

Minutes of the Planning Board Meeting of September 22, 2020

Pursuant to a notice and agenda filed with the Town Clerk, the Planning Board met at 7:00 p.m. on September 22, 2020 and held a virtual online public meeting via <https://zoom.us>

Chair Ferguson began by explaining the conduct of the meeting 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, Ms. McEneaney, Mr. Flint, Ms. Orvedal, Mr. Bosdet, and Ms. Ferguson,

Town Planner Elizabeth Hughes was present.

Public Hearing – Definitive Subdivision Plan #247 11B, 146B and 1442 Main Street, and 110 Highland Street

Ms. Ferguson explained that the Applicant requested a continuance of the Public Hearing, without discussion, to the October 6, 2020 meeting.

Mr. Flint moved that the Planning Board continue the Public Hearing on this matter, without discussion, to October 6, 2020 at 7:30 p.m. Ms. McEneaney seconded and all voted in favor. The roll call vote was Mr. Sayegh, yes; Ms. Orvedal, yes; Mr. Bosdet, yes; Ms. McEneaney, yes; Mr. Flint, yes; and Ms. Ferguson, yes.

Ms. Ferguson asked that the Town Planner confirm that the Applicant is aware of the submittal deadline date for revised plans. Mr. Flint asked about the deadline for the Board to file its decision on this application to the Town Clerk.

Town Planner Hughes replied that since this item was continued without discussion, she would not comment, instead she would check on those items and reply to those questions via an email update to the Board.

Planning Board Liaison & Town Planner Updates

Alan Koder, a potential West Concord Advisory Committee (WCAC) member, attended and introduced himself to the Board. Ms. McEneaney moved that the Planning Board recommend to the Select Board the appointment of Mr. Koder to WCAC. Mr. Sayegh seconded and all voted in favor. The roll call vote was Ms. Orvedal, yes; Mr. Flint, yes; Mr. Bosdet, yes; Ms. McEneaney, yes, Mr. Sayegh, yes; and Ms. Ferguson, yes.

Linda Miller, potential nominee to the Planning Board, was in attendance and introduced herself. The Board welcomed her and was glad to learn of her interest in serving. Ms. McEneaney moved that the Planning Board recommend, to the Select Board, the nomination of Linda Miller as Planning Board member. Mr. Flint seconded and all voted in favor. The roll call vote was Mr. Sayegh, yes; Mr. Bosdet, yes; Ms. Orvedal, yes; Mr. Flint, yes; Ms. McEneaney, yes; and Ms. Ferguson, yes.

Town Planner Hughes explained the Select Board's appointment process. It is hoped that Ms. Miller will be able to participate in the October 6 Planning Board meeting.

2021 Annual Town Meeting Potential Zoning Bylaw Amendment Discussion

Chair Ferguson thanked Planning Staff for their efforts for the Town Meeting preparations. She said that, while it is unknown at this time the 2021 Town Meeting schedule, normally the submittal deadline for the warrant is early January.

The Board discussed whether there are any Zoning Bylaw amendment warrant articles they want to put forth for 2021 Town Meeting. Town Planner Hughes shared the screen to show the Planning Board 2020-2021 Goals. Article 37 (Zoning Map Amendment – Thoreau Depot Business & Residence C Zoning District) was not passed at Town Meeting. Town Planner Hughes explained that she intends to reach out to the property owners to determine what their next steps will be. She will suggest that, if they decide to move forward, that it would be beneficial to engage a transportation engineer to study the Thoreau Street and Sudbury Road intersection to show that the proposed one way in and out configuration is an improvement to vehicle and pedestrian safety.

Town Planner Hughes reported that the State is renegeing on the grant for the Concord Shuttle. She also explained that the Jennie Dugan Road neighborhood may seek to establish a new Historic District at 2021 Annual Town Meeting and that the Historical Commission might propose amendments to the Demolition Review Bylaw.

The Board discussed the MAPC consultant's work and the multi-year project to create new Zoning for the Thoreau Depot Business District.

The Board discussed the effectiveness of Section 7.1.5 (Floor Area Ratio) for non-conforming structures. Town Planner Hughes reported that the Zoning Board of Appeals (ZBA) is still seeing applications for special permits for expansions that exceed 50% that are not even close to exceeding the FAR ratios.

