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**Town of North Reading**  
*Massachusetts*

*Community Planning*

TOWN CLERK  
NORTH READING, MA

## MINUTES

**Tuesday, October 5, 2021**

Mr. Warren Pearce, Chairperson called the Tuesday, October 5, 2021 meeting of the Community Planning Commission to order at 7:30p.m. via Virtual Meeting (Zoom, participants may call 1-929-205-6099, meeting code 985 430 0926).

### MEMBERS

PRESENT: Warren Pearce, Chairperson  
Ryan Carroll, Clerk  
Jeremiah Johnston  
David Rudloff

### STAFF

PRESENT: Danielle McKnight, AICP  
Town Planner/Community Planning Administrator

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

### **Planning Administrator Updates**

#### **October 2021 Town Meeting – Affordable Housing Overlay District**

Mrs. McKnight stated that she spoke to Michael Gilleberto, Town Administrator this morning and it sounds as though the Select Board would be agreeable to having a joint meeting with us to discuss the strategy for these properties. She thinks that would be a good opportunity for the CPC. The date of October 18<sup>th</sup> was thrown out as their next meeting, as a possibility, and she was wondering if that might be a date that people would be able to attend, and at the same time, if they were all there, or a quorum of the CPC was there, they could do some joint appointments for the Economic Development Committee. She just wanted to bring up that date to see who would be available, and she will let them know.

Mr. Pearce stated that they need to do the best they can and move this along, so that it doesn't get buried again.

### **Sewer Project**

Mrs. McKnight stated that she's started to join all of the Wastewater meetings with the DPW and the consultant, so she's sure that they'll be hearing some updates in progress on that project soon.

### **Winter Street & Main Street – Abacus Architects**

Mrs. McKnight stated that they've talked about wanting to meet with the Select Board to talk about what they've done and that Abacus was working on a final presentation, and in terms of that work, she thinks that Abacus was a little unsure of where to go because we all of a sudden.....

Mr. Pearce stated that they sort of bailed on them.

Mrs. McKnight stated that Abacus needs us to guide them through the end of the project.

Mr. Pearce stated that if he recalls the conversation with them correctly, they were like no, we're just going to do a recap, of what we originally were going to do and what we come up with and essentially a similar presentation of what they gave us before. Because they seem to believe that keeping it pretty much the way it is, and maybe adding a few of the items in that he brought up, just as an aside, because they seem to think that we're overly worried about anybody liking it, or approving it.

Mrs. McKnight stated that she thinks there may have been so many opinions expressed about the direction of the project that she's not sure they entirely understand what the CPC wants them to do and she thinks they still need some direction from us.

Mr. Pearce stated that they were telling the CPC what they were going to do about that, at the last meeting. They were saying that they were putting together this presentation and show everything that they've done up to date.

Mrs. McKnight stated that she thinks what they were saying is at this point they don't think they can create new concepts for us. So, it might have just been a matter of that their time and budget is coming to an end. They're still going to be preparing the final report for us, but in terms of the final presentation, it was her sense that they were still looking for some guidance from us about how they wanted that final presentation to look, and whether the audience for that was still intended to be the Select Board, and do we want them to still have a community meeting and she thinks that the CPC kind of stopped the conversation once the sewer question was coming to town meeting because of all the public investments that we talked about that's the one that had the support, so she thinks the CPC was waiting to see, are we going in that direction, if so, okay. Well now, we do have a public investment that's possible.

Mr. Pearce stated that this may change to some extent. Although, to go back to the original premise for the money that we got to do this was for a package treatment plant which we will no longer need, if we put sewer in.

Mrs. McKnight stated that the CPC also said that no matter what we planned there, whatever the concepts were on, would then be convertible, eventually, because we all knew the eventual ultimate goal was going to be sewer. So, she does think that the amount of development is much more, much greater with sewer, in terms of their concepts. She doesn't think that Abacus can redo the concepts.

Mr. Pearce stated that with this vote and looking as if sewer is going to be moving along, the project that we have becomes a lot more believable that we can actually accomplish this. So, we could have Abacus Architects stop by and give a quick recap, of what we both have in mind, and then let them prepare the final report.

