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**Town of North Reading**  
Massachusetts

*Community Planning*

TOWN CLERK  
NORTH READING, MA

## MINUTES

**Tuesday, July 20, 2021**

Mr. Warren Pearce, Chairperson called the Tuesday, July 20, 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  
Jeremiah Johnston

### STAFF

#### PRESENT:

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

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

**Main St./Winter St. – concepts - discussion**

Mr. Pearce stated that he has been thinking about this project and what's going on here and in the rest of the world and then taking into account, the fact when we approach developers with this project and they kind of gave us the cold shoulder. So it occurs to him that the template that we're working with doesn't work and we have received a few hints from the people that we've spoken to about where they might want to go with this. He's thinking back to the presentation that Abacus gave when they first came to us, and it occurred to him that for this project that we're trying to move forward with is that it has to be attractive to developers. He thinks primarily they'd be willing to build housing, that's the marketing, and we kind of knew this after they planned to build all that commercial property at the J.T. Berry site and ended up with all residential.

Mr. David Eisen of Abacus Architects + Planners stated that doesn't preclude other kinds of development, but the money's going to come from the housing.

Mr. Pearce stated that what needs to happen to this project is that we need to eliminate the commercial entities from this site.

Mr. Hayden asked if this was 100% of elimination.

Mr. Pearce stated no mixed use, but maybe some amenities on that site which were not shown in any of the plans, such as a pool and field, so that it has an attraction that goes beyond just a place to live. He also thinks that they would want to take the area at 97 Main Street (old Stop & Shop site) and create a large indoor farmer's market, similar to what was shown in the presentation with two stories for stores on top and little restaurants on the bottom. This would be a destination location, not just for the people in that complex, but for the whole town and from out of town. It's a unique concept and he thinks that they should embrace it. The problem is that there is no excitement whatsoever in what we're doing right now and nobody's interested. So, if we want to move this project along we need to rethink it and he thinks a project like that is what would do it.

Mr. Eisen stated that the reason this project, as he sees it, is stopped is not because the CPC or his company have not formulated the right mix of uses. The reason it's stuck in its tracks is no one is taking this seriously because we don't have the property owners at the table and the market will determine the use of the land. Leaving the commercial in there will give ideas like a farmer's market which is terrific stuff to get people excited, but then this would play out when developers get interested and developers will get interested when there's a sense that the property owners are willing to negotiate and willing to come to the table.

The property owners that have been notified about this concept know when they look at the template that we're working with isn't going to work unless we get a developer interested in it, and the only way to do this is to eliminate the costs that are associated with the commercial enterprises on the first floor because they're all loss leaders and a developer doesn't want to build them.

Mr. Eisen stated that the reason developers are not jumping at this, has nothing to do with the commercial on the property. They don't need us to erase commercial from the development proposal. They know how the market works and they'll come to the table. The reasons why developers are not interested is that this isn't a hot property compared with other properties. It's not on the commuter rail line, there's no big office development, there's no college, there's no big commercial development, or a major hospital, nearby and that's where developers are going, so all the developers have said that this isn't their first choice. We need to be able to talk to the property owners and the planning department has tried to bring them to the table. If there was a big public meeting and everybody were invited, including the property owners to look at some of the visions that we've developed, and see if the residents are interested and then the property owners see that there is interest in doing this development.

Mr. Pearce stated that they should probably try a different method to get the people interested, then just inviting them to a meeting which they tend not to show up. If Mr. Eisen thinks that they should leave some of the retail in, he's ok with that, but he still thinks that housing project needs to have amenities.

Mr. Eisen stated that they have done a concept with green space located by the river with the idea that it could be any and all of that.

Mr. Pearce stated that they need to revamp the plan and put a large building that has enough indoor market to accommodate a large number of people all year long. He would like to have colorful pictures with this concept, along with the other concepts that were shown at earlier meetings sent out to the land owners to look at.

