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Town of North Reading
Massachusetts

Community Planning

TOWN CLERK
NORTH READING, MA

MINUTES

Tuesday, May 12, 2020

Mr. Warren Pearce, Chairperson called the Tuesday, May 12, 2020 meeting of the Community Planning Commission to order at 7:30p.m. via Virtual Meeting (Zoom, participants may call 1-301-715-8592, meeting code 9854300926.

MEMBERS

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

STAFF

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

OTHERS

PRESENT:

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

Mr. Hayden read the Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the North Reading Community Planning Commission IS BEING CONDUCTED VIA REMOTE PARTICIPATION. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to this meeting while in progress may do so by calling in 1-301-715-8592 and meeting code 9854300926.

Mr. Pearce stated that if anyone would like to join the meeting, they can go to the website and find the phone number to access the meeting.

1 & 2 Chester Road – Determination of Access - plan endorsement

Mr. Pearce asked the members if they were able to read through all of the information, including the letter from Town Counsel.

All members reviewed the information.

Mr. Pearce stated that everything seemed to be in order in the letter received from Town Counsel except for the last paragraph that stated that the two properties may have to be held in common ownership or combined in order to make it legal.

Mrs. McKnight stated that she believes the concern is that were giving a warning that it may be possible that the properties may have been joined if they were held in common ownership for a while.

Mr. Pearce stated that what he got out of it is that if the two properties have to be merged they have to meet the zoning. It also says "If either parcel does not have the requisite area and frontage under the Town's Zoning Bylaw, the parcels and the road would be deemed to be merged for the purposes of determining the zoning requirements applicable to the Property. Ultimately, the zoning status of the Property would be determined by the Building Inspector upon the application for a building permit."

Mrs. McKnight stated that is true. Nothing that this board does for this has anything to do with the zoning. So, when they come in for a building permit it is just like everybody else. Subdivision, ANR, they have to make sure that it meets the zoning. She does believe that it meets the zoning.

Mr. Pearce stated that the other thing he got out of that is that they recommend against the Chester Road address and that it should be a Hanson Road address. So, do we have a new plan?

Mrs. McKnight stated that there is a new plan. Legally, right now the address is 1 & 2 Chester, but the recommendation from the assessor, fire, police and her should be Hanson Road. That is why she had Jack McQuilken of JM Associates indicate on the plan that that used to be a paper street, known as Hanson, but they want it to be known as Hanson Road.

Mr. Pearce stated that he is a little confused about where we are with that. He understands the fact that an easement was granted, so that the road could be built. So, anyone can grant an easement or build a road on their property and under the Unaccepted Street policy and he thinks that's what they are using here because it was kind of a road, which was kind of in existence prior to zoning, but it was really only a driveway, but it was called Hanson Road, so he thinks there is some credence to the fact that they can consider to have been a road that was in existence prior to zoning in 1945. He now understands why they can build that road, but it's got to be a private, unaccepted road. The owner gave up the easement rights to everybody and the State law does allow someone to improve an easement area to access their property to some degree.

Mrs. McKnight stated that right now the legal address is Chester Road, but we want to change it.

Mr. Hayden stated that the reason why we had them build Chester is that a turn-around was needed for the Fire Department.

Mr. Pearce asked what was added to the new plan.

Mr. Jack McQuilken of JM Associates stated that the following was added to the plan:

- 1) Note – 20' easement formerly an undeveloped street know as Hanson Road for the purposes of assessing, police, fire and all town of North Reading purposes, this easement shall be known as Hanson Road.
- 2) To be known as Hanson Road.

Mr. Pearce asked if that was done because Chester Road actually allows legal frontage.

Mr. McQuilken stated that it was done for the turn-around for emergency vehicles.

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

that the Community Planning vote to endorse the plan entitled "Unaccepted Street Improvement Plan, Hanson Road, North Reading, Ma. 01864", dated 10/20/2008; last revised 5/7/2020; prepared by JM Associates.

Minutes

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

that the Community Planning Commission vote to approve the minutes of May 5, 2020, as amended.

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

that the Community Planning Commission vote to approve the minutes of April 28, 2020 as written.

Planning Administrator Updates**Carpenter Drive – Affordable Housing project**

A few months ago the town received a Community Compact grant for the CPC to look at, along with the feasibility and what could become of that property and develop an RFP. In going over the project's scope and budget, the housing consultant that they will be working with wants to know if the CPC would be interested in having a meeting.

The consensus of the CPC is that they would like to have a meeting regarding this.

Andover – proposed subdivision

A North Reading abutter to Andover called to ask if the town received a notice regarding a proposed subdivision in Andover. She received the plans and will put them into the dropbox for the CPC to review.

Central Street sidewalks

Mrs. McKnight stated that she walked Central Street with the John Klipfel, Town Engineer and Brian from Millennium, to look at the area that the proposed sidewalk will be constructed. She was told that Capital Funds will not be an option for this coming June, but possibly in October.

MAPC

MAPC asked if the CPC would be interested in participating in a project about accessory dwelling units in Beverly. We would commit to a webinar and would benefit from the tool MAPC will be developing for Beverly.

Mr. Pearce stated that when they did the town survey with MAPC it was favorably looked upon for accessory units/in-law, in certain areas. We could probably legitimize a lot of the current ones in town.

Mr. Rudloff stated that it needs to be a win, win for the town. There needs to be some financial incentive for everyone else to be on-board that maybe doesn't agree with it or doesn't want their next-door neighbor that just built the garage that's almost as big as their house that could house another family. What happens when they move out and who moves in? Does two families' move in, not just the in-law, He looks at it as his job to protect both sides? He's not here to just rubber stamp or green light the construction of ADU's all throughout North Reading.

