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Town of North Reading
Massachusetts

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Community Planning

MINUTES

Tuesday, November 15, 2022

Mr. Christopher B. Hayden, Chairperson called the Tuesday, November 15, 2022 meeting of the Community Planning Commission to order at 7:30p.m. in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA.

MEMBERS

PRESENT: Christopher B. Hayden, Chairperson
David Rudloff, Vice Chairperson
Ryan Carroll, Clerk
Warren Pearce

STAFF

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

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

Accessory Dwelling Unit - discussion

Mrs. McKnight stated that she had provided a memo with regard to the accessory dwelling units and some bullet points of what they hoped to achieve with it. They discussed that draft in August and then at that meeting the CPC said the next step would be to have the building inspector attend the meeting and talk through the ideas together, to see if they were on the same page as far as what the goals were for this bylaw.

Mr. Gerry Noel, Building Inspector stated that he and Mrs. McKnight discussed these bullet points and he is in full agreement.

Mrs. McKnight stated that the question that sometimes comes up is why we would do a bylaw because currently when you can already do a very big addition, have as many kitchens as you want and a separate living space as long as there is still free access between the unit and the main house. That's still a single family house without an accessory dwelling unit. This would allow a house to have a separate unit in it without that requirement for the free passage between the main unit and the accessory unit and that unit counts as a complete closed off independent unit. That doesn't mean it would be freestanding, it would not be freestanding the way they drafted this bylaw. It would be within the house, but it would be a separate enclosed independent unit. This version of the bylaw that they had agreed on at the last meeting limits occupants of the unit to family or caregivers. It requires the following:

- a special permit from the CPC
- septic plans and the application to be sure there will be enough septic capacity
- the owner of the main unit to live on the premises, either in the unit or the main house
- limits the size of the accessory dwelling unit to 900 sq. ft., or to two bedrooms
- limits the occupancy of the accessory unit to three people
- requires the unit to be in the same structure as the primary house; it cannot be detached (i.e. garage, or carriage house)
- any separate entrances have to be on the side or rear of the house, not in front
- the unit cannot be used as a short-term rental

The bylaw:

- It cannot prevent any owner from installing multiple kitchens since the building code allows this.
- Does not prevent a homeowner from putting in an addition that could be used as separate living quarters that has free and open passage between the unit and the primary house. That's not considered an accessory dwelling unit. Homeowners are already allowed to do this and that would not change.

- It does not turn a single family house into a two-family house because separate metering is prohibited.

Mr. Rudloff asked if this adds any units to the affordable housing in town.

Mrs. McKnight stated that it does not.

Mr. Rudloff would like to see some of the terms defined more clearly; some are problematic. For example, the definition of attached and detached structures should be more complete. There should be requirements for how much of a shared wall is required, and the definition should specify that an attached structure can't simply be connected by a breezeway. He thinks that they could probably make that definition a little tighter, or add to it, so that this does not result in second houses being built throughout the town because to him that'll change the town.

Mr. Noel is in full agreement that there should be no detached ADUs. He also refers to the deed restriction he has been requesting for certain large additions, which states that the house will not contain a second unit.

Mr. Rudloff asked if the deed restriction can be dropped if owners are in compliance with the bylaw.

Mr. Noel stated that he believes it could be. There are only four legal in-laws in the town at this time, but there are many illegal units.

Mr. Carroll stated that in regards to the "kissing-cousins" – those homes that are attached but not by a full wall – he was wondering if there was some language there that allows the board to require that the architectural appearance would be appropriate to maintain the aesthetic as a single family home while still allowing people to do an ADU.

Ms. McKnight agreed to look at updating the draft bylaw with the following changes, which were discussed:

- Improve the shared wall definition (no breezeway, minimum linear foot)
- Better definition of Building, Attached (common wall)
- Compliance section. What happens at sale? What happens to deed restrictions?
- At what point is the unit assessed and does this belong in the bylaw?
- Separate housekeeping unit "within the existing house"
- Removal of "or house lot" and "tenant"
- Maintain the aesthetic of a single family home
- Condition of approval – yearly confirmation that owner resides on premises

- An amnesty policy could be established by the Building Department, but would not be part of bylaw

14 & 16 Flint Street. - ANR

Mr. Carroll moved, seconded by Mr. Rudloff and voted 4-0: (Mr. Johnston absent)

that the Community Planning Commission vote to endorse as “Approval-Not-Required”, the plan entitled “Plan of Land in North Reading, Mass”; dated November 8, 2022; drawn by Hayes Engineering, Inc.

Mr. Hayden asked for a roll call vote: Mr. Pearce, Mr. Rudloff and Mr. Carroll and Mr. Hayden in favor, none opposed.

197 Main Street – minor modification

Mrs. McKnight stated that Russell Howse, owner of 197 Main Street, requested a minor modification to his Site Plan for a landscaping business, for outdoor storage. The CPC granted the approval on August 30, 2022. Katrina Eddy, owner of the landscaping company, applied to the ZBA for a Special Use Permit to run a landscaping business. The ZBA did grant the Special Permit, but changed the approved location for the outdoor storage to another area on the site. A revised plan has been submitted reflecting the changes. Mr. Howse explained the parking and storage. Mr. Rudloff noted that the new plan doesn't fully reflect the current site conditions, and said the CPC would like to have an updated as built plan.

Mr. Carroll moved, seconded by Mr. Rudloff and voted 4-0: (Mr. Johnston absent)

that the Community Planning Commission vote to allow a minor modification to the approved site plan for 197 Main Street. The modification consists of a change in location of the outdoor storage areas and parking, as shown on the submitted plan revision dated 11/18/2022, with the following condition:

- The owner is to submit an updated as-built plan of the site by December 31, 2022. The as-built plan must include an updated count of parking spaces and description of how they are allocated, as well as proper striping in the handicapped parking spot.

All terms and conditions of the CPC's prior Conditional Approvals for Site Plan Review, as well as subsequent modifications and amendments, are to remain effect.

Mr. Hayden asked for a roll call vote: Mr. Pearce, Mr. Rudloff and Mr. Carroll and Mr. Hayden in favor, none opposed.

MBTA Communities Housing - discussion

Mr. McKnight stated that there is no update at this time, except that she is still working on the application.

Planning Administrator Updates

14 Concord Street – Mr. Coviello has asked for a different engineering firm (John Brobek) to do inspections on his project.

The consensus is to have GM2 to do the inspections unless the applicant can give a very good reason for using a different engineer.

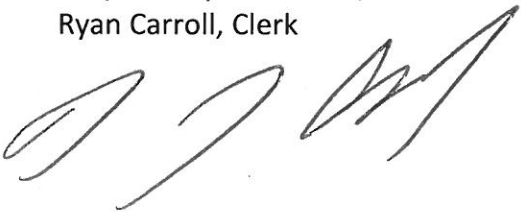
Minutes

Mr. Rudloff moved, seconded by Mr. Pearce and voted 4-0: (Mr. Johnston and Mr. Carroll absent)

that the Community Planning Commission vote to accept the minutes dated October 18, 2022 as written.

Adjournment at 8:55PM

Respectfully submitted,
Ryan Carroll, Clerk

A handwritten signature in black ink, appearing to be 'Ryan Carroll', written in a cursive style.