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Town of North Reading
Massachusetts

Community Planning

TOWN CLERK
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MINUTES

Tuesday, March 16, 2021

Mr. Warren Pearce, Chairperson called the Tuesday, March 16, 2021 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
Christopher Hayden, Vice Chairperson
Ryan Carroll, Clerk
David Rudloff
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.

Mrs. McKnight read: 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.

148-150 Park Street/Senior Housing Overlay - discussion

Attorney Chris Latham stated that they met with the Finance Committee last week and there was a suggestion made that they add language to the bylaw that basically states that the affordable housing unit shall be affordable in perpetuity. As they discussed previously, they proposed an increase in the affordable housing units to 15% and they just added at the end "in perpetuity" and it's to be totally located on the premises.

Mr. Lawrence Reeves stated that they spent quite a bit of time to do fairly major rework of the elevations and didn't require too much in terms of the floor plan, but they've simplified quite a bit and instead of sort of just doing a model building they've now shifted more towards a building that feels more like an enclave of associated structures historically based and a little more consistent with a little bit of everything, and in the Center of Town, but they're playing to some extent a little bit of the rural heritage, but more than anything, this gives a better sort of assemblage of style and a clearer sense of each of the elements of the building.

Mr. Hayden stated that they did a nice job on this. It really goes well with the original building. He asked how it went with the meeting they had with the Historic District Commission.

Mr. Bruce Wheeler stated that they met with the Historic District Commission on Monday and gave the members large colored blueprints of the plan and they felt that was helpful to have instead of looking on the computer. They have detail form, so they're able to communicate between each other and they will be meeting with them again to discuss the revisions that were the result of their first meeting.

Mallard Lane – Release remaining inspection funds

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

that the Community Planning Commission vote to release the remaining inspection funds in the amount of \$307.50 for the Mallard Lane subdivision.

239 North Street – plan endorsement

Mrs. McKnight stated that she is waiting to hear back from the Fire Department because they requested that the arch area be redone to accommodate the height.

303 Main Street – plan endorsement

Mrs. McKnight stated that the plans that were delivered to the office are not very clear. We have asked the engineer to send a pdf.

Winter & Main Street – discussion of outreach letter

Mr. Pearce asked the members if they were able to review the outreach letter regarding the Winter and Main Street project.

Mrs. McKnight stated that the letter does say to contact her about scheduling a time to meet to discuss the project. She asked the members if they wanted to talk about some possible times that they could do, or is that more of an email discussion.

Mr. Pearce stated that it is more of an email discussion. He would like to see what type of response they get back first to see how productive the meeting would be.

The consensus of the CPC is that the letter is fine and should be mailed out.

5G Cellular Discussion

Mr. Pearce asked the members if they were able to read the draft regulations.

Mr. Hayden stated that he read most of it, but didn't get to the full law because he wasn't able to download it when he had the chance.

Mr. Pearce stated that the law gives people who are putting this thing up certain rights and it's very similar to the 1986 Telecommunications Act. There is so much more to this. Its one thing to put a few cell towers up and cover a whole area, but it's another thing when every 200' or 300' there's going to be an antenna and there has to be equipment to go with that antenna to power that antenna. It's not just getting the units and equipment on the poles, it's getting the power independent of the lights on the light poles. It's obvious we're looking at light poles for the mounting because we have places where that's, the only thing we have, there is a light pole and the requirement to replace that light pole with a similar light pole with a box and all the equipment either inside it or out of view because it looks pretty ugly if you look at the pictures having it hanging on the poles.

Mrs. McKnight stated that she is trying to see what other communities are doing, but the policies are very general and the aesthetics policy is where all the detail is. Burlington's policies seem to be the best, but when those regulations came out, it was very early and she doesn't think that it had really been fully defined, and towns were not understanding what they could and couldn't do. She believes that Kopelman & Paige are telling us that we should try to stick to what they've put in that draft police and the way that they explained this to her is that the Select Board would be the ones to pass the policy because to govern utilities in rights-of-way and as part of that policy, or as kind of a corollary to it, we can have an aesthetics policy. But, she believes that the CPC is needed as far as making recommendations for what's appropriate aesthetically. So, if you look at the policy that Kopelman & Paige has prepared for us it's not really for this board to pass, but there are blanks and they're having to do with aesthetics, and this is for the CPC to make recommendations for we think is appropriate, now, part two is to regulate anything on private property, would require a zoning bylaw. She has submitted a zoning bylaw for town meeting and put a copy in the folder for the CPC to review. It would refer back to the policy that presumably if they see fit the Select Board would be taking up and passing. She spoke to the Town Administrator and he thought that could be discussed on their agenda on April 12th. Now, if their policy does not pass by the time town meeting rolls around we should pass over the Article because it won't make sense.

