

BEDFORD PLANNING BOARD
Regular Session Minutes
Town Hall—Selectmen’s Meeting Room
May 14, 2013

MEMBERS PRESENT: Jeffrey Cohen, Chair; Shawn Hanegan, Clerk; Sandra Hackman; Amy Lloyd; Lisa Mustapich

MEMBERS ABSENT: None

STAFF PRESENT: Glenn Garber, Planning Director; Catherine Perry, Assistant Planner; and Cathy Silvestrone, Planning A.A.

STAFF ABSENT: None

OTHERS PRESENT: See Attached

Emergency Evacuation read by Shawn Hanegan

Note: All submittals are available for review in the Planning Office.

Chair Cohen convened the meeting at 7:00 PM

BUSINESS SESSION

1) **Victoria Road Definitive Subdivision**—endorsement of mylar plan set.

Catherine Perry, Assistant Planner spoke about satisfying Condition 6 in the Certificate of Action decision for Victoria Road Definitive Subdivision dated, April 1, 2013. Condition 6 states that prior to endorsement of the plan, certified copies from the Registry of Deeds of the recorded easements for the tee turnaround on Lot 143 and for stormwater drainage across Lot 60 and/or 63 at the rear of 19 Charles Street shall be submitted to the Planning Board. The applicant submitted a Drainage Easement and Turnaround Easement as requested. Ms. Perry stated that she had forwarded a copy of these easements (and other supporting documentation) to Rick Reed, Town Manager, for Selectmen review/acceptance. Mr. Reed noted that Charles Street is a Private Way that existed before Victoria Road Subdivision; and therefore it didn’t make sense to him why the Town would be asked to accept an easement for a turnaround on Lot 143 when the Town may not have an interest in Charles Street. Mr. Reed further noted that, if an easement in the future is granted, then it will have to be accepted at a future town meeting.

A further discussion took place regarding the necessity to have the turnaround easement accepted by the Selectmen prior to endorsing the subdivision plan. Ms. Perry and Ms. Brown agreed that it was not necessary to hold up endorsement of the subdivision plan, given that the Board has already signed the Certificate of Action; and that the easements can be finalized at a later time.

*MOTION: Lisa Mustapich, moved that the Board endorse Victoria Road Definitive Subdivision Plan Set, dated January 7, 2013 and revised on April 26, 2013 as recommended by Catherine Perry, Assistant Planner.
(Amy Lloyd seconded the motion)*

VOTE: 5-0-0

2) **64 Sweetwater Avenue/ANR Plan review**—Doug Miller, GPR Engineering Inc. submitted a Form A application (dated April 25, 2013) and a Plan of Land (dated May 14, 2013) for 64 Sweetwater Avenue (owned by Helen Nowers with Deborah Kimball Nowers as successor Trustee) and is requesting a determination from the Planning Board that Subdivision approval is not required.

Catherine Perry, Assistant Planner, provided a memo dated, May 8, 2013 explaining the particulars of the applicant's request for endorsement of an ANR (Approval Not Required) Plan under Subdivision Control Law for 64 Sweetwater Avenue.

Catherine Perry explained that applicant, David Brickman, 296 Davis Road, is seeking endorsement of a two lot ANR (Approval Not Required) plan; and that one of the lots is using the frontage exception provision listed in Table II, under Section 6 of the zoning bylaws. Ms. Perry said she spoke with Mr. Miller earlier regarding the surveyor showing normal zoning setback lines on the plan (35ft front, 30ft rear and 15ft side), but the plan does not draw attention to the need to locate any house on Lot 1 behind the line where 150 of width is achieved; and that since this requirement is integral to the adequacy of the frontage, Ms. Perry strongly recommended that the following notation be added to the plan: **Lot 1: Frontage of less than 150 feet but not less than 120 feet is allowable under the frontage exception provision, Section 6.2.4 of the Zoning Bylaw, provided that the lot width, at the nearest point on the front wall of the dwelling to the sideline of the right of way, shall not be less than 150ft.**

Mr. Miller confirmed that the notation recommended by Ms. Perry was added to the May 14, 2013 Plan of Land.

MOTION: Lisa Mustapich moved to approve the Form A application dated, April 25, 2013 and endorse the ANR (Approval Not Required) Plan of Land dated, May 14, 2012 for 64 Sweetwater Avenue. (Sandra Hackman seconded the motion)

VOTE: 5-0-0

3) **Upcoming Meeting Dates**—Board members provided Planning staff with tentative vacations schedules in preparation of creating an upcoming meeting schedule. Board members agreed to July 9, July 23, August 6, September 10 and September 24 as meeting dates.

