



BILLERICA PLANNING BOARD

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Michael Parker, *Chair*

Kelley Sardina, *Vice Chair*
Christopher Tribou
Edward Giroux

Marlies Henderson, *Secretary*
Blake Robertson
Evens Cimea

**Planning Board Meeting
Minutes
October 15, 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

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TOWN CLERK
BILLERICA

Staff

Katherine Malgieri-Interim Director, Planning & Community Development
Jane Merrill-Interim Senior Planner

Open Mic

Chair announced that the Town is accepting donations for relief goods to be shipped to areas affected by recent hurricanes. Donations are accepted at the police station throughout the week. Truck will be loaded this weekend.

Dave Graziola introduced himself to the Board, representing the owners of properties on Federal Street, under discussion during the MBTA Communities portion of the meeting.

Agenda Item 1 – SPSP 155 Treble Cove Rd (Parcel ID 39-14-0)

Steve Lentine (attorney for applicant) presented. The public hearing was opened 8/13 and continued until now while they waited for peer review, which has now been received. Traffic review is still pending also. The applicant is reviewing details now and will respond in upcoming weeks.

Parker called on questions and comments from Boardmembers.

Sardina complimented the snow removal and dumpster locations, which are not often disclosed immediately. Robertson raised concern about the driveway alignment onto Treble Cove Road.

Several members identified that the peer review was just recently received, and so they did not have time to review it yet.

Henderson had read the peer review and appreciated the depth of review such as noting the extensive regrading, the potential need for blasting, and the landscape plan's species selections.

Sardina asked applicants to consider donating to Dutille Elementary to improve their playground equipment.

Parker identified his main concern was drainage and topography, which the peer review covers. Other questions included if they would clean out the junk/debris from the site such as propane tanks, cars, canisters, etc; why a curb cut already existed at the site, if the sidewalk agreement with DPW was still on.

Answers included that the applicant is happy to clear the debris, the property had a previous building on it in the 1950s which is why it would have had a driveway, and DPW is still working with them on a sidewalk construction connecting Vietnam Veterans Park to Republic Road, in lieu of the traditional sidewalk requirement along the site's frontage.

Sue Carter, peer reviewer from Places Associates, addressed the Board and described her experience and approach to peer reviews. She has 20 years of experience and unique circumstances from past sites contribute to her thoroughness, such as considering the possible need for blasting or atypical rainfall events. Her main goal for peer review is to catch any potential questions/issues before the plan is finalized. That way what you see on the plan is what you get after construction.

Motion: To continue the Public Hearing for 155 Treble Cove Road until November 12th, 2024
Moved: Henderson.
Seconded: Giroux
Vote: Motion passes seven (7) to zero (0).

Agenda Item 2 – Proposed Field Change – 331 Treble Cove Rd (Parcel ID 39-14-0)

Jim Dangora Jr, representative to Lantheus who have an approved Site Plan on file, presented to the Board. The approved site plan was for a small addition, 675sf, as a cold storage room. As they moved forward with construction, they determined that the addition needed to be shifted in position and slightly large in order to allow their forklifts to get in and navigate their product within the storage room. support. No other changes are proposed. The parking lot remains the same, the roof runoff will still be infiltrated, and the work is outside wetlands buffers. The Board of Health and Conservation Commission have also been notified.

Boardmembers stated no concerns; thanked the applicants for coming in and working with them to describe the change.

Motion: To acknowledge receipt of field change plan with minor modification of 331 Treble Cove Rd.
Moved: Henderson
Seconded: Sardina
Vote: Motion passes seven (7) to zero (0).

Agenda Item 3 – Consent to Resubmit– 9 Dell Hollow Road (Parcel ID 81-32-2)

John McKenna, representative to property owner, presented the proposed plan to subdivide the property at 9 Dell Hollow. The original plan was denied by the Zoning Board, with the advice to alter the plan to allow more frontage on each lot, rather than creating a “flag lot”. The applicant has done so and will be resubmitting to the Zoning Board with the consent of the Planning Board.

Chair called for Boardmember questions and comments.

Giroux asked for a description of the change. The end of Dell Hollow will be altered to create a cul-de-sac, which will widen the frontage to allow two side-by-side lots. Both lots will access from Dell Hollow.

Henderson asked if the plan is affected by recent withdrawal of sewer contract funding (Town Meeting article 37). McKenna assumes that if sewer does come through, the Town will need the owner(s) to grant an easement.

Henderson identified that the location of a brook in the rear of the property appears inaccurate. McKenna indicated they will be going to Conservation Commission for wetlands delineation.

Henderson asked that the culdesac be explained further. It is set on the plan as an easement for the road, but future donation of roadway would also work.

Parker appreciated the explanation and offered that it will be better than the previous flag lot proposal. He asked to clarify that the proposed plan had a third lot that would be donated to the town. McKenna confirmed, and Henderson expressed issue that it would be landlocked from built roads (Battcock Road exists but is not built out).

