

Minutes of the Planning Board Meeting of January 7, 2020

Pursuant to a notice filed with the Town Clerk, the Planning Board met at 7:00 p.m. on January 7, 2020 in the first floor meeting room at 141 Keyes Road, Concord, MA.

Present:

Matt Johnson
Nathan Bosdet
Kristen Ferguson
Burton Flint
Kate McEneaney
Haley Orvedal
Allen Sayegh

Town staff present:

Elizabeth Hughes, Town Planner

The Chair opened the meeting at 7:00 p.m. and stated that the meeting was being audio and video recorded by Minuteman Media Network. He requested that anyone else recording the meeting inform the Board.

Mr. Johnson announced that staff from the Metropolitan Area Planning Council (MAPC) would be at the January 21st Planning Board meeting to give a presentation on the Visualization Study for 59 Walden Street.

Mr. Johnson announced that on February 11th, instead of a regular Planning Board meeting, there would be an Open House and Roundtable Topic Forum with a Presentation by MAPC staff on “Rethinking the Thoreau Business District”.

Recommendation to the Zoning Board of Appeals, Special Permit, 143 Sudbury Road

Paul Mahoney, Paul Mahoney Architects, appeared before the Board to discuss the application of Charles Audi, for 143 Sudbury Road LLC, to amend a Special Permit under Sections 7.7.3.4, 7.7.3.13, 11.6, and 11.8 of the Zoning Bylaw for relief from parking design standards to allow stacked parking spaces in the existing parking lot at 143 Sudbury Road, (Parcel 0180), the site of the Concord Mobil gas station.

Mr. Mahoney presented the plans. The Applicant proposes that an employee acting as a fulltime attendant shall only be allowed to park vehicles in this location and that placed behind the last row of vehicles will be traffic cones with signs that state “Parking by attendant only”.

Mr. Mahoney explained that the need for additional parking is due to the nature of the on-site auto repair business where customer’s often drop a vehicle off for service in the morning and then pick it up at the end of the workday. This convenience to the customer results in some vehicles remaining on-site longer during the day and therefore creates a need for the attendant parking area and increase number of spaces. In 2012, the Applicant was granted a Special

Permit and Site Plan Approval to allow the existing layout of eight stacked spaces for employees. The current proposal will allow seven additional parking spaces by reducing the size of the spaces from 9 ft. by 18 ft. to 8 ft. by 15' to allow for both employee parking and customer vehicles that are left for the entire day.

The Board reviewed the Town Planner's Report dated 1/6/20 and considered the criteria of the Zoning Bylaw sections applicable to this application.

The Board acknowledged receipt of an email from Edward P. Sinni, Jr, containing a letter dated 11/26/19 in opposition to the application. The Board discussed potential alternative locations for handicapped parking. It was determined that the site presented challenges regarding an alternative location that did not present other safety issues and the existing location had been approved previously.

Mr. Johnson asked for comments from the audience and there was none.

Mr. Flint moved that the Planning Board recommend that the Zoning Board of Appeals grant an amendment to the existing special permit and site plan as requested subject to the conditions as listed in the aforementioned Planner's Report. Mr. Bosdet seconded and all voted in favor.

Site Plan Review, 200 Strawberry Hill Road, Nashoba Brooks School

Thea Massouh, of Dewing, Schmid, and Kearns Architects (DSK), Danielle Heard, Head of School; Miche Crowley of Crowley Cottrell, and Sean Malone of the Oak Consulting Group, appeared before the Board to discuss the application of Nashoba Brooks School for Site Plan Approval under Section 11.8 of the Zoning Bylaw to construct a new 5,900 s.f. two-story structure on an existing playing field, a connecting walkway, and related site improvements to the parking lot and student drop-off at 200 Strawberry Hill Road, (Parcel 1955). The site plan, landscape plan, stormwater management plan, and parking layout were presented.

Mr. Johnson asked for clarification about the amount of parking spaces available. Town Planner Hughes explained that this proposed project does not trigger a change to the parking requirements or the need for waivers.

Mr. Bosdet asked about net-zero goals and solar panels timeframes. Ms. Heard replied that reaching those goals depends on funding, hopefully as soon as possible.

Ms. McEaney asked about the considerations that the school's administrators underwent to determine that this Barn warranted the loss of open space on campus. Ms. Heard and Ms. Massouh explained the process.

The Board discussed the daytime versus non-school hours and non-school performances with the Applicant and tree removal plans.

