

Planning Board

Amy Lloyd, Chair
Jacinda Barbehenn, Clerk
Jeffrey Cohen, Shawn Hanegan; Mark Siegenthaler
Tony Fields, Planning Director
Catherine Perry, Assistant Planner

TOWN HALL
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Special Permit Decision with Findings

In the matter of: Application for a Special Permit under Section 21 of the Zoning Bylaw, Pine Hill Overlay District, to construct seventeen (17) infill cottage type dwelling units and renovate twelve (12) existing single family dwellings on property formerly known as the "Coast Guard Housing" site.

Applicant: Pine Hill Crossing LLC, principal Francis DeCoste

Property Owner: Pine Hill Crossing LLC, 77 Franklin Street, Boston MA 02110

Location: 33-39 Pine Hill Road, 23-28 Lewis Road and 10-46 Mickelson Lane, Bedford, MA, shown on Assessors Map 45 as Parcel 1.

Deed Recorded in Middlesex South Registry of Deeds: Book 69166, Page 589

1. Background

1. The property consists of 15 existing single family dwellings on a single 5.16 acre site that was previously owned by the US Coast Guard. Upon abandonment of the dwellings, the Town initiated a planning charrette in 2014 which examined alternative conceptual approaches to development of the site. The Selectmen and Planning Board endorsed two potential development options from that charrette: Option A envisioning 29 housing units and Option B envisioning 35 housing units.
2. The Town subsequently endeavored to acquire ownership of the property for the purposes of conveyance to a developer through a public bid process, to create an infill cottage neighborhood consistent with the range of visions expressed in Options A and B. TR Advisors was the successful bidder, who established Pine Hill Crossing LLC for the purposes of site development.

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Development of the site is subject to a Development Services Agreement between the Town of Bedford and TR Advisors.

3. Overlay District zoning applicable to the property was approved at the 2018 Annual Town Meeting.
4. Pine Hill Crossing LLC filed the special permit application with the Town Clerk and the Planning Board on August 13, 2018.
5. A public hearing was advertised in the Bedford Minuteman on August 23 and August 30, 2018, abutters were properly notified, and notice was posted in the Town Hall.
6. The Planning Board commenced the public hearing on September 11, and continued it to October 2, 2018. All Board members were present at each session.
7. At the public hearing the Board received information from various professionals appearing on behalf of the applicant, from town staff and from members of the public. This information, together with materials submitted in connection with the application and familiarity with the site, served as the basis of the Board's findings.
8. On October 2, 2018 the Board voted 5-0 to grant the special permit, subject to conditions.

2. Summary of Proceedings at Public Hearing

1. September 11, 2018 Public Hearing session

The public hearing opened on September 11, 2018.

Francis DeCoste reviewed the history of the proposal, and its evolution through the creation of the zoning provisions and subsequent staff review during the past year. The proposed layout of new dwellings is somewhat different than the concept shown at Town Meeting, because this concept better addresses accessibility concerns of the Fire Department and creates a more unified common open area in the middle of the development. Two of the 15 existing dwellings were damaged in a storm several years prior, and are proposed for demolition. A third existing dwelling is also proposed for demolition to allow better opportunity for the proposed layout of infill dwellings. Two of the seventeen new dwelling units will be designated as affordable, and two of the existing units will be designated as affordable. Consideration has been given to accessibility and efficiency for the new dwellings.

Project engineer Stephen Martorano presented the plans for development of the 5.2 acre site, discussing site layout around the existing streets, and grading and drainage.

Landscape Architect Jay Emperor described the proposed landscape plan, highlighted by 36 new deciduous trees and 59 new evergreen trees.

Kevin Paton of BKA Architects presented proposed floor plans and renderings for the 17 new dwellings. The 3 bedroom version contains 1,358 square feet, and a similar 2 bedroom option is available. Building codes require that the foundation extend at least 8 inches above the ground level, but they are working on minimizing the grade differential to be more senior sensitive. The proposed dwellings will also be solar ready.

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The Board discussed the differences between the current plan and the concept plan presented at Town Meeting. The probable sales price range was indicated at \$550,000 to \$600,000. Existing dwellings are selling for \$450,000 to \$500,000.

