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Town of North Reading
Massachusetts

TOWN CLERK
NORTH READING, MA

Community Planning

MINUTES

Tuesday, May 18, 2021

Mr. Warren Pearce, Chairperson called the Tuesday, May 18, 2021 meeting of the Community Planning Commission to order at 7:00p.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

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.

Warrant Articles – discussion

4, 12 & 14 Concord Street

Mrs. McKnight stated that she attended the last Select Board meeting and they mentioned that it would be helpful to them if they could have a recommendation from the CPC before Town Meeting.

Attorney Jill Mann of Man & Mann stated that Sergio Coviello wanted to send a map showing what he's proposing to do which was what was included in that letter to the CPC. They also sent the letter and plan to the Select Board and all of the abutters. Sergio wanted everyone to understand that his desire is not to alter the nature of the character of the street and for the abutters across the street. He is going to retain the two buildings that are right on Concord Street. The proposal would be to locate the commercial building in line with the buildings that are used by Bobcat. He has also offered to walk the property to discuss any concerns.

Mr. Pearce asked the CPC members if they might want to take a position on this, or have any comments.

Mr. Rudloff stated that in reviewing the plan it seems very reasonable to him and he is in support of this plan. He thinks that it fits in with what is going on, on Concord Street and what they want to have going on. It's not heavy industrial, its light and Mr. Coviello's reputation speaks for itself, and stands for itself. Because of those reasons he supports it.

Mr. Johnston stated that he has driven by there a few times after the last meeting and he thinks it mitigates the concerns that he had and it would have his support.

Mr. Pearce stated that he also supports this zoning change. Many years ago when the abutters bought their property on Concord Street it was zoned as heavy industrial. He asked Mrs. McKnight if she could find out what companies were there that are no longer there and she produced a list that showed quite a few trucking companies. The CPC then developed the

Industrial Office zoning district and applied primarily to Concord Street, but also to the J.T. Berry Center, in order to control what was allowed.

Mr. Hayden stated that his opinion hasn't changed very much. He's concerned about the encroachment and what's going to happen next. He agrees that he would like to get more commercial space back in town. His vote at Town Meeting will be to not support this change.

Mr. Hayden moved, seconded by Mr. Rudloff and voted 3-1:

that the Community Planning Commission vote to recommend the Article 31 (article to rezone 4, 12, and 14 Concord Street) as printed in the warrant.

Mr. Pearce asked for a roll call: Mr. Pearce, Mr. Rudloff and Mr. Johnston in favor. Mr. Hayden opposed, Mr. Carroll absent)

146-150 Park Street

Mrs. McKnight stated that they received some feedback in the draft warrant from Town counsel, but which we received long after the public hearing took place. In addition, to that, the Select Board had expressed wanting to see some additional material added to the article and those things involved universal design for the units and a local preference for both the affordable and the market rate units. So, working with the attorneys they prepared some amendments to be made with the motion, but in the back and forth, it was pointed out to us by Town council that generally zoning can't regulate the interiors of buildings and it can't regulate tenure. So, they've made some adjustments to the language. Attorney Brad Latham has prepared some additional language into the draft.

Attorney Brad Latham of Latham and Latham stated that they met with the Select Board and they seemed reasonably receptive to what's being proposed and will appear before them on May 24th. They clearly wanted to have a local preference included in the bylaw itself and they have no objection to that. In fact, they have worked up a conceptual local preference plan, although it's not part of the zoning itself. The language was drafted and reviewed by Town Counsel and what is in front of the CPC now is the end product that Town Counsel approved that would have to be a motion to amend the main motion at Town Meeting that would basically say "as part of the special permit process the applicant will submit a local preference plan to the CPC and will look for input from the Select Board and will provide for the market rate units because the affordable units have their own DHCD regulation and there'd be local preference on those, but a different standard. This would require that every market rate unit would have a local preference for residents of the town who meet the criteria of being over 55. It also includes former residents and employees, as well as parents' children and siblings of residents of the town. There would be a requirement of advance notice, the details of course

