

Minutes of the Planning Board Meeting of May 4, 2021

Pursuant to a notice and agenda filed with the Town Clerk, the Planning Board met at 7:00 p.m. on May 4, 2021 and held a virtual online public meeting via <https://zoom.us>. The meeting was recorded and will be available on the Minuteman Media Network.

At 7:02 p.m., Ms. Ferguson asked for a roll call of the Planning Board. Present were Ms. Miller, Mr. Sayegh, Ms. Orvedal, Mr. Bosdet, Mr. Flint and Ms. Ferguson. Ms. McEneaney joined thereafter.

Town Planner Elizabeth Hughes was present.

Ms. Ferguson noted that the virtual meeting was well attended. Town Planner Hughes made a statement to all Zoom attendees. She asked that they remain muted until the public comment period was asked for by the Chair.

Ms. Ferguson explained the conduct and format of the meeting.

Site Plan Review, Concord Children's Center, 250 Old Bedford Road

Ms. Ferguson opened the public hearing on the application of Concord's Children's Center (CCC) under Section 11.8.7 of the Zoning Bylaw and acknowledged the receipt and filing of a conflict-of-interest form completed by Board member Orvedal. Ms. Ferguson invited her to speak. Ms. Orvedal stated that her son currently attends Concord Children's Center in West Concord but that she has no involvement or financial interest in the project and that her son will be changing schools in the summer.

Chair Ferguson acknowledged that the Board was in receipt of many emails from residents (over 100) both in support of and in opposition to the proposed project. She explained that the emails received after 4 p.m. on May 4 would be posted on the Planning Board's current meeting documents page on the Town's website tomorrow. [Emails received before 4p.m. on May 4 were already posted. All are part of the application file.]

Present for the Applicant were Pat Nelson, Executive Director of the Concord Children's Center; Attorney John Brady, Dane Brady & Haydon LLP; Jennifer Brooke, Lemon Brooke Landscape Architects; Dogan "Woodie" Arthur, D.W. Arthur Associates Architecture, Inc.; Molly Obendorf, E.I.T., Stamski and McNary Inc.; Ken Cram, P.E., Director of Traffic Engineering, Bayside Engineering Inc.; and John Amaral, Project Manager, Omni Properties LLC.

Ms. Nelson began the Applicant's presentation by giving an overview of the proposed project, the reasons that necessitate the move, and the reasons for choosing the site location. She explained the projected number of children is 72 for regular day house and 15 children after school from 3:00 p.m. to 6:00 p.m., with 18 teachers and 2 administrative staff.

Attorney Brady explained the Applicant's request considering the provisions of Massachusetts General Law Ch. 40A, Section 3, the so called "Dover Amendment" which, he said, states that

no zoning ordinance or bylaw shall prohibit use of land or structures or expansion of existing structures for the primary purpose of operating a childcare facility, subject to reasonable regulation of the bulk and height of structures, setbacks, and open space. He stated that the Applicant has taken special care to adhere to Concord Zoning Bylaw Sections 4.3.2 and 11.8.7. He said that, to the extent possible, the Applicant's design team has met with neighbors to discuss the project to attempt to address and be respectful of all concerns raised.

Mr. Arthur gave a presentation on the architecture of the proposed new addition and connection to the existing structure and the floor plans.

Ms. Obendorf described the proposed stormwater management plan and site improvements (parking lot, subsurface stormwater drainage and landscaping), the construction of a one-way driveway into the site from Virginia Road, a parking lot with 20 spaces, a drop-off isle and a one-way exit onto Old Bedford Road. The Applicant is requesting relief from parking to allow 20 spaces instead of the required 33 spaces. Ms. Obendorf explained that the stormwater drainage would be provided by a series of catch basins, area drains, and trench drains that will discharge into a subsurface infiltration bed to infiltrate and recharge groundwater. This infiltration bed has an overflow pipe which drains towards the adjacent wetland. Pre-treatment units have been proposed in the drain manholes to pre-treat any runoff before discharging into the subsurface structure. Roof runoff will be captured with downspouts and gutters that eventually discharge into a subsurface infiltration bed. The project will require the removal of approximately of 954 c.y. of soil from the site.

Ms. Brooke presented the landscape plans, noting the project includes the construction of a 6,670 s.f. playground, walkways, site landscaping and restoration of a wetland meadow. Exterior lighting of the site will consist of three parking lot pole fixtures, recessed lighting in the canopy overhang and low building mounted pedestrian lights.

