



RECEIVED  
BARBARA STATS

2021 FEB 17 AM 9:16

**Town of North Reading**  
*Massachusetts*

*Community Planning*

TOWN CLERK  
NORTH READING, MA

## MINUTES

**Tuesday, February 2, 2021**

Mr. Warren Pearce, Chairperson called the Tuesday, February 2, 2021 meeting of the Community Planning Commission to order at 7:39p.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

Mr. Hayden 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.

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

### **303 Main Street – Site Plan Review – cont. P.H. 7:30PM**

Mr. Rudloff stated that he really had no objections in support of the project, but not being on the CPC in 2017 when the last plan was approved and what was being presented at the first meeting with mark-ups and then the second meeting they had a plan that was called as-built, but 3½ years have gone by since the approved plan, so he just wants to be sure that what they're presenting on the as-built plan matches what was approved or last approved by the CPC.

Mr. Hayden stated that if you look at the proposed changes where the proposed handicap ramp is, he doesn't think that their basins, they must be connections for the wastewater going out to the grease trap and to the septic tanks. They're basically, working right on top of them. Are they going to relocate those?

Mr. Pearce stated that those are the covers to access the tanks and theoretically it's sealed up and shouldn't emit too much into the bottom of the peoples cars.

Mr. Pearce closed the public hearing.

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

I move that the Community Planning Commission vote to approve the plan entitled, "Existing Conditions, #303 Main Street, North Reading, MA. 01864"; dated January 27, 2021; drawn by Williams & Sparages. Subject to the terms and conditions of the Certificate of Conditional Approval dated 2/2/2021 as amended this evening

### **Mallard Lane – bond release**

Mrs. McKnight stated that there is still an easement issue that she's working on, with the applicant's attorney.

**Zoning Board of Appeals**

152 Central Street – On the petition of Holly Mattera for a home occupation special permit for a consultative services business.

- The CPC does not object, provided the applicant adheres to section 200-42 of the Zoning Bylaw, Home Occupation.

118 Chestnut Street - On the petition of Richard Lanzillo for a special permit to raise chickens.

- The CPC notes that the application does not indicate the number of chickens to be kept on the property.
- The CPC recommends considering impacts of the proposals on neighbors.

104 Lowell Road – On the petition of Pulte Homes of New England LLC, for a variance from section 200-40B (2)(e) maximum stories of four. The applicant proposes to add one additional story to four (4) of the future buildings at Martins Landing know as 260, 280, 300 and 320 Martins landing Drive. The additional story will make the four (4) buildings five (5) stories. The proposed height of the four (4), five (5) story buildings will not be fifty-nine feet, four inches (59.4") which is less than the sixty (60) foot zoning requirement.

Mr. Pearce prefers to wait until after this item has been discussed on the CPC agenda tonight.

**Housing Choice Act of 2020 Update**

Mrs. McKnight stated that she received correspondence, today, from Kopelman & Paige regarding the above. She has a few questions that she would like to discuss with K&P. This makes change to the State zoning stature Chapter 40A. Much of that revolves around changing the number of votes that are required, from super majorities to simple majorities for projects that involve multi-family housing. Especially in certain locations and at certain densities, and she still has to go through it to figure out exactly how it will apply to us.

Mr. Pearce asked Mrs. McKnight when she says super majorities compared to simple majorities, super majority of whom?

Mrs. McKnight stated that it depends what we're talking about. Zoning changes that involve multi-family housing, certain types of multi-family housing projects will now be able to be passed by a simple majority of town meeting, rather than the two-thirds vote that were used to. Also, for issuance of special permits for boards that issue special permits relating to projects that involve certain types of housing. For example, it would be just a simple majority, so there are a few different scenarios where our normal practices might be a little bit different.

Mr. Pearce stated that we would run afoul of the law if we have a special permit process in that particular case.

Mrs. McKnight stated that in the near term we will need to look at our zoning bylaw to see if there are references to the number of votes that are needed for example and some other things that are in there.

