

Minutes of the Planning Board Meeting of January 12, 2021

Pursuant to a notice and agenda filed with the Town Clerk, the Planning Board met at 7:00 p.m. on January 12, 2021 and held a virtual online public meeting via <https://zoom.us>

Chair Ferguson began by explaining the conduct of the meeting, the items on the agenda and the methods for public comment. The meeting was recorded and will be available on the Minuteman Media Network.

Ms. Ferguson asked for a roll call of the Planning Board members. Present were: Mr. Sayegh, Mr. Bosdet, Ms. Miller, Ms. McEneaney, Ms. Orvedal, Mr. Flint, and Ms. Ferguson. Town Planner Elizabeth Hughes was also present.

Green Zoning Discussion

Ms. Ferguson gave a brief overview of the process for the development of Zoning Bylaw amendments. She asked the Town Planner to provide the Board with the schedule for the 2021 Annual Town Meeting dates for submission of warrant articles so the Board would have a sense of timing on the development of warrant articles. Ms. Hughes provided the various dates. The Chair then asked Gary Kleiman and Sustainability Director Kate Hanley to give their Green Zoning Presentation.

Mr. Kleiman gave an overview of the Rocky Mountain Institute and the participation of five Concord citizens in the Building Electrification Accelerator program and referred to two information documents (*MA Incentives and Policies for Sustainable Buildings; November 2020 and Green Zoning: Using Local Zoning to Achieve Community Energy Efficiency and Resiliency; November 2019*). He proceeded to go through the steps outlined in the memo he prepared for the Board (*Green Zoning Examples for Concord*).

Mr. Kleiman and Ms. Hanley reviewed with the Board different zoning options regarding Net Zero, such as including a definition of Net Zero in the Zoning Bylaw, levels of incentives for project that are Net Zero, a special sustainability overlay district or other Green Zoning that deals with other sustainability items like trees and tree canopy or water resources.

Ms. McEneaney suggested making the FAR more restrictive and if someone does a Net Zero home, they could go up to the current FAR; this way there is no relaxing of the requirements. Ms. McEneaney offered to do further research on the FAR since adopted in 2016.

The Board discussed with Mr. Kleiman and Ms. Hanley available data on energy uses that CMLP may be able to provide for larger homes, what types of incentive options might be available to property owners and developers, the difference between the definition of Net Zero and LEED and what the target should be for Concord's definition, the incremental cost to homeowners and developer for requiring Net Zero construction and getting factual information on those cost to show homeowners and developers that there is not a huge cost difference.

The Board discussed the sustainability requirements adopted in Cambridge and Wellesley and the need to look at those communities to see if there were items that might work for Concord.

At 8 p.m. the Chair suspended the Green Zoning Discussion to take up the 7:30 p.m. public hearing for the 48Y Fitchburg Turnpike Definitive Subdivision.

Definitive Subdivision Plan; Quarry North Road LLC 48Y Fitchburg Turnpike Public Hearing

The Chair opened the public hearing and stated that the Applicant was still working with Town staff and requested a continuance to February 23rd. Ms. Hughes noted that the Applicant had also provided a time extension for February 25th for the Board to file a decision with the Town Clerk.

Ms. Miller moved to accept the grant of a time extension to February 25th and continue the public hearing without discussion to 7:00 pm on February 23rd. Mr. Flint seconded the motion. The Chair asked for a roll call vote; Mr. Sayegh-Yes, Mr. Bosdet-Yes, Ms. Miller-Yes, Ms. McEneaney-Yes, Ms. Orvedal-Yes, Mr. Flint-Yes, and Ms. Ferguson-Yes.

Green Zoning Discussion Continued

The Chair resumed the Green Zoning Discussions with Mr. Kleiman and Ms. Hanley. Ms. McEneaney thought that there might be opportunities to incorporate green zoning option with the Floor Area Ratio modifications.

Select Board member Alice Kaufman, another member of the Concord representatives on the RMI project, gave an overview of other communities that have also been incorporating more green zoning and sustainability requirements into their bylaws, such as requiring builders to provide a standard energy cost analysis and a net zero cost analysis for projects.

Ms. Orvedal volunteered to work with Mr. Kleiman and Ms. Hanley on possible green zoning options for further discussion by the Board and potential for a Zoning Bylaw amendment at the 2022 Annual Town Meeting.

Ms. Ferguson asked for public comment.

Pamela Dritt, 13 Concord Greene, Unit 4, suggested that the Town provide information to builders and homeowners on building all electric so they could see that it is not substantially more expensive. She was in support of requiring builders to provide the standard and net zero cost analysis.

With no further public comment, Ms. Ferguson thank Mr. Kleiman, Ms. Hanley and Ms. Kaufman for coming to the Board and looked forward to working with them.

2021 ATM Zoning Bylaw Amendment Discussion

Ms. Hughes listed the potential Zoning Bylaw amendments that the Board was considering for 2021 Annual Town Meeting then gave an overview of the draft Floodplain Conservancy District Bylaw amendment and the required changes based on the MA Model Floodplain bylaw.

Ms. Orvedal noted that she was pulling together information on the potential amendments to the Earth Removal Bylaw to incorporate projects that requiring fill and would provide it for the Board's discussion at the next meeting.

For the recently passed PRD amendments to Section 10.2.3.6 Density Bonus, Ms. Hughes reviewed an issue with the interpretation of the Section, noting that a person interested in doing a small PRD has interpreted the first part of this Section as to mean that if a developer provides b) and c), they do not have to provide an affordable unit under Item a). She asked for the Board's determination.

Mr. Flint stated it was his recollection that the Board specifically meant to word this section in this manner to provide other alternative besides affordable housing. He noted that a developer may be responsive to other things the Board has heard from the community that warrant the granting of a density bonus. Mr. Bosdet agreed. The rest of the Board was also in agreement.

The Chair asked for public comment.

Julia Miner, 399 Lowell Road, stated that she was interested in doing a small PRD and appreciated the guidance on this Section. She also thanked the Board for their work with Green Zoning.

Draft Meeting Minutes

The draft minutes for the 12/14/20 joint meeting with the ZBA were reviewed. Ms. Ferguson noted that her first name was spelled incorrectly. Mr. Bosdet moved to approve the minutes as amended. Mr. Flint second the motion. The Chair asked for a roll call vote; Mr. Sayegh-Yes, Mr. Bosdet-Yes, Ms. Miller-Yes, Ms. McEneaney-Yes, Ms. Orvedal-Yes, Mr. Flint-Yes, and Ms. Ferguson-Yes.

General Public Comment

There was not general public comment.

Planning Board Liaison & Town Planner Updates

There were no updates given.

The meeting adjourned at 8:55 p.m.

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

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Respectfully submitted,

Nathan Bosdet, Clerk

Minutes approved on: 1/26/21