Mr. Pearce asked Mrs. McKnight when she talks about zoning for private property, is she talking about the ability of a private landowner to lease space to the 5G network to put an antenna on their property.

Mrs. McKnight stated yes.

Mr. Pearce stated that he has reviewed some of the fees that their talking about and it's very expensive. How are they going to justify spending that kind of money when they have to have an antenna every two or 300 feet?

Mr. Hayden stated that 5G is not the most efficient way to broadcast and it doesn't penetrate stone, well, at all.

Mr. Pearce stated that he's having a difficult time, seeing this be something that anybody likes, even at town meeting.

Mrs. McKnight stated that one thing they can do even though they can't ban them outright, we can rank preference for where in town we want to see them. She would suggest, in this order, industrial office, highway business and general business. The residential and historic town center areas would be last.

Mr. Pearce stated that he would like to make the best bylaw that they possibly can and doing some kind of phasing. He would like to see it implemented someplace else and see if someone has solved enough of these problems to make it palatable.

Mrs. McKnight stated that it's not so much a phasing, it's more of a location preference.

Mr. Carroll stated that we don't know what 6G is going to look like, but is there a restoration clause with this stuff or is this stuff here to stay, when they do it.

Mr. Pearce stated that there is a clause that requires them to come up with a cost to take the whole thing out and throw it away, should that happen. If we did the same thing with the cell towers, for them to have enough money in the bonds or something, so that if everything goes to 5G, we know longer want the cell towers, there has to be money or a bond to take them out.

Mrs. McKnight stated that if we do nothing at all and they do come to town, they can kind of do what they like. If we at least have an aesthetics policy in place, we can have them adhere to that to a degree that they're required to adhere to it. Her recommendation would be if they had a little time, maybe to continue the conversation, either at the end of this meeting or the next meeting. It would be great if we could come up with some aesthetic policy recommendation which would be filling in those areas of the sample bylaw that Kopelman & Paige did and give that to the Select Board and make a recommendation that they pass that policy for rights-of-way and then follow that up with a zoning policy that refers back to that town meeting.

104 Lowell Road – Priority Development Site Master Permit revision - cont. P.H. 8:00pm

Mr. Mark Mastroianni representing Pulte Homes of New England stated that as presented at the last two CPC meetings they're here for a permit modification and a special permit at Martin's Landing. There were some really good questions and important items and concerns that were raised by both the commission and members of the public. These items have been discussed at length and they feel that they have thoroughly addressed the items. But, they are certainly happy to discuss any of those items in more detail. The last meeting ended with one remaining item of going to the Zoning Board of Appeals for a variance for the additional fifth story and he's pleased to report that the ZBA unanimously voted to issue that variance. It's important to mention that, in order to issue the variance the board had to determine that the relief can be granted without substantial detriment to the public good and that relief be granted without substantial derogation from the intent and purpose of the zoning bylaw. They have committed to provide 15% of the additional 50 units, as affordable units. They see this as a significant commitment that will benefit the whole town. His understanding is that the creation of new affordable housing is a real focus and a real goal of the town and it's also consistent with the housing production plan. The affordable housing came from a request and originated from the Select Board and they were happy to provide the much needed affordable

housing. Based on the CPC feedback at the last meeting they have committed to installing a second elevator in each of the four, five story proposed buildings. They see this as a significant commitment and a substantial improvement to those five story buildings. Also, new from the ZBA process is that they've committed to provide ladder access walkways behind six of the remaining buildings as requested by the fire department. One final additional commitment that was suggested at the last CPC meeting was to install an electric car charging station and they thought that was a good idea, and it could be a benefit to the project, so they sent a letter to the CPC committing to add a dual electric charging station and have placed all of these items on the revised plans. In closing, they feel that the requested special permit modification and parking special permit really has good merit and it involves a minor site plan change. It's really a vertical change and the new five story proposed buildings still remain under the six foot height requirement, the density even with the extra units, remains well below the density that's allowed by zoning. The extra units really provide more like-minded neighbors to interact and socialize with. They have also reviewed the comment letters that were submitted to the CPC and their team put together and provided a very comprehensive response to each of those comments and they took them very seriously. They believe that they have addressed all the comments and concerns that have been raised. This permit modification request just as tremendously important to their company and the success of Martin's Landing, in light of the substantial unforeseen soil conditions that were found on the site. There's a real substantial problem out there and his company put their best foot forward in order to solve the problem and continuing to move forward, so they hope that their commitments are well received and helped the CPC to thoroughly review their request and we thank you for your time.

