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Community Planning

Town Clerk
NORTH READING, MA

MINUTES

Tuesday, January 5, 2021

Mr. Warren Pearce, Chairperson called the Tuesday, January 5, 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

STAFF

PRESENT:

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

Mrs. McKnight 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 informed all present that the meeting is being recorded.

239 North Street – Site Plan Review – cont. P.H. 7:30PM

Mr. Pearce asked Mrs. McKnight about the discussions with the fire department and the proponent stating that they don't need to make the archway high enough for the ladder truck as long as all of the other emergency vehicles can get through within a 150'. Do we have the okay that the fire department is accepting that?

Mr. McKnight stated that there is no further correspondence from the fire department, yet, on that.

Mr. Pearce asked if the proponent's response was provided to the fire department.

Mr. Rudloff stated that he is looking at the last communication from Deputy Chief Galvin, email dated 1/4/2021 which states that the 100' archway is unacceptable.

Mr. Ethan Davis of Dana F. Perkins, Inc. stated that they received the response yesterday and he spoke to the architect who said that they could raise the whole span to 13' 6".

Mr. Pearce stated that Mr. Dan Mills of North Reading sent an email (1/2/2021) requesting that a sidewalk along the site frontage of the property to the town hall be constructed.

Mrs. McKnight stated that the Mr. Andrew Pojasek did provide an email response (1/5/2021) to Mr. Mill's email. The email stated that extending the sidewalk from the Town Hall property to the proposed driveway wouldn't be an issue. Extending the sidewalk to the west past the proposed driveway starts to have impacts on the wetlands area, and we don't really see the necessity of having a sidewalk to nowhere on that side of the driveway. Any future sidewalks would need to be constructed on the State property that is located on the corner of North Street and Route 62. With there being no sidewalks along Route 62 in this area, we just don't really see the need here.

Mr. Pearce stated he believes that Mr. Mills made the comment because of the residents living in the two developments (Martins Landing and Edgewood Apartments) that could potentially use this sidewalk. The town could petition the State to add a crosswalk, so he is going to accept the offer to construct the sidewalk.

Mr. Hayden stated that getting a crosswalk would be a great because the people in the developments could use the paved area that is currently used for school bus pickup and drop-off to reach the crosswalk safely and he would like to see the sidewalk constructed from Town Hall to the State owned property.

Mr. Pearce stated that any approval given would be conditional on receiving these changes on the plan.

Mr. Davis stated that at the last meeting the CPC wanted to have a plan submitted showing the lighting. This plan was submitted to the planning department.

Mr. Hayden stated that he reviewed the lighting plan and is good. They're 4000k which is bright, but they're also a lower level energy, so it offsets. The overhead lights that are going to be located in the tunnel/bridge area are a 3000 Calvin which is more pleasing incandescent light.

Mrs. McKnight stated that DCI and Safety Officer King looked at the sight distance that was submitted and found it acceptable. She also spoke to the applicant about adding a condition to the Conditional Approval for submittal and approval of the retaining wall plan, prior to issuance of a building permit. She did not hear back from Deputy Galvin in regards to any issues with the turning radius for the fire truck. One thing she wanted to point out about this one, because we don't normally do them for projects that aren't subdivisions, at least not recently. We have been advised by the firm working with them on the stormwater permit that we really should be having inspections done during construction to make sure the stormwater management is appropriate and erosion controls are well under control.

Mr. Rudloff asked if this would be done by town consultant and paid for by the owner, or is it done by the owner and submitted?

Mrs. McKnight stated that it would be our consulting engineer.

Mr. Pearce stated that in the past they usually share it between the town engineer and consulting engineer.

Mrs. McKnight stated that they usually do that, but the town engineer is really busy and probably won't be able to do it.

Mr. Hayden stated that he is looking at the property on the GIS map and they have a frontage of 175'. He overlaid the DEP wetlands map and it looks like they're nowhere close to that to go across the frontage of their property to the State property, and then to come across, not the driveway that goes to the rear of the town hall, but to the oblong driveway. That would be the best way and we would need to get permission from the town to work on the property. We can ask the Select Board to support us and go to the DPW to get permission to work on the property that is approximately 600' and this would include the proponent's property frontage

Mrs. McKnight stated that following up on DCI's final review, she thinks that they still need to take a look at the plan revision showing the delineation of the area of disturbance, to be sure it was under the acre threshold.