The Board discussed the proposed removal of existing trees, which Ms. Massouh noted were in the location of the five relocated parking spaces. The Board determined it was preferable to

preserve the trees and the screening they provided from Strawberry Hill Road and not construct the parking since the site had sufficient parking without the five relocated spaces.

Town Planner clarified information about the incorporation of sustainability features.

The Board reviewed the Town Planner's Report dated 1/6/20 and considered the Section 11.8 of the Zoning Bylaw application.

Mr. Johnson asked for comments from the audience. The Board acknowledged that they received correspondence from Karlen Reed, 83 Whit's End Rd citing concerns with potential increased traffic.

Ms. Reed was in the audience and asked specifically about the traffic flow source data.

Susan Bates, Select Board member, wondered if there is a compensatory playing field proposed elsewhere.

Janet Miller, CSEC member, commented on the net zero building goals.

Mr. Malone explained that there is no anticipated change to the amount of traffic since the performances are primarily intended for school use during school hours and, if there were to be non-school performances, those are anticipated to be during non-school hours, non-peak traffic hours.

Ms. Heard explained that the project area is proposed on a non-regulation size soccer field that is part of the school's existing playground and that is not a field that necessary for their programming.

Briana Pinheiro, of CSL Consulting LLC, spoke from the audience, on behalf of the property owner, and explained the information that she knew about the inclusion of heat source pumps for the mechanical engineering components.

Ms. Ferguson moved that the Planning Board continue the Public Hearing on this matter to January 21 at 7 p.m. and direct the Town Planner to draft a positive decision for the Board's review. Ms. McEneaney seconded and all voted in favor.

Public Hearing, Special Permit Common Driveway, 2160 Main Street

Paul Kirchner of Stamski & McNary, Inc. appeared before the Board to discuss the application of Lemonais Development Company for a Special Permit under Sections 5.3.18 and 11.6 of the Zoning Bylaw to allow the construction of a common driveway to serve up to two lots on land located at 2160 Main Street (Parcel 2326-2-1).

Mr. Kirchner presented the plan. He explained that there is an existing driveway for one lot and it is proposed to modify the driveway to share it with one new additional house lot.

The Board asked for clarification on the type of grass pavers proposed. Ms. Ferguson noted the Fire Dept. comments about the use of concrete pavers. Mr. Kirchner explained, and Town Planner Hughes confirmed, that the Assistant Fire Chief looked at the specifications for the proposed plastic Grasspave2 pavers and had no concerns.

The Board reviewed the Town Planner's Report dated 1/3/20 and considered the criteria of the Zoning Bylaw sections applicable to this application.

Mr. Johnson asked for comments from the audience.

Julie McClure, 2128 Main Street, asked how many additional dwellings are proposed and about the steepness affecting the septic system design. She expressed concerns, also shared by her neighbors, about negative impacts to traffic congestion and safety due to limited visibility on the road curve and speeding cars. She asked about the public hearing notification process.

Mr. Kirchner explained that only one additional dwelling is proposed and that a private on-site septic system is proposed for each dwelling, which will conform to Title V requirements.

Town Planner Hughes explained the notification process and that a notice was mailed to Ms. McClure's address. She also explained, for the benefits of all, the "Notify Me" feature on the Town of Concord website and how to sign up to receive notifications re: various Town Boards and Committees, including the Planning Board.

Mr. Flint moved that the Planning Board continue the Public Hearing on this matter to January 21 at 7:05 p.m. and direct the Town Planner to draft a positive decision for the Board's review. Mr. Bosdet seconded and all voted in favor. The Board will consider their draft decision at that time and take a vote.

Recommendation Letter to the Zoning Board of Appeals
Special Permit Planned Residential Development
1440, 1450, 146B Main Street

The Board reviewed and discussed their draft recommendation letter to the Board of Appeals.

The Board discussed further amendments to Section 10.7.3 and how to address the issue of diversity of price and the fiscal costs to the Town for school impacts and need for additional affordable housing under Chapter 40B. The Board determined that the Applicant has not provided any information related to the projection of the direct, current Town costs and revenues associated with the proposed development, and as such, the Board did not have sufficient information to make a recommendation. The Planning Board did review data on the number of school-age children in other PRD developments and believe the impact to the schools may be roughly equivalent to a standard subdivision.

