



BILLERICA PLANNING BOARD

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

Michael Parker, *Chair*

Blake Robertson, *Vice Chair*
Marlies Henderson
Evens Cimea

Edward Giroux, *Secretary*
Christopher Tribou
Anthony Ventresca

**Planning Board Meeting
Minutes
September 15, 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
Blake Robertson, Vice-Chair	Y
Ed Giroux, Secretary	Y
Marlies Henderson	N
Chris Tribou	Y
Evens Cimea	Y
Anthony Ventresca	Y

Staff

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

Open Mic

No open mic comments.

Agenda Item 1 – SITE PLAN REVIEW – 176 BOSTON ROAD (PARCEL ID 15-131-0)
Chris Broyles (Engineer), Mark LaLumiere (Building Commissioner), Robert Cole (Fire Chief)

Btoyles addressed the Peer Review comments and some updates to the Stormwater and Operations and Maintenance plans. Planning Board did not have any comments.

- Motion:** To close the Public Hearing.
- Moved:** Giroux
- Seconded:** Ventresca
- Vote:** Motion passes six (6) to none (0) with one (1) absent (Henderson).

RECEIVED
2025 APR - 6 PM 2:04
TOWN CLERK
BILLERICA

Motion: To approve the waivers for driveway separation and street tree reduction from 5 to 3.
Moved: Giroux
Seconded: Cimea
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Motion: To approve the Site Plan Special Permit for 176 Boston Road
Moved: Giroux
Seconded: Cimea
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson)

Agenda Item 2 – B2 SUBDIVISION 305 CONCORD ROAD (PARCEL ID 86-13-1) - REMAND
Jonathan Silverstein (Attorney)

Motion: To open the Public Hearing for 305 Concord Road
Moved: Giroux
Seconded: Ventresca
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Silverstein stated that this application has been remanded by the Mass Land Court back to the Planning Board because the Applicant has addressed the one stated reason for previous denial in April 2024 by enlarging the driveway to the rear lot to 50 feet in accordance with the Billerica Subdivision Rules and Regulations. Silverstein also stated that the remand order limits the hearing to discussion to this one change.

Most of the Board agreed that the adjustment satisfied the adequate access requirement in the SR&R, though Robertson stated he did not believe it was in compliance because easements do not provide dimensional relief. Malgieri noted that SR&R states that easements do provide adequate access.

Xochi Kuntz (16 Fawn Lane) stated her opposition to this lot split.

Virginia Musker (12 Fawn Lane) reiterated her opposition to this lot split and restated the flooding issue she's had since the lot was clear cut several years ago. She also stated that she believed the doctrine of Infectious Invalidity should apply to this lot split.

Paul Marasco (311 Concord Road) requested that the Planning Board condition approval on increasing the screening between his property and 305 Concord.

Silverstein reminded the Board that the remand order does not allow for other conditions to be placed on this approval. Parker stated that the Planning Board requires 2 trees per lot and would allow the applicant to place them along the property lines to increase screening. Noonan later stated that the Stormwater Plan that was approved in 2020 has significant vegetation planting that includes 20 trees that will increase screening.

Dan Vallerand (309 Concord Road) stated his opposition to the lot split.

Motion: To close the public hearing for 305 Concord Road.
Moved: Ventresca
Seconded: Giroux
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Motion: To approve the B-2 with Board of Health conditions for 305 Concord Road.
Moved: Giroux
Seconded: Cimea
Vote: Motion passes five (5) to one (1) with one (1) absent (Henderson).

Agenda Item 3 –PUBLIC HEARING – ARTICLE 38 – SWANSON MEADOWS
Brian McGrail (Attorney), Ralph Deldon (Petitioner)

Motion: To open the Public Hearing for Article 38
Moved: Giroux
Seconded: Cimea
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

McGrail presented Article 38 proposing to overlay the Elderly Housing District over the property, which is currently zoned as Rural Residence. The request is based on the potential development of the land once a restrictive covenant expires in 2029. The proposal includes the abutting property to the rear of the lot, which is otherwise landlocked. McGrail emphasized that the request does not include lifting the covenant. Once zoning is in place, the owner will look to work with the Planning Board and residents develop about 150 new 55+ residential units. After such a plan is finalized, the applicant may then return to Town Meeting to remove the restriction prior to 2030.

The Board heard comments from Swanson Meadows residents of both Phase I and Phase II. Residents who spoke against the project spoke of concerns about past issues with the developer, the current noise level at the clubhouse and the impact additional development may have on noise, an increase in traffic, and the loss of Open Space. Residents who were in favor of the project spoke of their concerns that the development of single-family housing, which is what allowed by right in the Rural Residence zone, would contribute to more noise, traffic, and congestion than senior-restricted housing.

The Board was split on this Article. Tribou stated that he did not feel that the developer had taken the concerns of the residents seriously and would not support this article at this time. Ventresca noted that he had concerns about potential contamination from past use. Cimea stated that denying this petition would undercut the Town's stated goal of encouraging more housing, especially for seniors. Robertson stated that he is generally supportive of the goals of this project but agreed with Tribou that the developer needed to do more to address the concerns of residents who did not support the zoning change. Giroux agreed that the developer should work with residents more to gain their support but did not want to hold the project up more and would vote to recommend. Parker agreed with the other Board member comments about the developer needing to do more to build support among the residents, but remained supportive of recommending this to Town Meeting to allow the next steps in development proceed, in particular increased community engagement.

Motion: To close the Public Hearing for Article 38
Moved: Giroux
Seconded: Ventresca
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Motion: To recommend Article 38 to Fall Town Meeting
Moved: Giroux
Seconded: Cimea
Vote: Three (3) in favor (Cimea, Parker, Giroux) and three (3) opposed (Robertson, Tribou, Ventresca) with one (1) absent (Henderson). Motion to Recommend fails.

Agenda Item 4 – PUBLIC HEARING – ARTICLE 39 – 164 CONCORD ROAD
James Dangora Jr (Attorney)

Dangora presented Article 39 to change the zoning for 164 Concord Road to Neighborhood Business. The article is to allow the continuation of the existing business at the property. He overviewed that the rezoning is useful to the town for Historic preservation, economic development, and master plan goals. They propose to mitigate concerns about “other possible uses” in the neighborhood business by filing a restrictive covenant on the property which would prohibit other types of uses such as banks and fast food. Dangora also noted that two of the neighbors who had previously opposed this zoning change had provided letters of support to the Planning Board.

The Board heard from neighbors who were largely opposed to the zoning change. While they did not have any specific issues with the applicant or the existing business at 164 Concord, they were concerned that this zoning change would lead to similar changes at properties that are currently zoned as residential and would lead to the neighborhood losing its character. They also expressed concern about increased traffic. The Applicant stressed that there would be no increase in car traffic from the zone change because it would just maintain the status quo. Board members noted that any additional changes to zoning in this neighborhood would still have to come to the Planning Board for review and that this change would not set a precedent for other properties in the neighborhood.

Motion: To close the Public Hearing for Article 39
Moved: Giroux
Seconded: Ventresca
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Motion: To recommend Article 39 to Fall Town Meeting
Moved: Giroux
Seconded: Tribou
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Adjournment

Motion: To adjourn the meeting
Moved: Giroux
Seconded: Tribou
Vote: Motion passes six (6) to none (0) with one (1) absent (Henderson).

Minutes prepared by Jane Merrill.