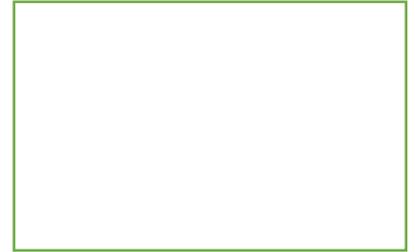


**Chelmsford Planning Board**  
Town of Chelmsford  
50 Billerica Road  
Chelmsford, MA 01824

Town Clerk Stamp



**MEETING MINUTES**  
**February 11, 2026**  
*(Approved March 11, 2025)*

TIME: 7:00 p.m.

LOCATION: Town Offices

ROOM: 204

**Members Present:** Chris Lavallee, Chair  
John Sousa, Jr., Vice Chair  
Joel Luna, Clerk  
Michael Raisbeck  
Deirdre Connolly  
Marcie Comtois

**Members Present via Zoom:** Ceretha Fernandes, Associate Member

**Members Not Present:** Annita Tanini

**Others Present:** Evan Belansky, Community Development Director

ALL MEETINGS ARE TELEVISED LIVE AND AVAILABLE ON DEMAND BY CHELMSFORD TELEMEDIA  
[www.chelmsfordtv.org](http://www.chelmsfordtv.org)

Chair Lavallee called the public meeting to order at approximately 7:00 p.m.

**PUBLIC INPUT** – None

**ADMINISTRATIVE REVIEW:** None

**PUBLIC HEARINGS – CONTINUED:**

- 1. Zoning Amendments for Annual Town Meeting:** For purposes of receiving public comment to amend The Town Code, Chapter 195, “Zoning Bylaw” article XXI, Community Enhancement & Investment Overlay District (CEIOD) section 195-11.C (2) to revise by-right projects, 195- 112 Use regulations to provide clarity, 195-118 Performance Standard. A & B, to require compliance with Article VII, 195-119 Application Review Procedures A(6) to add “structure”, 195-119 B(d) to provide clarity, 195-119 D to add a new (5) and renumber, 195 Attachment 1, Use Table, line D.16, Commercial 16 (Parking Garage/Structure) from BA to PB, Table of Dimensional Requirements (195 Attachment 2) change minimum depth from 0 to N/A in the CB, CD & CX districts, CEIOD Site and Bldg Requirements Table (195 Attachment 3) to change minimum depth from 0 to N/A in the CB & CD districts, dimensional requirements for facilitated and independent senior living facilities (195-88) change minimum depth from 0 to N/A in the CB, CD & CV districts, dimensional standards for Center Village Zoning (Article XVIIA 195-98.2) change minimum depth from 0 to N/A, 195-108 to revise the definition of “Boarding House” and add a new definition for “Bed and

Breakfast”, 195 Attachment 1, Use Table, to add a new line D.39, “Bed and Breakfast”, section 195-34 Outdoor Illumination to delete in conjunction with a proposed General bylaw for Outdoor Lighting.

Chair Lavallee explained that the Board had voted on all specific zoning articles at the last meeting and they are now with Town Counsel for review. He noted that the lighting articles were split into two different articles: one for the general bylaw for the lighting bylaw itself and another for the removal of the zoning article. If the general bylaw passes, they will remove the former lighting zoning bylaw; if not, they will withdraw that bylaw. Clerk Luna asked if they would be combined on consent, and Chair Lavallee stated they would not be. Chair Lavallee also mentioned that he and Community Development Director Evan Belansky would be meeting with Town Counsel regarding questions and suggestions on the overlay piece, and may return to discuss specific items that are not within the Board’s purview. Member Connolly asked when the warrant needed to be signed, and Belansky indicated the upcoming Monday. Chair Lavallee noted that any changes would likely be small tweaks within the scope of the warrant and can be made up until Town Meeting. He indicated the Board should vote to close the public hearing, and if minor changes need to be discussed later, it can be put back on the agenda as an administrative item.