Mr. Carroll stated that he agrees with Mr. Pearce in regards to the pamphlet, but he doesn't think the issue is what's on the plan. He said this was a community space for the entire town and he thinks getting into building amenities specific to making the apartments leasable with a pool or tennis court is outside of the goals that we're trying to accomplish here. He does like the idea of a food hall, which was one of the options, but he doesn't know if putting that on this plan versus the plan that we currently have changes and as Mr. Eisen said the developer's going to come in and decide if there is too much on the plan that he doesn't want to do. All those permutations can change, but he knows for a fact, at least in the circles that he's in, in town if people got a mailer that had even one of the renderings that have been done to date, on the front side and the new downtown North Reading on the back side, and that a meeting was

coming up to ask the people to come and support a project like this in their town, he thinks the turnout would be fantastic from that and maybe that momentum's enough. When the first notice was sent out to the parcel owners, what was the response?

Mrs. McKnight stated that she received two responses from the notice that was sent out. Mr. Lucci called, but he wasn't really interested in discussing this site, but he was more interested in discussing another of his properties. Mr. Heffron wanted to set up a meeting, but not about the plan that we had done. She can't be confident that the other property owners received the notice, but she did follow-up with emails and phone calls, but didn't have luck reaching anyone. She doesn't know if this is because the contact information is old or outdated. She did track down a new address in one case, but she still hasn't received calls back and in the case of the owners of Stop & Shop, who had been excited to speak with us a few years ago when Ocean State Job Lot came in, at the idea that we might be looking at some planning and rezoning efforts in that part of town, there is absolutely nobody who will call her back. She doesn't know if branching out, as far as maybe someone having a contact who could give her a better idea of who she really should be getting in touch with. One of her bigger concerns is the owner of the mobile park who reached out to her a few years ago who had expressed interest in looking at a redevelopment plan for that area, but she hasn't heard from him and she's a little wary of advertising too widely about the concepts that we're thinking of without the people who live there knowing about it. When we were discussing this project it was kind of like the sky's the limit and think about what we would really like to see there and then we'll figure out the details, but at this point if we're talking about having a larger meeting she is concerned about the people who are living there.

Mr. Eisen stated that a lot of work has been done, but it really hasn't gone beyond this committee. Abacus Architects has done a lot of work for cities and towns where they take other people's properties, and these are conceptual ideas about how to develop it and facilitate zoning changes that's often the point to build public support, and never in the years that they've been doing this has some landowner said "How dare you take my piece of property and show development ideas on it without asking them." Sometimes they ignore it until it gets real and then they say that they had no idea, and find it really interesting." So, his inclination is if there's been reach out to property owners and they're not jumping up and down over it, maybe a combination of a big public meeting and a brochure would be more helpful. He doesn't think changing the design alone is going to get people interested.

Mr. Pearce stated that the feedback that they got back from the developers is that the commercial space is basically a loser for them, so they're not interested in building something they're going to lose money on, and they would have to charge so much for the other ones in order to make up for it and then it becomes a more difficult sell for them. The margin disappears into the retail spaces.

Mr. Eisen stated that the challenges from what we're hearing from all the developers both on this and other projects, is that the developers are not going to pay for the exciting stuff. If you want those amenities this town is going to have to pony up for the swimming pool, the tennis courts, for example, or the big market hall, at least to get it going. So that's the challenge of showing all this exciting stuff in a public forum.

Mr. Pearce asked where the money came from for the market place that was shown in a slide by Abacus.

Mr. Eisen stated that the usual thing to do is an RFP for development. Cities and towns are pumping a lot of money into their developments. The town needs to take some incremental steps forward. This town is at a disadvantage because a lot of cities and towns have bought up some of those properties, so this is one area that the town is competing for developer's interests against other properties that are in municipal ownership.

Mr. Pearce stated that he knows Mr. Eisen is correct in part of that, but if we don't create a situation where there's some excitement then we're not going to be able to bring it to the town to get the town to say they'll put some money into this. This could be a project for the Economic Development Committee, to get involved in trying to market the big building with the indoor market, and that might be something to market to another developer. So, if we're going to do that and then we have the project where we build this housing and maybe it's got a little retail on it and if it doesn't, that's not really important. The fact is there's enough buildings here, it's a guaranteed customer base for this commercial development, and if it's successful it'll draw from the whole town and maybe from surrounding town.

Mr. Eisen asked if the Town of North Reading going to pay for that.

