

## **Minutes of the Planning Board Meeting of February 9, 2021**

Pursuant to a notice and agenda filed with the Town Clerk, the Planning Board met at 7:00 p.m. on February 9, 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.

At 7:01 p.m., Chair Ferguson asked for a roll call of the Planning Board. Members present were Mr. Sayegh, Mr. Bosdet, Ms. Orvedal, Ms. Miller, and Ms. Ferguson. Ms. McEneaney was absent. Mr. Flint would joined the meeting at 7:05 p.m.

Town Planner Elizabeth Hughes and Director Marcia Rasmussen were present.

Chair Ferguson gave an overview of the agenda for the evening and noted that on Saturday, February 27<sup>th</sup> was the Town Meeting Preview Meeting.

### **Thoreau Depot Redevelopment, Economic Development Bill - MBTA Communities Housing Requirement Discussion,**

Ms. Ferguson explained that MAPC Planner Chris Kuschel would not be present at this meeting but will join the Board at an upcoming meeting soon. Town Planner Hughes provided the Board, via email, information regarding the recently passed Economic Development Bill and the by-right multi-family housing requirements for MBTA Communities. Chair Ferguson said that the Board should determine if they have any additional questions for MAPC Planner regarding the Bill and the potential changes to the Thoreau Depot Redevelopment project so MAPC Planner can research them before he meets with the Board in March.

Also, the Town Planner provided the DHCD Preliminary Guidance relating to the requirement for “MBTA Communities” to have multi-family by-right zoning.

The Board discussed the impacts to the Thoreau Depot Zoning Redevelopment project and potential sites that could meet the criteria. The Board considered the site that is the current location of Crosby’s Market and other retail and service businesses.

Chair Ferguson asked for public comment.

Susan Bates, Select Board liaison to the Planning Board, asked for clarification about the Crosby’s site. Ms. Ferguson explained that the Board is only considering changes to the zoning that would facilitate a mixed use development and hopefully meet the new State requirements, however, it would be up to the owner whether they wished to redevelop the site.

Town Planner Hughes will do further research in order to provide the Board with additional guidance for their next discussion with MAPC staff.

## **2021 ATM Zoning Bylaw Amendments Discussions**

Town Planner Hughes noted that, based on information from Town staff, the Economic Vitality Committee has been talking with business owners about ways the Town can support local businesses. One potential item that has been discussed is if a restaurant wants to have seasonal outdoor seating, they would not be required to provide additional parking spaces per 3 seats. This would require a Zoning Bylaw amendment Section 7.7.2.1 Table IV for the required parking requirement for a restaurant to allow this exemption.

Director Rasmussen reported on the work of the Economic Vitality Committee in regards to this topic and asked that the Board consider an article for Town Meeting. The Board discussed the potential impact of this bylaw change and determined that additional information from staff and from the business community was needed in order to prepare for Town meeting.

Also discussed were the Tree Preservation Bylaw, the Two-Family Dwelling, Floodplain Bylaw, and Earth Removal/Fill draft warrant articles.

Town Planner Hughes started with the Floodplain Bylaw. Ms. Hughes reported that she was in contact with the State Floodplain Coordinator that day and as a result, Town staff will meet with her to discuss the numerous changes. Town Planner Hughes reiterated that it is important that the Town update the Floodplain Bylaw to stay current with Federal (FEMA) regulations, otherwise the community may not participate in the National Flood Insurance Program, and this impacts a homeowner's ability to purchase necessary flood insurance for their property.

Ms. Hughes also reported that she is waiting to hear more from Concord Public Work staff on potential necessary amendments to the section of the Bylaw regarding the Groundwater Conservancy District affecting water quality.

Town Planner Hughes noted that the formatting and bulleting of the draft Tree Bylaw is off and would be updated. Ms. Miller provided additional edits and asked if the update to the Tree Bylaw should include invasive species as protected trees to protect the tree canopy. She used the example of a yard of that is full of Norway maples, an invasive species. Town Planner Hughes explained the required tree protection under the Bylaw.

In the Two-Family Bylaw discussion, the Board considered the tools at their disposal seem to influence size, but not necessarily the cost of units. They considered whether it is necessary to limit the square footage of a two-family building to help keep the overall cost down.

Ms. Ferguson asked for public comment.

Stephan Bader, 7 River Street, suggested changes to outdoor seating requirements. Ms. Hughes explained the current provisions of the Bylaw and Director Marcia Rasmussen explained the challenges for managing outdoor seating capacities.

## **Minutes**

The Board reviewed the draft minutes of the 12/22/20 and 1/26/21 meetings. Mr. Flint moved that the Board approve both sets of minutes as written. Mr. Bosdet seconded. All voted in favor. The roll call was Mr. Sayegh, yes; Mr. Flint, yes; Mr. Bosdet, yes; Ms. Orvedal, yes; Ms. Miller, yes; and Ms. Ferguson, yes.

## **Planning Board Liaison/Town Planner Updates**

Ms. Ferguson asked about the Planning Board liaison to the Climate Action Advisory Board and wondered if the Board should reach out to them to make them aware about the potential definitions of Net Zero and other green zoning initiatives. The Town Planner offered to send an email to the Town's Sustainability Director to ask.

Mr. Flint said that NMI Starmet Reuse Planning Committee is looking for comments on their draft report. Director Rasmussen said that the Report is the website. The Board will discuss their input at the 2/23 meeting.

Ms. Ferguson said that Ms. McEaney would be providing information on the FAR bylaw at the next meeting.

## **General Public Comment**

No additional public comment given.

The meeting adjourned at 9:25 p.m.

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

- Town Planner's Memorandum 2/4/21
- Draft minutes 12/22/20 and 1/26/21
- 2021 ATM Zoning Bylaw Amendment articles

Respectfully submitted,

Nathan Bosdet, Clerk

Minutes approved on: 3/9/21