



BILLERICA PLANNING BOARD

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*Approved
5/17/21
Keri Pufe*

**Planning Board
Special Meeting**

March 11, 2021 @ 7:00 p.m.
Held Via Zoom

<https://billerica.cablecast.tv/CablecastPublicSite/gallery/8?channel=3>

Attendees:

- Mike Riley
- Chris Tribou
- Janet Morris
- Blake Robertson
- Pat Flemming
- Matt Battcock

Absent

- Gary DaSilva

Pledge of Allegiance

Mike Riley-We had to get this meeting in prior to Monday. We are just going to be voting on two placeholders to put the warrant article for town meeting. Denise you want to give a quick explanation before we take a motion

Denise McClure- From Town meeting it was requested that we look at the PUD by law and revise that by law. The Planning Board knows, the subcommittee of the Planning Board that the Smart Growth committee has been working on the bylaw and putting that together. So, what needs to happen, that this is the preliminary warrant. So, we will be asking the board to vote to put two articles onto the preliminary warrant. They are placeholders, we have a community forum coming up to gain some more comments. Town council also reviews the by law and the community forum will get some more comments. That is why these are placeholders, and in the end, town council will write the two articles that will go in. The first article is to see if the town will vote to amend the zoning bylaw to add the new section; the mixed used overlay zoning district and then further amend the zoning map to add the mixed use. Just so it's clarified right now, the zoning map shows the overlay districts labeled as the plan unit development overlay district, this mixed-use district is those same parcels, but they need to be labeled on the map as mixed use overlay district so that's why we include the map language. The second article will

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be, to see if the town will vote to amend the zoning bylaws and to delete the planned unit development district in its entirety and then to further amend the zoning map to remove the planned unit development district. So, the two are simple, one is to create the bylaw, add the by law, place it on the map of the parcels. The second is to remove the existing PUD bylaw and remove those parcels labeled as PUD. So, we will have a mixed use overlay district in those areas, so that's the placeholder. The specific article will be written by town council and it will include the district by law and the map to show the parcels and they are in process of finalizing that and going over the bylaw for their legal use.

Mike Riley-Alright, we will do two motions?

Denise McClure-I would do two motions

Blake Robertson-I would like to have some discussion Mr. Chairman

Mike Riley-Once the motion made, we can discuss placing the article on the warrant. That is the only the only thing that we are here for tonight. Like Denise said, there will be a public hearing there will be more input. The format for that would be more of a public hearing unless you have a specific question?

Blake Robertson- Yes, I do

Mike Riley-Is it going to be on the motion?

Blake Robertson-We have not had a motion fortunately, and so I think we need to discuss.

Mike Riley-Sorry but this is not the forum to discuss anything, other than putting these placeholders on the warrant

Blake Robertson-Yeah and it is discussing these placeholders

Mike Riley- Let's make the motion and if you have a question.....

Blake Robertson-No. Last time there was no discussion after the motion, I want discussion before the motion Mr. Chairman

Mike Riley- We're not going to do that Blake; I apologize we are strictly here to discuss putting place holders on the warrant, like we were asked to do by Town meeting

Blake Robertson-And I understand #2, I do not understand the propriety of #1

Mike Riley-Alright, so let's start with the motion

Denise McClure-I would do them separately

Matt Battcock- I make a motion approve the first article from our subcommittee for the place holder to go on the preliminary warrant.

Seconded by Patricia Flemming

Blake Robertson-Point of order

Blake Robertson-Point of order

Mike Riley-Do you have a question on placing the article on the warrant

Blake Robertson-Yes

Mike Riley-Go ahead with your question

Blake Robertson- I would like to divide the question please

Mike Riley-I do not understand what you are saying Blake

Janet Morris-I second it

Blake Robertson-Parliamentary rules, you know what you should know it

Mike Riley-I don't know it

Blake Robertson- We are combining two pieces in this one motion it should be split in two

Denise McClure- I do want to be clear, I did not make the determination to put these together that's town council. They said to have the map the parcels and the district together. That is that is our attorney who told me that is how it needs to happen

Blake Robertson- Well that is one way it can be done

Mike Riley-There's too much confusion, there is going to be plenty of time to do this later

Janet Morris- No, no, no, no

Mike Riley-There is a motion and a 2nd on the on placing these placeholders on the warrant

Janet Morris-Point of order. We would like to have a discussion Mr. Chair

Matt Battcock-Through the Chair, this is getting out of hand, there is a motion and a 2nd on the 1st placeholder

Janet Morris- I want to know if the Chair is denying discussion, I want this recorded in the minutes, are you denying the discussion?

