

Minutes of the Planning Board Meeting of March 13, 2019

Pursuant to a notice filed with the Town Clerk, the Planning Board met at 7:00 p.m. on March 13, 2019 in the First Floor meeting room at 141 Keyes Road, Concord, MA.

Present:

Gary Kleiman
Nathan Bosdet
Robert Easton
Kristen Ferguson
Burton Flint
Matt Johnson
Allen Sayegh

Elizabeth Hughes, Town Planner
Nancy Hausherr, Administrative Assistant (until 9:30 p.m.)

The meeting commenced at 7:01 p.m. and was audio-recorded. Mr. Kleiman requested that anyone recording the meeting inform the Board.

Presentation & Discussion with MA Housing Choice Program Director

Chris Kluchman, MA Housing Choice Program Director, attended the meeting at the invitation of the Board to present information about the state of affordable housing in the Commonwealth and Concord, the various Housing Choice Initiatives, and ways that Concord might look to increase affordable and workforce housing.

Affordable Housing Discussion

Todd Benjamin, Chair of the Town's Affordable Housing Funding Committee (AHFC), attended the meeting at the invitation of the Board to present information about the four articles on the 2019 Annual Town Meeting warrant to fund affordable housing initiatives and to provide zoning recommendations that might expand affordable home choice within Concord.

Site Plan Review

Steve McKeown, Project Manager, Middlesex School, and Eric Bradanese, P.E., Stantec, appeared before the Board to discuss the Site Plan application of the Middlesex School, under Section 11.8 of the Zoning Bylaw, to construct three new duplex housing units for faculty on the north side of Oates Land and make related site improvements on the campus of the school at 1400 Lowell Road, Parcel 1533.

The Board considered the Revised Planner's Report for SP #19-01 dated 3/11/19.

Mr. McKeown gave an overview of the plans. Mr. Bradanese presented the Revised Layout Materials and Planting Plan and the utility plan.

Mr. Kleiman asked the Town Planner if all the staff comments mentioned in the Planner's Report were addressed by the applicant. Ms. Hughes answered there are not any outstanding issues or concerns, except she noted, that the Interim Building Commissioner's has concerns about the proposed height of the units being very close to the maximum allowable height of 35' in a residential district and that, while the Applicant has provided information verifying the proposed height of the structures, there is no room for error. Town Planner Hughes also explained that a variance for height would not be considered because the condition would be self-imposed by the applicant. She referred to recommended condition #12 in the Report.

Ms. Ferguson asked why natural gas connections are proposed. Mr. McKeown explained that the school has transitioned from oil to natural gas. Ms. Ferguson encouraged them to consider clean energy and electrification. Mr. McKeown described the efforts by the School to include other sustainability features on campus.

Mr. Kleiman and Mr. Johnson also encouraged the inclusion of more sustainable energy components in the project.

Mr. Kleiman asked for comments from the audience.

Michael McAteer, 1615 Lowell Road, encouraged the applicant to consider integrated systems for sustainability.

Charlie Parker, 105 Chestnut Street, suggested air source heat pump installations.

Mr. Kleiman reiterated that the Board respectfully requests that the applicant look for additional opportunity for sustainability in this project.

After due consideration by the Board, Mr. Kleiman moved that the Board grant Site Plan Approval, under Section 11.8 of the Zoning Bylaw, to the Middlesex School for the application and plans submitted on 1/9/19, and revised 2/8/19 and 2/22/19, subject to the conditions contained in the aforementioned Planner's Report. Ms. Ferguson seconded. All **VOTED** in favor.

Potential MAPC Consulting Services
59 Walden Street Zoning & Visualization Analysis

The Board considered the MAPC Proposal dated 1/28/19 to provide analysis and visualization services to explore zoning modifications, specifically variations in maximum height, at 59 Walden Street near Concord Center.

Chair Kleiman gave an overview of past efforts to address potential Bylaw amendments to the Limited Business #2 District and the current proposal. He acknowledged that the Board was in receipt of letter dated 3/12/19 Cyrus and Joanne Gibson of 88 Walden Street and an email sent to

him on 3/11/19 from Travis Snell of Concord Property Management, both in support the Planning Board's efforts on a visualization study for the Limited Business 2 Zoning District (on Walden Street).

