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Town of North Reading
Massachusetts

TOWN CLERK
NORTH READING, MA

Community Planning

MINUTES

Tuesday, June 15, 2021

Mr. Warren Pearce, Chairperson called the Tuesday, June 15, 2021 meeting of the Community Planning Commission to order at 7:30p.m. in Room 14 of the North Reading Town Hall, 235 North Street, North Reading, MA.

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

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

9 Mill Street – Informal Discussion

Mr. Joe Parisi, Director of the DPW stated that he was informed that in 2017 the town purchased 4.6 acres of land with an existing home at 9 Mill Street. There is an easement for a water line that runs through the property, and it was thought that this property would be valuable for a pumping station, for some time in the future. The goal is to subdivide the land to sell the property with the house on it, and keep the remaining property, for future use and at that time they will make proper access to the lot. There is sufficient access to the house with the driveway that's always been there, off of Mill Street. To make this parcel conforming to a degree that they can is to reserve an area of land that creates a sort of a roadway into the back lot. The cul-de-sac provides sufficient frontage for both lots.

Mark Clark of the Water Department stated that the history of this lot which the CPC is probably familiar was at one time they were looking at getting water from MWRA through Mill Street in Reading. Around the same time that they bought this property, Andover stepped back in and said that they already supply water to North Reading and can meet all of the town's needs, and that it would be cheaper without buy-ins and the infrastructure the town would have to do to go to the MWRA. So, they purchased this lot and never had a use for it. One thought was to sell it off as is, but there's been a lot of sentiment that they're not creating any more land in town, so we keep a piece of the land that we could use in the future and sell the land with the house on it. The property only has 95' of frontage on Mill Street, so obviously to split into two, we can't get two limited frontage lots at 50' each, out of 95'. They've consulted with Gerry Noel, Building Inspector and Mrs. McKnight to an extent and this is the plan that they've come up with.

Mr. Pearce stated that if they create this cul-de-sac, then they solve both problems. They will get frontage for the lot in the back, as well as the house lot which would make them legal. The concern that the CPC has is that when they looked at this in the beginning, was that they would be creating two non-conforming lots and the CPC frowns on developers trying to do this, and the Board of Appeals has stood with them on not allowing people to get variances for frontage.

Mr. Parisi stated that this would be a laid out roadway with a cul-de-sac with proper frontage. Does the CPC need a set of plans that officially shows this new layout?

Mr. Pearce stated that it would be a good idea to have it approved now, whether it's constructed or not having it approved and maybe doing renewals on that approval as they go along, every three years to keep this in place, so it doesn't expire.

Mr. Parisi stated that they will have the engineer draw up a plan and then will return to the CPC for approval.

Mr. Carroll stated that it looks like there is an opportunity for more than one buildable lot.

Mr. Parisi stated that there is not because of the wetland area.

Mr. Hayden stated that there is a 20' easement, but no water line.

Mr. Clark stated that there is a water line in the easement that was put in in the 70s. It goes through this property and goes out through 364 Park Street.

Mr. Carroll asked if they move the pumping station to the southern portion of the cul-de-sac is, would that free up the back area for another buildable lot, to sell. There are a lot of parcels around town that we're stowing away for future use and then the use goes away, and we continue to stow them away.

Mr. Parisi stated that they are not looking for more buildable lots and are not interested in selling anymore of this land. They're looking to house an infrastructure for the town.

Mrs. McKnight asked how they would handle the subdivision. The property doesn't have frontage now because it will be unconstructed, so if the CPC did approve a subdivision to allow this new cul-de-sac to act as frontage. She just wants to be sure how they're handling that if they're allowing the frontage to be a paper street layout. The building inspector has communicated to her that he wouldn't recognize frontage until it was at least a gravel, accessible way, so she's just needs to understand if this comes in for a subdivision. To sell the lot now, but to construct the way later that gives it frontage. She wants to be sure that it won't be problematic for the CPC, since she knows with other properties like the Cedar Street subdivision for example, where the CPC told applicants they couldn't do that.

Mr. Parisi stated that his view of this is that there is an existing house lot that has adequate access, he can clear some shrubs and throw some gravel down and make a path or a road along 200' of that house lot, but why? As far as the other lot, he doesn't really need to get access to it because there is no plan to build, so again why disturb what's there and make a mess of things until the full picture is known as to what to build. He would like to present and actually have the survey done of the roadway that will be separate out from all the other areas and have the two different lots, and be able to record that. He thinks every developer goes through that process and at some point they'll start building when they want to get their money back. This is a little different here because they don't want to necessarily sell the back lot.

Mr. Pearce stated that he thinks that this is a little different, also. They're not looking for a building permit because the house already exist. We've had a situation where a cul-de-sac was put in, but it was not built, just a turn-around was put in, but the cul-de-sac was still on the plan. So, this is going to be a similar situation, it may be stretching it a little bit, but he thinks it's legitimate in that once the plan is done and it's approved.

