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Town of North Reading
Massachusetts

Community Planning

TOWN CLERK
NORTH READING, MA

MINUTES

Tuesday, April 16, 2019

Mr. Warren Pearce, Chairperson called the Tuesday, April 16, 2019 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
William Bellavance, Vice Chairperson
Christopher Hayden., Clerk
Ryan Carroll

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.

Minutes

Mr. Hayden moved, seconded by Mr. Bellavance and voted 4-0:

that the Community Planning Commission vote to approve the minutes of April 2, 2019 as amended.

Small Cell 5G Equipment - Discussion

Mrs. McKnight stated that they have had a couple of conversations with Town Counsel in regard to this. Apparently, a date of April 15, 2019 was provided by the government for towns to adopt their own policies and design guidelines, which can offer some limited regulation (we cannot prohibit them). It doesn't mean that they cannot pass one; it just means that anything that comes in today, tomorrow, whenever, until they pass a policy it won't apply to it. They looked at other towns to see who was doing it and not too many have gotten too far with it. Andover has prepared and shared their policy with us. Burlington has passed a similar policy. This policy seems straightforward and was not difficult to adjust for North Reading. The Select Board wants to take this up at their April 22nd meeting, but she's hoping that the CPC can weigh in. However, the design guidelines are more complex, and she doesn't know what the basis is for the technical requirements, whether they comply with FCC rules, and whether we want to use the same ones. We're unlikely to have this ready by April 22nd. It really depends on what we want to do and what we think is important. A lot of what Andover did does not really apply to this town; it's a really different community and look. Town Counsel is also looking into Andover's policy and will help us weigh in on whether these provisions can be justified and meet the FCC order.

Mr. Pearce stated that the reason the FCC is in a rush about this is because they want everyone in this country and any of our associated countries to get a 5G system up before China does. They are afraid if China gets the 5G up first they will be providing all of the equipment they will be able to add spyware to it and we would have no control over it.

Mr. Hayden stated that the antennas are what they have been asking for – smaller installations rather than the large towers.

Mr. Carroll asked why Andover limited applications to five facilities per applicant.

Mrs. McKnight stated that it was in the FCC order. At this time, her recommendation would be that they support the proposed policy, but let the Select Board know that the town needs more time to figure out what the appropriate design guidelines should be.

Mr. Hayden asked if the Select Board could give the decision making to the CPC.

Mrs. McKnight stated no. It has to be permitted like a utility, so there is no Special Permit involved.

Mr. Hayden stated that this is more of a technical ability, so couldn't they at least do some kind of design review.

Mrs. McKnight stated that she will ask Kopelman & Paige.

Mr. Pearce stated that the CPC needs to be proactive on this. The CPC needs to get more knowledgeable about this and give a recommendation.

Mr. Bellavance asked if the Select Board was planning to take this up at their next meeting and accept the policy.

Mrs. McKnight stated that the Select Board hasn't discussed it yet, but they could pass the policy and then amend it.

Mr. Pearce stated that the consensus is that the Select Board should accept the draft policy with a condition to change it.

Little Meadow Way – Street Acceptance – Public Hearing 7:45PM

Mr. Hayden read the public hearing notice into the record.

Attorney Jill Mann of Mann & Mann stated that she received Design Consultant's As-Built review; dated April 12, 2019. There are two issues noted on this letter:

1. Missing water services and swing ties

There is only one missing water service and this is to the new lot (20). They were unable to identify it, now they can and will add it to the plan.

They did know that the bylaws require swing ties, but Williams & Sparages does not do this because all of the plans are to scale and all you need to do is use the ruler 1" and track where it goes. They can go out and do this, but for every water service they will need to tape measure each one and add it to the plan vs. being able to scale it. She would like to ask the CPC to waive this.

Mr. Pearce stated that they have already had this problem with this particular company, working a subdivision and not being able to find the water service because they were not where they were shown on the plans.

Mr. Hayden stated that they can also not be seen when using an iPad.

Attorney Jill Mann stated that she would have them added to the plans.

2. Orifices for the outlet control structure RESB5 and 0.31-feet low.

Attorney Jill Mann stated that they are going to go back and measure and if they are off they will be filled and re-cored.

Mr. Hayden moved, seconded by Mr. Carroll and voted 3-0: (Mr. Bellavance abstained)

that the Community Planning Commission vote to endorse the As-built and Acceptance plans for Little Meadow Way and that the Community Planning Commission recommend acceptance as a public way, and that the article be forwarded to the Select Board for inclusion in the June 2019 Town Meeting Warrant. Subject to completion of two punch list items:

1. The water services and swing ties not shown on the plans will be added to the final plans.
2. The orifices in outlet control structure RESB5 will be measured again and re-cored if not in the correct position.

325 Main Street – Site Plan Review – Public Hearing 8:30PM

Mr. Hayden moved seconded by Mr. Bellavance and voted 4-0:

that the Community Planning Commission vote to grant the applicants request of April 16, 2019 to withdraw the Site Plan Review for 325 Main Street, without prejudice.