Mr. Kleiman asked for comments from the audience.

Lola Chiasson, 77 Walden Street, suggested that the heights of surrounding structures should be verified for accuracy and that the area should be looked at holistically.

Charlie Parker, 105 Chestnut Street, asked about changes to the building footprint (59 Walden St.) Town Planner Hughes explained the intended extent of the analysis and visualization process and the potential constraints.

Nancy Fresella-Lee, 140 Walden Street, asked about the timeline and schedule for the presentation.

Peter Lee, 140 Walden Street, asked about maximum height visualization.

After discussion, the Board requested that the Planning Division move forward with having Metropolitan Area Planning Commission (MAPC) conduct a zoning and visualization analysis for 59 Walden Street to assist the Board in having a community discussion about potential modification to the Limited Business #2 Zoning District.

MAPC District Local Technical Assistance Grant Application Thoreau Depot Smart Growth Study

The Board considered a Technical Assistance Program (TAP) Project Concept memorandum regarding the Planning Division seeking technical assistance to conduct a study on creating a Transportation Oriented Development or Chapter 40R overlay district in one of the Town's village districts, known as Thoreau Depot in the Thoreau Business Zoning District.

After discussion and consideration, the Board recommended that the Town Manager submit to MAPC the grant proposal for the Technical Assistance Program.

2019 Annual Town Meeting Public Hearing Follow-up & Warrant Article Motions

The Board acknowledged receipt of an email sent 3/11/19 with an attachment (2010) from Attorney Henry Dane in opposition to warrant article 29 and a letter dated 3/12/19 to the Board from K. Winchell, Preserve Our Village Centers, a project of Save Our Heritage, in support of warrant article #29; and a documentation letter dated 2/27/19 to Save Our Heritage with a legal opinion of the Formula Business Bylaw.

The Board discussed and finalized a belated letter in response to a letter received from Concord Business Partnership on 9/26/19.

The Board discussed questions and concerns raised at the 3/5/19 Public Hearing. Mr. Flint moved that the Board move the nine zoning bylaw amendment warrant articles (#29-37) as printed in the Annual Town Meeting warrant. Mr. Bosdet seconded. All **VOTED** in favor.

Approval Not Required Plan #19-04
1165 & 113A Monument Street

Town Planner Hughes presented the plan to the Board. She explained that the plan shows properties located in the Residence AA Zoning District, which requires 80,000 s.f. and 200' of frontage, and that the plan shows the combination of a single 250,580 s.f. lot with 343.51 feet of frontage.

Mr. Bosdet moved that the Board authorize the Chair, Clerk, or Town Planner to endorse the plan dated 2/5/19 prepared by Stamski & McNary, Inc. for Dennis & Kimberly Burns at 1165 and 113A Monument Street as Approval under Subdivision Control Law Not Required because the plan is not a "subdivision" because it does not show a division of land. Mr. Flint seconded. All **VOTED** in favor.

Approval Not Required Plan #19-05
18 Cambridge Turnpike

Town Planner Hughes presented the plan to the Board. She explained that the plan shows property located at the intersection of Lexington Road and Cambridge Turnpike with frontage on Walden Street as well, and known as 18 Cambridge Turnpike (aka The Ralph Waldo Emerson House). The portion of the property that fronts Cambridge Turnpike is in the Residence B District, which requires 20,000 s.f. and 100 feet of frontage. The portion of the property that fronts Walden Street is in the Residence A District, which requires 40,000 s.f. and 150 feet of frontage. Both Lots are within the Wetland and Flood Plain Conservancy District. Each Lot is required to have at least 50% of the required area as upland. The Plan shows the division of the property into two lots. Lot 1 will have 635 feet of frontage on Cambridge Turnpike and 157,304 s.f. with 119,262 s.f. of upland. Lot 2 will have 188.88 feet of frontage on Walden Street and 278,633 s.f. with 4,669 s.f. of upland. The Board is able to endorse the Plan since Lot 1 meets the requirements for the Residence A and Residence B District and if Lot 2 is labeled Parcel 2 and a note is included on the Plan stating that Parcel 2 is not a building lot for zoning purposes.