Mr. Pearce asked if all if the affordable units are going to be on the fifth story, or have you decided where those units are going to be.

Mr. Mastroianni stated that they have not decided where the units will be located, but that they would comply with the DHDC guidelines, so that they would be included on the subsidized housing inventory. These guidelines require that they are dispersed throughout the project. There will be eight affordable units and they will be dispersed by putting two units in each of the four five-story buildings.

Mr. Pearce stated that they never really discussed what the real cost was to remove that soil and his understanding is that it's really only somewhat contaminated and the actual cost may be far less than the units that will be provided.

Mr. Mastroianni stated the extra revenue from the extra units will certainly help offset the cost that they are experiencing to deal with the contamination, but in no way does it cover the entire cost, or are we making more than the cost of the removal, so the estimates that they've provided is that the cost of the remediation and the removal of the soil, will be between eight and twelve. But what Mr. Pearce did say was important and it is correct, the amount of ACM

(Asbestos containing material) that is in the soil, out there, is considered de minimis, there is not asbestos flying around everywhere. They are working strictly with DEP and all guidelines of DEP and there's no imminent hazard out there at all. The problem is that once one piece of the ACM touched the pile, DEP considered that the entire pile was contaminated, or a majority of the pile is contaminated and they've done a thousands of tests, and so, DEP is requiring a majority of the 30,000 cubic yard pile be removed and we can't just remove it and bring it anywhere, it has to be removed in accordance with all DEP guidelines and their whole process. It has to go to a licensed facility and that really drives the price. So, to be clear, the hardship and the financial impact of the remediation was not considered when they brought the project and, is a significant financial cost to them. This modification is a solution to help them resolve the issue, but in no way does this cover the entire cost of the process.

Mr. Pearce stated that he has dealt with this before and it has to be handled very carefully and they're very strict about it. It does make the project a little bigger and he thinks it probably improves the tax base, a little, which is a plus.

Mr. Mastroianni stated that they estimate an extra \$300,000 annually in property taxes to the town each year.

Mr. Pearce opened up the meeting to the public.

Mr. Hayden stated that he was on the original EDC team that put this property out for RFP and reviewed all of the responses from people and originally Pulte put in two concepts. One was 55 and older and the other was affordable and the differential in the purchase price was a third less for the affordable housing to build as many, as he recalls, and suddenly they're adding an extra 52 units and they immediately said they would give 15% of the new 52 units. It's quite interesting and also that the fifth story here until the building codes changes recently would not have been buildable from what he understands.

Mr. Pearce stated not with construction, which is what they're doing.

Mr. Hayden stated that the fourth story was allowed because it was sprinkled when they came out with this originally, since then, before they've been able to build the last four buildings, the construction standard has changed and now they can go to five stories. The other thing is he walked that entire property with the representatives and they all knew of what was in the ground and that there had been a central steam plant and there were buried pipes that were still in the ground, and very safe in their position. They needed to be careful when they dug and he doesn't know how careful they were, and if they didn't cause their own problem because they dug up that orange verve pipe that had asbestos in it. The extra cost should have been calculated in originally when they purchased the property. Now we're going to get 52 more units, yes we'll get a little bit more tax revenue, but the 150 units that have already sold,

were sold in a complex that was going to have nine buildings, 450 units and now there's going to be 500 units and some of the people that already purchased are not happy about the additional units. It's interesting that the people who currently live there are unable to park close to their unit. Pulte claims that they went out and they did all these studies and they went and looked at the parking lots in the middle of the night and it's hard to discount that, but the he's not going to say that the residents were wrong and the construction is only half done and these residents are already complaining. And, of course, those original units were four stories with one elevator and that's a building code that we really don't have control over, but it's interesting that it took so long to repair the break down in the elevator. That's a management issue and it's hard for him to believe what management's bringing. It's just hard to fathom that the extra units is a good thing for the town. So, originally if they had built it and paid more money than they did for the property, but he wouldn't expect them to pay what they did for the property, but added 20% which is what we were going to require, there would have been a lot more affordable units than there's going to be with the 15%. He read some of the fire department and Fire Marshall's memos about the water pressure and can North Reading pumps pump the water up the standpipe to the fifth floor, are they going to have enough flow to fight a fire. Hopefully, when the new water system comes online in a few years that will be alleviated, but we still have to have the pressure to pump it there. He's not so concerned about the wastewater because that plant should have been designed with extra capacity and they're increasing the leaching field, but he thought they were supposed to have their license from the State before we permitted anything for about leaching and septic.