**Motion:** by Raisbeck to CLOSE the public hearing on the zoning amendments.

Motion seconded by Connolly. **Motion carries, unanimously, 7-0.**

(Roll call: Fernandes, Comtois, Connolly, Sousa, Luna, Raisbeck and Lavallee, all voted aye.)

- 2. Zoning Amendments for Annual Town Meeting:** For purposes of receiving public comment to amend The Town Code, Chapter 195, “Zoning Bylaw,” section 195-3 to amend the zoning map, Rezone existing IA parcels to RM, 13-36-2 & 13-36-4, rezone the following parcel to RC, 13-19-15, 13-19-16, 13-19-17, 13-19-18, 13-19-19, 13-19-21, 13-19-22, 13-19-23, 13-35-1, 14-19-6, 14-19-9, 14-19-13, rezone parcel 14-19-8 to CB and rezone the following parcels from IA, limited Industrial to CBLT, 13-19-20, 13-36-1, 13-36-3, 13-36-5, 13-36-8, 13-36-10, 14-19-1, 14-19-2, 14-19-3, 14-19-4 and 14-19-5.

Chair Lavallee noted this was a separate item and the board had held the first part of the public hearing at the last meeting. He discussed a property he noticed on the map, explaining that on the assessor's property card it was listed as IA, but on the zoning map it was shown as RC. Belansky clarified that there are numerous instances where the assessor's zoning category is incorrect, but the zoning map is accurate for zoning purposes. When brought to the assessor's attention, they will fix it. The assessor looks at actual use rather than zoning for assessment purposes. Associate Member Fernandes asked if other properties could be coded wrong, and Belansky confirmed the potential exists. Member Raisbeck suggested a volunteer high school student could likely help cross-check the records. Chair Lavallee stated they would go by the map, which is correct, for the properties being changed. The floor was opened for public input, but no one was present to comment.

**Motion:** by Raisbeck to CLOSE the public hearing on the zoning amendments.

Motion seconded by Connolly. **Motion carries, unanimously, 7-0.**

(Roll call: Fernandes, Comtois, Connolly, Sousa, Luna, Raisbeck and Lavallee, all voted aye.)

**Motion:** by Raisbeck to RECOMMEND these zoning changes at Town Meeting.

Motion seconded by Comtois. **Motion carries, unanimously, 7-0.**

(Roll call: Fernandes, Comtois, Connolly, Sousa, Luna, Raisbeck and Lavallee, all voted aye.)

- 3. Citizens Petition:** To overturn Article 29 as adopted at the Fall 2025 Town Meeting by reverting to the original definition of “Family”.

Chair Lavallee noted that the petitioner was not present online. He stated he continues to email the petitioner after every meeting to determine when he might attend but has received no response. The

board will give the petitioner until the last meeting possible in April. If they do not hear from him by then, they will vote to close the public hearing at that time. Member Raisbeck confirmed that the public hearing had been opened at the last meeting since it was advertised, so the board needed to continue it.

**Motion:** by Raisbeck to CONTINUE the public hearing to February 25<sup>th</sup>.

Motion seconded by Connolly. **Motion carries, unanimously, 7-0.**

(Roll call: Fernandes, Comtois, Connolly, Sousa, Luna, Raisbeck and Lavallee, all voted aye.)

## **PUBLIC HEARINGS – NEW:**

1. **191-195 Riverneck Road – Commonwealth Construction & Utilities Co.** requesting Definitive Subdivision approval under Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in the Town of Chelmsford. The project calls for the construction of a new roadway and associated infrastructure to serve as frontage for three new Industrial zoned lots. The site is in the IA limited Industrial Zoning District. The combined sites are approximately 5.4 acres as shown on Assessors Map 64, Block 275, Lots 5 and 16. A special permit for section 195-75, aquifer protection lot coverage is also requested.