would be what the CPC impose as part of the special permit process. So, this just imposes an obligation for an applicant to go through that to give the town citizens a chance. The first chance at the units themselves. So, that is the item that would be substituted in paragraph K of section 200-169. What was there before was the requirement for an elevator and there was discussion of universal design, but those are interior aspects of a building that can't be regulated in zoning, so Town Counsel is right to tell us to take those out and because it therefore left the spot and they put the local preference in that section. So, there'd be a motion made hopefully a friendly motion, to amend the main motion, to add that. There was one additional motion, a provision in the proposed zoning that enables the CPC to waive the requirement of the configuration or location of driveways and intersecting streets. He thinks good advice from Town Counsel was that there should be some standard there, so he added it to the end of that existing language, and it would be that the CPC may waive those requirements if you find that the location of the site driveway will not create an unsafe condition, so this is added to have some criteria for such a waiver if the CPC is inclined to give it. Those are the two changes that again need to be changed or handled by a secondary motion to amend the main motion.

Mr. Hayden asked Mr. Latham if the CPC finds that the driveway is safe and adequate then they can give a waiver (example: that it can be on the lot line where it doesn't conform in the zoning standard) is that correct?

Mr. Latham stated that is correct. He also informed the CPC that they had discussed with the Board of Selectmen to add some features to the town common, at the expense of the applicant, and would be maintained at the expense of the homeowners association. The features would be to add a walkway on the side of the town common and a couple of benches.

Mr. Hayden stated that he believes that there is some Indian land in that area and there is supposed to be "no digging". He will do some research to try to find out more about it.

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

that the Community Planning Commission vote to support the motions to the Article (Senior Housing Overlay District) as discussed this evening.

Mr. Pearce asked for a roll call: Mr. Johnston, Mr. Rudloff, Mr. Hayden and Mr. Pearce in favor, none opposed. (Mr. Carroll absent)

110-124 Main Street – SPR and Floodplain Special Permit – cont. P.H. 7:30pm

Mr. Bill Hall of Civil Design Consultants, Inc. stated that they received a peer review from Design Consultants, Inc. and have revised the plans to address comments from them. DCI requested drainage calculations. They're removing a large gravel area and replacing it with grass to provide the flood storage, and they are able to remove the roof drywell. It has recently come to his attention that the site storage has been somewhat contentious in the past, on this project, so they would like to discuss with the CPC what they could do to make them comfortable with storage on the site. In discussing with the applicant because it's a lumber yard and they get different materials in, especially in the rear of the building, all of the time, and there are trucks coming in and out dropping stuff off and they have to shuffle stuff around, they believe it would be difficult to indicate exactly where on the plan they would be able to store things in the rear of the building, simply because they're always shuffling everything around to make room for the next shipment or delivery. But, if there's something they can do to please the CPC, they would be open to that discussion.

Mr. Pearce stated that he believes the outside storage of materials is prohibited unless it's behind a fence. Is there an area that could be fenced in, to put all of the storage?

Mr. Hall stated that currently what he has seen on the site there is a fenced in area on Main Street, but he's unsure if they have any storage space there. They have storage underneath the building's overhang in the front and he would think that they would like to keep that. He's not sure what the CPCs opinion is on that.

Mr. Hayden stated that most of the storage underneath the overhang are items for sale, so they should be able to tell us what they're going to have under there because it's seasonal, so it changes.

Mr. Pearce stated that that is not the area that they're concerned about. They're more concerned with the area further out back.

Mr. Hall stated that that is correct because the way the bylaw reads is "any outdoor storage has to be fenced, and there's a lot of storage that they have out back that isn't fenced, per se, not visible from the street because there is a big long building in front, so he's not sure if there's something they could put on the plan or in the decision, so that is addressed.

Mr. Hayden stated, so there's no gate that locks off the back at night?

Mr. Hall stated that he's not sure and would have to check.

Mr. Pearce stated that because of the nature of the business he thinks that it's a little difficult to identify what's for sale and what's sitting on the ground waiting to be put away someplace else which would be the storage issue they're talking about. If it's all behind the building he doesn't see the issue.

