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Town of North Reading
Massachusetts

Community Planning

MINUTES

Tuesday, February 27, 2024

Mr. Warren Pearce, Chairperson called the Tuesday, February 27, 2024 meeting of the Community Planning Commission to order at 7:32p.m. in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA and via Virtual Meeting (Zoom participants may call 1-301-715-8592, meeting code 9854300926, or visit <http://us02web.zoom.us/j/9854300926>).

MEMBERS

PRESENT:

Warren Pearce, Chairperson
David Rudloff, Vice Chairperson
Ryan Carroll, Clerk
Jeff Griffin
Jeremiah Johnston

STAFF

PRESENT:

Danielle McKnight, AICP
Town Planner/Community Planning Administrator
Debra Savarese, Administrative Assistant

Mr. Pearce informed all present that the meeting is being recorded.

Minutes

Mr. Carroll moved, seconded by Mr. Rudloff and voted 5-0:

that the Community Planning Commission vote to accept the minutes dated January 23, 2024 as written.

Roll call vote: Mr. Johnston, Mr. Carroll, Mr. Rudloff, Mr. Griffin and Mr. Pearce favor, none opposed.

210 Main Street - discussion

Kate Mahoney stated that they want to change the façade of the building.

Mr. Pearce stated that he's unsure why this is coming to the CPC.

Mrs. McKnight stated that she believes it's because there had been a previously approved site plan. But, if it's not something that they feel they need to review for an approval the CPC doesn't need to.

Mr. Pearce stated that he thinks it is something that they should comment on it, but he doesn't know if a vote is necessary. Other than having the four separate districts that they did years ago in an attempt to keep the character of the town there aren't regulations on this. He asked why they chose the façade that is being presented this evening.

Kate Mahoney of Royal Air Systems stated that they are trying to turn it into what they are "Royal Air Systems". They have their logo as a castle, and they have to take down the existing awning because there was a windstorm and it was damaged. So, they started with that and it was suggested to go with the look of a castle and they all liked that idea. It will be a vinyl siding that looks like fieldstone and along the top edge of the building will be crenellations. They're also changing in the lighting and signage.

Mr. Pearce stated that when they do a Site Plan Review (3/6/2007), what's there now is the result of that review. The CPC generally tries to keep everything in character with the neighborhood and he's not sure that this fits with the surrounding buildings.

Mr. Johnston stated that he did review the images and doesn't think that the proposed changes look bad. He can't say that it would be that different with the surroundings, so he has no issue with it.

Mr. Carroll stated that he is unable to see the images and did not comment.

Mr. Rudloff stated that the CPC is constantly asked when they are going to make Main Street better. To Mr. Pearce's point he thinks that they're just starting to have it look a little bit more with keeping with the neighborhood. He's not sure if he gets the whole stone thing just the way it's shown, but adding a new awning lights, and a sign, it could be completely transformed and make it look really good. But he's just going by the photo that was submitted

Mr. Griffin stated that he knows they have to be sensitive to Main Street, but has the CPC actually discussed platforms of what the future will look like and are they really trying to mold it.

Mr. Pearce referred to Main Street overlay districts in the site plan regulations. We have to keep in mind that when we do something like this that it's somewhat of a departure from the surrounding properties we then open the door for someone to come in with something totally off the mark, but in some cases it may be okay.

Mr. Rudloff stated that there are a few buildings on Main Street that he does not find attractive, so he's not sitting here in judgement. One of his goals this year is to work with the board to try to come up with something, so if you were to call Mrs. McKnight in the future and ask what is the plan for Main Street she could give you some sense of the aesthetics and the materials that they're looking to see and the precedent of things. So, they don't have anything to the point of this change that they could give except for some comments.

Kate Mahoney stated that the current businesses next to Royal Air are brick and stone with some colors or gray.

Mrs. McKnight stated that she saw a different photo in the building permit application in Permit Eyes from the one that was added to the Sharefile. The photo in Permit eyes showed crenellations on the building. Is that the one that the CPC should be reviewing?

Kate Mahoney stated that the photo with the crenellations is the correct one.

Mr. Pearce stated that he thinks the proposed vinyl fieldstone and crenellations resemble a prison wall.