DEVELOPMENT SESSION

1) 8 Oak Park/Logix Health—(continued site plan review) The following is a list of supplemental submittals since the April 1st site plan review:

- Letter dated, April 9, 2013, from Eugene T. Sullivan, Inc., sharing responses to the Department of Public Works memo dated, March 20, 2013. Attached to this letter; 1) Revised plans C1 thru C.3, 2) Revised Stormwater Management Report; and 3) Submittal on new site lighting fixtures, fence at retaining wall and conceptual patio design.
- Memo dated, May 10, 2013, from Catherine Perry, Assistant Planner, providing a recap from the April 1st discussion, sharing comments on newly submitted materials, and offering a recommendation of approval.
- Memo dated, May 1, 2013, from Adrienne St. John, Public Works Engineer and Kristin Dowdy, Civil/Environmental Engineer, stating that the DPW has reviewed the applicant's latest submittals,

dated, April 9, 2013; and has re-submitted comments from their original memo dated, March 20, 2013, with revised comments.

Eugene Sullivan, PE, reviewed stormwater treatment improvements that were incorporated since the April 1st review. Mr. Sullivan also reviewed the revised structural engineering drawings and stated that the applicant is willing to do what is asked by the DPW.

Chair Cohen questioned the slope of the retaining wall near the new parking area. Mr. Sullivan stated there is no issue with the retaining wall; and then Mr. Sullivan declared that including a vegetated retaining wall would consume a larger area of land which would be more of a disadvantage.

Chair Cohen asked if the proposed fencing for the future retaining wall gives consideration to vehicle safety. Mr. Sullivan commented that the fencing will be decorative and safety certified, plus a guardrail will be installed for vehicle protection. Mr. Sullivan also shared that the proposed fencing color is black; and that this addresses a recommendation Catherine Perry made in her May 10 memo.

Shawn Hanegan mentioned an earlier concern he had regarding the inclusion of a stairway next to the patio.

Mr. Sullivan stated that stairs are proposed next to the patio; and that they plan to provide additional lighting in this area.

Chair Cohen asked Mr. Sullivan if they addressed Catherine Perry's comment to included compact car parking spaces.

Ms. Perry commented that; originally she suggested compact car spaces because she believed the nature of business at this site may have need for them; however after further discussion among Chair Cohen, Mr. Sullivan and Ms. Perry, it was believed that creating compact spaces wouldn't be much of a gain. Amy Lloyd added that that in her experience, people do not usually adhere to compact parking spaces; and therefore she is not in favor of including them in the proposal.

Sandra Hackman asked Mr. Sullivan if he had explored Transportation Demand Management (TDM) measures. Mr. Sullivan said he did look into TDM options, but was unable to get concrete information.

Sandra Hackman spoke about the Route 3 corridor; and asked whether the applicant could join a transportation management association created for that corridor.

Mr. Sullivan commented that he would further explore TDM options.

Amy Lloyd suggested that the applicant include some bicycle storage possibly indoor or under a covered outside area. Ms. Lloyd also asked for shade trees to be planted in the patio area. Mr. Sullivan said he is willing to provide shade trees in the patio area and consider including a sheltered area for bicycles.

Chair Cohen said he is no longer concerned about adding compact car stalls; however he would like to see structural items in place. Mr. Cohen suggested that the following items be included in the recommendation for site plan approval to the Code Enforcement Director: 1) include a protective barrier to patio area; 2) add a light near the patio stairs; and 3) devote some effort toward attaining Transportation Demand Management measures.

MOTION: Lisa Mustapich moved to provide a recommendation for site plan approval to the Code Enforcement Director regarding 8 Oak Park/Logix Health parking lot expansion project with the following conditions: 1) applicant shall submit a retaining wall design (to be reviewed by DPW) that includes a detailed cross-section of the fence and barrier located at the top of the wall, and have this designed stamped “approved “by a Mass. licensed structural engineer; 2) confirm compliance of proposed fence with Mass. State Building Code, 780 CMR and adhere to the agreement of a black colored fence; 3) submit (for Planning staff review) a street furniture design or high curb to protect vehicles from entering the patio area; 4) submit a detailed drawing and additional lighting plan for the proposed stairs near the patio (to be reviewed by the Code Enforcement Director; 5) provide written proof of participation in a Transportation Demand Management Association if and when a TMA is formed in the area; 6) the applicant shall try to minimize the number of vehicle trips generated from the property and report this information to the Planning Department, Code Enforcement Department and DPW within six months of site plan approval.

VOTE: 5-0-0

BUSINESS SESSION (Continued)

4) **Analysis of Impediments to Fair Housing Choice Plan dated, May 2013**—Jessica Porter, Assistant Town Manager, submitted a draft of this plan to the Planning Board for review. Lisa Mustapich, Planning Board liaison to Bedford Housing Partnership and Fair Housing Committee, shared some highlights of the plan and revealed that maintenance and monitoring are two key functions that Fair Housing doesn’t want to lose. Ms. Mustapich also articulated that affordable housing is in a good place; and that they expect to vote on the plan at an upcoming meeting.

Sandra Hackman pointed out that the information provided in section 3-- Past Fair Housing Plans is part of the Comprehensive Plan and asked that the new CP include the action items in the new plan.