Mr. Pearce stated that he doesn't know if they would, but if they could get seed money from them we might be able to get development ability.

Mr. Eisen stated that he does believe that enough work has been done by his team that there can be real excitement, but it's just not leaving this room. If the CPC can gather all of the committees for a meeting he can do a slideshow for all of them to see. This property does have opportunity to bring real rewards from North Reading through some combination of public-private investment to be negotiated.

Mrs. McKnight asked if she should resend what she has originally sent out to the property owners, but take not only just the final design concept that we've been talking about, but all of the various. She could do color slides, or numerous sheets and take a little packet and mail it to each of them.



Mr. Pearce stated that is headed in the right direction, but he thinks that it still needs to be a little more to it and he thinks the concept of having the indoor space that would have all this ability to provide something for the town all year long.

Mr. Hayden stated that if you're looking at amenities for the apartments the town is not going to build amenities for the apartments, the apartments have to build the amenities. The town is not going to build a swimming pool because they had one and it got filled in because of the liability insurance cost. He also spoke to some of the people and they are very concerned with more housing, especially there. These apartments are going to have 2 to 3 bedrooms which usually means that there will be children and the concern is that the schools are going to get over loaded again. Apartments were never really in the population projection of the school system.

Mr. Pearce stated that if that's the position we're going to take there's no sense in even doing this project.

Mr. Hayden stated that what we have so far, is not so bad. One of the things that he sees is the price the property owner look at and they see a building that's like a community building. Who's going to pay for that? He thinks that should be gone and that's a discussion after they figure out what to do with the property, or if we can get somebody in to develop the property. Then we pony up if we're going to put some kind of a community building or a town hall which he always thought would be a great place, but that is something that the town has to build.

Mr. Pearce stated that if the town sells the property at 235 North Street where the current town hall is, we would certainly have enough money to build a town hall.

Mr. Carroll stated that for him one of the hurdles for the people in the town, in taking this seriously, is actually having a plan to pull it together and just conceptually he agrees the town hall always seemed like a good fit to relocate to that site. He wonders and this is (hypothetical entirely) because he doesn't have any idea how the numbers work out, but if we pull together appraisals for this property and the Stop & Shop property (197 Main St.) and came up with a conceptual site plan for Stop & Shop and the plan is that the town acquire the Stop & Shop property (again, hypothetical) for 3 million dollars, build a two million dollar town hall on it and sell 235 North Street to make back the 2 million dollars, it's a one million dollar investment and we've created the cornerstone and here's the brochure for what we envision for a larger development in the future, but we're telling the town that we have to take the first step. We're going to create a place where people are already coming and now we have that plan and we start getting public support for that and then we enroll the larger plan and we have something tangible to bring to investors.

Mr. Pearce stated that he likes this idea, but it goes back to getting the town to do this.

Mr. Carroll stated that some of the people are going to be risk averse to even spending the money to do the design on it, and some people are going to be willing to do that, and some people are going to say go build it and let's figure it out afterwards. He thinks if they can at least start advancing design we'll start getting more support.

Mr. Rich Wallner stated that he thinks it really is a public and private combination conference, and so if what we heard before about opening up the permitting and making the permitting to be an easy thing for developers to think about. We have to kind of come forward saying we're going to work with them to make that happen, so they don't have that as a sticking problem, and the other one is the package treatment plant that we know is 3 million dollars. Let's think about how if we emptied up that and put in the package treatment plant. How are we going to pay for that? Let's say that right now the revenue from those five property owners is \$190,000.00 a year, and if we put in the housing that we're talking about, not including the retail, it will generate about 1.6 million dollars a year. That is a tremendous payback to do all of the funding we're talking about and it's something that we don't have right now and if we're doing it as new money, it'll help fund all these things that we're talking about, town hall, community center and the package treatment plant, and will still come out on the positive side. So, that by the time the sewer comes down and connects up to the town in 10 or 12 years, we're hooked up and we're home free. What do the developers want to hear and what do the owners want to hear. Not everybody wants to be part of the project, they want to be bought out.

Mr. Eisen asked about the town facility master plan. If they can get the committee that's looking into all of this, on-board, and then have a meeting to share the information would be a good start.