Mr. Pearce asked Mr. Hayden if he was asking whether or not the ground water discharge permit allows for the extra units.

Mr. Hayden stated that the question because doesn't think they voted without that the first time around, and he thinks from what he read in the documentation today that they don't have that permit yet, from the State, for the extra discharge.

Mr. Mastroianni stated that they do not have the permit. The process is that once they hopefully get the local approvals their next step was to go and amend the groundwater discharge permit from the DEP which is the controlling permitting entity.

Mr. Pearce asked what the average daily flow is calculated at.

Mr. Daniel Coughlin stated that 60,000 is basically the max. day flow.

Mr. Pearce stated that since it's over 20,000, the DEP is going to inspect it. To answer Mr. Hayden's question – they wouldn't be able to put that online without the DEP inspecting it, which means that they would have to have a current groundwater discharge permit in place and approval of their redesign and then inspected by the DEP before they can access it.

Mr. Hayden stated that giving them a permit prior to them getting the groundwater discharge is alright.

Mr. Mastroianni stated that he can assure the CPC that the asbestos containing material that is in the pile is not the orangeburg pipe associated with the steam tunnels that everybody knew that was there. Those steam tunnels were known to be there, everybody knew it and their LSPs knew it and everything was properly abated. What is in the pile, which is what the town's LSPs didn't know and what their LSPs didn't know what each of the purposes and that's when in 2007-2008 the existing buildings were abated and demolished. And, there was a pile of building debris that was buried on the site, and it was not located near any of the steam tunnels, it was not located near any of the existing buildings where you might have heard that they might be there, it was buried in the middle of the site where nobody would have any idea that it was there, and when we dug it up and put it in the pile we contaminated the whole pile and there was no way that we missed it, there's no way that we had any idea during our due diligence, that it would have been there. During the RFP process, they did make a \$30 million offer for an age restricted community and they made an 18 million offer for a 40R which involved 20% affordable housing and also, it would have been non age restricted, so there were two completely separate projects and the town chose the 30 million offer. The permit modification involves an additional 52 units and they're offering 15% affordable housing which is more than 10% that the State is mandating all the towns to comply with and to them it seemed like a win, win for both the town and them. The parking that's out there is for the three buildings that are currently occupied, so every time we build an additional building we complete the project further in phases and so every time we build another parking area that's sufficient for the additional buildings. There is no parking issue out there and yes not all 50 residents of one building can park next to the front door that's not realistic. But, there's plenty of parking for every resident in the building to park within an acceptable parking space that's been provided for them. They did have an elevator problem when they opened up building #4. It was a construction problem, it happens and it's how you respond to it and Pulte Homes has responded to it very professionally and as good as a company can do to rectify the situation in as fast of a time as possible. They contacted the State elevator office to review the elevator records. It's a Schindler elevator and the State elevator office responded back to both them and the building official saying that Schindler has responded very appropriately to all of the issues and that they would not recommend any additional action and that everything is being done, the way it should be. Mr. Dan Coughlin submitted a very detailed memorandum on the water and in their opinion there is plenty of water to service all of the buildings there and not affect the building and the town is currently undertaking a huge water improvement project that is slated to be done and completed this year which will only significantly improve the water system at this entire side of town, but even without that they still have submitted an engineering memo from their professional that they believe there's enough water and that it will pass all the tests. At the ZBA hearing the public safety and water system was actually one of the biggest topics that was discussed and Mark Clark of the water department and Deputy

Chief Galvin were at the meeting and spoke at length and answered a dozen questions about the sufficiency of the water system, the sufficiency of public safety and in each and every time they had no concerns with public safety of the five story buildings or the water system. The fire department drove the ladder trucks out to the site and they went around to each of the buildings with the trucks to show that they could access a fifth story very easily for public safety. What they did realize is that they didn't have great access to the rear, so Deputy Chief Galvin called me and asked what could be done to get access to the rear. They worked to update the site plan to add the rear walkways to the six future buildings. Mr. Dan Coughlin submitted a very thorough memo reviewing the system today and how it's designed and how all of the components of the system can accommodate the extra. If they're successful at the local level, they still need to go to the DEP and submit plans and calculations and once they find it sufficient and agree with them that they would issue an amended groundwater discharge permit.

