She spoke about the necessary inclusion of a comprehensive plan for the development and maintenance of the open space.

Mark Gailus, 62 Prescott Road, commented on the proposed design and asked if alternatives could be proposed by the Planning Board. Ms. Whiting Cash pointed out that the Planning Board’s role is not to design the project for the Applicant.

Michelle Tauw, 111 Laws Brook Road, commented on the proposed design of the building.

Peter Fulton, 31 Winthrop Street, spoke in opposition to the project. He also asked about the timeline for the third-party review. Town Planner Hughes explained that process, timeline, and the expectation that the report will be received as soon as possible, not months from now.

With no further public comment, the Board continued discussion of this application to February 7, 2017.

**Approval Not Required Plan #16-13**  
**199 Simon Willard Road & 18A Musterfield Road**

Town Planner Hughes presented the plan to the Board. She explained that the plan shows two existing lots located in the Residence A Zoning District under common ownership that they wish to combine into a single lot with 88, 281 s.f. of area and over 200 ft. of frontage.

After discussion, Mr. Canally moved that the Board endorse the plan dated 12/2/16 for Armitage, 199 Simon Willard Road, prepared by Stamski & McNary, Inc. as Approval under Subdivision Control Law Not Required because the plan is not a “subdivision” because it shows a proposed conveyance which changes the size and/or shape of the lot(s) in such a manner as not to leave any lot so affected without the required frontage under the Zoning Bylaw and to authorize the Chair, Clerk or Town Planner to endorse the plan. Mr. Easton seconded. All **VOTED** in favor.

### **Blue Heron Way Release of Performance Guarantee**

Town Planner Hughes explained that the developer of Blue Heron Way is requesting a final release of a 2002 Performance Guarantee. The Board considered the information in item #3 in the Planner's Memorandum dated 1/6/17. After discussion, Mr. Canally moved that the Board grant the release of the Assignment of Security dated 9/25/02 for Monsen Subdivision #20 and authorize the Chair, Vice-Chair, or Town Planner to sign the release. Mr. Sayegh seconded. All **VOTED** in favor.

### **Future Finance Committee Meeting – Tree Preservation Bylaw**

Mr. Kleiman offered to attend the February 16 meeting of the Finance Committee to provide future information to that Committee about the Planning Board's Tree Preservation Bylaw warrant article proposed for 2017 Annual Town Meeting. The Board will schedule time on the January 24 meeting agenda to discuss a Tree Fee Schedule to be associated with the proposed Tree Preservation Bylaw.

### **Minutes**

The minutes of the 11/29/16 and 12/13/16 meetings were reviewed. Mr. Kleiman moved that the Board approve the 11/29/16 minutes as written. Mr. Canally seconded. All **VOTED** in favor. Mr. Kleiman moved that the Board approve the 12/13/16 minutes as written. Mr. Cratsley seconded. All **VOTED** in favor.

### **Committee Liaison Reports & Staff Updates**

Mr. Kleiman attended the 1/4/17 West Concord Advisory Committee meeting where the developers of Junction Village project gave a presentation.

Town Planner Hughes reported that three responses to the Request for Proposals for the development of the Comprehensive Long Range Plan were received and interviews for the selection of the consultant will be underway soon.

Mr. Cratsley attended the 1/9/17 Community Preservation Committee meeting and reported on their activities.

List of documents presented which are on file in the Planning Division Office at 141 Keyes Road, Concord, MA:

- Letter from the West Concord Advisory Committee dated 1/5/17 re: Junction Village Comprehensive Permit application
- Planner's Report dated 1/6/17 re: Comprehensive Permit #23, Junction Village
- Email received 1/10/17 from T. Haut, Mother's Out Front Concord Team, re: Junction Village
- Planner's Memorandum dated 1/5/17

On a motion made by Mr. Canally and seconded by Mr. Kleiman, the meeting adjourned at 8:57 p.m.

Respectfully submitted,

Gary Kleiman, Clerk

Minutes approved on: 1/24/17