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**Town of North Reading**  
*Massachusetts*

*Community Planning*

## **MINUTES**

**Tuesday, April 4, 2023**

Mr. Christopher B. Hayden, Chairperson called the Tuesday, April 4, 2023 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 and via Virtual Meeting (Zoom participants may call 1-301-715-8592, meeting code 9854300926; or visit <http://us02web.zoom.us/j/9854300926>).

### **MEMBERS**

#### **PRESENT:**

Christopher B. Hayden, Chairperson  
Ryan Carroll, Clerk  
Warren Pearce  
Jeremiah Johnston

### **STAFF**

#### **PRESENT:**

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

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

### **Minutes**

Mr. Pearce moved, seconded by Mr. Johnston and voted 3-0: (Mr. Carroll and Mr. Rudloff absent)

that the Community Planning Commission vote to accept the minutes dated February 28, 2023 as written.

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

Mr. Pearce moved, seconded by Mr. Johnston and voted 3-0: (Mr. Carroll and Mr. Rudloff absent)

that the Community Planning Commission vote to accept the minutes dated March 21, 2023 as written.

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

### **Planning Administrator Updates**

#### **Debbie Savarese – Grand Jury**

Debbie was selected for Grand Jury and will be attending 3 days a week, for 3 months. She may have to use some overtime to get work done.

The consensus of the commission is in agreement that if overtime is needed to complete work they will allow it.

#### **Martin's Landing**

Mrs. McKnight stated that the first two affordable units are going to be advertised for lottery, soon. There will be a total of eight affordable units. They will also request that the first two units be placed on the town's subsidized housing inventory because they're close enough to completion.

Regional Housing Services Office

Mrs. McKnight stated that this is the first year that they're using only consulting and it's going very well. They had their first office hours in North Reading. This is something they do in the other communities and it's never been done here, but they suggested that they do it here quarterly. The consultant comes into town hall, we advertise it and they are here to answer any questions people may have about affordable housing, questions and concerns. Eight residents came in and three more called.

Charles Street Ext. Release bond for Off-site

Mrs. McKnight stated that Mike Bruno came into the office to ask if he could get the off-site bond released. She spoke to Dave Giangrande to get some input about releasing the bond. He will check to see if the work is completed and get back to her.

Accessory Dwelling Units

This discussion will be put onto the next meeting.

Mr. Carroll joined the meeting.

14 Concord Street – endorsement of plans

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

that the community Planning Commission vote to endorse the plans entitled, "site Plan, 14 Concord Street, Town of North Reading, Assessor's Map 18, Parcel 15"; dated 2/15/2022, revised 5/13/2022; drawn by LJR Engineering, Inc.

Thomson Club/The Greens – Request for Modification - fire alarm & water usage

Mrs. McKnight stated that David Battaglia, as agent for the Thomson Club Unit Owners Trust submitted a letter requesting a minor modification to the Special Permit. Specifically Exhibit D, Rule K, to remove the old language about maintaining a hard phone line for the fire reporting communication with the Fire Department. The old language Master Deed language will be replaced with language, per the fire Department's request. In addition, the Association is also requesting to amend the Special Permit held with the Town of N. Reading, specifically Condition 8 and the Associations 2017 Amended Rules, Rule Q, as it pertains to outdoor water use. The amendment will be changed to allow hand-watering (e.g. by watering can, hose, etc., but not by installed irrigation system).

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

that the Community Planning Commission vote to modify the Special Permit decision for the Thomson Club Condominium Trust, date stamped November 16, 1981, with subsequent amendments on file, as follows:

1. Delete provision 8 prohibiting the use of Town water for outside watering purposes and replace it with the following: "Town water shall be used only for inside domestic purposes and fire protection, and for such outside watering purposes as is permitted under this Condition. No town water shall be used for any outside watering purposes, other than for hand-watering (e.g., by watering can, hose, etc., but not by installed irrigation system) of plants and ornamentals. Municipal water shall not be used for irrigating lawns or any portion of the golf course. Water conservation devices shall be installed and maintained wherever feasible."
2. Add a new provision 14. (E), which reads as follows: "The Thomson Club Unit Owners Trust may make amendments to their Master Deed as necessary from time to time in order to update Fire protection procedures required or allowed by the North Reading Fire Department. Such changes may be made only with the written approval of the North Reading Fire Department."

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

**17 Anthony Road & 346R Haverhill Street – Definitive Subdivision – cont. P.H. 8:30PM**

Tom Schomburg of Civil Design Consultants stated that they do not have any new plans to present. They have received peer Department reviews and they've taken the last few weeks to thoroughly address the comments. They additionally hosted a meeting with abutters to hear their concerns and are working to address those as well. They expect to have revised plans submitted and reviewed, hopefully, prior to the next meeting.

Mr. Pearce asked how they were doing with National Grid and the easements.

Tom Schomburg stated that the last revision for the last letter that they received was a request for a less steep access drive from the cul-de-sac into the easement and will be addressed in the upcoming submission. Their understanding is that National Grid will not issue a formal approval until they've gone through all the processes with the town.

Mrs. McKnight stated that she did receive correspondence from Town Counsel when the application was submitted and was advised to accept the application and review it, but any approvals would be contingent on receiving all the remaining approvals that are needed, including National Grid.