Mr. Pearce stated that he's not surprised to see this as something that the state's been looking at, for a long time to try and improve the housing stock.

Mr. Vincenzo Stuto asked Mr. Pearce if he would like him to try to get some information. Maybe he could coordinate with Mrs. McKnight to see how soon the legal obligations are for us.

Mr. Pearce stated that it says that this goes into effect January 14, 2021. He did read through it, but they were generic about who was the voting and that's why he was wondering how we relate to a candidate.

Mr. Hayden stated that it kind of like they have their MBTA communities and of course North Reading is one of them. We pay in, but have absolutely no service to get anybody from here to there, using the MBTA, but it says that within that it's a preliminary list, not a permanent list. So, he thinks that they're going to make some changes at some point.

Mr. Pearce stated that is actually important to us for a couple of reasons. Only a majority vote of the legislative bodies require to enact the following types of zoning bylaw in order to change the following multi-family housing, mixed use development. For example: The project that Mr. Wheeler is working on, when it goes to Town Meeting it will not require a two-thirds vote. Just a simple majority that's a substantive change for us. In the towns or in the cities where they already have a lot of that zoning in place, it's nothing for them, they don't care.

Mr. Hayden stated that we do care.

Mr. Pearce stated for a small community like this, where we've been very protective, maybe too protective of some of our zoning. This is significant, so we may see that before us more often now, with that realization because we've already seen a couple of times what happens if you get enough people at Town Meeting, you get something to work.

Mr. Stuto asked if there are any cut outs to this rule, or is it a blanket rule, or are there any exceptions. Is it still the normal, he's assuming it's still the normal kind – If there's an environmental or a health, or anything that that still applies, it's not like the 40B rules.

Mr. Pearce stated not at all. If you read through its pretty clear, so essentially it's housing choice law. The state of purpose is to finance improvements to the commonwealth economic infrastructure, promote economic opportunity, however, it is primarily aimed at housing.

Mr. Hayden stated that the best thing is that they put some money behind this (682 million dollars)

Mr. Pearce asked how they are going to use the money.

Mr. Hayden stated that they have to comply with the Housing Choice Act to be eligible.

Mr. Pearce stated that they should look at this more closely and have a meeting with K&P to see if they can help us manage this. We may have to go to the October Town Meeting to make changes and updates, in order to be in compliance.

**104 Lowell Street/Martins Landing – Priority Development Site Master Permit Revision**  
**cont. P.H. 8:00PM**

Mr. Peter Gazzara Sr. asked at what point they are with this whole project.

Mr. Pearce stated that they're requesting to add a 5<sup>th</sup> floor to four of the buildings.

Mr. Matthew Leidner of Civil Design Group stated that they left the January 19, 2021 meeting with questions from this board to be answered.

1. Elevator – Pulte met with their architectural team and elevator team to discuss if it would be feasible to add a second elevator to those five-story buildings. And they did confirm that this is not required under the building code. However, they also did confirm that it would be feasible in those five-story buildings to add a second elevator.
2. Parking garage spaces –
  - a. Building #200 – All but 4 of the parking spaces are occupied and those 4 spaces are dedicated to the model home units which are unsold at this point.
  - b. Building #220 – Entire parking garage is occupied.
  - c. Building #230 – All but 3 parking spaces are occupied and there are still 6 units left to sell.

