

Minutes of the Planning Board Meeting of July 21, 2020

Pursuant to a notice and agenda filed with the Town Clerk, the Planning Board met at 7:00 p.m. on July 21, 2020 and held a virtual online public meeting via <https://zoom.us>

Chair Ferguson opened the virtual meeting and said the meeting was being recorded.

Ms. Ferguson asked for a roll-call of the Planning Board members. Present were: Ms. Ferguson, Mr. Sayegh, Mr. Flint, Mr. Johnson, and Ms. Orvedal. Mr. Bosdet and Ms. McEneaney were absent.

Town Planner Elizabeth Hughes was present.

Chair Ferguson explained the conduct of the virtual meeting.

Site Plan Review Public Hearing, Middlesex School, 1400 Lowell Road

Application of the Middlesex School, under Section 11.8 of the Zoning Bylaw, for the construction of an 11-bedroom two-story modular transitional student housing building on the campus at 1400 Lowell Road, Parcel 1533.

Present for the Applicant were: Matt Crozier, Chief Operating Officer and Steve McKeown, Project Manager, of the Middlesex School, and Steve Ventresca, of Nitsch Engineering.

Mr. Ventresca began by giving an overview of the proposed project and pointed out the location of proposed building on the plan.

Mr. McKeown, explained that the temporary housing units will be obtained from a modular company out of New Hampshire and that the proposed floor plans will be similar to that of Oates Lane housing on campus last summer.

The Board considered the Planner's Report dated 7/17/20.

Ms. Ferguson asked about the temporary trailers behind the athletic building shown in the aerial photo and wondered how that was re-purposed. Mr. Crozier explained that the temporary trailer from last summer was used as temporary classroom and was only leased. It was returned to the company when not needed anymore.

Mr. Johnson asked about access to the handicapped accessible parking spaces. Mr. Ventresca pointed out on the plan the proposed location of the modular unit and explained the location of the handicapped parking spaces.

Mr. Johnson commented on a concern with flat façade of the modular unit. Mr. Ventresca provided the floor plans of the building, which shows the variation in the building façade. Mr. Johnson commended the School on taking precautions during this challenging time of COVID-19.

Mr. Crozier explained that the School is acting out of an abundance of caution by taking these measures. The Board commended the effort to keep students and staff safe.

Chair Ferguson asked for public comment and there was none.

Chair Ferguson closed the public hearing.

Mr. Johnson moved, and Mr. Flint seconded, that the Planning Board grant Site Plan Approval to the Middlesex School, under Section 11.8 of the Zoning Bylaw, for the construction of an 11-bedroom two-story modular transitional student housing building on the campus at 1400 Lowell Road based on the findings and conditions as specified in the Town Planner's report dated July 16, 2020. All voted in favor. The roll call vote was: Mr. Sayegh, yes; Mr. Johnson, yes; Mr. Flint, yes; Ms. Orvedal, yes; and Ms. Ferguson, yes.

Minutes

The Board reviewed and amended the 6/23/20 draft meeting minutes. The amendments were small typographical errors, inserting the missing word is, and resident's address was omitted (it will be provided). The 7/7/20 minutes were not available and will be reviewed at the 8/11/20 meeting.

Mr. Johnson moved, and Mr. Flint seconded, that the Board approve the minutes of the 6/23/20 meeting as amended. All voted in favor. The roll call vote was: Mr. Sayegh, yes; Mr. Johnson, yes; Mr. Flint, yes; Ms. Orvedal, yes; and Ms. Ferguson, yes.

MAPC Draft Thoreau Depot Redevelopment Vision (see below also)

The Board began their review of the Draft Thoreau Depot Redevelopment Vision Report prepared by MAPC, since there was some time before the next agenda item.

Mr. Flint commented on the section regarding modifying the maximum allowed height to 38'.

Ms. Ferguson suggested that a different photo showing the sample building height or retain the 35' maximum.

With the next agenda item, a public hearing at 7:30 p.m., the Board concluded this discussion and resumed it after the public hearing.

Site Plan Review Public Hearing, Minute Man ARC for Human Services, Inc. 35 Forest Ridge Road

Application of Minute Man ARC for Human Services Inc., under Section 11.8 of the Zoning Bylaw, for the expansion and reconfiguration of parking lot, addition of sports court, and internal sidewalk at 35 Forest Ridge Road (Parcel 2971-1).

Present for the Applicant were Jeffrey Brem, of Meisner Brem Corp.; Jean Goldsberry, Executive Director, and Eric Boroush, Director of Operations, both of Minute Man Arc.

On 7/14/20, three Board members (Ferguson, Johnson & Sayegh) and the Town Planner went on an outdoor site visit to the site. The Board members that attended agreed that it was beneficial to see the parking lot and proposed sports court areas and helped to address concerns they raised at the last meeting.

Mr. Brem referred to the comment letter dated 7/17/20 received from Concord Public Works Engineering Division. He went over the items in the letter and explained the proposed action steps to be undertaken to address the items.

Town Planner Hughes said that she received a late email from the Water & Sewer Division of Public Works on the day of the meeting and that they are recommending standard conditions of approval, along with a condition regarding access to the water main under the proposed sports court.

Mr. Sayegh asked about raised landscaped islands in the parking lot. Mr. Brem explained that there are no changes to the existing septic system, part of which is under some of the islands. He explained that the proposed walkway through the parking lot has been eliminated from the plans and that striped pavement across is proposed. He explained that a raised landscaped island could pose a tripping hazard for the clients served by Minute Man ARC.

The Board noted that care was taken to minimize the impacts to existing trees.

Ms. Ferguson asked for public comment and there was none.

Ms. Ferguson closed the public hearing.