Mr. Rudloff asked Mr. Mastroianni if the fire department asked if a survey for BDA had been done.

Mr. Mastroianni stated that all of the building have a BDA on the roof.

Mr. Johnston stated that there is a lot of heavy machinery traffic along that route, especially between Martin's Landing is and the highway. Is there any danger that we should foresee with higher density and emergency services being limited by heavy construction vehicles within that 62 corridor.

Mr. Mastroianni stated that he doesn't really have an answer, but the police and fire departments have been heavily involved in this process and didn't have any concerns of public safety or emergency response time.

Mr. Bob Michaud of MDM stated that they looked at the safety characteristics throughout the initial permitting for the project and more currently and find no inability to properly serve the property for emergency response purposes, as it relates to the number of incidents that might occur at the facility, but several active buildings at this point that provide a good representation of what kind of emergency response activity might occur over time there and to his knowledge he doesn't believe that there's any substantial emergency response activity for those residents, that have been living there for the past months.

Mr. Pearce closed the public hearing.

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

that the Community Planning Commission vote to approve the application for an amended Priority Development Site Master Permit and Parking Special permit, plan entitled, "Site Plan for Martins Landing, Multi-Family Housing Community, 104 Lowell Road, North Reading, Massachusetts"; dated March 9, 2021; drawn by Civil Design Group, LLC. Subject to the terms and conditions of the Certificate of Conditional Approval dated March 16, 2021 as amended this evening.

110-124 Main St. /Reading Lumber – SPR/Floodplain Special Permit – P.H. 8:00PM

Mr. Andrew Street of Civil Design Consultants stated that they met with the Conservation Commission on March 10th. There was minimal discussion and they didn't get a lot of feedback. The commission will be visiting the site on March 27th and their next meeting with them will be in April. His understanding of the bylaw is that the conservation commission will need to act before the planning department, so they are in a little bit of a holding pattern. He has been speaking to Mrs. McKnight, the building inspector and they are trying to sort out the slab elevation. Today it's about a foot below the floodplain and the bylaw reads that they should be a foot above this floodplain. They would like to be at the same elevation, raising it would cause more disturbance in the floodplain and in the conservation buffer zones. It's something they can do, but they're just trying to work through it and, as of today, the building inspector weighed in and he believes that the floor is a finished product and needs to be above flood level. He does need some clarification because he doesn't fully understand that assessment, but that's kind of where they're at. They are requesting continuance the public hearing while they wait for their next conservation meeting.

Mr. Pearce stated that if it was a dirt floor than it could probably be at the elevation you want, but because it's a poured concrete finished floor, a finished product, that trips the trigger for it to be above the flood elevation and he thinks that's the building inspector's opinion.

Mr. Rudloff asked Mr. Street if they're demolishing the existing slab, in order to build this, but they're not going to cut spread footings and put up columns in the frost wall, it's just that they want to stay at that elevation.

Mr. Street stated that is his understanding and if that matters he's sure they can have that discussion.

Mr. Rudloff stated that if they're already doing a four foot kick wall which is most likely and eight foot wall, so it's four people on the ground. It's a form thing, but it's a four foot kick wall above ground. Why can't they just elevate the slab one foot.

Mr. Pearce stated that the problem is that the whole things in the floodplain and that extra X by X, by how many feet, by two feet, is that much more floodplain that they've taken away that they need replication for.

Mr. Street stated that the answer is that they can do that, they can make the site work that would mean there's more disturbance in the floodplain, more compensation that needs to be provided, which again, they can do more, but more pavement is going to be disturbed and he thinks that it makes the site a little less accessible. This is not the commission's problem, but he thinks the site in general kind of works better. It's less disturbance over on the resource areas and part of his fears is that he's going to wind up in a little bit of a circle with conservation because he thinks they're going to want less disturbance in the floodplain and the buffer zone.

Mr. Pearce stated that building inspector is going to be tied to the bylaw that he has, so he's not sure if they can get the variants from the Board of Appeals on that. If they leave it at that lower level, they've got to do some serious flood mitigation in the back of the building, so that when the waters come up they flow through the building and back out onto the ground. That extra work and extra expense probably balances the numbers off. But, the real question then becomes more of one of getting access to the building and having to fill in because it's not yet right now, so everybody understands, it's not just the filling in of the inside of the building with an extra foot or two feet of material, it's the fact that now they're going to build up, still in the floodplain, they have to build up the area where the driveways are and along the side of the building which is even more disturbance and more filling of the floodplain and even more replication at on and a half.