Mr. Rudloff stated that he's unsure what jurisdiction they have over aesthetics in the Business Highway.

Mr. Pearce stated that this is radical change from the original approval.

Mrs. McKnight stated that she is only looking for feedback on whether the CPC wanted to actually review it for a new approval, or a minor modification.

Mr. Carroll asked if the crenellations are there to hide the mechanical equipment.

Kate Mahoney stated that the height of the crenellations will hide the mechanical equipment.

Mr. Rudloff asked if they should do a site visit to see what the façade of the surrounding buildings is. He also asked if they could provide a sample of the fieldstone that is being proposed.

Kate Mahoney stated that she can secure one, but does not have one at this time.

Mr. Pearce stated that they would like to take a look at the site, but if they have any should choices they should bring submit it to this board.

Mr. Carroll stated that he likes the look of the stone, but there's a lot of it. He's wondering if the some of the stone could be incorporated as more of a foundation layer at the bottom, and then transition to a more traditional clapboard. He thinks the sign will help break it up from this aesthetic and it would give a good representation of just how much. Because part of the problem is that there is approximately 8' feet above the windows and it's just a bunch of stone and it looks disproportionate. He also thinks not having window trim or shutters makes it look very stark.

Mr. Pearce stated that he likes the idea of going halfway up and then changing it to clapboard.

Kate Mahoney stated that it would defeat the purpose of what they are trying to project.

Mr. Pearce stated that they'll visit the site and wait for samples to be submitted to discuss this at the next meeting.

Greenbriar Condominium – package plant discussion

Mr. John Bedell stated that he submitted new renderings for the sewage plant.

Mr. Rudloff stated that he can't really represent to the town what it's going to look like unless there is an actual sample from a manufacturer. This is a treatment plant that is currently open aerobics, so whatever smell goes on the prevailing winds they're catching it. When you cover it all up, and he noticed that louvers are shown on the rendering will the smell be more concentrated?

Mr. Bedell stated that it will be exhausted through the roof.

The consensus of the board is that they prefer the lighter tan/beige color for the outside of the building.

Mr. Griffin asked if the white wall with "Greenbriar Estates" printed on it, remain.

Mr. Bedell stated that he would like to do away with it and put "Greenbriar Estates" on the side of the proposed building.

Mr. Rudloff stated that he likes the look of the new building with the trees and vegetation surrounding it. The sign could be updated over time.

Mr. Griffin stated asked if the photo that was sent to them is a scaled photo; if so, then he likes it.

Mr. Johnston stated that it looks good to him, and it's definitely an improvement.

249 Haverhill Street & 7 Charles Street – Open Space Residential Permit – P.H. 8:00PM

Mr. Pearce informed all present that the CPC is currently working on the decision for the suitability of the site for Open Space Residential development.

Attorney Jill Mann stated that they met with the abutter of 7 Charles Street and spoke to Attorney Jim DiGiulio who representing Mr. Romeo. She also reviewed some comments that were from abutters on Haverhill and Lindor St. They did do some updates to the plan. They did fix the property line between 249 and 247 Haverhill St, so that property that runs along the cul-de-sac. In addition to that, they added some buffer areas. So on that portion of the street that runs along 247 Haverhill St. they put in a row of trees to provide screening, because that's where the road goes. They don't have any construction of any homes on the other side. They figured that they should really kind of supplement the buffer to the existing residential home. A couple of the other changes that made were based on her conversation with Mr. Romeo's attorney. She believes the CPC has a letter, it doesn't reference their conversations, but basically, Attorney DiGiulio continues to aver that they don't meet the eligibility/applicability. The board has the right to approve any OSRD, anywhere in the "R" district.

Mr. Pearce stated that they did talk to Town Counsel about that and they'll get us a letter on that, but they seem to feel that it can be all handled as a single subdivision.

Attorney Mann stated that they did and do want to address Mr. Romeo's concerns because he is an abutter. One of Mr. Romeo's concerns was that they were going to put five parking spaces using Amber Road and allow people to park there. Mr. Romeo's concern was, who's going to maintain Amber Road? They're not going to maintain Amber Road because they don't use it. Instead of having a debate of who's going to maintain it, they have removed it from that area and placed the 5 parking spaces at the cul-de-sac for Lucas Lane. It's easy to access for people to pull in. People have identification for public parking and will still have a trail right in there so that people can access it readily, and they will assign those particular parking spaces. They originally put those five parking spaces there, because, as you know, the public still uses Amber Road to park.