Town Planner Hughes reminded the Board that they wanted to invite Davey Tree representatives (the Town's contracted Tree Reviewing Agent) to discuss the effectiveness of the Tree Preservation Bylaw and to get their feedback. She also reported that, within the next six months, the Town would be hiring a Land Manager to work in the Natural Resources Division. It is anticipated that Tree Protection Permit reviews will be part of their duties.

Ms. Orvedal suggested that the Board contact Mass Audubon Society to inquire how they support other towns to reach sustainability goals and tree preservation goals. Mr. Flint suggested that Jeff Collins (former Chair of the WCAC) would also be a good resource for information. Town Planner Hughes offered to reach out to the Town's Sustainability Director too.

Ms. Hughes noted that although the Board may not have many potential Zoning Bylaw amendments for the 2021 Annual Town Meeting, it does not mean that the Board won't be busy tackling the Board's goal list, such as updating the existing Subdivision Rules and Regulations and creating Site Plan Rules and Regulations. Mr. Flint agreed and said that the MAPC/Thoreau Depot consultants will keep the Board busy too.

Mr. Sayegh suggested that the Floor Area Ratio Section of the Zoning Bylaw could be more effective if FAR restrictions were based on lot size not Zoning District.

It was decided that a joint meeting with the Zoning Board of Appeals to discuss potential zoning bylaw amendments would be beneficial. Ms. Hughes will send out a doodle poll to the Planning Board and ZBA members.

Ms. Ferguson said that it is likely that another Public Forum on Thoreau Depot will be scheduled in February or March 2021.

Ms. Ferguson asked for public comment.

Amy Kaiser, 294 Commonwealth Avenue, tried to join the meeting to make a comment but had technical difficulties. The Chair stated that she would allow Ms. Kaiser to speak later in the meeting when she had a better connection.

Planning Board Meeting Minutes

The Board reviewed the draft minutes of the August 19, 2020 meeting. Mr. Flint moved and Mr. Bosdet seconded that the Board approved the minutes as written. All voted in favor. The roll call was Mr. Sayegh, yes; Ms. McEneaney, yes; Ms. Orvedal, yes; Mr. Bosdet, yes; Mr. Flint, yes; and Ms. Ferguson, yes.

The Board reviewed the draft minutes of the August 19, 2020 meeting. Mr. Flint moved and Ms. Ferguson seconded that the Board approved the minutes as written. All voted in favor. The roll call was Mr. Sayegh, yes; Mr. Bosdet, yes; Ms. Orvedal, yes; Mr. Flint, yes; Ms. McEneaney, yes; and Ms. Ferguson, yes.

Additional Planning Board Liaison & Town Planner Updates

Mr. Flint reported that the Community Preservation Committee kicked off the 2021 funding cycle with a question and answer session.

Susan Bates, Select Board liaison to the Planning Board, attended and reported that the Select Board will be discussing the 2021 Town Meeting date. She said that Mr. Koder should complete a green card.

General Public Comment

Amy Kaiser, 294 Commonwealth Avenue, a member of the West Concord Advisory Committee, expressed concerns on behalf of WCAC regarding the Gerow Recreation land in West Concord. Chair Ferguson acknowledged that the Board was in receipt of a letter dated 9/11/20 from WCAC on this topic.

Town Planner Hughes explained that the Gerow land is a municipal project that does not trigger review by either the Planning Board or the Zoning Board of Appeals.

Ms. Kaiser said that the West Concord Advisory Committee is very concerned about the negative impact of the amount of proposed parking for the site. Concerns include the cost and environmental impacts. WCAC would like to see less parking on site.

Mr. Flint asked if the Planning Board could lend their support to WCAC's concerns to amplify their voice. It was decided to forward to the Town Manager and Deputy Town Manager the WCAC letter along with a Planning Board letter of support and to include an invitation to the Deputy Town Manager and the Recreation Director, to attend an upcoming Planning Board meeting.

The meeting adjourned at 8:10 p.m.

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

- Draft minutes August 19, 2020 and August 25, 2020 Planning Board meetings
- Letter dated 9/11/20 from West Concord Advisory Committee re: Gerow recreation area

Respectfully submitted,

Nathan Bosdet, Clerk

Minutes approved on: 10/6/20