Mr. Street stated that they just want to make it all work. The most effective way for everyone who's interested in this and this seems to trip everybody, conservation, planning and some building implications for a lumber storage yard.

Mr. Hayden asked if there is going to be enough room to build it in between the two walls or are they going to build it from the inside.

Mr. Street stated that they will butt up against each other, but there will be separate walls.

Mr. Carroll asked with regards to the building inspector's email he's referring to the floor as a finished product. Where was the finished driven from because anytime you see a finished floor referred to it's usually referred to as finished space, whereas this seems to be referring to a product of construction verses just earth which he's never seen finished referred to. The interpretation just seems strange because essentially we're talking about a shed and because they're going to pour concrete on the bottom of the shed its finished space.

Mr. Rudloff stated that is pretty common and he does a lot of warehouse, its FFV (Finished Floor Elevation) that's pretty much most warehouse distribution centers.

Mr. Carroll stated that like above finished floor as a reference for an outlet or well, but when we're referring to something in the floodplain is a finished space. If this was a home, would the basement be a finished space or is it just going to be the foundation, like a crawl space under a residential home, you'd refer to that as finished space, because it had a concrete floor.

Mr. Hayden stated that they wouldn't put a concrete floor in that, they wouldn't allow it.

Mr. Pearce stated that you could have a poured crawl space.

Mr. Hayden stated that they wouldn't do it in a floodplain.

Mr. Pearce stated that they wouldn't put the building in the floodplain.

Mr. Carrol stated that he remembers Mrs. McKnight referencing it before that we were trying to attain whether it was considered finished, what the finished elevation was in the space. What are we referencing with that verbiage?

Mr. Pearce stated that the fact that it's a poured concrete and that it's been finished. He thinks that the building inspector's take on it was that, when it was done, you could, at some point in the future, put an office in there because it's a finished floor. In other words, once it's done, it's a shed, you walk away, then what.

Mrs. McKnight asked Mr. Carroll if what he was asking is what the significance of it being finished is.

Mr. Carrol stated that he recalls that Mrs. McKnight was referencing some document that was part of the qualification that we were trying to answer.

Mr. Hayden stated that Mr. Carroll is looking for the standard.

Mrs. McKnight stated that it's the Floodplain District Special Permit bylaw. There are five criteria's that the CPC has to make sure the project meets before an approval can be issued, and one of them has to do with finished floor area. She was confused about that language in the bylaw and that's why she had reached out to DCR who oversees all of the municipal bylaws because all towns are required to have basically the same language and they confirmed that if the building inspector considers the floor to be a finished floor, it has to be a foot above the base flood elevation. She talked to the building inspector in terms of trying to get some clarity for her own knowledge. She doesn't really know what's considered finished and what's not and he explained to her that the difference between a dirt floor; anytime that something has been

graded smooth and finished off, it's not so much the type of flooring but, what he would consider a cement floor to be that.

Mr. Carroll stated that or, conversely, you could not finish it now and pour later and have a finished floor too. So, if this was a gravel floor does that alleviate the problem?

Mr. Pearce stated yes, adding a gravel floor at the original elevation.

Mr. Street stated that they would need a building permit for the office and would get denied.

Mr. Pearce stated that one would assume it would be denied because now you're using it as a finished space, even though it's just a desk and a chair. It's being used as a finished site.

Mr. Hayden stated that doesn't mean they do it all the time.

Mr. Rudloff stated that he thinks the intention of this building is just going to be a larger storage shed for the lumber yard. Mr. Pearce does raise a good point and he's wondering if they can leave it stone or pervious. So, whether it's grass creed or some of the other products that they have, so the permeable floor, he just wondering if that gets around it. The other thing he'd recommend is that this could probably be accomplished with just grade beams and then just pour a structural slab over, so essentially you just have these long runs of wall that are basically up on one foot, even less and then they just have the slab topping over them, so that the slab supported by the grade beams, but essentially the grade would stay the same level as it is, so there would be no mitigation, and water could run through and under the facility or under the building.

Mr. Street stated that is certainly something that he can pass along to the applicant and structural engineer.

Mr. Pearce stated so, what Mr. Rudloff is talking about is putting beams down and then putting the steel mesh over it, and pouring a floor that is supported by the beams, so that the original floor elevation stays the same. It's still a dirt floor under the beams underneath.

Mr. Pearce stated that a better example would be to go to 194 North Street and look at the building on that site. It's built in water and water flows underneath it. Not a lot of disturbance just whatever the footings were to hold the building up.