Mrs. McKnight stated that she could have Abacus attend the October 19<sup>th</sup> meeting, on ZOOM and the CPC agreed.

#### Facilities Master Plan

Mrs. McKnight stated that the Facilities Master Plan Committee is back to meeting. They will be meeting in late October and she is planning to attend.

North Reading Housing Authority

Mrs. McKnight is going to be meeting with the housing authority later this week to talk about the possibility of taking one of their units and getting it onto the subsidized housing inventory. They had expressed some interest in that and it will be a nice opportunity if we can make that happen. There may be a town subsidy of some sort involved because they would need some financial support to do that, but it's an existing unit, and they would like to keep it affordable and right now, it's not counted. It's located on Main Street, it's one of the two apartment buildings on Main Street.

Grant - Technical Assistance for Open Space/Conservation

Mrs. McKnight stated that there is a grant that the Town of Lynnfield applied for, for technical assistance to look at a large area of open space / conservation land in Lynnfield, but that also has connections to several of the surrounding communities, including North Reading. Our connection would be the rail trail project that the Land Utilization Committee has been working on. If that does come to fruition, that would be our connection into this large conservation area that they're looking to do. There would be a connection to the Peabody rail trail and several other possible connections to open space and recreation and that's sort of just starting to get off the ground, but she'll give the CPC updates as she meets with them, when they do meet, she participates in those meetings.

Subdivisions UpdateShay Lane subdivision

Mrs. McKnight stated that Mr. David Giangrande goes around to the subdivisions, every so often and especially after storms to check out what's going on, one where there continues to be some issues is Shay Lane with water run-off onto abutter's properties and some siltation and some erosion that's taking place. She and Mr. Giangrande are trying to work to get that addressed, but it's been a little tough.

Mr. Pearce asked if it was in the back left corner of the property.

Mrs. McKnight stated that the south side of Gloria Lane, is fine, it's mostly Nutter Road, on the low side of that corner, near the detention pond. Hopefully that will stay somewhat under control. Mr. Giangrande continues to advise us that, from now on, that during construction condition is going to be considered much more heavily for subdivision reviews, because it can't be just post-development that works, it has to be during the construction, so that's going to become a bigger focus.

35 Cedar Street

Mrs. McKnight stated that they had a pre-construction meeting with Mr. Giangrande and they're ready to start soon.

Affordable Housing Overlay District

Mr. Pearce asked what were the policies or conditions that was in the 2008 vote. He knows that it allowed much more density than what we had in our motions.

Mrs. McKnight stated that it gave a set of density and dimensional controls that are different from the underlying zoning. So, the two options are using the underlying zoning either Residence A, or Residence B, whichever district it happens to be in. Or, if you want to use the Affordable Housing Overlay District zoning to allow for greater density, you can do so, if you provide a certain number of affordable units within the development and the number of affordable units required depends on the number of units constructed. For Example: You can construct one single family house if it's 100% affordable. You can construct two units, if one of them is affordable. Up to eight unit multi-family development with two units being required to be affordable. If the property was sold on the open market a developer could have the choice of either using the underlying zoning or using the Affordable Housing Overlay Districts zoning which would enable much greater density of development, in exchange for having affordable density bonuses, basically, and in terms of overall density there's a lot area per dwelling unit rule of not to exceed 5000 sq. ft. per unit. The general rule of thumb would be for a half acre lot of 20,000 sq. ft. to be able to have four units on it. In reality, all these properties, have wetlands somewhere near them, or they're otherwise restricted, some of them, maybe could yield four units. But others, in reality, wouldn't yield that many. For new properties to be added to the district, there is a set of guidelines. It has to have 10,000 sq. feet of contiguous upland, although it could have wetlands there had to be that contiguous part of upland. There were other requirements, a minimum lot area of 10,000 sq. ft. to be part of the districts.

Mr. Pearce stated that in the process of identifying those 23 properties, were they properties that could all support, at the very minimum, a single family house. Was that the criteria for choosing these 23 properties out of town owned properties?