A couple of other questions raised by the board members is that they really want to see a sidewalk, while Mr. Pierce's point that they aren't designing this, it is a use permit, but they still want to demonstrate that they will be putting in sidewalks. They show a sidewalk on the northern portion of Lucas Lane, as well as a portion of a sidewalk that will be used by that multifamily development. In addition, we put in a buffer of trees behind that multifamily property to provide a distance between the open space and a residential, a portion of this particular property.

Abigail Way

Attorney Jill Mann stated that they met with people from Charles Street on Saturday and they had a site walk with them. The person who currently lives at 5 Charles St. would like to be able to access their property off of the new subdivision roadway. They told them to get together their plans and tell us where they want to have access and will show an access way so that they can get from their property to Abigail Way.

They also met with the abutter from 9 Charles St. and chatted about how they're going to prepare the development, and the fact that they have a fairly large buffer along that strip of land where his property is which kind of faces the subdivision.

The only change that they made here was actually to separate the two driveways that access lot 6 and 5 and the reason they did that is because the rules require a 30' separation between driveways.

As Mr. Pearce said, this is more of Use Permit. They're seeking to get special permits to be allowed to develop this is an OSRD for twenty-six units. They went over the waivers which are complete, and she knows there's some concern relative to traffic being an issue and that there not being safe site conditions. They have contracted with a traffic engineer who will actually do the full review once they have subdivision approval. But they did do site distance analysis for both entrances, because the entrance that would have been Amber Way does have site distance issues. But now, where they have located locus, it does not. They actually provide a safe site distance for cars, exiting and entering the property.

There was some concern about the Title V septic system. The septic system will be completely Title V compliant and Board of Health Compliant. It'll be located more than 800' from the nearest residents, and it is located more than 100' from any Wetland cause. There was some concern about that, because it's a shared system.

Relative to stormwater. They have yet to complete that. Obviously they wouldn't until they know what the subdivision is going to look like. But they did show the locations of certain stormwater because one of the big issues for the Charles St. residents is because of the development that is being constructed in the rear of the this property. They wanted to see how much of their watershed was going to be draining into Charles St. Basically there's a very small

portion of that new street (Abigail) that even drains into the basin that's been provided. For the most part the entire site goes back and toward the wetland.

Mr. Johnston stated that he thinks it's a really positive development and it looks great.

Mr. Carroll stated that he does not see the abutter's home, on the plan, where the landscape buffer is to the south. Does the buffer end at the cul-de-sac and does the sidewalk go all the way up Lucas, on the left side? Will there be forest access from the triplexes?

Attorney Mann stated that it is shown on another plan and it does end at the cul-de-sac. They can extend it around the cul-de-sac if that is what the abutter would prefer.

Mr. Bobrek stated that there is access in the rear of the triplexes.

Mr. Rudloff asked when required to do a Yield plan is that using the RA zone, or open space?

Attorney Mann stated that it uses the traditional conventional RA.

Mr. Rudloff asked if with the RA they'd be able to do twenty two homes on this?

Attorney Mann stated that is correct. Twenty two homes on 32 acres would be allowed.

Mr. Pearce stated that for the two houses lots where the driveways cross the right-of way have no frontage.

Attorney Mann stated that they do have frontage only on the driveways, to the extent of 20' and are asking for a waiver.

Mr. Rudloff asked if the Yield plan required approval from DCR.

Attorney Mann stated that the Yield plan does use the DCR ways, but they do not necessarily have to approve the streets. They are allowed to improve the streets. That's one of the benefits of the way it was drafted, and that actually was confirmed by the court case of the Romeo's and Dale Halchak filed. It's been confirmed that all DCR ways can be used as access.

Mr. Bobrek stated that it's kind of complex, but it involves land swapping if the town were to take occupancy.

Attorney Mann stated that they can't do that, so under the conventional plan, you would not get rights to the road. That would be very complicated and they would never be able to be public streets.

Mr. Pearce stated that DCR would allow the roads to be improved.