Mr. Cram reported on the Traffic Impact and Access Study and Appendix prepared for the Applicant.

At 7:56 p.m., with the Applicant's permission, the Board took up the 8:00 p.m. agenda item and then, at 8:10 p.m., resumed the review of this application.

Site Plan Review, VOA Assisted Living Inc., (Concord Park) 68 Commonwealth Avenue

Ms. Ferguson opened the public hearing on the application of VOA Concord Assisted Living, Inc. under Section 11.8 of the Zoning Bylaw to increase exterior lighting fixtures on site greater than 10% of the existing amount.

Present for the Applicant were Charles Gagnon, C.E.O., and President of Volunteers of America Massachusetts; Mark Beaudry, P.E., V.P., of Meridian Associates, Inc.; Scott Timmons, Project Architect, of Lavallee Brensinger Architects.

The Board reviewed the Planner's Report dated April 30, 2021.

Mr. Beaudry and Mr. Timmons presented the plan set. They explained the proposed location of signage and lighting and the modifications to the landscape island at the entrance to the building as a result of the construction of a new canopy to provide better protection from the elements for its residents and visitors that are dropped off or picked up. For safety and security purposes, the canopy includes 16 recessed lights. Additionally, the Applicant is proposing to relocate the existing monument sign and install two new sign mounted down lights. All the new light fixtures are dark sky compliant. The canopy lights will not have a maximum illumination of 8-foot candles (fc) directly underneath the canopy and drop down to 0.0 fc within approximately 10 feet of the canopy so that light will not extend off the property.

Ms. Miller asked if the proposed canopy height would accommodate the height of the Council on Aging van. Mr. Beaudry replied that the canopy was designed to accommodate Concord Fire Dept. apparatus and the Concord Park Shuttle van.

Chair Ferguson asked for public comment.

Michael Reilly, of 93 Kenney Lane made a comment regarding the Concord Children's Center. Chair Ferguson explained that the current discussion was not for the Children's Center application. She asked that Mr. Reilly wait until that discussion resumed.

There was no other public comment.

Ms. Miller moved that the Planning Board grant site plan approval to VOA Concord Assisted Living Inc. for an increase in the exterior lighting by more than 10% at 68 Commonwealth Avenue, subject to the conditions contained in the Planner's Report. Mr. Bosdet seconded. All voted in favor. The roll call was Mr. Sayegh, yes; Mr. Flint, yes; Mr. Bosdet, yes; Ms. Miller, yes; Ms. McEaney, yes. Ms. Orvedal, yes; and Ms. Ferguson, yes.

Resume Site Plan Review, Concord Children's Center, 250 Old Bedford Road

Ms. Ferguson asked for comments from the Board.

Ms. Bosdet asked for clarification on the existing structure's use. Ms. Nelson explained that the existing structure is proposed for administrative office use and meeting space for staff and teachers. Ms. Nelson added that currently no after-school programs are offered due to COVID-19 restrictions and explained that when it can be offered it is proposed to be a small program for approximately 12 children.

Ms. McEaney asked about the crosswalk striping and wondered if the crosswalks and surrounding sidewalk spaces are adequate for pedestrian safety. Mr. Cram replied that the crosswalks appear to be adequate and said that, in similar situations, towns often install "crosswalk ahead" signage to alert drivers.

Ms. McEaney expressed concern about the traffic flow and access in an out of the site, and the adequacy of parking for visitors to the site. Mr. Cram and Ms. Nelson explained how visitor parking would be accommodated. Mr. Cram noted that there are additional parking spaces

available at the Ripley School and Ms. Nelson explained the staffing hours and proposed driveway queuing.

Mr. Flint noted that the traffic, during peak hours post-construction, is anticipated to be a grade “D” in the traffic study. He asked the traffic engineer, Mr. Cram, what the grade of the existing intersection would be (would without the facility). Mr. Cram replied it would be a “C”. Mr. Flint asked if it would be possible to move the proposed entrance. Ms. Obendorf replied and explained the 50’ setback requirement, proposed snow storage area, and lawn and residential character would be impacted if the entrance were moved.

Mr. Flint suggested that a lighted crosswalk sign at the approach to the intersection is necessary. The Applicant indicated that they would be open to working with the Town to have that installed.

Ms. Orvedal asked about the proposed landscape plan and suggested the inclusion of low-impact drainage. Ms. Obendorf stated she would investigate the possibility of using LID measures.