Mrs. McKnight stated that it was more than that. Based on the file it looks like the CPC went through a process of screening town owned land to identify properties that would be suitable for housing at a small, low moderate/density, and some of them are pretty small. Some of them are a little bit undersized for their underlying district, but for the Affordable Housing Overlay District we're fine because it's a smaller threshold of lot size and frontage. It's only 100 feet of frontage. There was a process where the CPC went about screening out properties that really looked like they couldn't be developed at all. It had to have a certain amount of contiguous upland, it didn't have to have existing street frontage because some of these don't,



but it could be combined with other properties to reasonably have access, or could have an unaccepted way or a dirt road built out, or extended a little bit more. Those are pretty much the situations. Most of them are not totally landlocked, although a couple of them are, but you could build access in. They really vary, some of them have really not much wetland at all, nearby, and some of them do have a pretty significant portion, like 57 Haverhill St. that has a big portion of wetlands, but it's a big property, so you could still develop a small piece of it, even if you don't develop the rest of it.

Mr. Pearce stated that that was done administratively, mostly. There was some criteria and then that was it. He's not sure if a consultant did it, or if they did it in house. One of the criteria was that you could either build on that lot or combine it with another lot and build on it. This is an important point because the Select Board is going to put this out there that it's random and existed with some nefarious reason. We need to make sure they know that they're all buildable, but these are more easily buildable and that's the reason they were shown, no other reason.

Mrs. McKnight stated that there were more properties that were looked at and several of them were eliminated from the list because they weren't thought to be useful for development. There are notes in the files about combining properties to equal one single family house lot, or this property could potentially yield four, or there are wetlands on the back of this, but not on the front, so we think we can get something here.

Mr. Pearce stated that he does remember, though, the fact that there were a number of them that they removed because of too much wetlands on them. There were a number of them in the area of Martin's Pond. He wanted to review the 2008 law, so that they would all be knowledgeable when they go to the Select Board. The Select Board can't just arbitrarily change it, if they want to make changes to what got approved in 2008 they have to go back to town meeting. As proven by this last time, we can propose an article that does limit the number of family homes that can be on any one particular lot, and then pass it on to the Select Board and then to town meeting.

### **39 Chestnut St. & 9 Flint Street/Crestview Estates – Definitive Subdivision – P.H. 8:00PM**

Mrs. McKnight read the public hearing notice into the record.

Attorney Jill Mann of Mann & Mann P.C. presented a PowerPoint. She stated that the proposed project is located off of Chestnut Street and Flint Street. This is a 23 acre parcel of land, the combination of two parcels. Just prior to the Covid shutdown they had presented a smaller version of the subdivision which included only Chestnut Street, and the project, in fact, had a smaller footprint, so it basically was more than half of this particular site and it only included, one of the homes and the in-ground pool, it was a property that was listed as existing

off of Chestnut Street and the proponent then acquired the property on Flint Street. The existing conditions are two homes and an in-ground pool. It is in the RA Residential District, so the dimensional requirements for traditional lots of which there are 11, are 40,000 sq. ft. with 160 feet of frontage which they comply. They do have limited frontage lots. Lots 6 and 8, and they are in excess of 120,000 sq. ft., they have a little bit more than 50' of frontage and they have the 250' circle. Access for this particular subdivision is going to be over the 50' right-of-way with the 28' paved, traveled path. The right-of-way is going to be about 1700 sq. ft. She wanted to show the CPC on the plan being presented because what the right-of way length they're calculating is the entirety of it, so they go all the way up to the back and then out to Flint Street, and that's 1722 sq. ft. It's not a cul-de-sac. They do show a little turn just because they're creating trenches for lots 3 and 4, but it does actually consist of a through road that will go to Flint Street. They are looking for waivers, but the waivers are basically to be able to reduce the amount of impervious area at the site, so they're looking not to put in sidewalks, because there are no connecting sidewalks on Chestnut Street to Flint Street. They're looking to waive the requirement to put berms and curbs, so they can have a low impact development. They're able to do that by not putting in the berm and have swales. She showed a plan, showing Lots 6 and 8, and where in fact they locate the homes. There is some discussion relative to where the homes have to be, so here is the circle, those home are located to the front of those circles, so the homes are not located within the circles, but are located to the front of them, in order to reduce the amount of driveway length and for no other reason because there is ample room between the 12' no disturb in the front of that particular circle in both instances, they're able to do that, but they're looking to reduce the amount of impervious footprint. They did get some comments back, and they do want to discuss a couple of those with the board. Relative to the fire department comments, saying any driveway that is longer than 50' has to either be 20' paved width or the home has to have a sprinkler system, but that means that every home in North Reading will have to have a sprinkler system, or have a 20' paved width driveway because you have a 40' setback. And then, by the time you have that distance with regard to the street, where the way actually begins because measures from pavement it's all 50', so every home has a 50' driveway, so they would like to hear from the board opinion relative to that because the section quoted isn't actually the Mass. Requirement, but actually federal guideline and it's really for access roads, not driveways. So, she doesn't know how the board feels about this, if you want us to continue talking to the fire department, but they did want a little input with regard to that, so that they know how to design because it obviously has a significant impact to the stormwater because 8' of pavement going back is a significant change.