Attorney Mann stated that they would allow them to improve the roads, but they would not allow the town to acquire title. They would still have to be maintained as private and the town would not be able to receive Chapter 90 funds for them and these roads don't work well for the OSRD because they're just too long. They're only going to use that one section. They can broaden it, but then it has to be cut down because they don't own it.

Mr. Bobrek stated that he did discuss an access permit for the two driveways with DCR and they're ok with it.

Mr. Pearce stated that DCR would be all for fixing the roads, but the problem comes after fixing them, and somebody wants to drive down Priscilla to get access to Harold Parker they're going to use those driveways, which would be trespassing.

Attorney Mann stated that it would not be trespassing. They literally have the right to do so and they have to maintain them as open. It'd be shocking if somebody didn't want to do that, only because that road is not developed. If they were to try to drive on Priscilla they might be able to get to certain portions which can't get all the way to Harold Parker because of that intersecting. The other problem with using the DCR roads is the basic intrusion into the wetlands. They do have an obligation to ensure that any disruption that occurred as a result of some activity on that Amber Road that impacted the Romeos' ability to use it. They're supposed to even it out. There was a tremendous number of personal items in that roadway that should never have been there. So, those being removed are not something that have to be replaced, but cutting down trees and then making a big hole in front of somebody's driveway that existed are the types of things they have to correct.

Mr. Rudloff stated that the other comment was on traffic. Everyone here is thinking that the sighting study is picking the 85% percentile speed of 31 miles per hour, but on that street there are speeders. He's concerned, because 10 extra miles per hour is another 100 feet, so he's not sure about pulling out and looking to the right. That's going to be a hot corner where they're coming down. The only thing that'll slow people down is if someone's at North Street, pulling out, and they tap the brakes. But cars punch it around that corner. He understands the way traffic works and he thinks they're being fair, but he thinks they need a little bit more. So that's a concern for him.

Attorney Mann stated that they simply provided this to let the CPC know. But they're going to do a full site assessment and traffic report when they file for definitive and at that point the traffic consultant may, in fact, have some suggestions for mitigation to ensure that even that 15% percentile, that outlier isn't going to cause issues and then there'll be various litigation measures. They looked at the ledge outcropping, but there's nothing they can do. It's all on private property.

Mr. Griffin asked when the current traffic report was done.

Attorney Mann stated that it's dated February 20th.

Jean Harty of 247 Haverhill Street stated that that's still not a straight line - her property is a straight line down to the street.

Attorney Mann stated that based on the bounds that her property line is still not shown correctly is what they have, but their surveyor is looking at everything now.

Mr. Bobrek stated that LJR Engineering will be doing the surveying and for whatever reason it isn't correct he will just notch Lot 10 a little bit higher up, so we can adjust.

Jean Harty asked if it would make the sight lines different coming out of the development.

Mr. Bobrek stated that they're very adequate, currently based on the regulation, and it would be another negligible change.

Jean Harty asked where the five parking spaces were going on the cul-de-sac.

Attorney Mann stated that the spaces will be on the upper north side of the cul-de-sac.

Mr. Bobrek stated that the headlights from vehicles are directed away from the Harty property, along with the vegetative buffer facing the property.

Attorney Mann stated that they can also extend the trees around the cul-de-sac.

Mr. Pearce stated that the radius could be straightened out a little.

Attorney Jim DiGiulio stated that he is representing Mr. Romeo. A letter was submitted this evening and he also spoke to Attorney Mann voicing their concerns about using Amber Way for access to the open space, primarily due to the sight distance issue and safety issues, and lack of sidewalks. He just received information that they could relocate that access. Apparently they have done that, or are proposing that. They still have concerns about access coming in through Amber Way with the open space now being available and open to the public. Amber Way could still be used, and probably will still be used, and there is a sight distance issue there. In the court case that has been referenced the counsel for the applicant had indicated that the judge specifically found that that intersection at North Street and Amber is very dangerous intersection. So they are concerned that the public will still attempt to use Amber Way for access to the open space. He asked the applicant's counsel, if there any plans to discourage that, and are there any plans to repair the roadway that was disturbed by Mr. Halchak, along with the driveway of Mrs. Romeo, and personal items that were removed from the in front of the house. (trees, stone retaining wall and portions of the roadway)?