Mr. Parisi stated that the plan can show that it's not a buildable lot until the road is built.

Mrs. McKnight asked if the lot would not then become non-conforming?

Mr. Hayden stated that when he's looking at the access now (see plan) the highlighted red area shows where it comes out that's 50', is that correct?

Mr. Parisi stated that is less than 50'. They're keeping it out of the wetlands area, but they've got about 41' there.

Mr. Hayden stated that would be illusory, wouldn't it. They need to give the house lot more room, back 50', so that they've got enough to create the frontage.

Mr. Pearce stated that they need to talk to the building inspector about what level of work might need to be done for him to be okay with it.

Zoning Board of Appeals

12 Nutter Road – On the petition of Marie Washington for a home occupation special permit as an independent nurse contractor.

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

- The CPC does not object to the request, provided the business adheres to the criteria of §200-42.

200 Riverpark Drive – On the petition of BSC Group for a special permit to work within the Aquifer Protection District to build a 3,500 square foot addition at the back of the existing warehouse. The proposed building will be placed over existing pavement.

- The CPC supports the applicant's request, and issued a Site Plan Review Special Permit for this project on June 1, 2021.

Minutes

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

that the Community Planning Commission vote to accept the minutes dated May 18, 2021 as written.

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

that the Community Planning Commission vote to accept the minutes dated June 1, 2021 as written.

265-271 Main Street – Minor Modification

Attorney Michael Dolan of Brown & Rudnick stated that he is representing VOLTA Charging. VOLTA is proposing to install two units in the parking lot of the Stop & Shop on Main Street. The proposal will include restriping two of the existing parking spaces – to note: that it is the electric vehicle charging station spot, and then adjacent to it is the charging station with the line run into the car. In the northerly spot as shown on the plan, the charging station itself will go in a triangular portion of a striped area adjacent to the proposed charging stall. On the southerly location they are proposing putting the charging station in the island adjacent to the parking spot.

Mr. Pearce asked if the cord that plugs into the cars is universal between all the electric cars.

Attorney Dolan stated that this is a level two charging station.

Mr. John Lawrence from VOLTA stated that the plug they use is a level two charge. It's called a J1772 and will charge every single car that's out on the market, the only exception to that is a Tesla, but when you buy a Tesla they give you a little adapter, so you put that on the cord, so effectively it charges 100% of the electric feed.

Mr. Rudloff asked if bollards would be used to protect the units.

Attorney Dolan stated that the northerly unit will have four bollards around it, and the other unit on the island has the concrete curbing around that one. So, those are the kind of models that they've used throughout the country that meet regularly good safety practices and standards.

Mr. Pearce stated that he would like to see a picture of the one on the island to see if it might make sense to put one bollard in the front.

Attorney Dolan produced a photo showing the island.

Mr. Pearce requested that a bollard be placed in front of the unit.

Mr. Hayden stated that the Fire Department is requesting a remote disconnect switch within sight of the charging station which could be keyed to their lock box key.

Attorney Dolan stated that his client has familiarity with doing that and they can comply with that. There may be a specific detail to how their system is set up for that, in connection with that purpose. They will meet the spirit of that request that they would obviously do whatever the fire department wanted, before they install it. There might be one technical aspect to it that they might have to run by an engineer.

Mr. Hayden suggested that once they come up with their solution, they should meet with the fire department.

Mr. Rudloff asked if there was a plan to add more, based on demand.

Attorney Dolan stated that if they need more then VOLTA will probably do it.

Mr. Rudloff asked if there is there sufficient conduit size to feed additional ones.

Mr. Lawrence stated that typically they only run one 4" conduit to each of them.

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

that the Community Planning Commission vote to grant the requested minor modification and approve the plan entitled, "VOLTA, Stop & Shop, #2406, North Reading, Phase I, 265 Main Street, North Reading, MA 01864; dated March 11, 2021; drawn by Kimley Horn, with conditions as noted in the minor modification approval letter dated June 15, 2021, as amended this evening.

110-124 Main Street – SPR and Floodplain Special Permit – cont. P.H. 8:00pm

Mr. Bill Hall with Civil Design Consultants stated that they have received approval from the Conservation Commission and all of the peer review sign-offs. At the last CPC meeting there was a discussion about outdoor storage, so he revised the plan and put a couple of labels on it to reference two new notes, #12 and #14. Both under the front façade and then in the rear and sides of the building.

Mr. Pearce asked if the building inspector okay with the elevations.

Mr. Hall stated that he is.

Mr. Hayden stated that the building inspector is still concerned about the storage of outside materials.

Mrs. McKnight stated that the building inspector wanted to know who the entities were, who leasing storage there were. Her question is, is that storage area specific enough for the CPC to approve as outdoor storage. Do they need a border or fencing?

Mr. Pearce stated that the bylaw requires fencing.

Mr. Hayden stated that there is no fencing. The site is wide open when the facility is closed.