The Board also discussed the potential to incorporate more universal design features into some of the units, parking accessibility, drainage systems and basin design, snow management, and pedestrian and bicycle connectivity. Improving the existing direct access from Lewis Road to the Narrow Gauge Bikeway is desired, even though a new sidewalk is proposed along Pine Hill Road from Lewis Road to the bikeway. A trail easement previously discussed at the staff level to enable a trail connection from the bikeway into the adjoining York Conservation Area is now thought to be unnecessary due to the anticipated location of the trail being entirely within the abutting town-owned property.

The development will be organized as a condominium with a Condominium Association responsible for maintenance of the common areas. Residents will have Exclusive Use Areas around each dwelling for small yards or patios.

The likely number of school age children has not been predicted but the house style and ownership structure are seen as likely to appeal to empty-nesters, although some units may be occupied by families with children.

The specific affordable units have been selected by the Bedford Housing Partnership.

Chair Lloyd suggested further effort be put into the proposed site layout to eliminate “blocked” houses.

Several residents from the adjacent neighborhood attended and offered comments. Morris Keysler, 95 Hancock Street, Kristin Martinage, 44 Pine Hill Road, and Ray McDougal, 96 Hancock Street, collectively expressed concern about the proposed density of the project, traffic, and drainage.

2. October 2, 2018 Continuation of Public Hearing

The applicant presented revised plans and other updates subsequent to the prior meeting. Based upon the Conservation Commission meeting of September 12th, the common area walkway is now stone dust and patios will be installed with pervious materials. The sidewalk connection along Pine Hill Road has been moved back 3 feet from the edge of pavement to provide a grass strip. This portion of Pine Hill Road is a scenic road and impacted trees will be subject to a tree hearing. The potential relocation of certain proposed units from Mickelson Lane to the northeast corner of the site was opposed by both the Conservation Commission and the Fire Department. Modifications to the landscaping plan including use of salt tolerant species for the detention feature in the southeast corner of the site, and replacement of proposed spruce trees between dwellings with an arborvitae species better suited to the 10’ separation between buildings.

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BKA Architects discussed changes to the two proposed dwellings on the west side of Mickelson Lane that have been cited as a concern for blocking two of the existing dwellings. The footprint, roofline and roof height have been made smaller, and the foundations moved slightly northward to provide better sightlines and yard spaces for the two existing dwellings behind this location.

Chair Lloyd questions whether the proposal meets the intended vision and goals of the multiyear redevelopment endeavor. Board Members discussed various aspects of the proposal, including further alternative locations for one or more of the units discussed above, but each alternative site would raise concern or opposition from the Conservation Commission or the Fire Department.

The Board also discussed drainage, snow storage, building materials and range of neutral colors. While concern was expressed about vinyl siding and other factors, the Board concurred that balancing the various goals, including minimizing price range for the dwellings, meant that high end materials and finishes may not be appropriate in this setting.

The Board asked about the suitability of gravel or other improvements to the existing short connecting trails from Lewis Road to the bikeway. The applicant stated that the Conservation Commission preferred that they remain unimproved as the swale/ditch that they cross may qualify as Isolated Land Subject to Flooding.

Morris Keysler, 95 Hancock Street, expressed continued opposition to the proposal due to density. The Board noted that the range of density discussed through the charrette process and subsequent rezoning initiative was 29 to 35 units.

David Powell, 3 McMahon Road, expressed support for the proposal due to it adding to the diversity of the town's housing stock, with units that will be suitable to serve the varying needs of existing and future residents.

3. Submission materials

September 11, 2018 Public Hearing session

- Special permit application dated August 10, 2018
- Cover letter to Planning Board by Bohler Engineering dated August 10, 2018
- Development Statement
- LEED Checklist
- Traffic Memo from Kittleson & Associates, dated July 30, 2018
- Accessibility checklist
- Abutters list
- Stormwater report by Bohler Engineering dated August 10, 2018
- Site Development Plans, prepared by Bohler Engineering, dated August 10, 2018, consisting of 13 sheets including locus, existing conditions, record plan, site development, layout and utilities, details, landscape plan and stormwater pollution prevention plan.
- Architectural Plans by BKA Architects dated December 15, 2016.
- Comments of the DPW dated September 7, 2018

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- Comments of the Code Enforcement Department dated September 7, 2018
- Planning Director's Preview Memo dated September 7, 2018.
- Comments of the Police Department dated September 11, 2018.
- Comments of the Fire Department dated September 11, 2018.
- Email comments from abutter Nicole Isabelle dated September 11, 2018, concerning drainage and wetlands.

