



BILLERICA PLANNING BOARD

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Michael Parker, *Chair*

2025 JAN 14 P 1:30

Kelley Sardina, *Vice Chair*
Christopher Tribou
Edward Giroux

Marlies Henderson, *Secretary*
Blake Robertson
Evens Cimea

Planning Board Meeting Minutes

September 12, 2024 @ 7:00 P.M.

Hybrid

Videoed by BATV

Can be Viewed: <https://billerica.cablecast.tv/CablecastPublicSite/?channel=3>

Members	Present
Michael Parker, Chair	Y
Kelley Sardina, Vice-Chair	Y
Marlies Henderson, Secretary	Y
Blake Robertson	Y
Chris Tribou	Y
Ed Giroux	Y
Evens Cimea	Y

Staff

Katherine Malgieri-Interim Planning Director
Jane Merrill-Interim Senior Planner

Open Mic

Agenda Item 1 – B2 – 55 Oak St- (PARCEL ID 12-98-2) Dangora (Attorney)

Dangora introduced the B2 for 55 Oak Street. The new parcel from the subdivision will be 25,000 sf. There is access to Town water & sewer and Fitzpatrick Ave would provide adequate access to the parcel, per subdivision control law.

The Board discussed possible impact of this proposal to the original subdivision on Fitzpatrick Lane, which still has a performance bond and has not been approved as an accepted street. They also discussed a drainage easement that spills into the corner of the lot. Dangora answered that the corner of the lot with the easement

would not be developed. He also stated that the developer has plans to connect to sewer via directional boring to avoid cutting into the new road, though they may need to cut into the sidewalk for the driveway. The homeowner indicated coordination with the subdivision developer.

Motion: To close the public hearing for the 55 Oak Street B2
Moved: Henderson.
Seconded: Giroux
Vote: Motion passes seven (7) to zero (0).

Motion: To approve the B2 subdivision with conditions as indicated by DPW's Feb 14, 2024 ZBA memo and including two (2) trees per lot.
Moved: Henderson.
Seconded: Giroux
Vote: Motion passes seven (7) to zero (0).

Agenda Item 2 – SPSP 155 Treble Cove Rd (Parcel ID 39-14-0)

The applicant has requested continuance via email pending review from a third-party Peer Reviewer.

Motion: To continue the Public Hearing for 155 Treble Cove Road until October 15, 2024
Moved: Henderson.
Seconded: Giroux
Vote: Motion passes seven (7) to zero (0).

Agenda Item 3 – Public Hearing Proposed Zoning Map Amendment (Warrant Article 34) - 216 ½ Rangeway Rd (Parcel IDs 38-5-10 and 58-2-4) Rocco Scippa (Developer), Angelo Scippa (Developer), Phase I Residents (Petitioners), Phase II Residents, Steve Dresser (Engineer)

Residents of adjacent townhome development submitted a warrant article to overlay the Elderly Housing Overlay District Parcels 38-5-10 and 58-2-4 to allow construction of additional townhouses on what is currently Swanson Meadows Golf Course. The petitioners stated that they were trying to preempt the Golf Course being developed under other regulations, such as a 40R district adding up to 1200 more units to the neighborhood. Additionally, the developer agreed to resolve ongoing septic issues that current residents have been experiencing. However, there was concern that the process felt rushed and that the site plan created was too preliminary. Dresser stated that this site plan was preliminary and meant to demonstrate what *could* happen and is not an actual proposal.

The Board expressed reservations about this petition. They have perceived a history of animosity between the developer and the residents. The Board also noted that this petitioner's request amounts to spot zoning, which they have been trying to get away from. Malgieri added that the Elderly Overlay would be spot zoning, though the townhouse style of development would match the surrounding townhouse overlay district. Regarding the provisional nature of the plans, Malgieri stated that any new owner could develop under different plans anyway, so the choice whether to rezone should be made regardless of any specific site plan proposed. The Board believes more time is needed to finalize the details and secure other residents' support.

Motion: To Recommend the Petitioner's Article 34 to amend the zoning map to include Parcels 38-5-10 and 58-2-4 in the Elderly Housing Overlay District.
Moved: Henderson.
Seconded: Giroux
Vote: Five (5) opposed and two (2) in favor (Parker and Giroux voted in favor). Motion to recommend Petition fails.