Mr. Wallner stated that he believes the order is 1) fire station, 2) DPW, the four season wheeler barn 3) Intergenerational community center, with or without State support. There has not been any formal votes, but from what he's hear everybody's on board with creating a downtown center. The only thing they're arguing about is where the intergenerational community center should go, and he thinks that it belongs in the downtown area. He thinks that the amenities should come through the intergenerational community center, to some degree because he thinks that's where parks and rec. should be sitting in. The should be offering those programs to rising seniors, seniors and the youths who are coming from the schools, who are not part of athletics, who are not doing after school programs.

Mr. Carrol stated that he is in agreement to Mr. Wallner's point, of the housing study. He thinks this development is very appealing to empty nesters, who want to stay in town.

Mr. Wallner stated that it is empty nesters and the young people in town who have been pushed out and can't move back into the town. He would take the three bedrooms and townhouses out of this and make them one or two bedrooms. It shouldn't be five floors, five

townhouses out of this and make them one or two bedrooms. It shouldn't be five floors, five floors is way high and it's going to repel people.

Mr. Eisen stated that the difficulty was that they laid down three floors and every developer said the exact same thing that it wouldn't work.

Mr. Wallner stated that the town has to realize that they need to come up with some money, realizing from our tax revenue we can fund these things and make it work.

Mr. Carroll stated that he thinks it would be strategic too and wouldn't rule out the five floors, just yet.

Mrs. Liane Gonzalez of the Select Board stated that as a rising senior in town, she just thinks that there are a lot of what-ifs and maybes and she doesn't know, being said. The town doesn't own any of it and it's too complex. She feels that the idea is wonderful, but she doesn't think it's the right place. There is a lot of town owned land that we could be looking at, other possibilities.

Mr. Eisen stated that's one reason to not be too specific and say there'll be some combination of commercial retail and public places. It may or may not be a town hall or multi-general community center, if it's more general, people may say it's a great place to have a public entity, let's explore this further.

Mr. Pearce stated that he doesn't know if there are any other parcels in town that are located in that kind of a location that would be as accessible to all of the things that are on Main Street.

Mr. Eisen stated that on the current contract they are not going to be able to resolve all of the issues. He thinks the greatest gift they can give to the town is to facilitate a dialogue to give material to keep those discussions going. Almost always when they do planning projects like this, they do public meetings, because when you get people together and show them all of the information, they get excited and there are lots of questions and lots of answers.

Mr. Hayden stated that he is aware that the contract with Abacus is coming to an end and this board needs to try to draw this to an end for them. He agrees that having a public meeting either by ZOOM or in person would tie everything up.

Mr. Pearce stated that they need to decide if they are going to continue with what they have done.

Mr. Hayden stated that Abacus Architects looked at what a wastewater treatment plant could do for this site and how much would and they did this without changing a thing. The 3 million dollar treatment plant can handle all the properties, so they've actually completed the contract.



Mrs. McKnight stated that was one piece of it and then the second piece of it had to do with some development concepts and we do have several other developments, including the market hall. If they were to ask for more in the way of design, we would not be able to.

Mr. Hayden stated that the Starlight car wash was recently sold and the new owner is putting money into updating the building, so they are probably not going to be interested in this project. Part of the project was just to make sure the viability of the treatment plan and what it could handle, and then the other part was development concepts. He thinks taking it to the town at this point, for the people who know about it and want to know more about it, it's a good time to wrap this project up.

Mr. Carroll stated that the first question is going to be, how we are going to pay for it. So, if we don't have at least conceptually an idea (a land swap transaction, town investment, payback term)

Mr. Hayden stated that they all thought it was going to be some town injection of money, somehow, to get it started, especially the treatment plant. Nobody wants to pay for the treatment plant because they're not going to own it. They're going to have to pay for using it, so that part of its covered, but someone has to build it. It would be great if we could get a developer to come in and say that they're going to build the treatment plant and put all of the buildings in, but that's not going to happen. So, there has to be some investment by the town.

Mrs. McKnight asked if there is some level of that conversation that would need to happen before we did a public meeting. She just thought that they might be wary of introducing a kind of proposal that talked about Town money going into a development concept without having had a larger discussion with the Select Board and Finance Committee.