October 2, 2018 Continuation of Public Hearing

- Memo by Bohler Engineering dated September 25, 2018 responding to DPW comments.
- Comments of the DPW dated September 26, 2018.
- Revised set of plans by Bohler Engineering, revised through September 28, 2018.
- Updated LEED checklist
- Memo by Bohler Engineering dated October 1, 2018 identifying changes made in response to Planning Board and Conservation Commission initial hearing sessions
- Planning Director's Preview Memo dated September 28, 2018.
- Development Services Agreement dated February 21, 2017.

4. Findings

As specified in Section 21 of the Zoning Bylaw, a special permit shall be issued under Section 21 if the Planning Board finds that the development is in harmony with the purpose and intent of this Section and that it provides for housing opportunities sufficiently advantageous to the Town to render it appropriate to depart from the requirements of the Bylaw otherwise applicable to the residential district (Residence A) within which it is located. The Planning Board makes the following findings of fact in regard to this special permit application:

1. The site plan proposes an appropriate mix of dwelling units and supporting amenities, including consideration of how the plan addresses senior housing options, disability access options, and universal design in dwelling units.

The types of houses, being a mixture of existing and new single family, moderate-sized cottage style units with first floor master bedroom suites, and operated as a condominium but with exclusive use areas, will add to the variety of the town's housing stock and potentially meet the needs of the growing group of 'empty-nesters' as well as people seeking a new or existing house at a lower price point than large single family houses, and people interested in commuting by bike. The inclusion of four affordable (low and moderate income) housing units further adds to the needs that will be served. Disability access and universal design have been incorporated to the extent practicable, and additional specific features can be incorporated into new units by request.

2. The massing and architecture of units respects the context of the neighborhood.

The positioning of the buildings on the land, with limited amounts of cut and fill, their height and massing and landscaping will ensure that the development has a suitably moderate impact on adjoining neighborhood.

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3. Access to pedestrian networks, bicycle trail, and/or public transit is readily available to future residents of the development.

The proposal improves pedestrian access within the existing site by adding sidewalks and walkways where none currently exist, and a sidewalk connection will be made between Lewis Street and the Narrow Gauge Rail Trail, offering pedestrian and bicycle connection to the town center. Public transit, MBTA bus route 62, is also available within 800 feet at the intersection of Pine Hill Road and Springs Road.

4. Project design maximizes the opportunities for walking and bicycling.

The proposal maximized the opportunities for walking and bicycling by improving pedestrian and bicycle connectivity to the adjacent Narrow Gauge Rail Trail, both from informal access within the site and by construction of a formal sidewalk along Pine Hill Road to connect to the Narrow Gauge Rail Trail, Internal sidewalks and walkways are also proposed and bicycle racks will be added. Access will also be available to the trail system in the adjacent Murray York Conservation Area.

5. Landscaping is adequate and comprised of species that are native, non-invasive, hardy for New England weather conditions and disease resistant.

The proposed landscaping plan has been revised to provide a suitable mix of trees, shrubs and perennials throughout the property, including upland and wetland species where appropriate, and salt tolerant species in specific areas.

6. Common space is adequate, accessible, and well distributed in relation to the size of the development.

The tight grouping of units around a small central amenity space enables a degree of density to be absorbed and the opportunity for a neighborly community created, while minimizing impervious area and controlling impacts on other properties. The existing playground will be renovated, and walking through the common space is encouraged with a network of walkways.

7. Water supply, sewage disposal and storm water drainage are adequate to serve the proposed development.

Municipal sewer and water infrastructure are adequate to serve the proposed development. The applicant will install additional drainage facilities to adequately offset the impact of new impervious surfaces and improve the quality of runoff from the property.

8. Vehicular access, emergency access and parking are adequate for the proposed density and placement of dwellings.

A combination of driveways and on-street parking are proposed to provide adequate parking for the proposed development, including accommodation of visitor parking. Emergency access has extensively reviewed and discussed with the Fire Department and Police Department, with the layout as shown on the final revised plans being acceptable for emergency access.