Agenda Item 4 – MBTA Communities

The Board resumed its discussion about the red lines of the draft by-law, focusing on Building Commissioner Mark LaLumiere's comments. LaLumiere was present on Zoom to answer the Board's questions. The changes were reflected in the updated zoning bylaw draft.

Malgieri and Merrill presented the proposed districts to include in a survey for residents to provide feedback to the Board. The districts were selected based on minimum compliance with state, redistribution away from Precinct 2 / Hajjar Elementary District, access to LRTA bus route if it wasn't near train station, and previous developments for low open space impact.

- 1) Inner Mills (same as previous),
- 2) Outer Mills (a reduced version of the previous Neighborhood district),
--These would be locked in and not subject to survey results due to requirement to put at least 40% near the train station.
- 3) Treble Cove, (same as previous)
--This was drafted by Staff to be used as a "filler" for any needed capacity. (Changed during discussion, see below.
- 4) Extended Neighborhood (the larger, original neighborhood area),
- 5) Lexington St, (covering The Val and surrounding properties)
- 6) Federal St, (covering an office park near Rt 3 exit) and
- 7) Kenmar Drive (covering existing multifamily development).

The Board expressed that they were happy to see the districts distributed more equitably across town. There was some discussion about adding other locations – Robertson suggested a few additional areas like Pond Street, Plank Street, the Irish American Club on Middlesex Turnpike, and Technology Park. The Board also expressed concern about including Innis Drive in the Kenmar district, which could displace existing businesses.

Malgieri asked the Board to come to some decisions regarding the survey maps:

- Should the Federal Street subdistrict show the entirety of the Federal Street parcels, just the north side, or just the south side?
 - The Board decided to show the entirety of the parcels
- Should the Kenmar Drive subdistrict include or exclude the Innis Drive portion?
 - The Board decided to exclude the Innis Drive portion.
- Should Treble Cove subdistrict be demoted to a survey option?
 - The Board decided to include it as an option only.
- What other subdistricts does the Board want to include in the survey?
 - The Board decided to include a subdistrict at Plank Street and decided against including subdistricts at Pond Street, the Irish American Club, and Technology Park.

Diana Saunders spoke against the original Neighborhood subdistrict that extended down Rogers Street.

Joe Gozzo spoke in favor of the original Neighborhood subdistrict that extended down Rogers Street.

Eric McDowell thanked the Board for reconsidering the locations of the subdistricts and suggested an improvement in the survey to make the results more accurate.

Paul Gozzo spoke in favor of the original Neighborhood subdistrict that extended down Rogers Street.

Motion: To release the survey as presented and discussed, including the Plank Street subdistrict.
Moved: Henderson.
Seconded: Giroux
Vote: Seven (7) in favor and zero (0) opposed. Motion passes.
Motion: To accept the proposed MBTA Communities Timeline without the September 16th meeting.
Moved: Henderson.
Seconded: Giroux
Vote: Seven (7) in favor and zero (0) opposed. Motion passes.

Other Business

2025 Planning Board Meeting Schedule -

Motion: To accept the proposed Planning Board Meeting Schedule for 2025 as presented.
Moved: Henderson
Seconded: Tribou
Vote: Motion passes seven (7) to none (0).

Minutes

Motion: To approve July 8, 2024 minutes with scrivener's errors corrected.
Moved: Henderson.
Seconded: Giroux
Vote: Seven (7) in favor and zero (0) opposed. Motion passes

Staff Updates:

- Jane's one year anniversary is this week.
- 155 Treble Cove has been sent out to the Peer Review consultants for quotes; expecting to decide in the next week and get the peer review started.
- Historic Resource Survey Plan has completed its Phase 3 report available on the Historic Preservation webpage
- Recodification joint meeting has been postponed until October.
- Thanked Renee Giordano for helping Planning Department with minutes.

Adjournment

Motion: To adjourn the meeting
Moved: Giroux
Seconded: Tribou
Vote: Motion passes seven (7) to none (0).