Mr. Hayden stated that it's a total feed through foundation. The only problem with that building is they used cement block which is porous, in the end they get wet and they blow off the paint all the time, they can't waterproof it. So, do it with concrete, if you do that.

Mr. Pearce stated that Mr. Rudloff's point is well taken, but he's not sure that they could get all that to the Conservation Commission and have them understand what it is they're doing. They would have to have a fairly drawn engineered plan with all the excavations.

Mr. Rudloff stated that they would have less excavation if they do drill tubes and that's how they support these grade beams that gets them up, then they're only just drilling around the perimeter, they're actually not doing the big trench that they would need for the frost wall and spread footing, so it's got its advantages. They're just auguring, pouring and then setting the grade beams on top. In this case, it maybe 1' x 1' with rebar in it.

Mr. Pearce stated that you could do two 30' and set them.

Mr. Street stated that the ZBA was mentioned and he wanted to know if this is where the relief from the bylaw would come from.

Mr. Pearce stated that if you have a dispute with the building inspector, you would go to the ZBA.

Mr. Street asked if he could convince the CPC to waive this and receive the floodplain permit, would he still have trouble getting a building permit.

Mr. Pearce stated that without any variance the CPC would have to stick to the bylaw.

Mr. Street stated that this is good feedback. He will tweak the plan and come back to the CPC with the revisions.

Mr. Pearce opened the public hearing to the public for comment.

Mrs. McKnight stated that when she spoke to the Conservation Agent, Leah Basbanes about the project and the flood zone, she mentioned that it would be helpful to have a peer review done for the floodplain issues, and Mrs. McKnight thinks that it's possible the Conservation Commission might need them more than the CPC. She asked DCI for a quote which she hasn't received yet, but it's up to the CPC whether they think we are in need of a peer review or not, if not, she could have the Conservation Commission get the help that they need.

Mr. Pearce asked if they were sure that it is in a floodplain because he knows that sometimes the floodplain map show things that are in floodplain, but that a tight engineering survey will show that perhaps not.

Mr. Street stated that the elevations define it and it is in the floodplain.

Mr. Hayden stated that it's about 90% of the building in the floodplain.

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

that the Community Planning Commission vote to grant the requested continuance for the public hearing for 110-124 Main Street until Tuesday, April 6, 2021 @ 8:30PM.

Planning Administrator Updates

5G Cellular

Mrs. McKnight asked the CPC what they would like to do next regarding the 5G.

Mr. Hayden stated that he was unable to find the FCC full document.

Mrs. McKnight stated that she would send a link out.

Mr. Pearce stated that there is really nothing in the FCC document that changes what the CPC does.

Mr. Hayden stated that when the cell towers came out, they said we had to let them in, but we could regulate them, and we could do it the way we wanted to.

Mr. Pearce stated that in 1994 they stiffened the rules up dramatically, so we couldn't regulate as much as we used to be able to do.

Mr. Hayden stated that's because the towns were not letting them in. They were over regulating them, so they put their foot down since we got to have this stuff and it's so loose it's killing for the towns that were good and allowed it and made it work.

Mr. Pearce stated that this is onerous, this is 5G is really heavy duty.

Mr. Hayden stated that he thinks the people who did it don't understand what it all entails.

Mr. Pearce stated that he thinks the people that are fans of the highest of the speed knowledge and the advantages of it don't realize what's necessary to make it work. 300' in any direction is going to be difficult in North Reading, but if you got a city, not so much because there's so many buildings and so many places to put antennas and equipment cabinets on top of the buildings where they could be hidden. But, this is not going to be the case when you got single family homes 500' apart.

Mr. Hayden stated that he was looking at the Town of Burlington and they show their original antique streetlight with all the junk on it, and then they show another light, but they don't give

any sizes of that other light. Is there a way to get some technical information? He doesn't want to get caught with the branches on a cell tower.

Mr. Pearce stated that's just an illustration. It doesn't actually represent what it would really look like

Mrs. McKnight stated that in the guidelines, there are some of those specifications. The 28 cubic feet is a limit and she saw this in RMLD's regulations and the Town of Burlington was saying everything has to be at least 10' up off the ground, but then they have an upper height limit, depending on what type of facility, it is. She believes that is was 35 limit for poles, or no more than an increase of 10% among poles within a certain 100' radius. The problem with filling in what the blanks are that Kopelman & Paige has left and the CPC is supposed to fill in, and she has no way of knowing "blank" diameter pole. She doesn't know how wide the diameter pole this requires, so she can't say it should be 5" or 20".