Mr. Hayden stated that they do need to meet with those boards, first. We just can't continue if they don't support it.

Mr. Rudloff stated that they need to go after the big parcel first, to be the anchor, and the Stop & Shop parcel makes the most sense. If it's successful then the developers and landowners will see the advantages to selling and expanding on it.

Mr. Johnston stated that he likes the idea of the anchor. Somebody needs to show proof of confident. Somebody needs to do it first and do it right and show the community and developers what could be done there. With so many things outside our control, it seems that we have to find a thing that we can control. If it's a fiscally positive transaction for us, then that's the kind of risk that we have to take. Looking up and down that street there's few examples of progress being made and if we wait around for a developer to do it, we're going to be waiting around forever. If it's not that location then maybe we start with a smaller project

somewhere else on Main Street that we beautify and bring people to show off the kind of values we're trying to achieve with the project.

Mr. Rudloff stated that it's multi-faceted too because the argument we talked about on the traffic study that we did last week. That has the opportunity to transform Route 28 and that has its own triggers and what the possibilities that it will bring with it, so it's a separate thing, but all of this has to work together. He's not opposed to seeing the community center over at Ipswich. He thinks it makes a lot of sense, personally. It's a natural spot and there's a lot of space there.

The consensus of the board is that Mrs. McKnight, Mr. Carroll, Mr. Eisen and Mr. Wallner will put together a PowerPoint presentation for a meeting.

#### **200 Riverpark Drive – plan endorsement**

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

that the Community Planning Commission vote to endorse the plan entitled, "GMP Warehouse Master Plan, 200 Riverpark Drive, North Reading, Massachusetts"; dated April 5, 2021; drawn by BSC Group. Subject to the terms and conditions of the Certificate of Conditional Approval date June 1, 2021.

#### **Minutes**

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

that the Community Planning Commission vote to accept the minutes dated June 15, 2021 as written.

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

that the Community Planning Commission vote to accept the minutes dated June 29, 2021 as written.

#### **Fence Requirement for swimming pools - discussion**

Mr. Hayden stated that he likes the proposed addition that Gerry Noel, Building Inspector made to the general bylaw for Swimming Pools.

(1) Regardless of power or manual covers, it shall be required that a fence be installed around pools to protect against potential drowning through the use of physical barriers. ]

Mrs. McKnight stated that she's unsure of the process because it's not a zoning bylaw, that's a general bylaw. She sure that the CPC can give an opinion, but it wouldn't be the normal public hearing process that the CPC would have for zoning, but it probably has to go to town meeting for approval.

Mr. Rudloff stated that there's no provision in the Massachusetts code for an automatic enclosure or a cover, to allow you to get rid of a fence.

#### **Accessory Development Units - discussion**

Mr. Pearce stated that the Town of Reading's bylaw regarding ADUs, is pretty good, but it does allow some things that he's not sure this board is in favor of. It would be interesting to know when they put this bylaw in place whether they got any grief from some of the higher end houses, or not, but this allows for detached.

Mrs. McKnight stated that the building inspector gave feedback saying that he would not be in favor of detached units. He would prefer that they just be within the primary structure with a limit of about 700 to 900 square feet, in size.

Mr. Pearce asked about the part where it says that no more than three people and cannot be casual acquaintances or transients. He's not sure how enforceable this is

Mr. Rudloff stated that it's the neighboring town and it's definitely different than North Reading, but we can use it, but there's definitely some issues. It should be more about dimensional and safety. The building inspector needs some help and right now he's using a modified deed restriction that's was okay through the State and Town Counsel. So, he thinks that he should continue using this deed restriction because this cannot go to town meeting until spring of 2022.

Mr. Pearce stated that the only ones that he and the CPC would be in favor of would be the ones that are inside an existing main structure.

Mr. Hayden stated that if changes are being made to a primary dwelling, there is no permit. For Reading it's by-right, but not North Reading.

Mr. Rudloff stated that he's more for that because he thinks the detached brings a lot of problems with it and those are the ones that the building inspector is having most trouble with. Everything that we have in our bylaw gives him no way to stop this other than getting creative with deeds.