Mr. Davis stated that it was added to the plan and it is under an acre.

Mr. Pearce closed the public hearing.

Mr. Carroll moved, seconded by Mr. Rudloff and vote 4-0:

that the Community Planning Commission vote to approve the plan entitled, "Proposed Office/Warehouse Building, 239 North Street, North Reading, Massachusetts"; dated 4/27/2020; revised 11/5/2020 and 12/22/2020; drawn by Dana F. Perkins, Inc. Subject to the terms and conditions of the Certificate of Conditional Approval dated 1/5/2021 as amended this evening.

Minutes

Mr. Carroll moved, seconded by Mr. Hayden and voted 4-0:

that the Community Planning Commission vote to approve the minutes of December 1, 2020 as written.

Mallard Lane – Bond Release

Mrs. McKnight stated that she is still waiting for correspondence and this should be moved to the next meeting.

CPC Representative for Facilities Master Plan

Mrs. McKnight asked if the CPC wanted to appoint someone to this committee. She doesn't believe that they have been that active, but at some point will be and they would like to have a CPC representative.

Mr. Rich Wallner of the Select Board stated that they have a consultant in place and the consultant is just getting ready, to get going. They haven't been together in about 10 months, and they're working with the same people as the CPC. They just need to get going and he is doing all he can to make that happen.

Mr. Pearce stated that he did speak to Abby Hurlbut a couple months ago, about it. He asked what they are doing and where they are going and she indicated that things were going very slowly.

Mr. Wallner stated that he attended an EDC meeting, before this meeting and the town administrator was discussing the sewerage potentially coming up at the October Town Meeting and were talking about the Winter Street property also coming to Town Meeting. If the Facilities Master plan does not have the information in it, it's going to throw everything back. We need to know what their thinking as well and need to get them going.

Mr. Pearce stated that he will call Abby and see what she is thinking, so we'll put this on the next agenda.

Mr. Vincenzo Stuto asked Mr. Wallner what is the correlation between the sewer coming up for a vote and Winter Street and the Facility Master Plan.

Mr. Wallner stated that everybody is looking at that 19 or 20 million dollars of Pulte money that's kind of sitting in the bank and everybody kind of has their eyes out for their project and potentially going after that money to do it. The town can't make a good decision unless all of these projects are on the table.

Mr. Pearce stated that the Winter Street project has the opportunity to provide a multi-generational house location, as opposed to putting it over at Ipswich River Park.

Mr. Stuto stated that the sewer train is running pretty hot right now.

Mr. Pearce stated that the Winter Street project, one of the things that makes it work is a package treatment plant. However, if we look at the sewer project as happening coincidentally with it, that takes a whole bunch of money that we would have needed for Winter Street off the table and would allow us to use that money in other areas for development of that project,

or a contribution to the sewer. The Facilities Master plan is a piece of the puzzle that needs to be in there.

Mr. Wallner gave an example: He stated that the Town Hall is another one that they will come up with. If you destroy this town hall and sell the property, how much do you make from that that could be used towards building the Town Hall along with the inter-generational community center? But, without all of the information, you just can't do that.

Mr. Stuto asked does the Winter Street project, because depending on how you structure it, would it involve the same level of potential State funding that the sewer can get. Because he has already started to explore some of that and asked Representative Jones and it seems that depending on how you can do it and this is where he thinks Winter Street, for example: With the sewer and he may not even have full facts that State funding is based on how much employment you can get guaranteed from new employers coming in. Does Winter Street have any of those components, where if you do things a certain way, they will come in and pick up the costs if it is done right.

Mr. Pearce stated that they were looking at it as a public/private partnership, with the developer taking on most of the responsibility to build the Winter Street project. However, included in that project is a lot of retail, so again, it's going to create employment opportunities for quite a few, not just from building of the project, but from the occupation of it, once it's built.