9. Sustainable design features have been adequately provided in the project design.

Attention has been given to incorporation of sustainable design elements within the proposed development, including elements of Universal Design and LEED to the extent practicable.

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5. Conditions

1. This approval allows for the demolition of three existing dwellings and the construction of 17 new dwellings, as shown on the site plan by Bohler Engineering referenced above.
2. The site plan shall be amended to depict the location of bike rack(s) in consultation with the Planning Staff and Code Enforcement Director.
3. The final Landscaping Plan, including light fixtures, shall be subject to review and approval of the Planning Staff.
4. The applicant shall fill out remaining sections of the LEED checklist for submission with the filing of the first building permit for any new dwelling unit.
5. Any minor changes to the stormwater system and associated grading that result from the Conservation Commission's Order of Conditions may be incorporated in final plans, whereas major changes or any changes to building footprints or paved areas will require approval by the Planning Board as an amendment to this special permit.
6. Where feasible, first floors of the new dwelling units of the development will be constructed at elevations close to grade, and the developer will offer accessible/universal design options when marketing the units.
7. The Common Space shall be owned and maintained by the Condominium Association. The Association may, at its discretion, seek to create a trail connection from the end of Michelson Road to the new trail in the Murray York Conservation Area.
8. As-built plans of all new underground utility connections shall be submitted to DPW and Code Enforcement. Field notes for sewer and water locations for any particular dwelling shall be provided prior to the issuance of a final certificate of occupancy for that dwelling.
9. The applicant shall work with the Regional Housing Services Office to prepare a LIP application for designation of existing units at 35 Pine Hill Road and 27 Lewis Street, and the future units at 11 and 32 Michelson Road, as affordable housing, as selected by the Bedford Housing Partnership, for inclusion on the Subsidized Housing Inventory.
10. The applicant shall file a Scenic Road Application with the Planning Board and a Public Shade Tree application with the Tree Warden for removal of any public shade trees along Pine Hill Road pertaining to sidewalk construction.

6. Decision and Vote

At the Planning Board meeting of October 2, 2018, a motion was proposed by Mark Siegenthaler, seconded by Shawn Hanegan, to close the public hearing.

The Motion passed 5-0-0.

A motion was proposed by Shawn Hanegan and seconded by Mark Siegenthaler to grant the special permit subject to conditions as set out above.

The Motion passed 5-0-0.

Voting in favor: Jeffrey Cohen, Jacinda Barbehenn, Amy Lloyd, Shawn Hanegan, Mark Siegenthaler.
Voting against: None.

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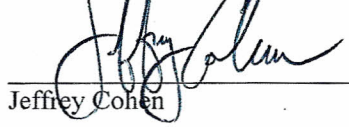
Signatures of the Bedford Planning Board, signed October 23, 2018 unless otherwise indicated:



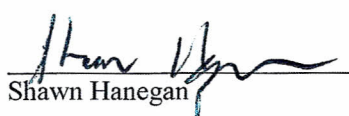
Amy Lloyd, Chair



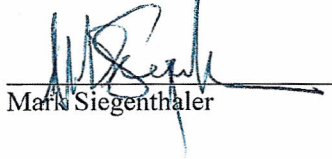
Jacinda Barbehenn, Clerk



Jeffrey Cohen



Shawn Hanegan



Mark Siegenthaler

- CC:
- Adrienne St John, Public Works Engineer
 - Kristin Dowdy, Civil/ Environmental Engineer
 - Christopher Laskey, Code Enforcement Director
 - Chief David Grunes, Fire Department
 - Chief Robert Bongiorno, Police Department
 - Elizabeth Bagdonas, Conservation Administrator
 - Francis DeCoste, Pine Hill Crossing LLC (Applicant)
 - Stephen Martarano, Bohler Engineering

7. Date of filing with Town Clerk: 10-31-18

8. Appeal

Any person aggrieved by a decision of the special permit granting authority may appeal in accordance with the provisions of M.G.L. Chapter 40A, Section 17, by bringing an action within 20 days after the filing of the decision in the office of the Town Clerk.