Mr. Pearce stated that he agrees completely, but thinks that that is one of the things that they are going to look for out of this, is how we are going to approach this and what kind of controls do we put on it to make sure it's reasonable and that we can get the support.

Mr. Hayden stated that it sounds to him like they are going to get information and training at zero cost and we will find out what happens in Beverly when they go and try to get it passed at Town Meeting.

Mr. Rudloff stated that it's a positive thing to learn and find out what other towns are doing. If we attend the meeting we should also have a meeting after to discuss and go through it, a little bit because he remains consistent in that he's open-minded, but highly skeptical of anything that is just one way to green light it because by doubling or increasing the dwellings in North Reading by 25%, but not making a dime more in taxes for the residents, how does that benefit the residents, other than providing them with another dwelling on their property that maybe the next door neighbor when they bought the property thought they were buying in a neighborhood with one dwelling per lot.

Mr. Pearce asked if Mr. Rudloff is suggesting that these accessory units should be assessed at a higher amount and be taxed at a higher rate.

Mr. Rudloff stated this is why we need to bring in all of those different elements, with assessment. For him it's a safety issue, because as an architect, he sees people just slap it together and that's how they're doing it now. If there's no code enforcement from the building inspector and for him to inspect 25% more dwellings in the town which if this thing passed and that was one of the requirements that would be instantly taxing that group. There needs to be either a fee or an annual fee to inspect, or something. A lot of them have, but it goes away because it's a true in-law, or need accessory dwelling for a family member unit, so it expires in two or three years and he thinks that is something that he is in favor of because if someone next to you builds one of these things and you're in this nice neighborhood and they take off and was just for mom or dad at one time and then they sell the trend now is unfortunately

multiple families moving into these kinds of homes and there's some data that suggest that happens and he can sight some of the articles because once you open up that gate you technically can't say no a family can have a couple different sets of parents and then they all move in and the next thing you know is you have 4, 5 or 6 new cars running in and out of the place and it's just not fair to the next door neighbor.

Mr. Carroll stated that having accessory units will bring more kids into the schools from that house.

Mr. Rudloff stated and with no extra tax dollars. That's the question he asks, are we helping a housing problem, but not getting anything out of it to pay for all of that extra costs that comes with additional people and additional services.

Mrs. McKnight stated that the current accessory units are already assessed and taxed differently.

Mr. Rudloff stated that if you're able to, on a one-acre lot on Duane Drive, technically put two families on it and you do so with a 1200' garage, are you really getting a one-for-one, meaning the taxes on this street that you're paying \$12, 0000 to \$14,000 dollars a year, so if you're doubling the dwellings are you really making \$24,000. Is it really incrementally a plus or is it just another \$500.00 on your taxes.

Mrs. McKnight stated that the goal of this is not to increase revenue for the town or even to break even. The goal is to increase the housing stock.

Mr. Rudloff stated if housing stock is just the only goal then he thinks she is mistaking all the other impacts this could be causing. Like it's short-sighted just to think of adding a bed. You're increasing the amount of dwelling units in town without increasing the taxes proportionately for life safety, EMS, everything.

Mr. Pearce stated that a number of years ago they had a discussion about accessory apartments and they talked about making rules were it had to be a family member or it had to be a direct relative. They never really did much, but they did discuss the different parameters that they would want to frame this with. At this point it would be best to say yes to the meeting with Beverly and then find out statistically what actually happens from MAPC and how it's being dealt with, with all of the issues that Mr. Rudloff has brought up. But, he does agree with Mrs. McKnight that this is a little more than just how does the town make out or benefit or cover their increase costs. It's a lot more than just providing adequate housing or reasonably priced housing. This is similar to what California did which turned out to be a bust in allowing mini homes – 300 sq. ft. to be built.

Mr. Rudloff stated that is an entirely different thing. Mr. Pearce is mixing up zoning and different initiatives, that's small dwellings. He is talking about in a neighborhood he is more for attached ones than detached because that could be a garage 5' away from people's property lines and the next thing you know they are increasing their driveway. He is sighting all real things right now that are going on, on his street.

Mr. Pearce stated that he understands what Mr. Rudloff is trying to say. He was trying to say that the attempt to create more affordable housing that way didn't work out so well in California. This is a question that this study will hopefully answer for them.

Mr. Rudloff wants everyone to go into this with an open mind and open eyes because these unforcible rules like it's got to be your mom, parent or family cannot be enforced, from the articles he has read and the building inspector is not allowed to infer or anything. They could say that's their mom and it's not their mom. A lot of times people try to push to get it kicked through the door by saying it's will only be relatives. Let's all be honest about what really it's all about. It's all about getting a dwelling in it, but for some people it's not, it's about getting a rental property, it's about making money from a rental property on their property. Everyone's got a different agenda and it's not all about adding units for the town because everyone has different interests.

Mr. Hayden stated that he stands corrected, Beverly is a city not a town.

Grand Legacy

Mr. Hayden stated that they no longer have a dirt catch in their property. To the west of the property, going downhill on Elm Street they have sealed off one of the manholes that catches water, about 100' down from them, so now all the water is being pushed down to the next one. They're pushing their problem along, there is dirt on both sides of the street. They are not being good neighbors and the neighbors are upset, especially after the water was shut off without notice.

Mrs. McKnight stated that the Water Department knew and Mr. Zanelli was given very specific instructions. They were told what notice to send and when and how to send it.

Mr. Hayden stated that they didn't do this.

Mr. Pearce stated that they can have the Building Inspector, Gerry Noel send a cease and desist if they do not want to comply.

Mrs. McKnight stated that she will convey these concerns to David Giangrande of Design Consultants, Inc.

Mr. Pearce stated that they will need to clean out the catch basins, but they need to be given a warning first.

Adjournment at 8:19PM

Respectfully submitted,



Ryan Carroll, Clerk