Mr. Pearce stated that he understands where Attorney Mann is getting the 50', but that 10' she's talking about that doesn't belong to the house.

Attorney Mann stated that she knows it doesn't belong to the house, but when the driveway connects to the pavement width, that's where he measures.

Mr. Pearce stated that's town land, at that point. Is that what they're doing, measuring from the street edge? Who does the measuring?

Attorney Mann stated that she absolutely understands. She believes that it's the fire department that does the measuring.

Mr. Rudloff asked what the section is in. The one that they can refer to.

Attorney Mann stated she found it in the NFPA, but the fire department memo does not reference it, because it's not in any regulation.

Mr. Pearce stated that NFPA is not a law. He knows this because he does NFPA all the time because of his fireworks company. So, that's not cast in stone, that's recommendations, so, they can maybe take a look at that. This may be an issue that would come up again if they don't deal with it now.

Attorney Mann stated that's why they were looking for a little direction from the board.

Mr. Pearce stated that they will talk to the fire department and ask them to give some input on that.

Attorney Mann stated that the other comment that was made by the Meg Robertson, chair for North Reading Commission on Disabilities ask about sidewalks which they are trying to get away from because they're sidewalks to nowhere. She also asked that they reduce the radius at the ends of each street because the subdivision rules require 30'. They did not seek that waiver, but if the board wants them to do that, they obviously will because they're very large.

Mr. Pearce asked why they would reduce the radius. More people would drive over the curb.

Attorney Mann stated that she has no idea. But, Ms. Robertson did say that if they reduce the radius, it's calms traffic.

Mr. Pearce stated that in regard to the sidewalk, and he's not just talking about people with disabilities, but any person deciding to go for a walk, and there are sidewalks on both sides of the street, but the people are walking in the middle of the road. Sidewalks are not plowed in the winter, so they're not used for those three months, but by the same token, he thinks that they provide at least on one side of the street access for people to travel, perhaps to a collection point for school bus pick-up. So, he thinks there is some value to the sidewalk. This subdivision, is not on a main road, so two sides wouldn't be necessary. If you're going to not have sidewalks and there are people walking in the street and then two vehicles are passing each other, he thinks there's an issue there. He thinks that they need to provide at least one



sidewalk. That's just for travel within the subdivision, it doesn't hook up to anything, but it may, at some point.

Mr. Rudloff asked about the 550 linear feet on Flint Street.

Mr. Pearce asked if there was any plan whatsoever to do any street improvements on Flint Street.

Attorney Mann stated that it's only a thirteen lot subdivision, so there's really not that kind of economics on it. To provide an extension for a sidewalk at some point wouldn't be that bad to do, but on Flint Street she doesn't know where that would go. On Chestnut Street it appears that there could be some possibility.

Mr. Pearce stated that his concern is strictly for travel within the subdivision, is what needs to happen, because if you're going to have those homes they're probably not going to be.... The kids are going to need to be able to travel to a collection point for school bus and so forth.

Attorney Mann stated that the point is to make sure the kids have a safe way to get to the bus and get home.