An additional parking study was submitted with the application. The actual usage of the parking at Martin's Landing, as well as other similar projects justify the special permit requested for parking. Based on the feedback and discussion at the January 19<sup>th</sup> hearing they went out with MDM Transportation consultants who is both the traffic consultant on this project and did the original traffic study back in 2017. They did two additional parking counts on January 26<sup>th</sup>,

(very early in the morning, just after midnight, and at 7:00pm) to count the actual spaces that were being utilized as well as their proximity and convenience to the entrance of the buildings. The parking ration proposal at Martins Landing is for 1.9 spaces per unit. So, it's more than what is typical on very similar Pulte projects. It's their opinion that it's completely justified, based on the parking study, including the additional parking counts that were done on the 26<sup>th</sup> and will provide more than enough convenient parking for the residents, including the additional five-story buildings. They have received comments from some of the residents regarding the parking and he wants to clarify that there is no reduction proposed in the number of parking spaces. The project has been sent out for peer review for both stormwater and traffic. In terms of stormwater they received two separate peer review letters from Design Consultants, Inc. There were no major items for the stormwater review. However, they did request some clarification regarding depth groundwater and the infiltration capacity of the soils, on the one basin that there are modifying.

Mr. Pearce stated that DCI's primary concern was that they wanted to make sure that there was enough separation, so the basin above would not ultimately affect the storage underneath. The ability of the soils was high enough where they thought that might happen unless it can be proven that it wouldn't.

Mr. Leidner stated that they did respond to that letter and they have since yesterday, issued a second peer review letter confirming that they adequately address the stormwater concerns and no further action on that.

Mr. Robert Michaud, Managing Principal of MDM Transportation Consultants stated that now that additional units are occupied, they took the opportunity to confirm what they saw previously and documented as a peak parking demand ratio, as well as to distinguishing those folks who are parking in the garage vs. who was parking in the surface component of the property. They observed where people are parked in this particular timeframe at 12:45am. Most if not everyone would be at the units that tends to be the time based on industry standards that is recognized as the peak parking demand period. Building #1 has 50 available parking spaces and 45 of those spaces were utilized.

Mr. Mark Mastroianni, Senior Land Entitlement Manager of Pulte Homes stated he just wanted to clarify there were 45 prime surface spaces and 22 were occupied and 23 were open.

Mr. Michaud stated that the term "prime" is considered any space that is closest to the building within the structure itself. Building #4 and #5 had very similar results. There is more than enough parking to meet the demands, based on spot count. The equivalent parking ration in this is about 1.3 parked vehicles per occupied unit. The national standards would show a peak parking demand of about 1.43 or 1.47 parking spaces per unit. Based on empirical information MDM has for many similar residential communities in Massachusetts, those peak parking demand numbers are also between 1.4 and 1.45. This parking demand is highly consistent with



the empirical information, the real county information for very similar communities in Massachusetts its well below the 2.0 standards that are held by the town, and it certainly well below the 1.9 standard that they are seeking approvals for. Parking is not constrained here, they believe that there is sufficient reserve capacity for folks to park and perhaps have visitors. They see similar results at 7:00pm.

Mr. Pearce asked if the tenant is told that they have a limit of how many vehicles they can have on the property.

Mr. Mastroianni stated that they do not limit the vehicles per tenant, but everything works out. If their successful and move forward with this application, 239 of the 502 units are one bedroom units and the rest are two bedrooms, so if somebody has three cars parked there, but it all evens out because many of the other units will have one car.

Mr. Hayden stated that they are adding more parking spaces, but not for proposed additional units and the residents are concerned.

Mr. Mastroianni stated that they are not asking for two parking spaces per unit, but are requesting approval for 1.9 parking spaces.

Mr. Michaud stated that they received the 2<sup>nd</sup> peer review from DCI, dated February 1<sup>st</sup> and their conclusion was that they concurred with Pulte's findings and that the original recommendations that their documented in their February 27<sup>th</sup> traffic impact study remain valid.

Mr. Pearce stated that this board will need to wait to make a decision, after the ZBA has made theirs because the zoning bylaw limits the number of stories, so they really could not violate their own dialogue.

Mr. Hayden stated that DCI put in three considerations for the traffic report and it seemed to him that it was rejected out of hand by not even answering comment #1.

Mr. Pearce stated that with a project of this size, he tends to agree that the additional 52 units would have any large impact.

