

BEDFORD PLANNING BOARD MINUTES
January 20, 2026
Remote Meeting on Zoom

MEMBERS PRESENT: Steven Hagan, Chair; Todd Crowley, Christopher Gittins, Dawn La France-Linden, John McClain

MEMBERS ABSENT: None

STAFF PRESENT: Tony Fields, Planning Director; Catherine Perry, Assistant Planner

OTHERS PRESENT: Lynne Sweet, Pamela Brown, David Goldbaum

Chair Hagan called the meeting to order at 7:00 PM, cited the Remote Meeting Guidelines, announced that the meeting was being recorded, and called the roll of Planning Board members in attendance.

Roll Call:

Todd Crowley	Present
John McClain	Present
Christopher Gittins	Present
Dawn LaFrance-Linden	Present
Steven Hagan	Present

Request for Endorsement of a Plan Believed Not to Require Approval (ANR): 18-20 Cutler Street

Attorney Pam Brown presented a plan to divide an existing parcel in order to create separate lots for two dwellings that are currently on one lot. The property has frontage on Cutler Street and #18 will continue to take its access from there. #20 will only have frontage on a ‘paper street’ – a way where the street has not been constructed (shown on the plan as parts of Otis Street and Central Avenue). It is proposed that #20 will take its access from Railroad Avenue via a shared driveway in the paper street. The matter has been to the Zoning Board of Appeals which granted a variance under zoning for the proposed nonconforming lots.

John McClain expressed unease about the paper street situation.

Tony Fields advised that the plan meets the requirements under subdivision law, for endorsement by the Planning Board. He noted that there is a provision for separating houses which were on one lot prior to subdivision control, and that the paper street(s) in question appear to have been accepted as public ways even though they were not fully constructed.

Motion: Proposed by Ms. LaFrance-Linden and seconded by Mr. Gittins, to endorse the ANR plan.

Vote, by Roll Call:

Todd Crowley	Yes
--------------	-----

January 20, 2026 Planning Board Minutes

John McClain	Yes
Christopher Gittins	Yes
Dawn LaFrance-Linden	Yes
Steven Hagan	Yes

Motion: Proposed by Mr. Crowley and seconded by Mr. Gittins, to authorize Tony Fields to sign the plan.

Vote, by Roll Call:

Todd Crowley	Yes
John McClain	Yes
Christopher Gittins	Yes
Dawn LaFrance-Linden	Yes
Steven Hagan	Yes

Discussion on MGL c. 40Y “Starter Home Districts” and potential Zoning amendments for submission to Annual Town Meeting for 49 Elm Street

Lynne Sweet, consultant for the owner of 49 Elm Street, introduced a draft of potential zoning text and map amendments, based on MGL c. 40Y.

Todd Crowley pointed out that the deadline for a Citizens’ petition article has passed.

Ms. Sweet said that they have sent the draft to the state agency (EOHLC) for review. Catherine Perry noted that the state regulations are still only in draft form, and reported that at a recent MAGIC meeting, MAPC housing staff had said they did not expect the regulations to be finalized until later in the year.

Ms. Perry reported that the bylaw was first drafted by Ms. Sweet, and Ms. Perry provided some marked-up edits plus a list of points for attention/ discussion. Lawyers Jonathan Silverstein and Pamela Brown then responded to her input but she has some remaining issues. Also, the state law and draft regulations say that the Town’s Chief Executive should make the submission to the state agency for pre-Town Meeting review. The Town Manager would want the go-ahead from the Planning Board and/or Select Board, so the timeframe is very tight.

Ms. Sweet described the current conceptual project design for 49 Elm Street. The setbacks to the new buildings are around 16 feet; measurement to some of the steps and landings is less. The front setback of the existing house is low.

Ms. Sweet reviewed the proposed bylaw text.

Chris Gittins questioned the need for a parking requirement. Ms. Sweet defended it but said she was open to discussion. Pam Brown opined that not having a minimum requirement might trigger public concern, and noted that the bylaw could be used in other locations. She suggested requiring some parking but allowing a waiver. Mr. Gittins said he did not like discretionary provisions and preferred to quantify things. Steve Hagan agreed with Ms. Brown’s concern.

John McClain asked if he should recuse himself due to living near the Elm Street site. The Chair and Planning Director Tony Fields advised that it was appropriate for him to participate in the zoning discussion. Mr. McClain said his preference was for no parking minimum.

January 20, 2026 Planning Board Minutes

Ms. Sweet and Ms. Brown discussed the state agency's advice that the new bylaw section should be free-standing, and how to respond in relation to floodplain and aquifer protection provisions; also whether the new overlay district needed to be capable of being applied elsewhere.

Ms. Perry asked for the term Planning Board to be used consistently in place of Plan Approval Authority (after designating it).

The height metric was discussed and it was agreed to change the maximum height to 2 stories and 30 feet, except for pre-existing buildings.

Mr. Hagan asked if the existing Elm Street house is less than 1,850 square feet. Ms. Sweet clarified that the proposal is to remove portions, making it less than 1,850 square feet, and to add a garage.

Mr. Fields expressed frustration with the difficulties being created by the state agency. Also, he drew attention to the proposed density of 10 units per acre, which would be needed to allow the Elm Street concept as shown (9 units on just under one acre), and asked if the Board was comfortable with it.

Board comments

Mr. Crowley wondered if it needed to be an overlay district, or if the base zoning could be changed. He preferred the lower height limit. He said he generally likes there to be some discretion for the Planning Board in reviewing specific sites. He felt that 10 units per acre is a high density; it may be OK for the Elm Street site but not necessarily elsewhere. He questioned specifying an appeal route to the ZBA.