Mr. Rudloff asked Mr. Pearce is he was talking about the 145' or 150' opening, or at the frontage on Chestnut Street.

Mr. Pearce stated that he is talking about within the subdivision.

Mr. Rudloff stated that it's only a thirteen home subdivision, so within it, he's not concerned. But, he thinks just even at the 150' frontage end to have that radius out and have a sidewalk, right there, even if there's no sidewalk on Chestnut Street because that is probably where the school bus is going to stop.

Mr. Pearce stated that Chestnut Street is probably the most likely pick-up point, so a short section of sidewalk on either side of that entrance way, would work.

Attorney Mann stated that they own property at the end and without a doubt, they could create something.

Mr. Pearce stated that his first question has to do with the quote, unquote country drainage. He would think, and he thinks he saw it, when he looked at one of the plans, he saw some little red arrows saying that direction of water flow, but he's not sure that it was aimed at showing how the water got from the street or from the other areas to the retention ponds or the lower areas to the detention pond. He thinks just to have a country drainage, all the way along there

and have a collection patten of some kind, or some kind of an idea of where the water is going to flow, so that the grading is done in such a way that the one will get to the detention ponds. There are five separate units.

Attorney Mann stated that she believes there are nine separate units. She can have them added to the plan and show how the grading elements and what the actual flow of water and how you collect.

Mr. Pearce stated that he would want to see it before he would be comfortable with country drainage. He wants to know that it's not going to be running down somebody's driveway and the CPC would be remiss if they let that happen.

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

Debbie Lewis of 15 Flint Street stated that she is a directly abutting the property that's going to be developed and right against her property line there is a creek and then some conservation land and she is concerned that there's not going to be any building on any of the lands that's considered conservation land. She also asked if the cutting of trees will be as limited as possible.

Attorney Mann stated that they are required to keep 12' away from conservation/wetland area. The home that is going to be built on the property next to 15 Flint Street will be constructed quite a distance away from that property. The way that they designed the home is that they pushed it as far as they can over near where a lot to us, so that we preserve the area against 15 Flint Street. It's probably got to be more than a 100' away from the space that is not going to be graded.

Mr. Carroll stated that even in the event that somebody moves into that home and wants to do more, they can never go past that line.

Debbie Lewis stated that there's currently a property that was sold, obviously on Flint Street that has a driveway. Is the Crestview Drive that comes off of Flint Street, is that the location of the current driveway or somewhere close to that?

Attorney Mann stated that is meant to be the driveway.

Janice Curran of 43 Chestnut Street stated that they have a lot of water problems in their backyard that come out of the current driveway, over to the wetlands and then there is a cul-de-sac under the street, we just got flooded with the bad storm. She is very worried about the water coming off of Chestnut Street or Crestview for the home that's going to be right behind her, and she was wondering if the stone wall up there and she wanted to know if they would be

taking down the stone wall and how many trees would be taken down, and will there be blasting.

Attorney Mann stated that she doesn't know if there's going to be blasting, but as far as the water they are required under the Stormwater Management to not harm you and to not allow their water...., and that's why Mr. Pearce was asking them to better define the flow patterns, so at this point it's going to be reviewed the town's engineer, and a peer review engineer. They need to ensure that we're not going to direct water to you or to harm you.

Janice Curran stated that there is a pond with a lot of water behind them and she understands on the plan that that house is going to be built beyond that.

Mr. Pearce stated that they can't build upon any wetland and the same conditions that Attorney Mann spoke about to the last abutter would also exist for this property.

Mr. Rudloff asked what the plan with construction is. How long is the duration for the site prep and then the actual construction of all the homes?

Attorney Mann stated that the building process, once they get started with the road is usually 12 to 18 months to go through and put everything in and then start the homes. It simply depends on the market.

Mr. Pearce stated that he would say realistically can expect a two year window, but by the end of it, they should be pretty much done.

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

that the Community Planning Commission vote to grant the requested continuance of the public hearing for 39 Chestnut St. & 9 Flint St. until October 19, 2021 @ 8:00Pm.

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

Adjournment at 8:45PM

Respectfully submitted,  
Ryan Carroll, Clerk