Mr. Wallner stated that the EDC also discussed what the return would be on sewerage, but no one has that answer yet.

Mr. Pearce stated that one of the things that you have to remember on the sewer project is that the town itself doesn't actually pay. The town votes the money and the town supports it, but ultimately the users of sewer are the ones who pay for it because from the State Revolving Fund is where the money comes from to build this sewer, other than the money that we need to put up front and the town's responsibility once the project is done there's a sewer district that gets created and the town's responsibility from that point on is to only pay for the sewer that they use and the rest of the users pay into the commission and the commission pays the SRF back. So, there's a big number that's thrown up front, but the vast majority money is covered by the users of the system. So, there has to be an understanding of that to let you know that we need seed money for that project. It requires an act of the legislature to create a commission and there are commissioners that run it.

303 Main Street – Site Plan Review – P.H. 8:00PM

Mr. Hayden read the public hearing notice into the record.

Mr. Mike Gabardi presented the proposal using a 2010 site plan; drawn by Hayes Engineering and was red-lined by Cornerstone Architects, Inc. They will be re-branding the Mexican restaurant (Dos Lobos) into a brew pub. In doing such, they will be eliminating 9 parking spots, some of them being handicapped that will be moved. They will be removing some sidewalk and handicap ramp. This will be in order to build a 22' x 24', 3-season patio, similar to what was done at the Horseshoe Restaurant. Aside of that will be a 12' x 22' patio that will link into pre-existing outdoor seating. The aesthetic of this build out will remain consistent with aesthetic currently there. (Hardy plank siding) Any of the parking spots that will be lost to this, will be made up within the remainder of the parking spots which are he believes in excess what was required.

Mr. Rudloff asked if a new stamped site plan was going to be submitted.

Mr. Gabardi stated that a new site plan will be submitted. He is working with Williams & Sparages who will be completing the site plan, as well as some other documentation that relates to the current septic in place.

Mr. Rudloff stated that he did a drive by and the previous or last site plan that had whatever features proposed. There is no island there, but what is there is a cape cod asphalt berm that runs along there with a low wall, almost below grade, and then there is white pvc fencing that goes off roughly where that wall is and then it's just a berm. North of that there's a Jersey barrier and he's wondering why the Jersey barrier is there.

Mr. Gabardi stated that dumpster is located next to the proposed bldg.

Mr. Jim Dietz stated that the Jersey barriers was required for the outdoor dining. When the company came to pick them up, they forgot that one.

Mr. Rudloff stated to piggyback on the bldg. inspectors concern for public safety, right in that very location. How does that get addressed and let's just talk site light, not architecture. Are you protecting people right there?

Mr. Dietz stated that nothing has changed from the original drawing from 2010. That whole side where the existing patio, berms and dumpster area are and nothing will change in that area.

Mr. Rudloff stated that there has certainly been a change. You didn't carry out the plan you proposed. There's no island there, that island is a 5' island, if you zoom in on it and you don't have an island. You have just a piece of bit berm that goes up on the right hand side there. You're using every bit of that stall and you need every bit of that for a waste truck to get in and pull an 8' or 12' yard dumpster out of there. The architectural plan shows 2 trees in that 5'

island, that doesn't exist. Right now it's just fencing. There's no trees, berm or planters, even if you were to do it, how many weeks until waste management takes it out.

Mr. Dietz stated that's consistent with what was approved prior to them coming in here. They've made no changes whatsoever and are making no changes to that.

Mr. Rudloff stated that they need to be sure that Williams & Sparages does a proper as-built property. Not just assume what was proposed and was never done when they built the place. It should be taken into account that it should be done.

Mr. Dietz stated that they can take this up with Williams & Sparages when they come out to the site to do the updated site plan. One of the concerns brought up by the building inspector was the pedestrian hazard, out by the patio.

Mr. Pearce asked if there was intentions to put bollards in.