Mike Riley-Janet, excuse me I have the floor. The only discussion that we are having is if we are supporting to put this place holder on the warrant

Janet Morris-That's fine, let's have the discussion

Mike Riley-Do you want to do this or not Janet

Janet Morris-Is Blake finished with his question?

Mike Riley-Blake on the warrant articles, placeholders going on the warrant, that is it for now.

Blake Robertson-The motion was for only one of the articles

Mike Riley-Right, we will do the other one next.

Mike Riley-Janet would you like to add anything?

Janet Morris- I did read the executive summary and I am very pleased to see that we will be removing the PUD by law, that is very good. I am very concerned that however, that we are going to rush to put a mixed-use development, pretty much a signed open check onto the warrant article. We haven't seen the language; the town meeting is 50 days away and we still need it reviewed by council. It still needs to go in front of the public and also before us. So, I'm very concerned that there many issues in this document. It is a good document, but it does need to be tweaked and I don't want to repeat history; where we brought it forth in article that wasn't finished.

Chris Tribou-I just wanted to say this is a place holder, even if we approve the placeholders there's still going to modify, say for example the mixed use overlay there's going to be another public hearing was the 31st, correct?

Denise McClure-There's a public meeting on the 31st

Chris Tribou- And then we will hold another public hearing to vote on the articles themselves. And there will be changes made to that, so if you have problems with it, then you can discuss it at that meeting and then also community forum on the 31st . As a planning board member this is just to have a placeholder so it can be put onto the warrant which it has to be March 15th that's all we're doing, we're not voting on whether we're in favor of the mixed use overlay and we're not voting on whether to we are in favor of removing it. All we are voting on is to say hey this is a placeholder that we're going to put onto the article that's it

Janet Morris- For the record, I want to record that the chair is denying us discussion

Blake Robertson- I still have my point to raise Mr. Chairman; I have not been recognized yet

Mike Riley-This is not a circus, you have had your chance. What is the problem here?

Blake Robertson- The problem is this Mr. Chairman, the challenge that was there was to review the PUD we have a non PUD item that we're looking at in putting on the warrant and that is beyond what we were charted to do the

Mike Riley-The only discussion tonight per rules is to put it on the warrant or not, we have discussed it now we are voting

Chris Tribou-I

Matt Battcock-I

Patricia Flemming-I

Janet Morris-No

Blake Robertson-No

Mike Riley-I

Gary DaSilva-Absent

4-Yes, 2-No, 1 absent

Matt Battcock- I make a motion to place our 2nd place holder from our subcommittee on the preliminary warrant.

Seconded by Chris Tribou

Mike Riley-All in favor

Janet Morris-Can we have discussion on this? Point of order

Mike Riley-Janet do you have a discussion on placing this one on the warrant

Janet Morris-Yes, I would like the exact language of the place holder

Denise McClure-To see if the town will go to amend the zoning bylaw to delete the plan unit development district in its entirety there may be a little more languages, we get more specific of different sections that it will need to be deleted and then to further amend the zoning map to remove the plan unit development district in its entirety

Chris Tribou-I

Matt Battcock-I

Patricia Flemming-I

Janet Morris-I

Blake Robertson-I

Mike Riley-I

Gary DaSilva-Absent

6-Yes, 0-No, 1 absent

Mike Riley-This is only to vote on this placeholder to be put on the warrant, there will be plenty of time for discussion.

Matt Battcock- I make a motion to adjourn

Seconded by Patricia Flemming

Chris Tribou-I

Matt Battcock-I

Patricia Flemming-I

Janet Morris-I

Blake Robertson-I

Mike Riley-I

Gary DaSilva-Absent

6-Yes, 0-No, 1 absent