Mr. Hall stated that this discussion does help and they have a few more items to wrap up with DCI, but they should be prepared for the next meeting.

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

that the Community Planning Commission vote to grant the requested continuance for the public hearing for 110-124 Main Street until Tuesday, June, 2021 @ 8:00pm

Mr. Pearce asked for a roll call: Mr. Johnston, Mr. Rudloff, Mr. Hayden and Mr. Pearce in favor, none opposed. (Mr. Carroll absent)

5G/Small Wireless Facilities Zoning Bylaw P.H. 7:45PM

Mr. Pearce stated that he was recently in Indiana and he noticed 5G wireless setup on a pole. He started looking for the great big box that's in the bylaw and it's not there. So, he's wondering how they are doing this. He took some pictures and meant to send them to Mrs. McKnight, so that she could put them into the file for tonight's meeting. They have a very small sign on the pole stating the following: "Caution – Beyond this point radio frequency may exceed FCC rules for human exposure", and there's a little bunker on the ground, next to it, approximately 3' x 2'. He asked about this before and was told they couldn't do that, yet that's exactly what they did. It's so neat and unobtrusive that he's wondering why we're having so much trouble with this.

Mrs. McKnight stated that she thinks it varies. Some have a bigger box and some of them don't. There's one in her neighborhood that doesn't seem to have a box, or not a very big one. She thinks it has something to do with their setup and what Town Council is trying to say is these are the standard things that people consider. She doesn't know if it's an option to require that all the boxes be underground. It wasn't really presented as an option, but she can ask if we can require them to be exclusively underground.

Mr. Hayden stated that there may be times that they can't go underground.

Mr. Pearce stated that they can go ahead and do the zoning for this, but he feels that it is somewhat incomplete.

Mr. Hayden stated that they kind of thought that already. The 5G carriers are not sharing their information with the people anymore because they think that they are going to get

stonewalled, and in this town we never did that. We figured out a way to make this work for them and for the citizens.

Mrs. McKnight stated that she does have a presentation which she's not going to be able to share at Town Meeting now because she realized there's no visual, but it could be a handout. She did share the PowerPoint and gave a presentation at this meeting. (See attached)

Mr. Pearce stated that they don't have anything in the bylaw regarding signage.

Mrs. McKnight stated that it would be in the aesthetics and design regulation policy.

Mr. Pearce opened the public comment portion of the hearing.

Mrs. McKnight stated that this bylaw was already submitted to the Select Board and referred back to us, to hold the public hearing. In terms of making a recommendation for Town Meeting, the CPC can do that if they want to. This hearing is less than 21 days before Town Meeting, so the CPC is required to give a report. It can be an oral report and we normally do give an oral report, anyway. But in this case it is a requirement or town meeting can't vote because we are close to Town Meeting.

Mr. Pearce closed the public hearing.

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

that the Community Planning Commission vote to support the Small Wireless Facilities zoning bylaw at the June 2021 Town Meeting and to recommend its passage to Town Meeting.

Mr. Pearce asked for a roll call: Mr. Johnston, Mr. Rudloff, Mr. Hayden and Mr. Pearce in favor, none opposed. (Mr. Carroll absent)

200 Riverpark Drive – Site Plan Review – P.H. 8:00PM

Mr. Taylor Dowdy of the BSC Group presented the proposal. He stated that the Takeda Facility is approximately 92½ thousand square feet. This project is for a simple bump-out of approximately 3500 square feet, on the back of the building, with the inclusion of an ADA ramp to accommodate ADA parking space and an additional grass strip to make up for the loss of green space that the new sidewalk on the side is taking up. They are connecting the roof drains into the existing stormwater system. There is a sewer line that's also being connected into the back and they are staying out of the 100' buffer zone, in the rear, so no conservation review or approval is needed. Design Consultants, Inc. did review the project for stormwater came up with some comments that they have adequately addressed, based on the response he received

from Mrs. McKnight. There was one other comment that came from the Commission on Disabilities and they were asking about connectivity to the front of the site. Right now there's no sidewalk connectivity to the front door, basically the idea behind that is that this is not necessarily a public facility. There's not general members of the public that would come here to shop for the items that Takeda produces inside and they feel that there is equivalent access from the ADA spots and the regular parking spaces throughout the site.