Attorney Mann stated that they have no legal right to deny anybody the ability to use Amber Way. DCR would have to rescind the right of the public to access. What they (the applicant) did do to discourage it was to remove the parking spaces and put them on what will be the subdivision roadway, so that they don't have to have the issue, because they do understand that Amber has a difficult sight distance.

Mr. Pearce stated that what they're hoping is that all of the trees and vegetation will grow back in and discourage people from accessing the park through Amber except for the part that will be sued to access the two houses that are right close to the road there.

Attorney Mann stated that with regard to the removal of personal items, they shouldn't have been there, and Mr. Halchak who is the owner had the right to remove them. But, with regard to making sure there's a smooth transition for the Romeo's property, in that way, they have to ensure that that the property's condition is put back to what it was before. But, they are not replacing personal property.

Attorney DiGiulio asked if they are planning on paving a portion of Amber.

Attorney Mann stated that they are not paving Amber. The Romeos' will be able to access their property clearly and in the same condition as having before. They have to walk the site to see what needs to be done and they need to do this with Mr. Romeo. She spoke to Atty. DiGiulio for a short period because he had something he needed to attend to and she didn't see his letter until tonight. She told Atty. DiGiulio during that call that they would take away all access over Amber.

Attorney DiGiulio stated that Mr. Romeo still has some concerns that these are two separate developments. He also asked that the letter from Town Counsel be put into the record.

Mr. Pearce stated that the letter will be added, but at this point Town Counsel does not see any problem with it being handled as a single development.

Attorney DiGiulio stated that it is a concern of theirs, but moving from that again, it's not clear to him on whether Mr. Halchak or the applicant is going to be restoring the roadway that was disturbed prior to the litigation. Mr. Halchak is the one that initiated the litigation against Mrs. Romeo and disturbed it to the extent that there's flooding issues there. The project was abandoned after they got their right to use the roadway to access 3 house lots and that was part of the judge's decision by paving the roads and complying with the storm management plan that they had proposed that would alleviate any concerns. So, essentially what we have is a road that has been left in disrepair that was created by Mr. Halchak. Is the driveway going to be graded and repaired and is the flooding issue going to be addressed.

Mr. Pearce asked Mr. Bobrek if he was aware of the flooding. He suggested that there needs to be a site walk to determine where the water is flooding to.

Mr. Bobrek stated that he did not know about it.

Attorney DiGiulio stated that he just wants some clarity here, because the plans are showing DCR right-of- away. DCR, has the fee in Priscilla, and in Amber Road, not a right of way. They own the fee. What he does see on the Yield plan, unless it's been amended. And again he just saw the amendments with regard to the change in the access to the open space probably about an hour or two ago, but the Yield plan appears to show a house or houses on Priscilla Road. They also have the concern about the driveways that are coming across Priscilla Road, the private driveways that are coming across Priscilla Road again along with the invitation, they believe, to the general public to come in through Amber Road to use that open space. Again, unless the yield plan has changed, or he's not reading it correctly, he doesn't know how they were able to put in the number of lots that were being proposed without crossing Priscilla Road with private driveways, or having a having a house shown on the yield plan.

Mr. Pearce stated that they've identified those issues and are in the process of trying to get better answers from Town Counsel and DCR because the CPC is not going to make any decisions tonight - they're researching and still looking for information to answer that exact question.

Attorney DiGiulio stated that they still have some questions about whether or not the lots were held in common ownership at the time of the bylaw, and he assumes that the board will look into that to see whether or not that's what has actually happened is consistent with what's required under Article 10, section 200-48 in terms of common ownership, and whether or not these parcels are contiguous parcels.

Mr. Pearce stated that one of the answers is that they do not have to be contiguous and can be part of a subdivision.

Mrs. McKnight stated that the letter that Atty. DiGiulio is talking about was dropped into the ShareFile around 7:00pm because that is when she received it.

Jean Harty asked if there is any other RM, multi-family developments in the middle of a single family development zone in the town, or is this precedent?

Mrs. McKnight stated that the Open Space Residential Design bylaw allows for that. So, it's actually something that's allowed in several of our residential zones. It's not allowed by RA, it's allowed by OSRD.