Mr. Gittins said he was satisfied with a maximum density of 10 units per acre near the center of town. He generally doesn't favor discretionary reviews. He supports an ability to appeal to the ZBA. He asked if the proponents have a plan to win Town Meeting support. He liked the concept for 49 Elm Street but had some concerns about the bylaw, many of them traceable to EOHLC's requirements.

Mr. Crowley asked who will present the proposal to Town Meeting if the Planning Board sponsors it. Mr. Fields responded that typically a Planning Board member would present it. He added that in theory they could ask the Moderator to allow Ms. Brown or Mr. Goldbaum to speak; he noted that Ms. Sweet is not a resident.

There was further discussion on how specific to 49 Elm Street this bylaw is or should be, and what was the best name for it.

Mr. McClain commented that there is a general desire to reduce new house sizes in town and this could be presented as a move toward that. He observed that any need for different densities is solvable, since we have had them before, pointing to the various subdistricts within the Multifamily Housing Overlay District. On the issue of Board discretion, he preferred a balanced position.

Dawn LaFrance-Linden said she was aligned with Mr. Gittins on parking and with Mr. Crowley on height. She had a general concern about the potential arbitrariness of different metrics for different lots, and was unclear if this proposal was ready. She noted the upcoming Comprehensive Plan and whether the vision needed to be clearer.

With reference to Board discretion, Ms. Brown agreed that some matters could be excluded from waiver potential, e.g. density, and suggested that criteria could be specified for others. She noted that the idea of enabling a better design may have come from PRDs. Mr. Crowley observed that findings can be used to explain defensible reasons.

January 20, 2026 Planning Board Minutes

The Chair asked for final thoughts from staff.

Ms. Perry noted that the Board had not said much about the question of using of Chapter 40Y, given that the regulations aren't final, versus creating Bedford's own bylaw and/or taking more time and looking toward a later Town Meeting.

Mr. Fields asked about the Mansfield situation. Ms. Sweet reported that they only received EOHLC's review comments at the 11th hour and Town Meeting did not approve the bylaw.

Mr. Fields noted that EOHLC is agreeing to do an informal review of our draft but can't guarantee that its draft regulations won't change. Ms. Sweet asserted that EOHLC knows what the final rules will be and that they are awaiting signature. She believes there may be changes relating to affordable units, but doesn't think there will be any changes affecting this proposal.

Mr. Fields raised a question about a reference to public hearings, which seems inconsistent with a by right process.

Mr. Hagan asked if abutters to 49 Elm Street have been consulted and if so what their attitudes are. The proponents noted that some abutters have signed the Citizens' petition.

Mr. McClain asked if there was a problem with Bedford doing its own bylaw. Mr. Fields said staff believes that with an overlay district, we could still cap the unit size.

Wrapping up discussion, the Chair noted that the next Planning Board meeting is in one week, and asked if the proponents want to be on the agenda. They confirmed, while noting that Ms. Sweet will only be available after 8:00 PM.

Ms. Brown stated that they will be at the Select Board meeting on Monday (which will be discussing any zoning articles heading for Town Meeting). Mr. Fields said he could summarize for the Select Board where he hears the Planning Board is at in relation to this matter. Mr. Hagan said he would also try to attend.

Potential Home Rule Petition for Real Estate Transfer Fee

The Board discussed a potential Town Meeting Article coming from the Housing Partnership, to seek authorization for a local fee/tax to support affordable housing.

Chris Gittins stated that under the proposal, Bedford could set its own rules. He referred to an email from Eric Salerno. The Town could set a threshold value for real estate transactions that would be subject to the fee, which could be geared to the median home price. Mr. Gittins would like to approach it with a target for how many affordable homes per year to support, by creation or preservation.

As background, Tony Fields reported that the Housing Partnership is looking at what a dozen towns are doing. The threshold value could be one million dollars and rates are usually between 0.5 and 2 percent. A state initiative to do something similar state-wide is not getting much traction. These petitions could help to bring attention to the matter, or Bedford could move forward with its own version. The Housing Partnership is seeking support from the Select Board or Planning Board to put it on the Warrant. It is unclear who would draft the article but the Planning Board could consider whether it likes the idea.

Mr. Fields recalled that some examples of affordable housing supported by the Town in the past have been Bedford Village, the Habitat unit on Winterberry Way and buy-downs in developments.

January 20, 2026 Planning Board Minutes

John McClain	Yes
Christopher Gittins	Yes
Dawn LaFrance-Linden	Yes
Steven Hagan	Yes

Minutes prepared by Catherine Perry. Approved March 10, 2026.

DOCUMENT LIST

Briefing memo for meeting, from Planning Director D. Anthony Fields, dated January 15, 2026

Draft Zoning Bylaw – 40Y Overlay District, with some edits in red, received from Pam Brown January 15, 2026

Points for Attention in Draft Zoning Bylaw Amendment for Smart Growth Zoning, by Catherine Perry dated December 23rd, 2025

ANR Application Package from Pam Brown for 18-20 Cutler Street, including Form A Application dated 1-2-26, ZBA decision on petition 021-25 granting variance (voted May 8, 2025), Assessors property card, and proposed ANR plan

Background materials relating to real estate transfer fee proposals in Brookline, Concord and at state level

HDC presentation dated December 3, 2025 on Bedford Town Common Renovations

Miscellaneous press articles