Mr. Flint moved, and Ms. Orvedal seconded, that the Planning Board grant Site Plan Approval under Section 11.8 of the Zoning Bylaw, to Minute Man ARC for Human Services Inc. for the expansion and reconfiguration of parking lot, addition of sports court, and internal sidewalk at 35 Forest Ridge Road, subject to Planning Board review at the next meeting.

Mr. Flint moved to withdraw that motion and moved that the Planning Board grant Site Plan Approval under Section 11.8 of the Zoning Bylaw, to Minute Man ARC for Human Services Inc. for the expansion and reconfiguration of parking lot, addition of sports court, and internal sidewalk at 35 Forest Ridge Road, subject to the conditions contained in the Planner's Report, and to delegate Mr. Johnson to review the decision once it is finalized and before it is filed with the Town Clerk. Mr. Johnson seconded. All voted in favor. The roll call vote was: Mr. Sayegh, yes; Mr. Johnson, yes; Mr. Flint, yes; Ms. Orvedal, yes; and Ms. Ferguson, yes.

MAPC Draft Thoreau Depot Redevelopment Vision

The Board resumed their review and discussion of the MAPC Draft Thoreau Depot Redevelopment Vision Report.

Mr. Sayegh asked for clarification on the change of height allowed (38') and four-story buildings.

Mr. Johnson said that, from his point of view, that the MAPC Draft Report doesn't match the feedback that was received at the public forum and that their example (of building height) doesn't match the intent of increasing the maximum allowed height to 38'. This is something that MAPC should be aware of that as they revise the Report.

Ms. Ferguson agreed that it is important that MAPC's recommendation aligns with the feedback given by the public and the Planning Board. Town Planner Hughes said that if the Board doesn't feel that the 38' height is reflective of what the Board heard at the Forum and at the last presentation then that should not be included in the Report prepared by MAPC.

Mr. Flint referred to the two sub-districts concepts and suggested that Thoreau St. should remain at the 35' building height maximum and that there be flexibility in the Thoreau marketplace area to allow up to 4 stories in buildings without frontage.

Mr. Johnson concurred that a 4-story structure that was not along Sudbury Rd. could be appropriate for the site.

Town Planner Hughes will forward the Zoom meeting link to MAPC so that they can learn of the Board's feedback.

Mr. Flint referred to the mention in the Report of ground design standards. He suggested that showing an example of that in the Report would be helpful.

Mr. Johnson asked whether it was feasible to have two separate sub-districts. Town Planner Hughes suggested that it would most likely be two distinct zoning districts. He asked what liner buildings were and whether having a picture would be beneficial. After explaining about liner buildings, Mr. Sayegh agreed that it would be helpful for the Report to contain specific examples.

Ms. Ferguson asked if there was public comment. She also explained that this is a long term endeavor, one which will provide many more opportunities for public comment, before anything is acted on.

Ms. Ferguson acknowledged that public comment via email was received from resident, Joseph Stein, 21 Thoreau Street.

Sue Felshin, 19 Sunnyside Lane, said that she had to call in because the "raise hand" function in Zoom was not working. She asked about the timeline and process for submitting comments. Ms. Hughes said that the comments can be submitted in writing by email to Planning Staff within the next two weeks. Any comments received will be forwarded to the Board and the MAPC Planner.

Ms. Hughes explained the timeline for the Board's feedback to MAPC and the potential next steps timeline for action at Town Meeting in 2022.

Annual Town Meeting Pre-Meeting Public Hearing Discussion

Due to the COVID-19 pandemic mandates and restrictions, and due to the postponement of Town Meeting until September, the Board is holding a virtual Public Hearing on the proposed Zoning Bylaw amendment warrant articles. This virtual hearing, via Zoom, will be in addition to the in person Public Hearing that was held in February, 2020.

Since the Board is not moving Article 33 Two-Family Dwellings and Article 43 Planned Residential Development Moratorium is not being moved by the Petitioner, presentations are not required. Board members were assigned the remaining articles to present at the Public Hearing for those articles. Ms. Hughes will resend the presentations to the Board.

The Board discussed the revised draft Article 34 - Planned Residential Development & Table I Principal Use Regulations, with the change from Planning Board back to ZBA as the permit granting authority.

After discussion, Mr. Flint moved, and Mr. Sayegh seconded, to amend Article 34. All voted in favor. The roll call vote was: Mr. Sayegh, yes; Mr. Johnson, yes; Mr. Flint, yes; Ms. Orvedal, yes; and Ms. Ferguson, yes.

Mr. Flint moved, and Mr. Johnson seconded, to submit the revised Article 34 to Town Meeting, as amended, and to recommend affirmative action on Article 34 at Town Meeting. All voted in favor. The roll call vote was: Mr. Sayegh, yes; Mr. Johnson, yes; Mr. Flint, yes; Ms. Orvedal, yes; and Ms. Ferguson, yes.

Ms. Ferguson asked for public comment and there was none.

Board Liaison & Staff Updates

Mr. Johnson reported that, on 7/28/20, there will be a Gerow Recreation Area Forum via Zoom.

Town Planner Hughes reported that a Definitive Subdivision Plan for "Center & Main" was submitted and the Planning Board Public Hearing will be on 9/8/20.

Ms. Ferguson will not be present at the August 11 meeting. Mr. Flint will be Acting-Chair for that meeting.

General Public Comment

None given.

The meeting adjourned at 8:22 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 Memo
- Planner's Report dated 7/17/20 for Middlesex School Site Plan
- Email Stein, 7/20/20 re: Thoreau Depot redevelopment

Respectfully submitted,

Nathan Bosdet, Clerk

Minutes approved on: 8/11/20