



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

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TOWN OF CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK

MEETING MINUTES
February 25, 2026

TIME: 7:00 p.m.

LOCATION: Town Offices

ROOM: 204

Members Present:

Chris Lavallee, Chair
John Sousa, Jr., Vice Chair
Joel Luna, Clerk
Deirdre Connolly
Annita Tanini
Marcie Comtois
Ceretha Fernandes, Associate Member

Members Present via Zoom:

Michael Raisbeck

Others Present:

Evan Belansky, Community Development Director

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

PUBLIC INPUT – None

ADMINISTRATIVE REVIEW: None

PUBLIC HEARINGS – NEW: None

PUBLIC HEARINGS – CONTINUED:

Member Deirdre Connolly was not yet present for this portion of the meeting.

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

No one has heard back from Brian Latina, who filed the Citizens’ Petition. No one was on Zoom either.

Motion: by Comtois to CONTINUE the public hearing to March 11th.
Motion seconded by Tanini. **Motion carries, unanimously, 7-0.**
(Roll call: Luna, Sousa, Tanini, Comtois, Fernandes, Raisbeck and Lavallee, all voted aye.)

2. **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 before the Board representing the applicant AJ from Commonwealth Construction Utilities, along with Katie Enright also from Howard Stein Hudson. Ferreira reminded the Board that they had presented the definitive subdivision on February 11 and were sent back to address a couple of items. On the Town's end, coordination with Town Counsel was needed, and on the applicant's end, they needed to achieve the items requested in the DPW letter.

Ferreira reported that they submitted plans to DPW and received a clean letter back that afternoon confirming they addressed all comments. The changes included adding a generator to the pump station for the sewer, reviewing the area of construction within the Riverneck Road right of way to confirm no trees existed in that area to be removed (confirmed with a note added to the demolition plan), and adding notes to the operations and maintenance plan as well as snow storage signs at the pond to prevent snow dumping into the pond.

Chair Lavallee noted that citizen letters from the last meeting were attached to the agenda. Luna read the DPW clean letter which indicated no remaining concerns. Belansky confirmed that a clean letter from the Fire Department was not needed as they had received one originally indicating access was adequate. Ferreira confirmed they would be going before the Board of Health for the groundwater protection zone.

Lavallee stated he had reached out to Town Counsel for clarification and there is no connection or impact between this project and the applicant's other projects.

Luna raised questions regarding the timing of the construction of the subdivision road and stormwater versus the introduction of tenants onto the other lots. He expressed concern about whether stormwater would be maintained during any time lag, and about the potential for dumping if a road is constructed but lots are not yet developed. Ferreira explained that while they could construct the road as soon as the mylar is approved and recorded, it would be unlikely to construct the road until there are development plans for the rear lots, as it would not be fiscally responsible. Luna requested a fence around the cul-de-sac to prevent dumping until tenants are present.

Belansky asked for clarification on whether Luna was referring to a temporary construction fence or a permanent fence. After discussion, it was determined that the fence would be temporary, to prevent access between the construction of the road and stormwater and the build-out of the lots. Ferreira suggested the condition state the fence would remain until permitting is completed for the additional lots rather than referencing tenants. Luna agreed this would be acceptable. Lavallee summarized the special condition would be a fence around the cul-de-sac until permitting is completed for the other lots to prevent dumping.

No public comment was received.

Motion: by Raisbeck to CLOSE the public hearing for 191-195 Riverneck Road.

Motion seconded by Sousa. **Motion carries, unanimously, 6-0.**

(Roll call: Raisbeck, Fernandes, Comtois, Sousa, Luna and Lavallee, all voted aye. Tanini was not qualified to vote to be prior hearing absence.)

Motion: by Sousa to APPROVE the Special Permit under section 195-75 Aquifer Protection District for 191-195 Riverneck Road. Motion seconded by Raisbeck. **Motion carries, unanimously, 6-0.**

(Roll call: Raisbeck, Fernandes, Comtois, Sousa, Luna and Lavallee, all voted aye. Tanini was not qualified to vote to be prior hearing absence.)

Motion: by Raisbeck to APPROVE the Definitive Subdivision Site Plan 191-195 Riverneck Rd. Motion seconded by Comtois. **Motion carries, unanimously, 6-0.**

(Roll call: Raisbeck, Fernandes, Comtois, Sousa, Luna and Lavallee, all voted aye. Tanini was not qualified to vote to be prior hearing absence.)

DISCUSSIONS:

1. Community Development Director's Report

Community Development Director Evan Belansky provided two updates. He noted that on March 4th at 6:00 p.m., the second meeting of the Managed Growth Strategy Task Force will take place. Additionally, on Tuesday, March 10th, the Citizens Academy will be held where Chair Lavallee will be presenting on behalf of the Planning Board and Belansky will be presenting on behalf of Community Development. That same evening, Conservation, the Zoning Board, and the Building Department will also be presenting.