*Per MGL Chapter 41 section 810 the decision of the Board is due within 90 days from the date of submission on January 6, 2026.*

Kasey Ferreira from Howard Stein Hudson appeared on behalf of the client Commonwealth Construction. He presented the definitive subdivision plan, which is the official filing of the preliminary subdivision plan presented in June 2025. The project involves two properties at 191 and 195 Riverneck Road. 195 Riverneck Road has an existing single-family house, while 191 is approximately five acres of wooded, undeveloped land. The combined total is about 5.35 acres in the IA Zoning District.

The proposal is a three-lot subdivision with a proposed roadway meeting business street requirements (60-foot right of way, 34 feet of pavement, and a five-foot sidewalk on one side). Lot one, at the corner, would have 97,393 square feet with 663 feet of frontage. Lot two, in the middle, would have 50,522 square feet with 175 feet of frontage. Lot three, at the rear near the cul-de-sac, would have 56,425 square feet with 174 feet of frontage.

The subdivision falls under special permit requirements for Aquifer Protection District due to impervious coverage exceeding 15% or 2,500 square feet. To meet performance criteria, the roadway is designed with four deep sump footed catch basins, one CDS unit, and an infiltration basin. Ferreira noted that the new Chelmsford regulations require proprietary units to achieve 90% TSS removal. The infiltration testing was done in April 2025 and witnessed by Sheila Joyce of DPW. The infiltration pond will be in an easement on Lot 3 totaling 12,704 square feet, to be conveyed to the Town upon roadway acceptance.

Utilities include electric, gas, East Chelmsford water, and sewer. Three existing sewer stubs exist on the properties, allowing 1,500 gallons per day maximum without purchasing additional capacity. The water connection will create a full loop back to Riverneck Road. Due to the property grade going downward into the property, a gravity sewer collection system will lead to the rear of the cul-de-sac where a pump will bring sewage back up to connect to an existing stub.

Member Raisbeck found the project straightforward assuming stormwater requirements are met. Clerk Luna initially had concerns regarding pumping, which Ferreira clarified was for sewer, not stormwater. Luna noted the test pits were shown on page 5 of the plans. Associate Member Fernandes asked about a monitoring well currently on the property, and Ferreira stated the project would leave everything existing and only disturb the roadway; he would confirm if the well is shown on the proposed plan.

Chair Lavallee asked about two infiltration ponds shown on plans. Ferreira explained one is a staging pond for existing stormwater to stage and swale around the proposed pond, not used to meet stormwater standards. Lavallee also asked about what appeared to be two different limits of work, which Ferreira clarified was for construction of the water loop requiring trenching in that area.

Regarding the fence/guardrail at the end of the cul-de-sac, Ferreira explained there is a decent drop-off at a three-to-one slope, so a guardrail is provided for safety. When Lot 2 or Lot 3 are developed, the guardrail would be modified based on site plans.

On lighting, Ferreira stated they show typical layout with 175-foot separation between light posts per DPW preferences, not photometrics. The fixture type shown is what DPW requires, so if DPW allows different fixtures to meet a new lighting bylaw, they would comply.

Ferreira stated snow storage for the roadway would be typical plowing to road edge; no specific locations are indicated. Regarding the guardrail and snow storage, Ferreira noted the guardrail is offset on the other side of the sidewalk. Fernandes asked about snow being pushed onto neighboring property, and Ferreira explained the neighbor's property is higher in elevation.

Clerk Luna read departmental comments. Board of Health noted the project is in the Town and state water resource protection zones and will require approval under Chapter 201, Article 7, Groundwater Protection Zone. Fire had no objections with conditions including truck turning plans being sufficient, applicant to submit to e-911 committee for street naming, and no comment on future construction until building permitting. The Building Commissioner advised all yard requirements must be met. Treasurer/Tax Collector and Chelmsford Police Department had no concerns.