Mr. Dietz stated that he checked with Rich Williams of what would be code required as far as bollards and he didn't believe there was any specific code requirement for bollards given the fact that we would have on this 22' x 24' build out which will have the 4' frost wall provide adequate patron protection. This 12' x 24' will have a fenced section that will tie into the current fence that is around this area. There's no use of bollards out there, currently, for any patron protection. There is a berm that sits up approximately 6" to 8" above the level and elevation of the parking lot.

Mr. Hayden asked if the CPC ever reviewed that little outdoor patio. Was that after the fact and the building inspector reviewed it because of the size. It was used as a smoking area, but with the Covid tables were added and that's why the Jersey barriers were there. There have been a number of accidents with cars crashing into buildings and what is there is not going to stop a car.

Mr. Rudloff stated that cars backing out of the parking spots near this area is also a safety issue. To comment on "there's no code requirement" is an empty statement.

Mr. Pearce stated that the fire department wants better access to the fire detection control.

Mr. Dietz stated that he spoke to Deputy Galvin and he did call out the fact that the way they are setting up this new area for a handicap ramp and the fact that we are closing off 4' worth of section for handicap van accessibility is going to give him what he needed to park a fire truck and put hoses at a reasonable angle, to connect to the fire apparatus which is against the bump out of the side wall. He presented the architectural rendering for discussion. The exterior elevation shows what they want to add.

- 1) Two windows will be repurposed with a set of doors (closest to IPF) that will be the access point to their brewing production area.
- 2) Handicap ramp will be placed in front of the new access and will also be used for receiving and sending out grain and spent grain. Will also give proper access to fire the fire items.
- 3) Approximately five parking spots will be removed to create a 22' x 24', 3-season bump-out, very similar to the Horseshoe Restaurant. The main entrance to Dos Lobos will remain the same. The outward facing wall will have retractable windows/overhead style doors. They will be at ground level on the left side wall to allow access to a 12' x 22' patio.
- 4) Add a 2nd pylon sign, on the south side of the building, on Main Street. (not shown on plan) The original plan called for a sign at this located and there is an existing concrete pad, but the sign was constructed on the north side of the building.

Mr. Pearce asked if the original plan shows this change.

Mr. Dietz stated that when they took over the building four years ago that sign was not seen from the road, very well, so with the owner Jim Dimitri they decided that they were going to redo the entrance and move the sign to the other location which was all approved.

Mr. Hayden asked if they were moving or adding a sign because this could be an issue.

Mr. Dietz stated that they are adding a sign, but if it is an issue they won't add it.

Mrs. McKnight stated that she would check the zoning bylaw because she thinks that they are only allowed one pylon sign.

Mr. Pearce stated they are looking at an old plan and we may be a little premature in our meeting not having an up to date plan, other than the red-line. It would be a good idea to get a plan with all of these changes added to it, so we can look at it all at once.

Mr. Dietze stated that this PDF was uploaded to the town, along with the prior plan, dated 12/2008, so there should be two versions of this plan.

Mrs. McKnight stated that they do have those plans, but there are some elements that have not been incorporated into the plans.

Mr. Hayden stated that he sees where all of the mash and distilling tank will be located, but wanted to know what they are doing with the open space area.

Mr. Dietz stated that from the shared wall with IPF, there is a production area, drink rail and 48' of continuous trough drainage.

Mr. Hayden stated that the plan needs to show that the space to the left, behind the tanks is IPF. How many seats are in the Dos Lobos area? How many people will be working the brewing area?

Mr. Dietz Sr. stated that there are approximately 175 seats, but coded for 200 seats. The function room consisted of approximately 150 seats, but as the plan shows they will have approximately 100 seats.

Mr. Dietz stated that with the added 3-season and patio, it will total 150 seats. There will be three people working in the brewery.

Mr. Rudloff stated that the elevation and FDC should be marked out for the fire department. Is a code analysis being done? Is this change in use?

Mr. Gabardi stated that the way they are thinking is that this is just a rebrand, an extension off of a restaurant.

Mr. Dietz stated that they are going for a brew pub license which is essentially a brewery restaurant with retail. The building inspector told them that because they are not distributing any of that beer there shouldn't be any new zoning required.