Mr. Hayden stated that he sees in the front that there are four existing handicap spots, how would they enter the building from there, and could they add two spots in the back corner.

Mr. Dowdy stated that they would enter via the front door and yes, they can add two spots. They are in compliance with the Zoning Bylaw parking spaces.

Mr. Hayden asked what size trucks would be entering and exiting the site.

Mr. Dowdy stated that they are tractor-trailer size.

Mr. Pearce opened the public comment portion; there were no comments; and he closed the public hearing.

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

that the Community Planning Commission vote to grant the requested continuance for the public hearing for 200 Riverpark Drive until Tuesday, June 1, 2021 @ 7:45pm.

Habitat for Humanity - discussion

Mrs. McKnight stated that she and Mr. Kevin Fusco have spoken about Habitat looking for a site in North Reading, and the town owns quite a bit of property and the affordable housing overlay district seems like it would be a really great opportunity because those are generally sites that are town owned and are ready to be put out for an RFP to be developed. There all really intended for the sort of small scale development that habitat generally does and really between one and eight units on each of these sites. She shared the zoning map that shows all of the affordable housing overlay district properties. They reviewed and discussed some of the properties. They are looking for three to five units, so whether it would be a couple of consecutive properties, or one of the larger sites. She did try to narrow it down a little bit for this discussion. She saw that some of the properties were a little bit wetter than other properties, and some of them seemed to be a little bit easier in terms of access, or didn't require a roadway to be built out. She has a couple of recommendations of where the CPC can focus their attention, but if anyone has any thought about it too. Property on Haverhill Street (old RMLD site), 44 & 46 Oakdale Road are possibilities. The one on, Old Andover Road is really wet and the larger sites on Edgewood would need to have a road built

Mr. Pearce asked Mr. Fusco if he had a chance to look at these sites.

Mr. Fusco stated that they had their engineers look at the properties and the possibilities. They are very excited at the mere prospect of doing a project or projects in North Reading. The Haverhill Street site is an absolute possibility. They haven't done an assessment of Oakdale, but looks really promising. The site on St. Theresa Street looked really good and 5, 9, and 13 West Street were possibilities as well. They're completing a project in Billerica and starting one in Concord and they would be thrilled if the next project could be in North Reading.

Mr. Pearce asked what they would need to move forward with this.

Mr. Fusco stated that working with the CPC and Mrs. McKnight to pick one or two of the properties, and then do whatever is necessary to affect the transfer, and then they can start raising funds almost immediately for the build. They always get the community involved and always make sure the houses fit the character of the communities.

Mr. Pearce asked Mrs. McKnight what they need to do to open up those top two choices.

Mrs. McKnight stated that they would need to go to Town Meeting to allow the Select Board to convey the property and would be required to do an RFP process which would be pretty straightforward. She thinks that they would be able to get some assistance with that. If they stay on top of things it would be nice to target the October Town Meeting for this, if Habitat is ready to go ahead with it. If they're interested in more than one site we could put three properties on the warrant, or however many it might be.

Mr. Hayden stated that he actually worked on one of the Habitat homes in Lawrence and Mr. Fusco is absolutely right that once the homes are built you can't tell the difference because they fit right into the neighborhood. The new owner of the property was there the same day that he was and it was absolutely wonderful to see them working to build the home. He asked if these homes will count towards the affordable for the town.

Mrs. McKnight stated that they would aim to have these on the subsidized housing inventory.

Mr. Fusco stated that the houses they build have always met the affordable housing guidelines and they put deed riders on the property so that they remain affordable. They select families based on their ability to pay and their need. They're doing their 50th house now and they've never had a foreclosure and they hold the mortgages on all the properties. He saw the discussion earlier about the community preference, and they work with some towns that desire and we build into the selection process that they either live or work in the community, so that's certainly an option.

