



## BILLERICA PLANNING BOARD

Town Hall  
365 Boston Road Billerica, MA 01821  
978-671-0962  
978-670-9448 Fax

Michael Parker, *Chair*

Kelley Sardina, *Vice Chair*  
Christopher Tribou  
Edward Giroux

Marlies Henderson, *Secretary*  
Blake Robertson  
Evens Cimea

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2025 APR 17 P 1:19

Planning Board Meeting  
Minutes  
January 13, 2025 @ 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 Director, Planning & Community Development  
Jane Merrill-Interim Senior Planner

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### Open Mic

No open mic comments.

## Agenda Item 1 – 0-2 CARMENA ROAD (PARCEL IDS 59-45-0 AND 59-46-0)

**Motion:** To open the Public Hearing  
**Moved:** Henderson  
**Seconded:** Giroux  
**Vote:** Motion passes seven (6) to none (0) with one (1) absent

**Motion:** To continue the Public Hearing to February 10, 2025  
**Moved:** Henderson  
**Seconded:** Giroux  
**Vote:** Motion passes seven (6) to none (0) with one (1) absent.

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## Agenda Item 2 - SPSP – SITE PLAN SPECIAL PERMIT – 155 TREBLE COVE ROAD (PARCEL ID 39-14-0)

Steve Lentine (Attorney), Steve Glowacki (Engineer), Adele Olivier (Traffic Engineer)

Lentine stated that the applicant reached an endpoint with the peer review consultant, and they have satisfactorily addressed the consultant's concerns. DPW requested that the applicant provide offsite sidewalk of about 450 feet along Vietnam Veterans Park. Lentine asked the Board if they had any other conditions they wanted for approval.

The Board's comments were largely focused on the conditions required for approval. Sardina asked if the applicant would donate woodchips to Kids' Connection playground; the applicant answered that he was happy to consider it but he would need to know the square footage of chips requested before agreeing to it. Robertson stated that he had requested more information from the Police Department regarding traffic safety and because he did not get a response, he planned to abstain from voting. Henderson requested 1) a protected crosswalk from the sidewalk near the Learning Experience sign to the sidewalk near the state forest and 2) a bench donated by the applicant for the summit of the hill. Lentine stated that the bench wouldn't be a problem but adding a crosswalk to this location would involve MassDOT due to the proximity to Route 3. Parker stated that he would like to see the applicant donate \$11,000 to the Billerica Playground Project to reimburse for the recent donation to the Dutile School.

Michael Rosa (29 Riverdale Road) requested that the bench chosen for Gilson Hill adhere to the Select Board's bench design standards; Malgieri noted that the Select Board's policy excludes state- or privately-owned land.

Dorlene Torre (47 Sheldon Street) stated that the donations to the schools can also be made by purchasing playground equipment in addition to monetary donations.

**Motion:** To close the Public Hearing  
**Moved:** Henderson  
**Seconded:** Giroux  
**Vote:** Motion passes seven (7) to none (0).

**Motion:** To approve the Site Plan Special Permit for a contractor's yard, with waivers for lot perimeter and building perimeter, with conditions as discussed  
**Moved:** Henderson  
**Seconded:** Giroux  
**Vote:** Motion passes seven (6) to none (0) with one (1) abstention (Robertson)

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### Agenda Item 3 – ACCESSORY DWELLING UNITS (ADUs)

Mark LaLumiere (Building Commissioner)

Malgieri presented the new Accessory Dwelling Units (ADUs) state law: <https://www.town.billerica.ma.us/ADUs>. Malgieri suggested that the Board recommend adopting a new definition of ADUs that is distinct from In-Law suites.

LaLumiere stated that his approach is that the state has converted single-family zones into two-family homes with a limitation on the size of the second home. Both ADUs and In-Laws are accessory units, though with different requirements. The Board was concerned about how the building codes would be enforced; LaLumiere stated that it would be no different than what the Building Department is already doing and that the responsibility for managing the changes in the law falls on his department. He recommended that the Board holds off on making any changes to the zoning until at least the Fall. The Board also expressed concern about short-term rentals; Parker stated that he wanted the town to ban short-term rentals. LaLumiere answered that while he agreed, he did not believe it was a problem for the town and enforcement would require more resources.

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### Other Business

#### Minutes

**Motion:** To accept the August 12, 2024 minutes as amended.  
**Moved:** Henderson  
**Seconded:** Giroux  
**Vote:** Motion passes seven (7) to none (0)

**Motion:** To accept the September 10, 2024 minutes as amended.  
**Moved:** Henderson  
**Seconded:** Giroux  
**Vote:** Motion passes seven (7) to none (0)



## Committee Reports

Henderson stated that the Open Space and Recreation Plan has been accepted. The Committee continues to meet to ensure implementation of the plan.

Sardina stated that the CPC approved funding applications for repairs on the Bocce Court at VVF, bringing the Disc Golf course into compliance with conservation requirements, repairs to the Middlesex Equestrian Park, and funding for the Conservation Trust.

Giroux stated that the latest draft of the recodification has been distributed to the Recodification Committee, and they will meet to discuss it on January 16<sup>th</sup>. There will be a public forum at 5pm on January 27, 2025.

## Staff Updates

Malgieri updated the Board about the decision in the Milton-MBTA Communities court case. The court found that the law was constitutional, but that the guidelines had not been promulgated properly and ordered that EOHLIC redo the public notice requirements.

Staff are applying for NMCOG grants to assist with the Housing Production Plan and the Master Plan updates.

Malgieri also stated that staff have started to update the Planning Board applications and checklist

HDC is reviewing the removal of the Talbot Mills Dam.

## Adjournment

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

Minutes prepared by Jane Merrill.