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Approved 7/16/22  
Kerri Rufe

**BILLERICA PLANNING BOARD**

**Town Hall**  
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Marlies Henderson, *Chair*

Janet Morris, *Vice Chair*  
Christopher Tribou  
Edward Giroux

Patricia Flemming, *Secretary*  
Blake Robertson  
Michael Parker

**Planning Board**  
**Minutes**  
**June 13, 2022 @ 7:00 P.M.**  
**Held via remote zoom**  
**Videod by BATV**

Can be Viewed: <https://billerica.cablecast.tv/CablecastPublicSite/show/3972?channel=3>

Members	Present
Marlies Henderson, Chair	X
Janet Morris, Vice-Chair	X
Patricia Flemming, Secretary	Excused
Chris Tribou-Via Remote	X
Blake Robertson	X
Edward Giroux	X
Michael Parker	X
Denise McClure, Acting Interim Director	X
Erika Oliver Jerram-Director	X

**Pledge of Allegiance**

**Moment of Silence for Edward Giroux and the passing of his Mother.**

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**Public Comment-**

None

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*Attorney Nelson corresponded that the hearing will be continued to July 11th*

**MOTION TO CONTINUE**

**Michael Parker**-I make a motion to continue the B1-Winsor Road to July 11, 2022

Seconded by Ed Giroux

Chris Tribou-Yes

Janet Morris-Yes

Blake Robertson-Yes

Marlies Henderson-Yes

Ed Giroux-Yes

Michael Parker-Yes

**6-0-1-Continued to July 11, 2022**

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**SPSP-161 Concord Road** 4:21

Attendees-Jim Dangora Jr

Will Granbery-Bohler

Stephen Martorano-Bohler

Ester Chun Byun-Berkley Inv.

Morgan Pierson-Berkley Inv.

Jeffrey Dirk-RDVA

**MOTION TO OPEN**

**Janet Morris**-I make a motion to open the SPSP-161 Concord Road and waive the reading of the notice.

Seconded by Ed Giroux

Chris Tribou-Yes

Michael Parker-Yes

Janet Morris-Yes

Blake Robertson-Yes

Ed Giroux-Yes

Marlies Henderson-Yes

**6-0-1-Open**

**Jim Dangora Jr**-Touched base on the project. He informed the board they have filed with Con Com, and they have opened the public hearing as well. BETA is doing the Stormwater review as well. He continued to give an overview of the project. The applicant is looking to build a 2 story 198K Sq ft Life Science building. Out of the 22 acres on the site, 11 of those acres will remain as is. The plan does provide a 2<sup>nd</sup> entrance with a right hand turn in and a right hand turn out onto Concord Road.

They (Berkley Inv.) are committed to construct of a portion (375ft) of the bike path on the site plan. They have also agreed to a 10ft sidewalk coming off of Concord Road. They are asking for 2 green strip waivers from the board (Building Perimeters & Landscape).

**Erika Oliver Jerram**-We have had conversation with the DPW. I wanted to note that this is on a bus route. I think it is a really good project.  
Jim Dangora Jr. shared a presentation

**Comments from the Board**

**Chris Tribou**-They are willing to help build the bike path and the sidewalks. Granting the 2 waivers makes sense to me.

**Mike Parker**-I have walked this property a few times myself. Lots of good points about 600 feet from the river. That is also going to save a lot of the forest. Asked about the waivers they are requesting. Asking where the bus stop was. Asked that they make sure they have house side shields for the lighting for the neighbors.

**Edward Giroux**-You mentioned the berm, how high will it be?

**Jim Dangora Jr.**-5 ft. and on top of that berm will be landscaping

**Edward Giroux**-I am a visual person so I am hoping that we can arrange a site walk so we can get a visual

**Blake Robertson**-I would like a site-walk too. I am having trouble with the parking so close to the road. I would like to see 100-125ft minimum to the street. I don't know what relief could be granted by the board. I would like more green buffer for the neighbors. I appreciate the study on the traffic. I am perplexed by the numbers and how it is going to work. The number of workers, the numbers of deliveries.

**Jim Dangora Jr.** There is a formula that they use for different types of uses. The number of cars in versus the numbers of cars out. I know that Phil's (BETA) comment with Jeffrey Dirk (Traffic Eng.) did are consistent with common standards.

**Blake Robertson**-Will the numbers of workers exceed the number of parking spots. Can we get rid of some of the parking spots? I would appreciate another conversation with the traffic guy. It is a major intersection, and I am not certain that we need to have that second entrance. I think it would be beneficial to the Town. I am concerned about the 11 acres of trees. We as a board need to take a serious look at tree removal and we as a board need to look at tree loss.

**Janet Morris**-Can you tell us about the operation of the building? will it be 24-hour operation?

**Morgan Pierson**-I depends on the tenants that we bring in. Some of them may need to work later. This type of use isn't a normal 9-5, They are specific users. There is an extreme demand in the market for this type of building. A tenant will come in and divide up the space themselves.

**Janet Morris**-If the tenant says that they need a bigger space you are not going to come back before us and ask for an extension?