Luna read the DPW letter noting outstanding issues including separation of water/sewer service, stabilization for slopes exceeding three-to-one, appropriate signage near infiltration pond prohibiting snow storage, confirming number of trees to be removed from right of way and replacement coordinated with tree warden, road opening permits required for curb cuts, adherence to town standards, and trash removal responsibility. Sewer comments noted the existing properties have a 120 gallons per day historical sewer flow average, with 1,500 gallons per day maximum allowable increase. Emergency power is required for commercial grinder pumps. Stormwater management conditions included clear ownership and O&M statements on plans and annual compliance records to DPW Engineering Office.

Ferreira responded to DPW items: no signage needed for infiltration pond snow storage since there will be none near it; the tree reference is for existing Riverneck Road right of way, not the proposed right of way; and they will add emergency power details showing a standby generator connected to National Grid gas located next to the pump station.

Fernandes asked about low salt or no salt use on roads within aquifer protection zones. Ferreira believes Conservation Commission determines this but noted there are no resource areas in this area.

Clerk Luna clarified that the aquifer protection permit is triggered because the roadway exceeds 15% impervious coverage for the total lot, and future development on created lots would be measured against 15% of each individual lot. He asked Belansky about the Board of Health GPZ review that has not yet occurred, and Belansky confirmed the board can issue the aquifer protection permit if stormwater conditions are met regardless of the pending Board of Health review.

Luna raised concern about the application being from the same applicant for the same site currently in litigation with the town, asking whether actions taken might impact that litigation and whether Town

Counsel should review the decision. Belansky stated there would be no relevancy between the two issues but agreed to confirm with Counsel. Chair Lavallee noted there has not been such conflict in past projects. Luna wanted to ensure they are not making errors given the unusual situation.

No public comment was received.

**Motion:** by Raisbeck to CONTINUE the public hearing to February 25<sup>th</sup>.

Motion seconded by Connolly. **Motion carries, unanimously, 7-0.**

(Roll call: Fernandes, Comtois, Connolly, Sousa, Luna, Raisbeck and Lavallee, all voted aye.)

## DISCUSSIONS:

### 1. Community Development Director's Report

Director Evan Belansky distributed hard copies of the Citizen Planner Training Collaborative conference information for Saturday, March 21, and encouraged registration. The town will reimburse registration fees. He noted reminders: February 17 is the next Managed Growth Strategy meeting; February 26 is the Senate Village Master Plan public presentation input session with NMCOG on Chelmsford Street transportation improvement concepts. Member Comtois asked if notice had gone out, and Belansky said he would do that Friday after meeting with the committee first.

Belansky reported that the following projects are proceeding with either temporary certificate of occupancy or full occupancy: 255 Princeton Street, 3 Meeting House, 270 Billerica Road, and 41 Central Square. The Select Board approved the alcohol licenses Monday evening. Clerk Luna asked about the lemon tree, and Belansky said he had not heard of it.

### 2. Liaison updates

- Chair Lavallee provided an update on the Select Board meeting regarding 133 Princeton Street. In the application packet, it stated there was no determined use for the top floor, though they had said it was a staff break room. Their official position now is that the top floor will not be used at all. Aaron Cunningham expressed concerns about things not getting done and past issues, asking all departments and the Planning Board to confirm when punch list items are completed. Lavallee noted design changes requested have not yet been done. Belansky stated he has had conversations with the contractor about provisions necessary for a temp CO, including contractual obligations for completing the Planning Board project with a final deadline of May 15. The landscaping, awning (currently being custom fabricated), and most building work should be done before then.
- Lavallee reported Conservation Commission met the previous day with little happening. They voted not to go forward with their 100-foot buffer zone for 100-year floodplain, with four against and three in favor. They were concerned about time needed to prepare materials, and it was not in the draft article. They may revisit it for the next town meeting.
- Raisbeck reported Historical Commission did not make quorum again.
- Luna reported Board of Health finished and voted on new regulations for Article 19 site wastewater system maintenance and inspection for septic systems with increasing requirements over time in aquifer areas. Their next meeting is March 3.
- Fernandes reported the Central Square Committee is meeting and discussing the clock they are trying to get installed before their spring festival planned for May 2. The festival was planned for the center with blocked roads but is being moved to the park and partly at the library. Engineering projects are pending information from the state.
- Comtois noted Center Village meets the following day.