Mr. Pearce asked if putting out an RFP would anyone that wants to build and affordable (i.e. 40B) able to compete against Habitat for Humanity.

Mrs. McKnight stated that they can prepare an RFP that reflects what the town wants and we might identify after that that we will be working with Habitat. But, it would be an RFP, not a direct sale.

The consensus of the CPC is that they fully support the project.

215 Main Street – Site Plan Review – 8:30PM

Mr. Pearce opened the public hearing.

Mrs. McKnight stated that the applicant asked to “Withdraw without Prejudice” because the sale of the property was not going to go through.

Mr. Carroll joined the meeting.

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

that the Community Planning Commission vote to grant the applicant’s request of May 6, 2021 to withdraw the Site Plan Review for 215 Main Street, without prejudice.

Mr. Pearce asked for a roll call: Mr. Johnston, Mr. Rudloff, Mr. Hayden Mr. Carroll and Mr. Pearce in favor, none opposed.

303 Main Street – minor modification

Mrs. McKnight stated that she placed this on the agenda because she thought that she was going to be getting a plan for it, but didn’t receive it in time.

EDC vacancies and candidates

Mrs. McKnight stated that the EDC has three positions open for full voting members. She believes at the Select Board’s May 24th meeting, at least three of the CPC members will be attending for the informational hearings on the warrants, they’re hoping to do a joint appointments. The candidate’s resumes are in the Sharefile folder for the CPC to review and if the CPC would like to discuss any of them now.

The CPC will review the EDC applicants before the May 24th meeting.

Minutes

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

that the Community Planning Commission vote to approve the minutes of April 6, 2021 as written.

Mr. Pearce asked for a roll call: Mr. Johnston, Mr. Rudloff, Mr. Hayden Mr. Carroll and Mr. Pearce in favor, none opposed.

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

that the Community Planning Commission vote to approve the minutes of April 20, 2021 as written.

Mr. Pearce asked for a roll call: Mr. Johnston, Mr. Rudloff, Mr. Hayden Mr. Carroll and Mr. Pearce in favor, none opposed.

Zoning Board of Appeals

6 Anglewood Lane- On the petition of Robert Lambert for a variance from the front setback for a porch and the side setback for a garage.

The Community Planning Commission has reviewed the above-referenced application and has the following comments:

- The plan appears incomplete – the elevation drawings do not show the side of the property contains the garage proposed to be added.
- The application is incomplete, with information not entered regarding the dimensions for which variances are requested.
- 7 feet is close distance to be considered for a side setback from the garage.

9 Mill Street – On the petition of the Town of North Reading for a variance to authorize the property to be divided into two lots which would have insufficient frontage.

The Community Planning Commission has reviewed the above-referenced application and has the following comments:

- The CPC does not recommend the issuance of variances for frontage but would be happy to meet to discuss alternatives to the proposal.

57 Marblehead Street - On the petition of Sean Mahoney for a special permit to raise chickens.

The CPC recommends considering impacts of the proposals on neighbors, and not allowing roosters.

Planning Administrator Updates

Reminder: May 24th – Select Board meeting.

Update: EDC and Chamber of Commerce - The CPC has a line item of \$20,000.00 every year for the EDC, and they have not had a lot of success being able to find good uses to spend it, but this year the EDC is partnering with the Chamber. The Chamber received a grant and the EDC is using \$13,000.00 to do some business promotion and shop local – encouragement activities, along with the Chamber. Secretary Kennealy of Housing and Economic Development came to visit North Reading this morning to congratulate the Chamber on the grant they received.

Mrs. McKnight will be on vacation the first two weeks in July.

Mr. Hayden will out of town July 12th through the 16th.

Mr. Pearce will be very busy the first 3 weeks in July.

Adjournment at 9:18PM

Respectfully submitted,

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

Ryan Carroll, Clerk