**Morgan Pierson**-Absolutely not.

**Janet Morris-** I am a little nervous about the second entrance. I think it would be a good idea to have a second access but gated for emergency situations. If your parking spaces can be mitigated, where as your workforce is not all at once.

**Marlies Henderson-**Is it possible to set limits of driving in and out of the building?

**Erika Oliver Jerram-**It would imagine the Building Commissioner could enforce it.

**Marlies Henderson-**How high will the retaining wall be?

**Will Granbery-**It will start off at 1ft and it will go to 15 to 20ft.

**Jim Dangora Jr.-**It is a nice visual barrier for Conservation purposes. Conservation seemed to like the plan, that wall keeps the people out of the resource areas.

### **Public Comments**

**Evan-**I am a carpenter in Billerica. I think this project will be a great opportunity for carpenters and I would like the board to support this.

**Danielle Santiago-205 Concord Road-**I am extremely concerned about traffic. When he said 1700 trips, it freaked me out. I would like more information on that. We can hardly get into our driveway as is. There used to be a police officer before Covid, but the place closed. If it is a 24-hour operation it is concerning. I think we will be affected by the traffic. If there is 370 parking spaces, does that mean that there will be 370 employees?

### **End of Public Comments**

**Janet Morris-**The parking spaces are based of the building sq footage right.

**Jim Dangora Jr.-**Yes

**Morgan Pierson-**To clear this up, there is no intentions of this being a 24-hour facility

**Jeffrey Dirk-**Concord Road accommodates 22k vehicles a day. To break down the numbers, that is two-way traffic. So, the 1700 is getting added to the 22k vehicles. They are adding improvements to this project, improving Concord Road, improving the signal, the bike path. We do understand some concerns about the lane drop and we are looking at it. We think it is important to keep the secondary access as an emergency access or secondary access. More than 60% of the traffic of this project is because of Rte 3.

**Jim Dangora Jr.** Asked for feedback from the board about the waivers-Waiver 1-Building perimeter green strip, Waiver 2-the 20ft green strip in the top right corner

*The board does not have an issue with the waivers. Blake & Janet would like less parking, more green space. They would like a site visit.*

**Phil Paradise**-That intersection was constructed as part of the Concord Rd improvement construction. As noted, our team is looking for a few improvements. You have already discussed the waivers. There are a few administrative issues, but I think that this is a good project. We got started late with this with the transition with the Planning Department. I will update the comments tomorrow.

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**MOTION TO CONTINUE 1:08**

**Janet Morris**-I make a motion to continue the public hearing for SPSP-161 Concord Road until July 11th

Seconded by Ed Giroux

Chris Tribou-Yes

Michael Parker-Yes

Janet Morris-Yes

Blake Robertson-Yes

Ed Giroux-Yes

Marlies Henderson-Yes

**6-0-1-Closed**

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**SPSP-101 Billerica Ave 1:10**

Attendees:

Attorney-Steve Lentine

David Mackwell-Kelley Engineering

Phil Paradise-BETA

Rob Halvorson-Landscape Archt.

Garrett Horsfall-Kelley Engineering

David Wilkinson-Camber Development

Dan Dumais- (MDM)

**Janet Morris**-I make a motion to open the public hearing for SPSP-101 Billerica Ave and waive the reading of the notice.

Seconded by Ed Giroux

Chris Tribou-Yes

Michael Parker-Yes

Janet Morris-Yes

Blake Robertson-Yes

Ed Giroux-Yes

Marlies Henderson-Yes

**6-0-1-Open**

**Stephen Lentine**-Representing the applicant who is applying for a SPSP for 101 Billerica Ave. They are looking to demo the existing building to build a 70,400 sq. ft. for Industrial/light manufacturing use. They had their first meeting with Con Com last week. The applicants team presented a presentation for the board. We did hear from the Town Manager that he was really in favor of us putting sidewalks in front of this site. His goal is to eventually have sidewalks along Billerica Avenue leading up to the train station. You can see the sidewalks that are there are not in great shape, and he

would like us to put additional sidewalk. We met out at the site with the Department heads and consensus of the group said that they would like to see sidewalk there. Isabel (Con Com) said she was fine with the sidewalk there as long as we do the 1 ½ times compensation for the wetlands that are going to be disturbed. That's going to cause us putting sidewalks that will remove vegetation that is along the border of Billerica Ave and reduces screening to the site and we want to make sure that you are ok with that. We are also seeking 2 waivers; they are typical with the planning board.

**David Wilkinson-** For context they did not include the sidewalk in the plans because they were respectful of the wetlands themselves, with the feed back from the Con Com agent they are comfortable making that change if that is what the town would like to see. They have also proposed that we would be happy to provide to a fund to a sidewalk fund to improv or install sidewalk elsewhere. We just want to make sure that we are all on the same page.

Camber Developments team gave a presentation on the property. Each member spoke

### **Comments from the board**

**Chris Tribou-**It was a very detailed presentation. I am a proponent of putting the sidewalk there, especially with the train station. I don't have an issue with either waiver for the project. It is a common waiver that we give out. If they are going to add a sidewalk to it, it doesn't bother me.

