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Town of North Reading
Massachusetts

Community Planning

TOWN CLERK
NORTH READING, MA

MINUTES

Tuesday, April 3, 2018

Mr. William Bellavance, Chairperson called the Tuesday, April 3, 2018 meeting of the Community Planning Commission to order at 7:07p.m. in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA.

MEMBERS

PRESENT: William Bellavance, Chairperson
Warren Pearce, Vice Chairperson
Jonathan Cody, Clerk
Christopher Hayden
Joseph Veno

STAFF

PRESENT: Danielle McKnight, AICP
Town Planner/Community Planning Administrator

Mr. Bellavance informed all present that the meeting was being recorded.

Minutes

Mr. Cody moved, seconded by Mr. Pearce and voted 5-0:

that the Community Planning Commission vote to approve the minutes of March 20, 2018 as written.

Planning Administrator's Update

Housing Production Plan

Mrs. McKnight stated that following up on the presentation they had with Karen Sunnarborg, they were looking at some potential dates May 14th or 15th, for the next public meeting.

Mr. Hayden stated that he is not available on May 14th and the 15th is a holiday.

Mrs. McKnight asked if May 22nd would be a good date.

The consensus of the board is that would be a good date.

Mrs. McKnight stated that she is planning to schedule the meeting at the Distance Learning Lab in the North Reading High School. The reason is that there was a large response to the survey and she would like to be sure that there is enough room for all who may attend this meeting. There will be a fee for the janitor detail, but she reviewed the grant and it will cover this cost. She will also brief the Board of Selectmen at their meeting on April 23rd on this subject. Karen Sunnarborg is working on finalizing some recommendations for how the chart can be adjusted for production goals.

Mr. Bellavance asked if they could also reach out to Fran and see if he has any opinions of where good spots might be in town. He also said to check whether this work would require a process under 30B.

Name Change

The Board of Selectmen are thinking of a Charter change in order to change their name to Select Board. If they do that the Zoning Bylaws would need to be updated because "Board of Selectmen" is used throughout the book.

Master Plan

Three people have shown interest in participating. At the next meeting they should discuss the start-up process.

Haverhill Street sidewalk

TZE is the selected contractor, their contract documents are under review with town counsel and when they get them back they will give them a notice of when to proceed which should be the beginning of May, with a 60 day completion date, with the understanding that if there are unforeseen conditions, it could be extended.

RFP

The RFP for 102 Lowell Road went out and responses are due back April 10th. The EDC will meet on April 24th to start evaluations.

Charles Street Ext.

We are waiting for electrical to be completed and the bond to be posted.

197 Main Street – SPR – dumpster placement – cont. P.H. 7:45PM

Mr. Veno stated that he is recusing himself from this discussion.

Mr. Bellavance stated that at the last meeting he wanted to get a better understanding from the building inspector's memo. Mr. DeCola cites the following: *200-39 (2) (a) General regulations this requires site plan review for expansions. Section 200-39 A (2) (g) [1] [2] outdoor storage of materials and supplies is prohibited unless specifically approved. In October 2016, along with other Highway Business changes. Town Meeting also approved a clarification in this section as to how storage is approved – by the CPC through Site Plan Review.*

Site Plan review does require having some minimum requirements. Provide for a safe and attractive

- (1) Provide for the safe and attractive development or change of expansion of development of the site and guard against such conditions as would involve danger or injury to public health, safety or welfare;
- (2) Provide adequate drainage to prevent flooding of the site or of property of another;
- (3) Provide protection for the quality of groundwater;
- (4) Minimize elements of pollution, such as noise, smoke, soot, particulates or any other discharge into the environment which might prove harmful and/or detrimental to persons, structures or adjacent properties;
- (5) Provide adequate provision for fire safety, prevention and control;
- (6) Provide for the harmonious and aesthetically pleasing development of the town and its environs; and

- (7) Provide for open spaces and green spaces of adequate proportions.
- (8) Provide for adequate traffic control.

Mr. Bellavance stated that he does have some major concerns:

- 1) Traffic control, very tight getting around the building.
- 2) Protection of the quality of groundwater, being in the aquifer protection district.

Mr. Pearce stated that after reading the building inspector's comments it's clear that to have the dumpsters on the site a special permit is required, so the fact that the dumpsters are there now without any of this, is a concern. He is slow to take away the use of someone's property, but to allow someone to do this when they did not have the permission is not totally fair. He does have concern for this type of use in that location. Dumpsters traditionally, are used for not good materials as a rule. Dumpsters need to be kept on concrete pads, so that any materials washed out can be collected and disposed of properly, but not in a neighborhood that has so much residential around it.

Mr. Hayden stated that he agrees with Mr. Bellavance and Mr. Pearce. He visited the site before the start of this meeting and out of 20 dumpsters, 2 had materials in them. All of the dumpsters were full in water, from the rain and 1 dumpster had a sheen that looked like oil. When these dumpsters are loaded onto a truck the runoff occurs. This is an improper use for the neighborhood.

Mr. Cody stated that he also agrees with the board.

Mr. Russell Howse stated that there are dumpsters being stored a mile from his site and they are within 2' of wetlands. He has also been checking the dumpsters and they are empty. The dumpsters are used for construction debris, not trash. He cleaned up the site by removing the vans and pallets. He also walked up Plymouth Street and the dumpsters cannot be seen from this area. Along with there being many trees, he also installed an 8' stockade fence for screening.

Mr. Bellavance stated that he did notice that the site was cleaned up, but the fact remains that when these dumpsters get washed out by rain the materials are going to be dumped onto the ground.

Mr. Howse stated that there is only one truck that comes in and out to collect the dumpsters and has no problem entering or exiting the site.

Mr. Pearce stated that the board never mentioned the aesthetics. The concerns that were mentioned are really important. That location does not lend itself to this type of business. It is clearly not an allowed use and you clearly don't have that allowed use, at this point.

Mr. Howse stated that the building inspector allowed him to leave the dumpsters on the site as long as he was filing this Site Plan Review with the Planning Department. He would like to know what the board does with other sites storing dumpsters.

Mr. Hayden stated that these dumpsters are not being stored; they are being used for that site.

Mr. Bellavance stated that everything has gone through site plan review. Locations and screening are looked at. Example: Andrea's Pizza, located at 197 Main Street. Right now the board is looking at putting an almost restricted use through site plan review on a site that does not meet the minimum requirements.

Mr. Pearce stated that the on-site dumpsters for a restaurant or any business are being used for that particular business, not unknown debris from another site.

Cindy LaRose of 6 Plymouth Street stated that she can see the dumpsters from her property and the pick-up and drop-offs are very loud.

Attorney Joe DiBlasi stated that he is representing Chris Herrick of Herrick Construction. The dumpsters can be seen from the property at 13 Plymouth Street, where new construction of a home is being done. The point of the matter is that this is not an allowed use. This is an industrial use and does not belong near a residential neighborhood.

Mr. Bellavance closed the public hearing.

Mr. Cody moved, seconded by Mr. Hayden and voted 4-0: (Mr. Veno recused)

that the Community Planning Commission vote to deny the plan entitled, "As-Built Plan, 197 Main Street, North Reading, Massachusetts, Assessors Map 26, Parcels 20"; dated October 11, 2010; drawn by O'Neill Associates, showing dumpster storage areas.

Adjournment at 8:10PM

Respectfully submitted,



Jonathan Cody, Clerk