Mr. Carroll stated that the notes are good, but they don't limit it to any particular area, so they're just storing stuff everywhere.

Mr. Pearce stated that they're not going to do that anymore. It should not be allowed to the sides of the existing building without approval.

Mr. Carroll stated that if they're planning to store behind the building, it should be put on the plan where it's going to be, that way the building inspector has something to back him up if he goes there and the storage is somewhere else.

Mr. Pearce stated that the plan was supposed to show that the storage is not going to be on the sides of the building. The bylaw requires that if you're going to store those materials that there be fencing, so we're not going to violate the bylaw and allow them to store without fencing.

Mr. Rudloff asked if all of the notes apply to all of the existing buildings, for instance the shed which is not noted here which he thinks Reading Lumber refers to it as shed 1.

Mr. Hall stated that the intent was just behind the main building in the front because as was noted there's a screening requirement, and the way the way the site is it's raised in the front and lower in the rear, if they're storing stuff behind the main building, it's not going to be seen from the street, so it was the intent to have it behind the main building and as Mr. Pearce stated it's really more of an intent where they're not going to store it, because what they do now is they get paving stones and lumber, things like that and they have to sometimes move stuff around to make room, so they didn't really want to be limited by fenced in areas for their storage.

Mr. Carroll stated the other way that they can approve it is if it had a limit on either end of the building for the extent of the storage behind it, but to Mr. Hall's point it is going to be lower and that's not really going to be noticed.

Mr. Pearce stated that it is quite a bit lower and it's not going to be seen by driving by it. However, in the future there will probably be some oversight, in other words the building inspector is probably going to go look, to be make sure that if they do begin to store that they would be in violation of that and it would be necessary to fence it, as it says in the bylaw. So, it

may behoove them to put some short pieces of fencing up in the corners at the very least to provide them with some protection for anything that might be stored out there.

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

that the Community Planning Commission vote to approve the plan entitled "110 Main Street, North Reading, MA, 01864; dated February 8, 2021; last revised May 19, 2021; drawn by Civil Design Consultants, Inc. Subject to the terms and conditions of the Certificate of Conditional Approval dated June 15, 2021 as amended this evening.

ZOOM Meetings

Mr. Pearce stated that he was speaking to Mr. Hayden about the attendance at the Zoom meetings, compared to the public meetings and they found that there were more people in attendance, and they discussed how it might be possible to invite people into this meeting other than watching on the television, because they don't participate. They would like to be able to do both the public meetings and ZOOM, but there is probably a cost to that.

Mr. Vincenzo Stuto of the Select Board stated that as of right now we're back to pre-rules. However, his understanding of what is in the bill is to continue what was always allowed. At any point the Select Board could have voted from March 2020 to meet in person, it's just that no one was doing it because of the circumstances. He cannot speak for the whole board, but he can give an opinion that he feels that the hybrid option would be popular. He also feels that at least a quorum of the elected, actual board in person, would be highly desirable. He thinks that the 100% remote option is that he doesn't think that they'd be back to where they were two weeks ago. But, he does agree that the hybrid works especially for the School Board because a lot of parents can't make it out to the meetings.

Mr. Pearce stated that in the winter time with inclement weather a meeting would not need to be cancelled if we could do like the schools do.

Mr. Stuto stated that after September when things get back to normal, the Select Board would have to reload again, what was the pre-Covid rules which is pretty much that we could do hybrids. However, it was made very clear that it cannot be used out of convenience, and the Chairperson cannot be remote at any time, or the gavel would have to be passed on to another member for that meeting.

Mr. Hayden stated that they're not really talking about the board or staff because looking at plans and other documents is easier when it's in person. It's bringing the other population into the meetings and getting their input, because that really helps the board and we got a lot of that during the ZOOM meetings.

Mr. Stuto stated that if they pass an emergency order, then we don't really have to verify that our technology is going to work 100%, and if all of a sudden ZOOM sops working, well tough. If the State is going to mandate it, he can already see the pushback from every single locality because of the funding.

Planning Administrator Updates

- Discussion with TEC for Rte. 28 – traffic study survey design
- EDC business event – Horseshoe Grille on June 8, 2021 @ 5:30pm

Re-organization of Officers

Mrs. McKnight called for nominations for the Chair.

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

that the Community Planning Commission vote to elect Mr. Pearce as Chairperson for a one year term.

Mrs. McKnight then handed the gavel to Mr. Pearce who called for nominations for Vice Chair.

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

the Community Planning Commission voted elect Mr. Hayden as Vice Chairperson for a one year term.

Mr. Pearce called for nominations for clerk.


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

the Community Planning Commission voted to elect Mr. Carroll as Clerk for a one year term.

Re-organization of Liaisons

The re-organization of liaisons will be continued to the June 29, 2021 meeting.

Adjournment at 9:20PM



Respectfully submitted,
Ryan Carroll, Clerk