- Connolly reported Housing Advisory Board did not meet. Low Impact Development has an upcoming meeting with materials to review.
- Luna expressed interest in hearing Anita's report on the ZBA and Ledge Road matter, describing it as fascinating. He explained that Jose Negron issued a second enforcement order regarding Ledge Road claiming it is a nonresidential use of a residential road. The applicant argued it was unfair to be singled out. The ZBA voted four to one, though discussion suggested it might have been closer. Belansky added that the board voted to uphold the Building Commissioner's letter of zoning violation, and the applicant is expected to appeal to the court. In the meantime, they can continue using the road. If the town prevails, part of the outcome could be a special permit to the Planning Board to expand the pre-existing nonconforming use. The judge may come up with other determinations or give instructions with parameters. Chair Lavallee asked about the original decision being appealed. Belansky explained the first zoning enforcement was appealed and essentially postponed because initial indications from the judge did not seem favorable, so counsel worked with Jose to issue a second supplemental zoning enforcement letter. The applicant asked the judge to decline it, but the judge allowed it, which led to this appeal. A second appeal would go back to the same judge, and the second letter supersedes the first.

### 3. New Business – Attorney General's Decision – Fall Town Meeting 2025 - Case # 12065

Chair Lavallee reported that all zoning bylaws went through the Attorney General review. The AG opined on ADUs again to ensure due diligence, but no changes are needed. They flagged that home childcare was listed in the use table as a special permit, which is a Dover use. The board will need to strike the two childcare uses from the use table at the next town meeting. Belansky explained that 2024 amendments to the zoning act removed a local option to regulate home-based day cares and family day cares, which was legal until 2024. The last review was in 2010 with the Zoning Bylaw Review Committee. Chair Lavallee confirmed it would be fixed at the next town meeting.

### 4. Old Business – Managed Growth Strategy

Member Raisbeck reported a meeting is scheduled for Tuesday and they may start getting into scenario planning. Belansky clarified they are still doing a scoping exercise. Clerk Luna asked about the time and location. Belansky confirmed it is at 6:00 p.m. in room 205.

### 5. Other

**MEETING MINUTES:** None

**NEXT MEETING DATE(S):** February 25, 2026

Chair Lavallee noted the next meeting date is February 25<sup>th</sup> and discussed April meeting scheduling. Town Election is April 7<sup>th</sup> following by a Planning Board meeting on the 8<sup>th</sup>. The next meeting after that would be April 22<sup>nd</sup>, which may also be the manager's pre-town meeting prep meeting. Sousa suggested checking with the town manager, noting Telemedia previously raised concerns about needing more lead time before town meeting. Belansky agreed to get confirmation for the next meeting. Lavallee indicated he would prefer not to have a Planning Board meeting the same night as the pre-town meeting. The possibility of adding a meeting on the 15<sup>th</sup> was discussed, but Fernandes noted she would be unavailable due to an archery banquet. Connolly noted she would be unavailable on the 29<sup>th</sup>. Belansky suggested perhaps meeting only once in April. Chair Lavallee noted reorganization would occur on the 8<sup>th</sup>, the day after the election. Member Raisbeck observed it does not appear this board will need reorganization unless

something changed regarding the deadline for candidate papers, which is the following day.

**ADJOURN**

**Motion:** by Raisbeck to ADJOURN at approximately 7:56 p.m.

**Motion carries, unanimously, 7-0.**

*Meeting minutes respectfully submitted by Becky DaSilva-Conde, Community Development Department Assistant, using MuniTrac (AI Program) by InstaTrac, Inc. All related documents discussed were attached to the posted meeting agenda.*