Mr. Pearce stated that when we create this bylaw it has to reference the punitive fee schedule.

Mr. Hayden stated that the Reading bylaw has three items listed:

- 1) within a primary dwelling, and that's by-right
- 2) within an existing accessory building, no addition to gross floor area, so that means there is no change to a garage or a pool house, that's a special permit
- 3) a new structure or addition to the gross floor area of an existing structure, and that's a special permit

He doesn't have an issue with the first and last one with the requirements. The seconded one because there's a special permit required, he still has an issue with it being too close to the sideline because it may violate some space and those places can get noisy.

Mr. Pearce stated that that can be modified by-right, or within the zoning.

Mr. Hayden stated that they do have that it has to stay within the setback from the main street, even if part of the house is outside that, or inside the setback. The new property has to be outside the setback. It has to conform and they also want there to be enough parking for the unit. It also states that if there is a garage with a second floor, it can be converted to an ADU.

Mr. Pearce stated that a detached can't have a road or driveway between it.

Mr. Johnston stated that he thinks when they say transient people, they mean that you can't be renting to a homeless person who's renting it on a weekend basis.

Mr. Rudloff asked if the ADU is in the existing structure, why would there be a need to modify the setbacks.

Mr. Pearce stated that they may want to expand the existing structure.

Mrs. McKnight stated that that would be considered an addition and they would have to meet the current setback requirements.

Mrs. McKnight stated that Mr. Noel was suggesting an increase of 700 to 900 sq. ft.

Mr. Hayden stated that the Town of Reading bylaw says the following: An accessory department shall have a gross floor area not to exceed the lesser of one thousand square feet or one third of the gross floor area of this principal single family dwelling on the lot. Exclusive of any garage unfinished basement, shed, or other accessory structure thereon.

Mr. Rudloff stated that the 2<sup>nd</sup> condition was for an attached accessory unit, which would be a garage, would then be allowed. So, a garage attached the house would be allowed because it would not be considered as part of the dwelling square footage that was just mentioned.

The consensus of the board is:

- 1) No detached ADU.
- 2) Increase setbacks to 10'. (where not already greater due to side, rear and front yard setbacks in the zoning bylaw).
- 3) All motor vehicles owned or maintained by occupants of an Accessory Apartment shall be parked off the street in a designated driveway area or garage. The location and appearance of such driveway area shall not adversely affect adjoining properties or the single-family character of the neighborhood in general. Only one access driveway shall be permitted on a lot containing an Accessory Apartment. Any additional approved driveway space may not result in cars parking in a front yard.
- 4) The Accessory Apartment and any modifications to the Principal Single Family Dwelling on the lot shall be designed so that the appearance of the Principal Dwelling remains that of a Single Family Dwelling. Any new entry to an Accessory Apartment shall be located on the side or in the rear of the Principal.

### **Planning Administrator Updates**

#### **51 Oakdale Road**

There was an inquiry about this property which was improved as part of the Determination of Access for a School Hill Lane property. So, it's an unaccepted way, but it has been improved. Does the person who purchases the property still need to do a Determination of Access?

The consensus of the board is that they will still need to file for Determination of Access.

#### **Habitat for Humanity**

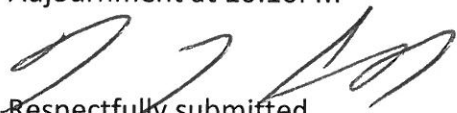
Mrs. McKnight stated that she went on a tour with Habitat for Humanity to look at some properties that they may be interested in developing and they are all located in the Affordable Housing District. They are probably going to have to request some time to speak with the Select Board about the possibility of devoting these properties to this use.

- 1) 44-46 Oakdale Road
- 2) 57 Haverhill Street
- 3) 7 St. Theresa Street

#### **Signage Bylaw**

The Town Administrator has asked if the CPC would consider looking over the signage bylaw, again because it is clearly out of compliance. The CPC expressed interest in looking at it again, but not for this October's Town Meeting.

Adjournment at 10:10PM

  
Respectfully submitted,  
Ryan Carroll, Clerk