Raymond Arsenault of Amber Road asked if at some point if they would talk about the safety stuff that was being talked about, especially with the traffic, so he could express his safety concerns?

Mr. Pearce stated that they all agree that that particular intersection is dangerous. They'd love to be able to do something with it, but they can't because it's private property and it's not going to be used as access in this particular application.

Mr. Carroll moved, seconded by Mr. Rudloff and voted 5-0:

that the Community Planning commission vote to continue the public hearing for 7 Charles Street & 249 Haverhill Street until Tuesday, March 19, 2024 @ 8:00PM.

Roll call vote: Mr. Johnston, Mr. Carroll, Mr. Griffin and Mr. Rudloff in favor, none opposed.

1 & 3 Railroad Avenue – street improvement discussion

Mr. Peter Ogren of Hayes Engineering, Inc. stated that they received a copy of the Standards for Roadway Improvement Plan for North Reading. They've worked on designing a roadway improvement plan that's is as close to compliance as they can. But there are a couple of challenges that they thought they would like to talk to the Board about this evening. They have a 20' right-of-way, but they are unable to comply with the 18' of pavement. Unfortunately, there are a bunch of telephone poles in the right away that extend in about 4', so it's really impossible to meet the 18'. They could widen the right-of-way in their area, but they can't widen it with the abutters. In addition, the roadway coming in was not quite 18' wide, in some areas it's down to 16' and they wanted some input how that might be addressed, or if the 16' reduction at the location of the telephone poles would be acceptable. The other thing is, they don't have the space to put the turning circle requirement, but they have designed a wide type turnaround, as you can see on the very eastern extent of the roadway to accommodate the turning of a fire truck, and it's certainly much better than anything they have down there now. The next question they have is, what the next steps would be for the Roadway Improvement Plan. They have designed a drainage system in compliance with the Storm Water management requirement in anticipating going to the Conservation Commission at some point in this process.

Mr. Pearce asked what the end game is for this.

Mr. Ogren stated that they have a site plan as to how it would be used if and when the roadway improvement plan is accomplished they would create 2 building lots to house two single family dwellings with septic systems across the roadway. They talked with the Health Department about that and they seemed to be happy with that concept. So we think we can meet the storm water management requirements and the conservation requirements based on all the constraints to have the two lots.

Mr. Pearce stated that first of all for the poles it doesn't appear they have enough land on the side

Mr. Ogren stated they can move the polls over, or they can widen the right-of-way on their property, but they can't do it on the adjoining property. The current limit of the pavement is shown on the plan. It's in front of that thing that's labeled as a vinyl garage. Actually, the pavement ends there but the poles are about 4' into the layout as they come down, so there's nothing they can do about it for that section until they get beyond the property that they we don't own.

Mr. Pearce stated that the poles are in the right-of-way which is only 20' wide, so they can't get outside the 20'.

Mr. Ogren stated that's correct. They can pave at 18' wide everywhere where the poles occur. He thinks there are probably three poles within the area that they can't do it. It would be about 16' wide at the pole locations.

Attorney Josh Latham stated that if it helps, lot G is town owned land, taken by tax title.

Mr. Rudloff asked if it was a buildable lot.

Mrs. McKnight stated that she doesn't know, she would have to explore it.

Mr. Pearce asked how many feet is from one lot line to the other that the applicant doesn't own on either side.

Mr. Ogren stated that it starts back with the condos. It's not quite that wide, the pavement actually narrows at the condos down to about 16'. He is proposing that they would widen it everywhere that there's not a phone pole.

Mr. Pearce stated that the issues come not so much on a nice day, but when there's 2' of snow, if we ever get snow again. The reason that they have a requirement for 18' is because the fire department also has a minimum for their equipment. They've always been the driving force for that 18' rule. These are not grandfathered lots, so this is creating a subdivision by using the street improvement plan. He assumes that the applicant owns on both sides of the street which means they own to the middle of the road; that is pretty standard on these.