Chair Lavallee asked about the liquor store, noting their grand opening is scheduled for around March 5th, and inquired whether they would have the occupancy permit. Belansky explained they are operating and will operate under a temporary certificate of occupancy. They have provided a cash bond to cover incomplete landscaping per the Planning Board approval, and there are various other punch list items, some of which will likely be completed before springtime. They have also submitted an interim as-built to DPW and have received sign-offs from all relevant departments.

2. Liaison updates

- Comtois reported that on the following day (February 26) at the library at 6:30 p.m., Kelly from NMCOG would be holding a community meeting on the proposed plans for Chelmsford Street. Comtois noted she had gone around the previous week to make sure all businesses in the neighborhood had flyers about the meeting, as business owners were the one group missing from the October meeting.
- Sousa mentioned that there was an NMCOG council meeting taking place that same evening. Because it coincided with the Planning Board meeting, they had to adjust their schedule. They are usually on opposite weeks from the Planning Board. Pat Wojtas and Doug Bruce covered that evening's meeting as alternate meetings.
- Lavallee noted that Conservation Commission met the previous day and it was a light agenda with nothing significant to mention.

3. New Business –

Member Deirdre Connolly was not yet present for this portion of the meeting.

a) Zoning articles – updates

Chair Lavallee provided updates on zoning articles following the legal review, noting most changes were basic wording and formatting.

For the CEIOD overlay, there was a provision for a special permit for combination of uses. Based on the wording, it was unclear if this applied just to the overlay or both the overlay and underlying zoning. The wording was clarified to remove the combination of uses provision in the CEIOD and in the underlying. Performance standard wording was also updated, removing references to special permits since those were more general guidelines applying to any project. Special permit wording in section B was updated based on town counsel's suggestion.

For the boarding house article, Town Counsel noted that the board referenced the state definition and mentioned additional details about boarding houses locally which did not match the state definition. Town Counsel suggested making it an "and" statement so that boarding house is defined as the state defines it and in addition how the town defines it.

For the lighting zoning, several minor changes were made. Enforcement details for violations and penalties that are in the current version were re-added. Ownership change as a trigger was removed because Town Counsel felt it was overly broad, noting that transferring property from an elderly resident to a trust is technically a change in ownership but nothing substantive has changed. Town preference language was kept despite Town Counsel commenting it is unenforceable. After discussion with Kelly, the board felt town preference is preferred because they did not want it to be enforceable for residential and did not want any misunderstanding that it is enforceable. They also felt putting it too close to enforceability would not pass at town meeting. An exception for public safety was added in the public way section to clarify that if there is a case where lighting needs to be brighter than recommended for public safety, that is an exception.

Lavallee noted he would be presenting this version to the Select Board and FinCom in the next few weeks.

b) Prioritizing upcoming work related to zoning and regulation changes

Chair Lavallee presented a compiled list of items the board has wanted to address, with eight items listed and three items removed that were placed on hold. He asked what the board wanted to tackle next after completing the zoning work.

Lavallee stated he assumed they would want to continue looking at zoning conflicts in town and keep that moving, with Riverneck Road identified as an area they wanted to examine along with other locations on the map. He highly recommended tackling the AG recommendations from the last round of zoning review before the next town meeting. Number four was clarifications to procedures for special permits and site plans, arising from the last Riverneck Road contractors' meetings where town counsel suggested clarifying the process when voting on special permits and site plans together.

Tanini asked whether the clarification was a zoning change or an internal process guided by bylaws. Lavallee explained it is currently in the bylaws and he questioned whether it needs to be in the bylaws or could be removed and placed in procedures or regulations. Belansky agreed it was a good question for counsel.

Lavallee discussed contractor yard definitions, noting ongoing discussions about indoor and outdoor contractor yards. He indicated willingness to research other ways to define them, either by use, size, or types of machinery rather than indoor versus outdoor.

Connolly stated that Riverneck should be close to the top of the list and that the contractor yard definition should also be high priority, noting the board has tackled two big zoning districts already.

Tanini suggested grouping items, separating zoning areas as one group and zoning changes as another group, suggesting both could be presented together.

Fernandes emphasized that continuing zoning work forward is important because people are getting used to it and if they stop, people will forget.

Lavallee said ideally he would like to see them bring one new area every town meeting. Tanini agreed. Lavallee acknowledged it is a lot of work but needed in those areas. Comtois thought that once the first ones are done, the rest would be fairly easy since they have a good template.

Connolly raised concerns that different issues present different conflicts, noting village districts versus IA abutting residential areas present very different conflicts.

Lavallee suggested continuing to tackle similar conflict areas and then looking at conflict areas that might require different solutions. Tanini agreed, mentioning the CBLT. Lavallee mentioned the Center Village District and North Village District area as two different types of areas that might need to be handled differently, and indicated he would not want to tackle those yet and would continue moving the CBLT concept.