The Board received a Planner’s Report dated April 30, 2021 for this application.

Mr. Flint referred to the Town’s Sustainability Director’s comments in the Planner’s Report. Mr. Flint asked about the potential for all electric utilities. Ms. Nelson replied that sustainability and solar are important to the Center and that they are working towards that and are waiting for bids on their schematics.

Chair Ferguson asked for public comment. She reiterated that the Board received numerous emails. She acknowledged that (based on the emails) there is a lot of support for the project, and CCC, and its role in the community. She also noted that many of the emails expressed concerns about the location, negative impacts to traffic, especially the safety of the intersection. She asked that only those with new information comment now.

Michael Reilly, 93 Kenney Lane, spoke in opposition to the application. He cited concerns about safety, light pollution, bicyclists, and the existing school bus stop located near the proposed entrance.

Rachel Morris, 599 Bedford Street, spoke in support of the application.

Brian Faber, 41 Ash Street, spoke in support of the application.

Joel Gagne, 31 Central Street, spoke in support of the application.

Dawn McCullough, 178 Virginia Road, spoke in opposition to the application.

Shan Lu, 11 Kenney Lane, spoke in opposition to the application citing concerns about the applicant’s stormwater data and calculations. Town Planner Hughes said that she would make the Town Engineer aware of her concerns.

Megan Carroll, 277 Old Bedford Road, spoke in support of the application.

Mark Daniel, 359 Old Bedford Road, spoke in support of the application.

Jason Abelowitz, 179 Prairie Street, spoke in support of the application.

Jennifer Ubaldino, of Concord-Carlisle Community Chest, spoke in support of the application.

Mav Pardee, 87 Stow Street, spoke in support of the application.

Christa Collins, 55 Highland Street, spoke in support of the application.

David Genova, 76 Kenney Lane, spoke in opposition to the application. He suggested a left turn only out of the proposed driveway exit, citing safety concerns.

Mary Genova, 76 Kenney Lane, spoke in opposition to the application.

Henry Haff, 10 Philip Farm Rd. referred his six-page letter dated May 1, 2021 sent to the Board to inform them of concerns and issues that he has as a direct abutter to the site.

James Lee, 81 Kenney Lane, said that there is support for CCC, but he also expressed concerns about negative impacts from stormwater runoff and salts from the proposed parking lot. He mentioned restrictions that the surrounding wetlands placed on construction.

Ashley Cohane, 44 Central Street, spoke in support of the application.

David Levin, 33 Concord Lane, spoke in opposition to the application.

Casey Atkins, 4 Hawthorne Village, spoke in support of the application.

Diane Jacques, 12 Kenney Lane, spoke in opposition to the application.

Christina Fox, 16 Meriam Road, spoke in opposition to the application.

Carrie Rankin, 95 Upland Road, spoke in support of the application.

Town Planner Hughes gave an overview of the process regarding the review of the Applicant's traffic study by third-party consultant hired by the Town via the MGL Ch. 53G process and the upcoming Planning Board meeting schedule.

Ms. McEaney moved, and Mr. Flint seconded, that the Board continue review of this application to June 8, 2021 at 7:00 p.m. All voted in favor. The roll call was Mr. Sayegh, yes; Mr. Flint, yes; Mr. Bosdet, yes; Ms. Miller, yes; Ms. McEaney, yes. Ms. Orvedal, yes; and Ms. Ferguson, yes.

Public Hearing Presentations Review

The Board did a final review of the presentations in preparation for the May 13 Public Hearing on the Zoning Bylaw amendment articles for 2021 Annual Town Meeting.

Minutes

The draft minutes of the April 13, 2021 meeting will be reviewed at a future meeting.

Planning Board Liaison/Town Planner Updates

Town Planner Hughes informed the Board that MAPC Thoreau Depot Public Forum will be held on June 22 from 6:30 p.m. to 8:30 p.m.

General Public Comment

Pamela Dritt, 1304 Concord Greened, thanked the Board for their efforts to adhere to Town goals regarding sustainability.

The meeting adjourned at 10:19 p.m.

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

- Town Planner's agenda memorandum for 5/4/21 meeting
- Planner's Report dated 4/30/21 for 250 Old Bedford Rd. Site Plan Review
- Planner's Report dated 4/30/21 for 68 Commonwealth Ave. Site Plan Review
- May 13th Public Hearing draft presentations

Respectfully submitted,

Nathan Bosdet, Clerk

Minutes approved on: 5/25/21