Mr. Pearce stated that this is why he wants to see somebody else do it, so they can go take a look at the pole and measure it and see how big the diameter is. He believes that they can get that answer, without too much trouble going online to find out what the 5G equipment looks like and what's available from the companies.

Mrs. McKnight stated that the Town of Burlington has a lot of dimensions already and she started to note down which "blanks" we can fill in if we wanted to plug in what the Town of Burlington has done. She might be able to look through to see if Boston has required pole diameters. She already asked Kopelman & Paige this question "Do we have minimum specifications that we have to allow based on what these companies need" and they didn't have them. So, we can do our best to copy other towns.

Mr. Pearce stated that he thinks one of the things about this whole thing is it's also very typical of new technologies, and that is the first computer took up the size of a gymnasium and now you can do that with a watch. The question is are we going to be able to downsize some of this equipment as it becomes something that we're going to do, so that it fits in a reasonable package on a pole. The other problem is that these things chew up a lot of power. So, at some point you've got to get power to that thing, so if all you have is enough power to power a light bulb on that pole now, they'll have to start running wires of some kind, of some dimension to power, these things up, and the only way, they is to run big wires, or tiny wires with high voltage, and then they can transform it down inside the whole thing into what they want. But, there's got to be a whole lot more to it than just a little antenna up top.

Mr. Hayden stated that they also have to have batteries, to have back-up.

Mr. Pearce stated that if they can limit the back-up packages to one every thousand feet, or something, at least the equipment on the pole won't have a huge battery pack that somebody's got to get to. So, the question is how it is done. We don't really know how it's done yet, even though we did get a little bit of an education before, but, he thinks that it was lacking in some specifics that we needed and it could be because those specifics don't really exist yet because everything is still in development, so he's okay with coming up with a bylaw that's a little onerous and then, if get challenged on it, we can battle with it. But by the same token it can by us some time for someone else to get this done and perhaps some advancement on some of the technology.

Mrs. McKnight stated that the zoning hearings that are on April 6th, are all things that we've had discussions about previously and she's guessing they're not going to be extremely long, so why don't they plan to devote an entire hour to the meeting on just this, and between now and then she'll get as much as she can, on what the more technical specifications are and she'll come up with some suggestions that they can go through.

Mr. Pearce stated that he knows that there are places where they've already put the 5G in, places like China. He doesn't know if they can get pictures of that or what they did or whether they even care if it's aesthetically please or not, but if they could find some place where there is a 5G network operational and then take a look it would give them an idea of what it is they need to do.

Mr. Hayden stated that the gentleman who spoke to them a couple of weeks ago and Boston is doing some of the 5G. He thinks he got some equipment that's in the fields that we might be able to get pictures of.

Mr. Carroll put a Verizon network coverage area on the screen for everyone to view. It's in test cases in small areas, but it's out there.

Mr. Pearce stated that the plan shows Malden having some, so they must have a bylaw and some pictures. If they can get a look at that it would be helpful.

Mrs. McKnight stated that she can go there and take some pictures.

Mr. Pearce stated that she should call the Malden planning office and see if they can give her a tour.

Mr. Vincent Stuto stated that he grew up in Malden and he could go there and take some pictures. Also, Kate Manupelli of the Select Board is the City Solicitor of Malden and she may be able to give them some information.

Charles Street Ext.

Mr. Pearce stated that there are people building at the subdivision. It's finally moving along.

Mrs. McKnight stated that David Giangrande of Design Consultants stated that there's still a small repair that needs to be made in the drainpipe and we're working with the owner to get it done.

Housing Choice Community

Mrs. McKnight stated that at the last meeting she told the CPC that they would be designating a housing choice community, unfortunately, when she looked at the building permit data carefully, they didn't qualify. So, probably next year, but it turns out that the reporting to the census of the building permit activity is over, by approximately 89 units within five years and that's not great, so she's working with the census to correct that before the 2020 numbers are released.

40A Changes

Mrs. McKnight stated in regard to the 40A changes that they talked about, she spoke with Town Council and there's nothing that they need to do for this town meeting. It's too early, DHCD has to release their won regulations for what the communities are going to be required to do, so right now, they don't have anything that urgently has to be jumped on.

Mr. Pearce stated basically, they have the governors' new rule there, but it hasn't been put into play by the State yet. So, we don't have to modify and of our bylaws until then.

Mrs. McKnight stated possibly October, but she will keep the CPC updated.

Adjournment at 9:41PM

Respectfully submitted,
Ryan Carroll, Clerk