**Michael Parker-** Had questions about the traffic study and the difference between the two projects before the board. The sidewalk feels that it will help the entire campus. The waiver around the building, I think it will be ok.

**Ed Giroux-** You said that the impervious surface is being decreased and overall, that is good for me. He does want to comment on the sidewalk presentation.

**Blake Robertson-**I would like to see what you guys could do to minimize the amount and the length of the 20ft waivers. We appreciate that we are getting rid of impervious surface and turning that into green. We are going from 80k sq. ft. down to 70k. Maybe you could angle the parking spaces instead of going straight in. Blake asked about the definition of a direct count on the traffic count.

**Dan Dumais-**We do it by video; it was done pre-pandemic (Sept. 2019), so they did not have to adjust the numbers.

**Blake Robertson-**I am interested in the sidewalk length of the sidewalk that we are asking you to do, and we can talk about that when you present it.

**Janet Morris-**First I want to say kudos to the way this project was presented, and the site walk that we had. I know now what I am looking at and I commend you guys for doing that so we can see the whole picture. I love this project; you are trying to relocate the tenants and that is important. One of the things that I would like to mention is that I don't know why sidewalks have become a heavy focus. To me it is about the project. They are reducing asphalt which is less impervious. Will we be sending mixed messages by putting the concrete out there. To take this buffer down on this busy street, who would be using them. Am I for sidewalks, yes. Could we use them elsewhere? absolutely.

I would like to see a bus stop out there. I like the natural buffer; the trees were great, and I don't understand why we are asking for more greenspace but want to put in sidewalks?

**Marlies Henderson-** I am good with the waivers. Of course, I am in favor of sidewalks. Reduced pavement is a good thing. It makes sense maybe, but to not build that complicated sidewalk, where you are not going to feel comfortable with the traffic flying by. She asked about the plantings in the parking lot.

**Phil Paradise-**There are a number of administrative issues that we have to address the loop on the paperwork. A lot of the issues that we raised were discussed. I was intrigued with the reason why the parking number was so high, but I understand it now, so maybe we can get a little more information now on what parking is committed to the property now from other permits and that would help us figure out if there is that much of a surplus. There are other things. Soil testing, calculations for stormwater.

**Michael Parker-**I heard about an additional site meeting that happened, was the proposed entrance discussed? DPW stated that the second access was unnecessary. Similar to our previous applicant, I think the Town has weighed in on this.

**Steven Lentine-**That was strictly for the sidewalk on Billerica Ave. In all of my years you are going to want a second entrance. It is dangerous to just have one. That is the only access in the whole park.

**Michael Parker-**I really want to make sure that the second access addressed by the next meeting.

**Janet Morris-**Can we put a condition on the next meeting that we have a traffic reviewed a year later and if the traffic increases that they come back before the board.

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**MOTION TO CONTINUE 2:24**

**Janet Morris-**I make a motion to continue the public hearing for SPSP-101 Billerica Ave until July 11th

Seconded by Ed Giroux

Chris Tribou-Yes

Michael Parker-Yes

Janet Morris-Yes

Blake Robertson-Yes

Ed Giroux-Yes

Marlies Henderson-Yes

**6-0-1-Continued**

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**DIRECTORS REPORT 2:25**

Erika Oliver Jerram-My main update tonight is that we have hired a Sr. Planner, she has accepted our offer and her name is Katherine Malgieri and she will start next Tuesday. Everyone can stop by to meet her. Chris Tribou and I have been working on the zoning committee and I will be asking for more funding for an overhaul on the zoning by-law. Also, Denise McClure will be working on our Sub. Div. Reg. Rules & Reg over the next couple of months.

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**REPORTS FROM COMMITTEE APPOINTEE'S 2:27**

**Chris Tribou-NMCOG**-We just went through the new process of interviews for a new Executive Director, and she will be starting in July.

**Janet Morris-CPC**-The CPC meets monthly, and we are currently updating the plan. Kerri has made a very nice chart to see where the funding is going to and that will be added to the new updated Plan. I look forward to the meetings

**Marlies Henderson-OSRC**-Meets monthly. Visit our website, we have put a lot of structure to it. The new plan is due in 2025. It will take about 3 years says John Bartlett. From getting the funding to having it voted in.

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**MOTION TO APPROVE THE MINUTES 2:31**

**Janet Morris**-I make a motion to approve the minutes from May 9, 2022

Seconded by Chris Tribou

Chris Tribou-Yes

Michael Parker-Yes

Janet Morris-Yes

Marlies Henderson-Yes

Blake Robertson-Yes

Ed Giroux--Yes

**6-0-1-Minutes Approved**

**ADJOURNMENT**

**Ed Giroux**-I make a motion to adjourn

Seconded by Janet Morris

Chris Tribou-Yes

Michael Parker-Yes

Janet Morris-Yes

Marlies Henderson-Yes

Blake Robertson-Yes

Ed Giroux-Yes

**6-0-1**

**THE BOARD ADJOURNED**

End

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