Robertson clarified that each lot will need to meet their subdivision standard minimums of 50ft to gain their subdivision approval when they come back.

Motion: To consent to the applicant going back to the ZBA with the revised plan
Moved: Henderson
Seconded: Sardina
Vote: Motion passes seven (7) to zero (0).

Agenda Item 4 – MBTA Communities

Parker summarized that he and Malgieri attended the Select Board meeting on 9/16 where they provided an update on the Board’s plan to get this to Town Meeting on December 12th and where the Select Board verified their support to call the special Town Meeting.

Parker called on Staff to lead discussion about the survey results which went live from Sept 18 to October 7th and was advertised widely on social media pages, a Fall Town Meeting both, and a table at the Farmers Market and Yankee Doodle Homecoming.

Survey Results

513 people completed the survey fully. 537 answered the primary district preference question, but did not go through the values section to complete the survey. At the Boardmembers’ request due to concerns of survey fraud, NMCOC reviewed the IP addresses. Of the 537 responses, NMCOC removed 9. (One IP address in particular posted 5 identical responses within rapid minutes of each other).

NMCOC created many reports and charts based on the results of the primary district preference question, where respondents were asked to rank the six district options from Most Preferred to Least Preferred.

The charts show clear polarization with Neighborhood Subdistrict receiving the most number of positive votes (Most Preferred and second-most) but also receiving the most number of negative votes (Least Preferred and second-to-least). Lexington and Kenmar received more neutral votes than strong votes. Plank Street was relatively flat, with just as many people feeling positive, negative, and neutral. Treble Cove did not have as many positive votes to counterbalance its negative votes.

Federal Street had more positive votes than negative. Federal Street also had the best quantified score of the survey (where votes as Most Preferred counted as 1 and votes as Least Preferred counted as 6). Federal Street was also highly ranked when filtering results by Town Meeting members.

NMCOG also broke down the survey responses by neighborhood that the respondents reported they lived in. Residents in North Billerica were more likely to dislike the Neighborhood District, while residents in South Billerica were more likely to dislike the Lexington District.

An open-ended question on the survey had asked residents to suggest other areas. The list of options were read, including several commercial, residential, and undeveloped properties in town. Boardmembers discussed the need for LRTA access and remaining outside of North Billerica, as well as needing more than one property to qualify as a district.

Boardmember Discussion

Tribou noted how Plank Street seemed to score well, but that the nearby residents in Pinehurst had lower turnout than other areas. He preferred Federal Street for its favorable scoring and Kenmar for its neutrality. Lexington was also acceptable.

Sardina expressed concern with growth and infrastructure. Areas where infrastructure is there, and can be improved to keep up with growth are most important to her.

Henderson supported the Neighborhood district, which had the most number of high votes, and she advocated for its potential to meet the historic vision for North Billerica with railroad, shops, mills, and housing. She suggested keeping parking lots minimal to not attract households with 3 cars each. Federal Street is her second choice due to it also scoring highly in the survey. It also is adjacent to the Yankee Doodle Bike Path.

Robertson noted some people may be confused by the varying numbers in responses (537, 528, 513, etc) due to how many people answered each question and the IP addresses that NMCOG removed from consideration. His preference is to remove Treble Cove, Lexington, and Kenmar from consideration because they did not score well. He prefers Federal St and Plank St if we only need two districts, stating he is not severely opposed to considering Neighborhood if needed.

Cimea valued spreading out the districts. The Neighborhood could still be picked as long as Treble Cove was not. He also supported Federal Street and Plank Street, and not discounting Kenmar.

Giroux did not like the options that received equal amounts of likes and dislikes, considering those to be a wash in public opinion. He preferred Federal Street, Kenmar, and Lexington.

Parker preferred the more neutral options also: Federal St, Kenmar, and Lexington. He noted that no board member suggested Treble Cove. Most said Federal Street.

The Board then discussed the term “paper compliance”, noting whether zoning Kenmar would be a good or a bad thing. Malgieri described the Kenmar area as an example of good transit-oriented development, where it is along two bus routes, it is walkable to local businesses, and it is comprised of more than one property, rather than being spotzoned. It is a good example of what the MBTA Communities Act is trying to allow, and placing our zoning there would not be misplaced. Further, because the units are already built, the capacity will count but the number of existing units would not increase. About half of survey respondents answered that they did not want to encourage more housing. So Kenmar would be a good choice to honor those survey results, and still placing the zoning in a well-planned area.

Public Comment

Grace Tucci, 7 Parson St, thanked the Board for the survey and asked how Plank Street became an option. She was concerned that it backs up to "Wildcrest", an area in the back of Pinehurst that is prone to flooding. More development and less open space could worsen drainage conditions in the area. Boardmembers replied, describing how the option was added at the September meeting based on the LRTA bus line on Middlesex Turnpike. The area is also part of a wellhead protection district (level II, which is not protected) and nearby green flood.