DEVELOPMENT SESSION (Continued)

2) **93 Hartwell Road/Athena Lane Definitive Subdivision Public Hearing** began at **8:25PM** and closed at **9:32 PM**. *(Please refer to 93 Hartwell Road/Athena Lane Definitive Subdivision Public Hearing Minutes dated May 14, 2013 for hearing details)*

3) **62-88 Great Road/Blake Block**—the Board reviewed a special permit minor amendment involving planting a shrub barrier along the Great Road sidewalk and final plan and specifications for the installation of bicycle racks at various locations around the site.

Attorney Brown commented that the two-tiered sidewalk design in front of the Blake Block was not in the original/approved Special Permit Plan; and that it had evolved because of issues that later arose in conjunction with the grade and cross slope of the proposed sidewalk along Great Road. Ms. Brown stated that the applicant has worked with town staff to reach an agreeable solution; and therefore the purpose of this evening’s discussion is to finalize specifications and installation of bicycle racks at various locations around the property and to consider a planting scheme for the center strip along the Great Road sidewalk as an acceptable shrub barrier to prevent access to and from the curbing running along the outer edge of that strip.

Ms. Brown reviewed proposed plantings for this center strip; and articulated that she plans to include a variety.

Board members shared their individual ideas regarding plant choices for the center strip area located within the sidewalk; and asked the applicant refrain from choosing any plants that could potentially be poisonous, but do include plants that are drought resistant. Board members also agreed with the following: 1) the center strip area should be densely planted with a variety of Japanese Holly (including some undergrowth planting) to create a hedge-like planting in a short period of time; 2) the temporary snow fencing shall remain erected until plantings are complete; 3) the shrub barrier (with undergrowth planting) shall run the whole length of the strip (with on-center spacing and a minimum plant height of 18 inches; 4) maintenance of the plantings shall be the applicant/property owner's responsibility; 5) planting shall be completed no later than June 30, 2013.

The Board reviewed and discussed a revised bicycle plan for the Blake Block. Planning Board members agreed to the following: **1)** the proposed awning over the bicycle rack nearest Ginger's Restaurant is no longer required; **2)** the total number of required bicycle racks has been reduced from 16 to 14; **3)** install an inverted U-shaped bike rack (*capacity 2 spaces*) near the easterly end of the building near the planter (marked as location A on site sketch); **4)** keep the existing bicycle rack located near the gas meter (*capacity 3 spaces*); **5)** install a previously purchased wave-style rack near the benches on the Fletcher Road side of the building (*capacity 5 spaces*); and install two inverted U-shaped racks at the rear of the site (*capacity 2 spaces ea. Totaling 4*); **6)** all bicycle racks should be installed before the end of the year.

The following separate motions were made in conjunction with Planning Board approval for a minor amendment to the original special permit decision for Brian's LLC/62-88 Great Road:

- *MOTION: Amy Lloyd moved to reduce the number of bicycle racks at the Blake Block (62-88 Great Road) from 16 to 14. (Lisa Mustapich seconded the motion)*

VOTE: 5-0-0

- *MOTION: Lisa Mustapich moved that the proposed awning over the bicycle rack located near Ginger's Restaurant be omitted. (Amy Lloyd seconded the motion)*

VOTE: 5-0-0

- *MOTION: Lisa Mustapich moved to accept the locations and style of bicycle racks as discussed. (Sandra Hackman seconded the motion)*

VOTE: 5-0-0

- *MOTION: Lisa Mustapich moved to accept the center green strip plantings/shrub barrier as discussed. (Shawn Hanegan seconded the motion)*

VOTE: 5-0-0

MINUTES

A) April 1, 2013 Regular Session Minutes—

MOTION: Shawn Hanegan moved to approve April 1, 2013 Regular Session Minutes with minor amendments. (Amy Lloyd seconded the motion)

VOTE: 5-0-0

B) April 2, 2013 Executive Session Minutes—

*MOTION: Sandra Hackman moved to approve April 2, 2013 Executive Session Minutes as submitted.
(Shawn Hanegan seconded the motion)*

VOTE: 5-0-0

C) April 2, 2013 Regular Session Minutes—

*MOTION: Shawn Hanegan moved to approve April 2, 2013 Regular Session Minutes as amended.
(Lisa Mustapich seconded the motion)*

VOTE: 5-0-0

D) April 16, 2013 Special Permit Public Hearing Minutes/100 Plank Street

MOTION: Sandra Hackman moved to approve April 16, 2013 Special Permit Public Hearing Minutes/100 Plank Street as amended. (Lisa Mustapich seconded the motion)

VOTE: 5-0-0

E) April 16, 2013 Regular Session Minutes

*MOTION: Sandra Hackman moved to approve April 16, 2013 Regular Session Minutes as amended.
(Shawn Hanegan seconded the motion)*

VOTE: 5-0-0

F) April 25, 2013 Regular Session Minutes

*MOTION: Lisa Mustapich moved to approve April 25, 2012 Regular Session Minutes as amended.
(Amy Lloyd seconded the motion)*

VOTE: 4-0-1 (Sandra Hackman was absent)

ADJOURNMENT

MOTION: Lisa Mustapich moved to adjourn the meeting. (Shawn Hanegan seconded the motion)

VOTE: 5-0-0

TIME: 11:13 PM