After discussion, the Board determined that Mr. Flint would review the amended recommendation letter on behalf of the Board before submitting it to the Zoning Board of Appeal. Mr. Flint moved that the Planning Board recommend that the Zoning Board of Appeals

grant to Symes Development & Permitting LLC a Special Permit under Sections 7.5, 10, 11.6, and 11.7 of the Zoning Bylaw for a 34-unit Planned Residential Development at 1440-1450, 146B Main Street subject to the condition contained in the aforementioned draft recommendation letter as amended and directed the Town Planner to prepare the letter for review by Mr. Flint and submittal to the ZBA. Mr. Sayegh seconded and all voted in favor.

The Board took a three-minute break before continuing with the rest of the agenda items.

Draft 2020 Annual Town Meeting Zoning Bylaw Amendment Discussion

The Board reviewed the finalized the draft warrant articles for Fairs, Accessory Dwelling; Hammerhead Lot; Prohibited Uses; Two-Family; Thoreau Depot; Relief from Parking; and Planned Residential Development. The Board will postpone proposing a warrant article regarding fences and walls until appropriate language can be determined regarding cut and fill grading situations and exemptions of fence gate arbors.

Mr. Johnson moved to submit to the 2020 Annual Town Meeting the PRD Bylaw amendment as amended. Ms. Orvedal seconded with all voting in favor.

Mr. Johnson moved to submit to the 2020 Annual Town Meeting the Prohibited Uses Bylaw amendment as drafted. Ms. McEneaney seconded with all voting in favor.

Ms. Ferguson moved to submit to the 2020 Annual Town Meeting the Hammerhead Lot Bylaw amendment as amended. Mr. Flint seconded with all voting in favor.

Mr. Bosdet moved to submit to the 2020 Annual Town Meeting the Accessory Dwelling Bylaw amendment as amended. Mr. Sayegh seconded with all voting in favor.

Ms. McEneaney moved to submit to the 2020 Annual Town Meeting the Relief from parking Bylaw amendment as written. Ms. Orvedal seconded with all voting in favor.

Mr. Johnson moved to submit to the 2020 Annual Town Meeting the Thoreau Depot Business District amendment as written. Mr. Flint seconded with all voting in favor.

Ms. Ferguson moved to submit to the 2020 Annual Town Meeting the Two-family Dwelling Bylaw amendment as amended. Ms. McEneaney seconded with all voting in favor.

Committee Liaison Reports and staff updates

Ms. Orvedal reported that she recently attended the Green New Deal Town Hall. Mr. Flint reported that the Community Preservation Committee has concluded their work until February.

Public Comment

Tanya Gailus, 62 Prescott Road, referred to the email that she sent on 12/26/19 requesting that the Board consider three additions to the proposed Zoning Bylaw Amendment to Section 10

Planned Residential Development. She explained the reasons for the requested additions, asked for clarifications, and made suggestions.

The Town Planner suggested that the Board could change item h in Section 10.4.1.2 in the PRD warrant article. Ms. Hughes clarified that the article is only proposing to amend certain sections of the PRD Bylaw and that it is not proposed to delete the PRD Bylaw in entirety. She explained that handouts for Town Meeting would show existing section of the PRD Bylaw and a fully amended section of the Bylaw.

Ms. Gailus suggested that the warrant article for the PRD Bylaw should include a requirement for notification by signage installed at the potential PRD site. She also made comments about tree preservation and large trees.

A Sudbury Road resident suggested that for evaluating PRDs, the Board could use dollars per square foot as a measure of affordability, size and diversity.

Mr. Flint clarified that the Board is looking to create a mechanism (by amending the PRD Bylaw) that would make it economically viable for developers to build houses that are less expensive to purchase and the proposed amendments will drive the creation of smaller houses in PRDs.

After consideration, Mr. Johnson moved that the Board further amend and resubmit the warrant article for the PRD Bylaw to amend Section 10.4.1.2 (h) to state, “a tree protection and mitigation plan as required under the Tree Preservation Bylaw”. Mr. Flint seconded and all voted in favor.

The meeting adjourned at 10:42 p.m.

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

- Town Planner’s agenda memorandum dated 1/7/20
- (8) Revised Draft Zoning Bylaw amendments
- Planner’s Report for 2160 Main Street Common Driveway Special Permit application
- Draft recommendation letter dated 1/8/20 to the Zoning Board of Appeals re: PRD at 1440-1450 Main Street
- Gailus email 12/26/19

Respectfully submitted,

Burton Flint, Clerk, Planning Board

Minutes approved on: 3/10/2020