Mr. Pearce stated that one of the subdivision requirements for approval is that the applicant has permission to either own or control the property that is being subdivided.

Mrs. McKnight stated that Town Council stated that because it's an easement and National Grid does not have to sign the subdivision application, the commission can review and approve, or deny.

Joe Cataldo, stated that he is the applicant and he has been in discussion with National Grid for approximately a year and half and they tentatively agreed to plan going forward, but they wouldn't sign off on it until after the review, but they gave indication that they're fine with the one previously submitted.

Mrs. McKnight read the Town Counsel email dated 1/11/2023 into the record.

Bruce Reynolds of 27 Mohawk Road stated that he read the emails and National Grid is not happy with the location of the detention ponds, or the direction of the roadway.

Joe Cataldo stated that that they've been going back and forth with National Grid and they weren't happy with the two detention ponds and National Grid asked them to limit it to one and that's why they went with the larger one.

Mr. Hayden stated that the CPC can approve the plans, but if National Grid wants something changed then they will need to come back to the CPC to request the change.

Tom Schomburg stated that he will forward the correspondence between them and National Grid to Mrs. McKnight.

Mr. Pearce stated that the whole project will be in jeopardy until National Grid gives their approval.

Ed Sapienza of 25 Anthony Road stated that in they've been through this process before and in 1986 there was a letter from National Grid because the plan involved a roadway crossing the easement and that they were opposed to anything crossing the easement and because that area is landlocked now, but it wasn't a long time ago. 346 Haverhill Street was the Cook's property and he believes at the time that that was agreed to that was the last property to be built and the agreement was that the rest of the property would remain part the Aquifer and the town open space. He thinks that National Grid should give their decision first.

Mr. Pearce stated that he's not sure how important this piece of property is to National Grid, he is more concerned with whether or not the applicant actually has control of the property they're subdividing and developing.

Andrea Pagliuca of 15 Anthony Road stated that she is a direct abutter to vacant lot. She and her husband hired a civil engineer to look at the plans in relations to their property. There are approximately 43 homes on Anthony Road and 40 homes on Peter Road. So, they're looking at approximately 80 plus on these two roads that will be impacted by this project. They are concerned with more water coming onto their property. What is the recourse is this occurs.

Mr. Hayden stated that the applicant owns the property and they do have the right to develop the property. The CPC does have an obligation to the abutters in regard to what the subdivision is going to do with the impact to the neighborhood.

Mr. Pearce stated that there is a lot of engineering that goes into it and in the Subdivision Control Law has the requirement that when it's all done the runoff from that property is either the same or less than what it was before the development's done and they have to prove that by identifying the catchment areas and where the water is going. There have also been situations where they put the detention ponds actually controlled the water and lessened the amount of water that the people had.

Andrea Pagliuca stated that a lot of dirt was brought into that property and she believes that it should be tested.

Mr. Pearce stated that there would have to be some proof that the dirt is contaminated.

Mr. Carroll joined the meeting.

Fran Hachey of 7 Wyoming Avenue stated that from a procedural standpoint they had a meeting with the developer to give their input and he assumes that the developer took that into consideration in proposing some changes. He would like to know if these are superficial changes, in-depth changes, what the magnitude of these changes is. If there is a magnitude that is significant shouldn't the process be for them to rescind their application, go through the process and when they're ready to resubmit, go through another definitive subdivision with notification to all of the abutters.

Mr. Hayden stated that they are still in an open meeting and normally they can come in with changes.

Mr. Pearce stated that this is a bit of an odd case and that's why the CPC went to Town Counsel to get the best recommendation. They want the applicant to provide them with enough information, so they can look at the possibility of an approval that they can take back to National Grid.

Bruce Reynolds of 47 Mohawk Road, Andover stated that they've asked for some waivers. What is the reason for the waivers?

Mr. Hayden stated that they have not seen the waivers yet, but they are going through that. Now that they've come back with different plans, they may have different waivers. The CPC looks at the waivers after everything else is done and will follow the regulations.

Joanne Herook of 43 Anthony Road asked who determines if they make the water problem worse. If National Grid makes changes to the approved plan do they have to come back to the CPC?

Mr. Pearce stated that they are required to do an evaluation of the site as it exists and those drainage calculations are reviewed by a peer engineer. The peer engineer will review the calculations and either approve them or recommend changes / modifications until they're happy with what the current watershed looks like and where the water is going. They will need to come back to the CPC if any changes are made to the plan.

David Chiovoloni stated that 29 Peter Road is in the RA District. If a road is going to be built on that property, will the zoning need to change?

Mr. Pearce stated that the road is in a residential area, so it doesn't change the zoning of the lot.

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

that the Community Planning Commission vote to continue the public hearing for 17 Anthony Road & 346R Haverhill Street until Tuesday, April 18, 2023 @8:00PM.

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

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

that the Community Planning Commission vote to grant the requested extension of time in which to render a decision on the 17 Anthony road & 346R Haverhill Street – Definitive Subdivision Plan until June 30, 2023.

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

Adjournment at 9:00PM

Respectfully submitted,  
Ryan Carroll, Clerk