Mr. Hayden stated that he is old enough to be living at Martins Landing in a one bedroom, but there are two of them and they would have two cars.

Mr. Pearce stated that they will have retired couples that will only have one car.

Mr. Raymond Barry of 23 Martins Landing stated that he appreciates all of the work Pulte did on the parking. If those three buildings that they did the parking analysis on have a fifth floor, it would be much different. There would be a lot more cars, there would be another 36 cars, another 12 units for a building without parking and they also stated that in building #230 there were 3 parking spaces that were available. He doesn't believe that's true because he has notes down in the basement, saying, if you want to sell your parking space he would like to buy it.

Edie VonKreaganburg of 230 Martins Landing stated that she asked if she could buy a parking space and was told that she couldn't because there were no space left.

Mr. Mastroianni stated that the additional 52 parking spaces that's being proposed as part of their permit modification are being located around the five-story building, so that is the purpose of adding in the extra 52 spaces, so that when they look at the overall parking for every building and they look at every single building individually they believe they're providing sufficient parking for each building on its own merits, with proximate parking for each they've done that parking study and are very comfortable with that. As far as the parking spaces as they've mentioned, there are still three available parking spaces in building 230. However, they are available for the 6 units that are still for sale.

Debbie Dahl stated that she's thinking about buying an electric car, but there are no charging stations at Martins Landing. Is this something that they plan on doing?

Mr. Mastroianni stated that there are no provisions or proposals for electric car charging stations at this time. If the board thinks that that was a good suggestion that would be something that they will be open to considering for the project.

The public hearing was continued to February 16, 2021 @ 8:00pm.

The CPC notes the following comments to the ZBA application:

- The project is currently before the CPC for a revision to its Priority Development Site Master Permit, which includes addition of a fifth story to four of the buildings, as well as parking changes. The CPC has not yet reached a decision on this application.
- A variance from the maximum number of stories, issued by the ZBA, would be necessary before the CPC could complete its review and issue an approval.
- The CPC did not reach a consensus as far as making a recommendation to the ZBA on the issuance of a variance. However, we note that we generally encourage adherence to the provision of the Zoning Bylaw.



**148-150 Park Street - discussion**

Mr. Pearce stated that he is assuming that this is being shown to the CPC to see if we want to be involved in sponsoring the zoning change or if Mr. Wheeler wants to do it as a citizen's petition.

Attorney Chris Latham stated that they are looking for the board to sponsor this because obviously, give more gravitas to it, the town tends to respect the CPC and that's why we're coming to you tonight, but following up on the working session that we had last time, and so, in terms of the senior housing overlay district. Atty. Latham produced a screen shot of the Town of North Reading, Massachusetts Housing Production Plan. In terms of sponsoring, particularly in terms of affordable housing that's obviously one of the things that falls to the CPC and there's a couple of other things that are obviously noted, as well, such as a vibrant Community Center. He knows that the town has gone back and forth thinking, maybe it should be on Route 28/Main Street, but you folks also have the historic downtown, and so he thinks were already have a center that could potentially be more vibrant and then obviously reference here to partner with developers of private properties and once again we're talking CPC. On these matters being a potential sponsor and party, so obviously The CPC, most of the CPC identified on page 9 of the housing production, long term residents, especially elderly have finding themselves less able to maintain their homes and keep up with increasing expenses, particularly property taxes were pressed to find alternative housing that better meets their current lifestyle and pockets and you've got in great detail about targeted housing needs. Particularly affordable units for moderate income people and you basically know (page 58) housing needs for seniors are growing as population continues to become a larger segment in North Reading's population, cost burdens remain significant. You reference a lot of significant facts that he thinks underline a huge public need and that's what they think this overlay district will provide. It's basically going to satisfy a public need and be a general benefit to the entire town. In the Housing Production Plan the CPC list that increasing number of households with seniors, high projected growth of that particular segment of the population, in fact, the report, the housing production plan basically says that housing for this particular segment from 55 to 85 years is noted in it's going to go up by 36% which is projected to go up by the year 2030. So obviously the CPC can see there's a lot more people that are going to be living alone. Households headed by seniors is going up with limited income. It also notes some issues that the town is facing right now, such as limited housing choice, an in this particular overlay district is going to give choice. If the overlay district was accepted by Town Meeting, It still has to go through site plan review and the CPC would have control over that process whether they grant special permit, or not, in terms of the overlay district.