Mr. Bosdet moved that the Board authorize the Chair, Clerk, or Town Planner to endorse the plan dated 2/12/19, revised 3/11/19, prepared by Stamski & McNary, Inc. for the Ralph Waldo Emerson Association at 18 Cambridge Turnpike as Approval under Subdivision Control Law Not Required because Lot 1 shown on the Plan has the required area and frontage as required by the Concord Zoning Bylaw and Parcel 2 is labeled as Not A Building Lot. Mr. Flint seconded. All **VOTED** in favor.

Approval Not Required Plan #19-06
33 & 37 Bedford Street

Town Planner Hughes presented the plan to the Board. She explained that the plan shows properties located on the west side of Bedford Street and south side of Court Lane, and are commonly known as Dee Funeral Home. The properties are located in the Limited Business District #3, which does not have any minimum frontage or area requirements. The Plan shows the conveyance of 3,880 s.f. of area and 21 feet of frontage from Parcel 848 (37 Bedford St) to Parcel 847 (33 Bedford St).

Mr. Bosdet moved that the Board authorize the Chair, Clerk, or Town Planner to endorse the plan dated 2/11/19 prepared by Snelling & Hamel Associates, Inc. for Susan Dee & Ashbourne Realty Trust at 33 & 37 Bedford Street as Approval under Subdivision Control Law Not Required because the division of the tract of land shown on the plan is not a “subdivision” because every lot shown on the Plan has the required area and frontage as required by the Concord Zoning Bylaw Mr. Flint seconded. All **VOTED** in favor.

Minutes

The Board reviewed the draft minutes of the 1/22/19, 2/21/19, and 3/5/19 meetings. Mr. Easton moved that the Board approve all three sets of minutes as written. Ms. Ferguson seconded. All **VOTED** in favor.

Liaison and Staff Reports

Mr. Johnson said that plans are underway for the West Concord Advisory Committee’s Annual Open House in May. He said that WCAC is looking at the uses in the West Concord Industrial District and hopes to coordinate with the Board on what they need to move forward with any Zoning Bylaw amendments. Mr. Johnson suggested a joint meeting, which the Board agreed. The Board would like to get an update from the West Concord Junction Cultural District Committee on any project or grant that may be looking at uses in WC Industrial areas as part of the cultural district designation and to also schedule a joint meeting in the future with both the WCJCDC and WCAC.

Mr. Kleiman suggested that the Board have a conversation with the Concord Business Partnership, WCAC and the Finance Committee on Envision Concord Plan Big Idea #1 (*Strengthen the sustainability of local businesses and commercial districts and the cultural, historic and civic assets in Concord by connecting businesses to cultural, historic, and civic resources, and developing coordinated strategies that serve cross-sector goals*).

Public Comment

Julie Del Sobral, 18 Bartkus Farm Road, suggested that the presentation to Town Meeting on Article 30 Wireless Overlay District include elements on why it is a good idea to include this area and not just the information about the citizen’s petition last year. Mr. Kleiman stated he would revise the presentation.

Mark Gailus, 62 Prescott Road, supports clarifying the wireless map in the presentation of Article 30. He also opined that tonight's meeting was very interesting and that he found especially valuable the two presentations on affordable housing.

Additional Staff Update

Town Planner Hughes informed the Board that the request letter to enter into a contract for the next phase of the Assabet River Pedestrian Bridge preliminary design (proposed for West Concord) was recently sent to the Town Manager and awaits his approval.

With no further public comment, the meeting adjourned at 9:50 p.m.

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

- Form A & ANR Plan #19-04
- Form A & ANR Plan #19-05
- Form A & ANR Plan #19-06
- Town Planner's memorandum dated 3/11/19
- Revised Planner's Report for SP #19-01 dated 3/11/19
- Affordable Housing presentation handouts
- An email sent 3/11/19 with an attachment (2010) from Attorney Henry Dane in opposition to warrant article 29
- A letter dated 3/12/19 to the Board from K. Winchell, Preserve Our Village Centers, a project of Save Our Heritage, in support of warrant article #29; and a documentation letter dated 2/27/19 to Save Our Heritage with a legal opinion of the Formula Business Bylaw

Respectfully submitted,

Kristen Ferguson, Clerk

Minutes approved on: 4/2/19