

Regular Meeting Minutes
June 13, 2023

Members present: Robert J. Swartz/Vice Chairman, Robert J. Bettez, Sr., Paul A. Cormier, Stephen Cormier.--*Members*, and Trevor Beauregard/*Director-City Planner*.

Members absent: *Mark M. Schafron/Chairman*

Also present: Rob Oliva-City-Engineer, Christine Fucile-Administrative Assistant, Ronald Koivu-Harbor Classic Homes, Laural Adams-Harbor Classic Homes, Wes Flis-Haley & Ward, Peter Campobasso-Attorney for Harbor Classic Homes, Larry Greene-McCarty Engineering, Mark Bowers & Martin Gray-*Gardner Residents*.

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Director of Community Development & Planning pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

Mr. Swartz, Vice-Chairman, called the meeting to order at 6:30 p.m.

1. APPROVAL OF MINUTES:

✓ *May 23, 2023*

Motion to approve minutes as presented.

R. Bettez/S.Cormier.

Vote: 4 – 0

(M. Schafron absent)

2. NEW BUSINESS:

2.1 Montachusett Joint Transportation Committee – MJTC

T. Beauregard directed to Mr. Swartz and asked if he would like to continue as the Planning Board MJTC representative. Mr. Swartz verified with the other Planning Board Members first if any of them would have any interest.

Motion to re-appoint Mr. Swartz to the Montachusett Joint Transportation Committee (MJTC) as Planning Board representative.

S. Cormier/P. Cormier.

Vote: 4 – 0

(M. Schafron absent)

3. OLD BUSINESS:

3.1 Concord Crossing Open Space Residential Development

Attorney Campobasso explained this is a follow up to the last meeting and apologized for not providing the plans prior to tonight's meeting but do have present the landscape architect Larry Greene from McCarty Company in Leominster who has walked the site and is here to present his plan.

Mr. Greene displayed his open space plan and explained his thought process in creating this plan was to create a visual interest to the inside of the property as well as provide recreational opportunities to the interior. In addition, to make available varying lot size configurations as well as to make pedestrian connections to the open space. Mr. Greene noted with open space basically 50 percent has to be preserved and of that, the wetlands are excluded. Further, in reference to visual interest he is proposing loop roads and noted the linear layout is the most efficient configuration but within the proposed right of way, anticipating a “serpentine” roadway that gives visual interest and helps to slow the traffic and provide varying sizes of green spaces to the left and right of the roadway. Mr. Greene pointed out two interior designated spaces on the property to propose two pocket parks which can be used as green space, lawn area, sport courts, sitting areas, and dog parks.

Mr. Greene pointed out on his plan two small cul-de-sacs which gives the opportunity of separation and larger lot sizes. In addition, proposing two designated trailheads going into the open space as well as pathways that connect into the large existing trail network to the rear of the property. R. Bettez asked how many lots. Mr. Greene replied 76 and all single family. P. Cormier asked if the buffer was taken away. Mr. Greene pointed where the buffer was at one time and mentioned the conversations to keep it or not keep it, but found in these developments when there are small open spaces they become an area of “lawn clipping” central and the thought was to minimize the open space in that area and create a larger open space (*pointed on plan*) and with the existing five or six parcels, there almost is a buffer. S. Cormier noted the “serpentine” roadway and commented it looks straight. Mr. Greene pointed out the pavement actually has a meandering limited pavement.

P. Cormier asked if the lots are still 80 feet wide. Mr. Greene replied yes the lots are 8,000 square feet and noted 18 lots are over 8,000 square feet, with a few 9,000-12,000 and a couple that are 12,000-14,000 square feet. T. Beauregard asked Mr. Greene to show the trails. Mr. Greene pointed out the light blue sections on the plan and the trailheads as well as two new pathways that connect into existing trail. T. Beauregard mentioned the 2007 plan he showed at the last meeting which was a concept open space plan showing the roadway coming in meandering towards the east side of the lot then going back and joining in with a similar type layout just not as condensed on the site. Mr. Greene replied they talked about it and found with land trusts they like larger tracks of land not smaller tracks of open space. T. Beauregard commented the 2007 plan was spread out with more meandering roadways connecting lots and a less dense pattern. Mr. Greene said more open space becomes a maintenance contention.

Attorney Campobasso stated Mr. Greene’s focus addresses the architect aspect of the open space. Regarding the conceptual plan provided at the last meeting, Mr. Flis has tried to incorporate some of it in a re-design. Further, what they are hoping to do is go through the various plans that have been presented with the intent of trying to narrow it down and get some feedback from the Planning Board as to what they think they like or do not like.