Mr. Pearce stated that Attorney Latham did a great job. He asked how big of an area, do they foresee this on the overlay district covering.

Attorney Latham stated that they are talking about the 148-150 Park Street properties. But, if the town thought it would be worthwhile they could actually incorporate other properties into the overlay district.

Mr. Pearce stated that there are more people who might feel a lot more comfortable voting for that, if they thought it was a benefit for the whole town, rather than one person.

Mr. Bruce Wheeler stated that they are going to design an incredibly beautiful building and execute the construction perfectly.

Mr. Tony Capachietti of Hayes Engineering presented a PowerPoint for the Proposed Senior Housing Overlay District. The goal is to provide quality housing for persons over the age of 55, with walkable setting and onsite amenities. The proposed bylaw includes 20% or open space, a maximum of two bedrooms per unit, elevator access for any multi-floored buildings and the overlay must be within 250' of a public park, common or library and provide onsite amenities, such as a common space, low impact exercise areas. The proposed location encompasses 146 50 150 Park Street with a total acreage of 4.25. It is currently within the local business district and they would like to expand the overlay to cover that parcel.

Mr. Hayden stated that he is also on the Historical Commission and wanted to know what the present foundation on the building is.

Mr. Wheeler stated that it's mostly a rubble stone foundation. He's been concerned about moisture and rot in the sill, so it's going to be moved a half a foot higher to get separation from the ground.

Attorney Latham stated that they added a section to the proposed bylaw that give a preference to the extent that it's allowed by law to people who are residents of North Reading or employees of the town, or parents, child, sibling of a resident of the town.

Mr. Rudloff stated that he is not opposed to anything he's heard or seen, and would agree with Mr. Pearce that the rest of the residents might not favor as much a single applicant type of approach for a land area, so potentially expanding that might be a better idea. He is in support of this proposal.

Mr. Carroll asked if there is an anticipated number of units to do this project.

Mr. Capachietti stated that the maximum under the proposed bylaw would be 50 units. They've done a few concepts, but nothing is set in stone.

Mr. Carroll stated that he thinks it's perfect for what was envisioned for this area and the location is perfect for the use and it's a desperate need for the town. It's a great proposal and he is fully supportive.

Mr. Hayden stated that he is in support of this zoning change.

The consensus of the Community Planning Commission is that they will support the Article.

Mr. Michael Gilleberto stated that the deadline for warrant articles is Monday, March 15 at 4:00pm. He concurs with Mrs. McKnight that the more developed the warrant article is, the certainly the better. If we have sort of the gist of the article out there and are still working to fine tune it. He thinks that that's something that could considered and that they could work with, but he thinks their right on time.

### **Minutes**

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

that the Community Planning Commission vote to approve the minutes of January 5, 2021 as written.

### **Planning Administrator Updates**

#### **Facilities Master Plan – appointment**

Mrs. McKnight stated that they still don't have a member representative and she doesn't think that it's extremely urgent because based on the last update with Abby Hurlbutt, it looks like the focus is going to be on the fire station. But, at any point if the CPC is ready to assign a member or wait until we have a new appointment and then we'll have five people to choose from.

Mr. Pearce suggested that they wait a little while until the Facilities committee gets a little more organized and start working on more projects.

### **CPC Meetings**

Mrs. McKnight informed the CPC of upcoming meetings.

Adjournment at 10:20PM

Respectfully submitted,  
Ryan Carroll, Clerk