Discussion turned to the PILO formula. Luna asked if they had updated it. Connolly explained they did update it conservatively, maintaining the ability to use the PILO but with the idea to discourage it except for partial unit increments. They used the old formula from over a decade ago as a placeholder, intending to come back and look at the numbers in the not distant future, which was probably two to three years ago and has not been done. Luna expressed interest in updating the PILO formula as it would not be a heavy lift. Belansky clarified that the formula is currently in the zoning bylaw. Connolly asked if that was why they did not change it much previously. Lavallee clarified they have never had a detailed conversation about updating the formula; they have only talked about keeping it on the list. Luna asked if the PILO formula needed to be in the bylaw, and Belansky said it was a question for counsel and he was not positive. Luna said it would be nice not to have it in the bylaw. Lavallee noted that if they remove it from the bylaw, they still have to bring it to town meeting to remove it.

Tanini expressed her preference for town meeting would be to add another zone to the CBLT, and wondered if they could group the childcare facility and contractor yard as separate articles but discussing definitions together.

Connolly asked about defining childcare facilities and whether the state does that. Lavallee explained the AG recommendations are that they should not define it because they have childcare home and childcare facility in the use table, which are state Dover uses. The AG noticed this during the CBLT zoning review and said they need to be taken out. Connolly confirmed this is about pulling them out, not defining them, and agreed it would be easy.

Discussion continued about the Riverneck Road area for CBLT. Tanini asked about adding Turnpike Road. Lavallee indicated they would be two different areas, noting NMCOG had them as two different areas.

Connolly mentioned the strip of Route 110 across from Kohls/mall and the wetlands, where one side is residential and the other is commercial. Belansky clarified that the site opposite the wetlands is zoned commercial with most properties used commercially behind, while the opposite side is single-family residential zoned single-family residential. Lavallee noted that area was not identified as a zoning conflict area.

Tanini suggested looking at Riverneck, Mammoth (which is zoned to IA), and Apollo Roads because of the Apollo facility behind them. Lavallee confirmed it would be the entire structure of Riverneck plus those side streets.

Fernandes asked about number four (195-104), noting it seems like it will keep coming up as a future problem if not addressed. Lavallee agreed and said it was a fairly easy one to discuss and draft, and he could talk to Legal about whether it needs to be in the bylaw.

Connolly asked how they would prioritize votes, for instance if the special permit were not granted, does it make sense to continue to the site plan. Lavallee confirmed that was the exact issue faced with the contractor yard. Looking at that bylaw, town counsel realized it is not clear because they talk about special permit votes and site plan votes separately but do not address handling them in conjunction with each other.

Lavallee mentioned number eight items that were easy changes. Section 3.4 in rules and regulations has department reviews and letters. The board had talked about adding the Commission on Disabilities for some projects, and based on Riverneck, adding DPW and the Traffic Advisory Committee to review traffic mitigation recommendations and special conditions.

Connolly asked about having both the traffic peer review and a traffic committee. Lavallee explained that the peer reviewer recommended traffic mitigation measures that became potential special conditions, but DPW and the traffic committee had no input to determine if those were realistic. This would formalize connecting the dots for getting input and feedback on whether special conditions are reasonable and what timing might be. This could also have applied to the pedestrian bridge in the center to get DPW input and timelines.

Lavallee also mentioned item 8j about combining rules and regulations documents into one, noting that while looking over the website, there are a couple of separate documents with rules and regulations. This would continue the work started with policies and procedures, bringing everything together and making it more usable.

Luna asked if they would still need a separate set for subdivision. Belansky confirmed yes because it is a different chapter, but they are separate. Lavallee indicated they could still bring them together into one cover document.

Connolly asked where these documents are on the site. Lavallee noted it took him a while to dig around and find them. He mentioned he had made notes and sent Evan and Becky some recommendations for updates on the website to help clean it up. Tanini noted there is a policies link but it only has two items from 2014. Lavallee confirmed that was one of the suggestions he made.

Lavallee stated he would start working on bringing those into the agenda and drafting items for board review.

Luna offered to look at items if needed. Lavallee said once he looks at what is needed, he can ask volunteers to pull things together.

4. Old Business – Managed Growth Strategy

Lavallee noted this was already covered in the Community Development Director's report. Sousa confirmed Evan gave a report on that.

5. Other

MEETING MINUTES: 1/28/2026

Tanini noted that the vote for the lighting bylaw was inaccurate. She abstained from this vote.

Motion: by Sousa to APPROVE the meeting minutes for January 28th, as edited.
Motion seconded by Connolly. **Motion carries, unanimously, 7-0.**
(Roll call: Raisbeck, Fernandes, Comtois, Connolly, Tanini, Sousa, Luna, Raisbeck and Lavallee, all voted aye.)

NEXT MEETING DATE(S): February 25, 2026

ADJOURN

Motion: by Raisbeck to ADJOURN at approximately 7:56 p.m.
Motion carries, unanimously, 8-0.

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.