Attorney Latham stated that is correct and if it helps for context he did print out a copy of the plan for the condos that actually approved the same roadway, up to Haverhill Street. There is an existing single family home next to them, which is one that they can improve in front of, so that is an existing access. This entire road is an existing access way for that property. Their property was historically four separate houses that are abandoned at this point. But the old houses along the old railroad tracks, probably the part of the whole railroad system back when it was the Lowell branch. So really, the idea is the 24' right-of-way does provide access to the site and is reflected prior to subdivision control laws. So it does exist as an existing way. They just have that challenge that they can't seem to improve that one choke point in front of that other.

Mr. Pearce asked why they can't improve it.

Attorney Latham stated that if the existing telephone pole becomes a challenge. They're not sure exactly how exactly they could do that.

Mr. Pearce stated that he's sure they can be moved.

Attorney Latham stated that anything with enough time, money, and effort they could get there.

Mr. Pearce stated that he would hesitate to allow this without getting the full 18' width and without putting some effort into moving that pole. The board owes it to whoever is going to buy those houses at the end of the road that they have safe and adequate access.

Mr. Ogren stated that they would have to ask the electric company to make a taking for an easement on private property, and he thinks that would be a hard thing to do.

Mr. Pearce asked if that is really necessary. Have they been asked if it's okay to move the pole? If the pole is moved close to the edge you would have what you need.

Mr. Ogren stated that he supposed they could ask them if they could move the poles back.

Mr. Pearce asked if they could just move them all the way to the very end of the road at the very least. Has this been surveyed yet?

Mr. Ogren stated that they actually surveyed the entire piece and pinned down the right-of-way, and the whole thing and the poles are consistent. They're about 4' in from the edge of the right-of-way.

Mr. Rudloff asked if they're sure that the poles are RMLD and not Verizon.

Mr. Ogren stated that they're definitely municipal light poles. He doesn't know if the poles are sufficient to serve these houses. He thinks it would be hard to move it back right to the edge of the right-of-way and get the 18' because most of the poles have a cross arm, or some kind of a bracket, and that can't overhang the private property. His thought was that it was not a big issue to have it narrowed down just at the location of the pole, and they're proposing a berm on that side of the roadway that that could run along the poles and then stop at the poll and continue on so that it would just be a pinch point at the location of the polls.

Mr. Rudloff asked if they would go underground, just from that first poll that pops out because it's probably going to need a transformer for the 2 buildings.

Mr. Ogren stated that they are going to need a transformer and a new line. The cost of going underground is kind of expensive, but if that's the only solution he could talk to the RMLD about doing that.

Mr. Rudloff stated that they could also continue it down to the other North Reading lot, but they could also have it shorter so it doesn't have to go three poles down, so the primary would be somewhere in the middle and then secondary into the houses.

Mr. Ogren stated that it does create the problem of servicing the existing house underground, because it's now an overhead service.

The consensus of the commission is that an effort should be made to move the poles, or put them underground.

Mr. Ogren asked if the commission is okay with the wide turnaround.

Mr. Pearce stated that they've agreed to hammerheads before, but they will be presenting it to the fire department as well and they'll comment on it as well, but if they see 16' on the plan they won't agree to it.

72 Main Street – discussion

This discussion was removed.

Zoning Board of Appeals

3 Main Street – On the petition of Joseph T. Keyes, representative for Harry P. Gresek, Jr. Trs, on an appeal of the decision of the building commission for storing vehicles

The CPC supports the decision of the building inspector in this matter.

191 North Street – On Joseph Lopez for a home occupation special permit for his electrical business.

The CPC does not object to the proposal as long as the home occupation regulations in the zoning bylaw are adhered to (Section 200-42).

Planning Administrator Update

CPC Budget presentation will be made on – March 4, 2024

The only real change to the budget was that the CPC asked for \$10,000.00 instead of \$20,000.00 for the EDC.

That same night, Ms. McKnight will present the 7 Saint Theresa Street – RFP draft for the Select Board's feedback.

Additionally, while there, she has been asked to give a brief update of the 3A zoning. Ms. McKnight stated that she received a letter back from the State with feedback on the compliance model test review. Overall the feedback is good. The state asked for further clarification on how the floodplain areas will be handled, but overall, any changes would be expected to be very minor.

Adjournment at 10:12PM

Respectfully submitted,
Ryan Carroll, Clerk

A handwritten signature in blue ink, appearing to be 'Ryan Carroll', is written over a horizontal line.