Mr. Flis displayed his plan and spoke of the 2007 plan. Mr. Flis explained this plan created a little more open space in the middle parcel which is something similar that was talked about before as well as some open space along the back side. Mr. Flis made some changes in the plan such as the road change direction, some curvature in the road and pointed out a more gentle curve. Also looked at open space in the middle which will probably go into a homeowners association. In addition, there is a larger piece of open space that would go to the land trust. Further, indicated some of the different locations to connect with some of the paths already out there now. Mr. Flis noted he did not show duplexes, just single family homes since this is what the Applicant wants. Mr. Flis stated his plan shows 79 lots. P. Cormier asked what the frontage is. Mr. Flis replied 80

feet for the ones located on the straightaway and depending on the curve, some frontages will be different. P. Cormier thought one of the plans showed 100 foot frontage so it would not be so dense between the houses and said the lots are 79 and before were 76 lots so feels like they are going backwards. Mr. Flis stated the 100 foot frontage was with duplexes in that development as well as to show the different variations of the development. Further, if the Applicant were to go to straight 100 foot frontage the number of lots would be reduced substantially for that. P. Cormier asked what he means by substantially. Mr. Flis replied it would take away a quarter of the lots and with 76 lots, would be taking away 19 lots. Attorney Campobasso said just to clarify, when the actual subdivision plan is prepared, and the detention basins as located, the areas that are within the detention basin cannot be counted towards the open space, so depending on how large the detention basins are, building lots will have to go away because the open space cannot go away since they have to meet the 50% requirement. Therefore, even though the displayed plan shows 79 lots, it is doubtful there are going to be 79 lots in the final proposal. Mr. Flis added they are closer to 74 to 76 lots. T. Beauregard asked if it is possible to show that. Mr. Flis answered the Applicants does not want to go with less than 60 lots. Attorney Campobasso added this would not make the project economically viable because the roadway, the infrastructure and utility costs are substantial. T. Beauregard confirmed the number of lots is 76 and nothing below 76 lots. Attorney Campobasso stated that is not what he said. T. Beauregard answered back this is what he has been hearing and every design that has come before them has the same amount of units on it and believes the Planning Board has been very clear they think it is too dense of a project and too dense of a layout and every time a plan has come back, it is the same amount of units and he thinks what P. Cormier is trying to say is there a less dense conceptual design you can come back with that maybe it is more than 60 lots, maybe it is less than 76 where the Planning Board might feel a little more comfortable with the layout and lot size. T. Beauregard added it has been 76 lots since day one and it has not changed and he has heard the Planning Board state they would like to see a less dense development with less units. Attorney Campobasso stated one of the things they are trying to be sensitive to is not creating a lot of impervious area and noted the conceptual plan Mr. Beauregard provided which is a nice conceptual plan however that plan creates a lot of impervious area which probably would not meet standards that exist today. Attorney Campobasso said their analysis keeps coming back to knowing they have to meet certain LID (*low impact development*) requirements and are trying to limit the impervious area and by doing so, they are concentrating on the impact on the entire parcel to try to maintain and create as less of an impactful project. Attorney Campobasso pointed to the plan and said clearly this is much less dense that what the other plans have shown and if you superimpose layout given to them over this plan, you will see the only difference from this and that plan are the cul-de-sac areas that were up (*pointed on plan*) that really hit into the wetland areas as well as encroaching on buffer zones so it is not realistic to develop and stayed out of those areas intentionally which keeps bringing them back to this area of development making it the least impactful and making sure they comply with not creating too much run-off. Attorney Campobasso commented it is hard to give an exact number because until the analysis is done there will be loss of lots because of the detention basins taking away from the usable area and have to maintain the open space requirement. Attorney Campobasso said there might be a way to branch off but does not want the focus to be strictly on a number of units or lots because they are trying to propose a development that is within the spirit of the open space regulations. T. Beauregard commented he understands where he is coming from and believes they can maintain the impervious surfaces that are there and maintain that design layout but increasing lot size. Mr. Flis said the lots are 8,000 square feet which is the requirement of the open space so