Tucci also asked about the ongoing litigation with state vs Milton. "If Milton wins" – only applies to Milton's standards. The impact to Billerica is if the decision affects the state law and how the law is applied to other towns. Since we don't know what that decision will be, the law remains the law.

Dina Favreau thanked the Board and Staff for the survey. She wants the best effort and placement possible to go to Town meeting. She described her own apartment complex, which struggles with vehicle-based residents wanting more parking spaces. She also spoke of flooding issues off Middlesex Turnpike behind the Federal Street area.

Paul Gozzo spoke, identifying he is known for advocating for the Neighborhood district. He wants the Board to make the best decision for all 42,000 residents, not for him. But many people said they do want the Neighborhood district.

Dave Grazioli, 1 and 2 Federal St, spoke as owner of two properties in the Federal Street district. He identified that the current tenants are planning to end the lease next year, so they are evaluating options since there is not much demand for office space any longer. They have been marketing for the past 12 months already. The only interest has been owner-users for more industrial uses.

Eric McDowell, 53 Rogers St, spoke and supported dispersing out of North Billerica, against Neighborhood or Treble Cove districts. He noted they could choose Kenmar, even suggesting increasing the allowable density above what is currently there (the growth would still be less impactful than all new developments elsewhere). McDowell also suggested Federal Street to revitalize underused commercial areas and utilize nearby amenities of the Center, Mall, bike path and PHR.

Gil Gozzo, 24 High St, spoke against putting the zoning where housing wouldn't be built. He moved to Billerica when the population was 18,000. The growth he has seen has been good.

The Board discussed next steps and if they could reach consensus on the districts, and how they wanted to use the next public forums.

Lexington was not discussed much. Its overall votes were neutral, like Kenmar, but scored poorly by nearby residents. Malgieri noted that while much of the zoning would use the existing "The Val" development, other properties would also have to be included. Assorted questions and discussions about how much capacity at each option and how they might add up together to reach the minimum required 2,323 capacity of units without exceeding.

The Board voted 6-0-1, Sardina abstaining, to move forward with Federal Street and Kenmar districts. Public information sessions are scheduled for October 28th and November 6th. Times to be announced.

Other Business

Minutes

None - Henderson noted that there are no minutes to be reviewed. As the Board's secretary, she offered to help Staff if needbe.

Committee Reports

Recodification Committee: Robertson noted the committee is reviewing the new draft. A joint meeting with Planning Board

NMCOG: Henderson reports they have an annual meeting tomorrow and a Housing Summit on November 7th. Their previous meeting on Sept 18th was for Green Communities and the Weights & Measures Committee.

The NMCOG regional trail network has been updated. The MPO meeting had a presentation on EV buses and bridge restrictions. Henderson brought up the Faulkner Bridge for their attention. Also, the Greater Lowell Bicycle and Pedestrian Plan is in works as well.

OSRPC: Henderson reports that they met Sept 9th, but do not have an October meeting due to Town Meeting schedule. The draft of the new plan is under review by the state. They will be working with Tufts graduate students for a local field project as well.

CPC: Sardina went over the warrant article they put forward for the Fall. They're also working with Paul Watson about what the balances are.

Draft Calendar

Malgieri provided a draft calendar for 2025, identifying that in previous years, they had rescheduled Monday holidays to 3rd or 4th or 5th Mondays of the month but through 2024 they instead rescheduled to the following Tuesday. Malgieri asked the Board which method they preferred, and they agreed the Tuesday method was better. Malgieri will finalize the draft schedule and come back to the November meeting with exact dates.

Staff Updates:

- State review of the OSRP is complete. Their comments are back with our consultant, Dodson& Flinker.
- Tufts program is graduate students working with real world clients. We submitted a pitch asking them to audit our town-owned land to ensure everything is conserved/protected.
- Historic Resources Survey Plan has been completed and will be on the website. It proposes a financial plan for the Historical Commission to move forward over the course of five years. (Sardina asked about residents who have reached out, thinking their home may be historical. Malgieri asked Sardina to have the residents reach out so Malgieri can guide them on what they need).
- Economic Development is launching a Best Dessert Contest. Restaurants must self-nominate their own dishes throughout October. (Sardina asked about a bakeoff at Town Hall – Malgieri replied the intent is to encourage residents to dine out locally). Voting will be open through November.
- CPTC Webinar series is live for PB and ZBA members. Site Plan Review is one of the options, which PB has been wanting for a while.
- Next recod committee meeting is in 2 days @ 4pm. First draft is ready to go. Consultant is waiting on committee's comments.
- CPC is entering the new funding cycle. Eligibility forms are being submitted now. CPC is hoping for a few small-scale projects.
- Next regular meeting will be Tuesday November 12th where the Board will be voting to submit the MBTA Communities warrant for a special town meeting.

Adjournment

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

Minutes prepared by Katherine Malgieri & Renee Giordano