Mr. Rudloff stated that it's not so much the zoning, if the building inspector has looked at it and says it's okay. It's also the occupancy that could drive different requirements. Based on the FDC you obviously have your wet system, but you might have a different coverage requirement because of the F2 requirement, in that small sliver you have on the left area of the plan. That's all pure production and should be factory. You're going to have multi-use across this, whereas before it was more of a restaurant use, occupancy and this could trigger different things. It's not necessarily under the purview of this commission, but somethings missing in the drawings set. You should probably have a code, a page on the cover page that gives a little bit of an analysis that you usually see on a new set of drawings. It may all be the same after they do that check, but the bldg. inspector has indicated that he would like to see some confirmation that that's been looked into.

Mr. Dietz stated that he will speak to the architect and discuss a code analysis with him and see if they can get a separate page to clear up some of these questions.

Mr. Hayden asked that the revised plans be sent to the planning department no later than January 14th, so that they can review them before the meeting.

Public hearing continued to 1/19/2021 @ 7:30PM

Planning Administrator updates**Central Street sidewalk project**

Mrs. McKnight stated that the Capital Committee has invited her to join their meeting on January 14th at 4:30pm to discuss the central street sidewalk project. If anyone is interested, she can pass along the information. The town engineer will also be joining the meeting.

Business Grant programs

Mrs. McKnight stated that she was made aware of new business grants and is trying to get the word out. MGCC sector-specific grant program is focused on things like fitness centers, restaurants and bars that are really having a hard time. She has heard from a couple of businesses that they believe they're eligible. This doesn't have the same income eligibility requirements as the earlier grant program that we've been working with and so were hopeful that it will apply to more people. The deadline for this is January 15th, so it's a pretty tight turnaround.

Main Street & Winter Street project

Mrs. McKnight stated that Abacus has gotten back in touch with some further refinements to the plans that they've been working on. She can share the information with the CPC and schedule them for an upcoming meeting. She did pass along the information about Mr. Carroll discussing the project with some developers and they felt that that seemed to be pretty consistent with what their understanding was. They've also been reaching out to some in the development community about this, with a slightly different kind of a focus maybe more of a high level view rather than on the specific of the site, but they said that they would gather whatever feedback they were getting from developers and pull it together for us.

5G Small Cell

Mrs. McKnight stated that she believes that the CPC is going to be dealing with the 5G small cell situation. She had a brief discussion with Warren and they thought maybe March 1st would be a good meeting for us to have a workshop discussion about that. We had also mentioned at one point getting an industry representative to talk to us about 5G and what it's going to look like and really how it's rolling out and how the whole thing works. Kopelman & Paige recommended that she reach out to a gentleman who works for the City of Boston who has been very involved in their communications, broadband and small cell networks. He was kind enough to write back to her and said that he would be willing to talk to us at a meeting. She has a draft policy that Kopelman & Paige prepared for us that would involve us kind of customizing it a little bit to talk about some of our aesthetic preferences, but it actually goes pretty far and is much more detailed than she thinks some of the sample work that they had given to us in the past. Now that this has moved along a little bit and we understand more about what we're allowed to regulate and what were not allowed to regulate they have really been able to pull together a nice draft for us that doesn't leave us to reinvent the wheel. It actually seems pretty manageable and she can share this with everyone.

We were recently notified by Mass Office on Disability that we received a grant to do an ADA evaluation and transition plan. Meg Roberson from the Commission on Disabilities alerted us to this. The plan has not been done and has been overdue for a while, so this is something that she had spoken to the town administrator and they both agreed that this would be a good time and the building commissioner too. We received a \$35,000.00 grant to do that work, so we'll be looking for a consultant to get under contract.

Carpenter Drive

As we discussed at the last meeting we have sort of a small group that is going to be discussing some of the preliminary stuff with Carpenter Drive. They plan to have a meeting with the neighbors because they have been seeing work going on and have questions.

Mr. Pearce stated that they should bring it to the Select Board before putting it out to the public.

Mr. Vincenzo Stuto of the Select Board agreed and will put it under his committee reports and have at least a brief discussion with the full select board.

Adjournment at 9:01PM

Respectfully submitted,
Ryan Carroll, Clerk

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