that is what they are using. Attorney Campobasso thought if the development has to have a homeowners association for the maintenance of roadway utilities, detention basins, and things of that nature, he would imagine people who live in this project would want to have some sense of privacy and feels there are too many access areas to the open space and thought a good point of Mr. Greene's plan was if the public is going to have access to this trail system, they will have access at certain points where they will not be interfering with walking through people's yards, so if they eliminate some of that it might help make some of the lots a little bigger, as well as how much open space is wanted, which would have to be maintained by the homeowners association. T. Beauregard asked the size of the open space area. Mr. Flis replied four and one half acres. T. Beauregard asked if there are any natural features that can be left as is. Mr. Flis said the intent is to leave it natural. P. Cormier asked what the size dimension is of these homes with the attached garage. Mr. Flis said the normal ones are showing 34 x 26 with a 22 x 22 garage with about 12 to 14 feet on each property line and looking at maybe 20 to 24 feet between each house. Mr. Flis added the offsets under the regulation is 10, so at the minimum going to have 20 feet. T. Beauregard stated they are viewing the plans for the first time tonight and has seen other variations of plans as well, and asked if they could get a detailed list of what each plan represents as far as size of parcels, etc. Mr. Greene said there is a table on the bottom of the plan. T. Beauregard commented they were hoping to get this plan a few days before the meeting for everyone to have a chance to review in detail. Mr. Swartz added he liked the plan Mr. Greene presented but kind of likes the other one because of the big open space, so he expressed the need for the Planning Board to really look at the plans together in front of them and then discuss some of the pros and cons of what they like or do not like and go from there. Mr. Bettez commented they are putting the Planning Board in the same position as the last meeting and stated they need a plan to vote on. Mr. Flis replied there is no vote right now but just trying to get an idea of a preference before an actual submission so they are not wasting their time with an application. Attorney Campobasso said he believes they are actually listening and appreciate the feedback and thinks they have an understanding as to what some of the likes are and concerns are. Attorney Campobasso explained he believes this is the pre-application phase of where they are with the special permit and thinks the next step would be coming in with an actual application for a special permit but what needs to be attached to that special permit is a preliminary plan for the open space that shows the layout they are proposing, so a lot of this is being done without any real hard engineering and they are not trying to be evasive in the answers given but do not want to give a statement that we find out a month or two from now is not accurate. Attorney Campobasso noted at the last meeting they showed a number of plans and pointed out the fourth plan and said he thought nobody was interested in this plan, so this plan can be eliminated. Attorney Campobasso pointed out the third plan with the 94 units, and this was one was not of any interest as well, so this plan can be eliminated as well. Attorney Campobasso further stated when looking at the last three to four plans, the layout starts to become pretty similar and what is really changing with the plan presented tonight is the width of the open space behind units, the type of units, and the internal connection points to the open space, so that is why they keep coming back with proposals that look similar. Attorney Campobasso further stated if you look at the last four plans given the last time, the design seems to concentrate in the same area because it is just beneficial considering all of the requirements that have to be taken into consideration. Attorney Campobasso said he will talk with Ron and Laural (*Harbor Classic Homes*), and feels some of the cul-de-sacs might be beneficial, and commented it is not the way it used to be because it is very expensive today with cost of materials as well as the prices of homes that are going for sale, so the economic viability

of the project is something that has to be at the forefront of every proposal. Therefore, they want to be conscientious of the cost but they also have to be realistic with what they can actually tell you they are going to do because they don't want to start and then not be able to do it, or propose something that is not economically viable. Attorney Campobasso said they can go back and the next time hope to present the final revisions that have incorporated some of the things suggested at the meetings, as well as try to focus on the number of units and lots. Attorney Campobasso stated the Applicant's preference is single family homes and seems to be the best market and need for this region. T. Beauregard directed to Attorney Campobasso and asked if he will be able to supply the Planning Board with full sized copies of the plans in order to get a closer look at them to give better feedback. The plans needed would be the two plans presented tonight as well as some additional revisions based on the comments tonight.

T. Beauregard and Attorney Campobasso discussed the submission of the preliminary plan and special permit application.

Mr. Swartz directed to the Planning Board members which of the two plans presented tonight would they prefer. S. Cormier said the second plan because it spreads it out and gives the roads the curvature getting away from the straight roads. R. Bettez prefers the same black and white plan. Mr. Swartz could go either way, but leaning towards the black and white plan. P. Cormier noted again how he feels about the 8,000 square feet but will go with the black and white plan. R. Swartz added he feels the same way about the 8,000 square feet and said it is a bit close. Attorney Campobasso explained there is a lot that has to be considered and realizes they have been discussing this for quite a while and is very conceptual at this point but there will be some changes and modifications and hopefully they can come back with a plan that is more appealing.

T. Beauregard suggested Mr. Flis look at where the trail system is and the tie-ins where it would make sense if there were to be a tie-in somewhere in the development, as well as the logging paths. Attorney Campobasso asked if he would like the access points to be for the homeowners exclusively or for the general public. T. Beauregard replied it depends on where it is and if it is in the middle of the development, maybe just for the homeowners, and maybe towards the outskirts of the development, for public use. P. Cormier asked if there will be sidewalks. Mr. Flis replied yes.

T. Beauregard said he will need plans for July meeting before July 6, 2023,

4. ANNOUNCEMENTS~~NEWS~~ARTICLES~~EVENTS:

Next Meeting: Tuesday, July 11, 2023 at 6:30 p.m.

Adjournment

Motion to adjourn.

R. Bettez/S. Cormier.

Vote: 4 – 0

(M. Schafron absent)

The meeting adjourned at 7:33 p.m.

All documents referenced or used during the meeting are part of the official record and are available in the Department of Community Development and Planning pursuant to the Open Meeting and Public Records Law.