Mr. Bellavance asked if the conservation agent had a chance to look at the property.

Mrs. McKnight stated that she hasn't at this time. She looked at some aerial photography and said that it is not just this property, but multiple properties in this area with issues that need to be resolved. Mrs. McKnight is unsure at this time what approach the conservation agent will be taking to address these issues.

205 Main Street – Site Plan Review – Public Hearing 8:00PM

Mr. Luke Roy of LJR Engineering stated that he made changes to the plans as requested by the CPC (see report).

Mr. Carroll asked if the construction of a sidewalk in front was also added to the plan.

Luke Roy stated that a 5' wide bituminous sidewalk was added, but they still need to get approval from Mass D.O.T.

Mr. Pearce stated that root blocks should be put in to stop the tree roots from breaking up the sidewalk.

Mr. Pearce closed the public hearing.

Mr. Hayden moved, seconded by Mr. Bellavance and voted 4-0:

that the Community Planning Commission vote to approve the plan entitled, "Existing Conditions Plan, 205 Main Street, North Reading, Massachusetts"; dated 2/26/2019, revised 4/15/2019; drawn by LJR Engineering. Subject to the terms and conditions of the Certificate of Conditional Approval dated April 16, 2019 as amended this evening.

75 Concord Street – Site Plan Review – Public Hearing 8:15PM

Mr. Hayden read the public hearing notice into the record.

Attorney Chris Swiniarski stated that the applicant is proposing to utilize the property for an MB Tractor & Equipment retail sales and rental facility. The retail component of the project will consist of smaller outdoor equipment, such as compact loaders and skid steers, mini excavators, tractors lawnmowers, snow blowers, leaf blowers, and other similar equipment.

Mrs. McKnight stated that she is still waiting for the Board of Health and Police Department memos.

Mr. Bellavance stated that the plan is vague and he would like to visit the site before making a decision. He would like to be sure that there is adequate lighting on the site.

Mr. Hayden stated that the plan shows that all of the trees in the front will be removed. He would like them to keep some of the greenery if possible.

Mark Bourgeois stated that there is not proposing any new lighting, but will add it for safety if the CPC request that it be done.

Mr. Pearce stated that the Conservation Commission's memo states that the rear of the property may have been expanded into the wetlands and would like a delineation done.

Attorney Swiniarski stated that they will work with the Conservation Commission, but they are unable to do anything at this time because the lease does not become effective until all of the permits have been approved.

Mr. Hayden asked if there is going to be any hazardous waste on the site.

Mark Bourgeois stated that they will get all of the proper permits for the hazardous waste.

Mr. Pearce stated that he noticed that the equipment located at the business in Plaistow, New Hampshire is displayed close to the street. He is concerned that there is no fencing proposed for the site in this town and wanted to know if fencing would be added.

Mark Bourgeois stated that some of the equipment has secured keys and he also runs a cable through the equipment which stops it from being stolen.

Mr. Pearce asked if there would be any new signage added to the site. Also, what will the hours of operation be?

Mark Bourgeois stated that he is having a sign company put together a plan and will submit it to the Planning Department. The hours of operation will be Monday thru Friday 7:30am to 5:30pm and Saturday 8:00am to 2:00pm.

Mr. Hayden stated that the lighting should be externally lit and the dumpster needs to be placed on a concrete pad with a cleanable fence enclosure.

Mr. Pearce stated that the CPC will do a site visit on April 22, 2019 at 3:00pm. They will meet at the Town Hall to discuss the site and continue the meeting to May 21, 2019.

Mrs. McKnight will relay the requested changes to the plan, if any, to the applicant before the May 21st meeting.

Mr. Hayden moved, seconded by Mr. Bellavance and voted 4-0:

that the Community Planning Commission vote to grant the requested continuance of the public hearing for 75 Concord Street until Monday, April 22, 2019 @ 3:30PM.

Planning Administrator's UpdateDPW Building Maintenance

Julie Spurr-Knight, Director of Building Maintenance will be leaving her position for a new job and a small reception will be held in Room 14 if any of the members would like to attend.

Central Street sidewalk plan

The Select Board will hold a meeting on April 22nd and one of the discussion items will be the Capital Improvement for the Central Street sidewalk design project.

Parking Lot Sites - draft

102 Lowell Road – Yes

102 Lowell Road/town owned easement – yes

72 Main Street/Walmart – busy site, but possible

197 Main Street – No, possible re-development

73 Lowell Road/Rita Mullen Field – Yes

0 Winter Street/Kitty's Restaurant – No

93 Main Street – No

20 Main Street - No

51 Winter Street/St. Theresa's Church – No

99 Concord Street/International Family Church - No

MAPC - draft

Mrs. McKnight stated that she has reviewed and commented. She would like CPC to review and comment. Workshop - May 14, 2019 @ 7:30pm

66 Winter Street/Hefferon Property

Workshop – May 14, 2019 @ 7:30PM

CPC Agenda – changes

Add: Public Input and Boards & Committees Updates

Change: Old and New Business – to a separate item (rather than having a list of items under it)


Swan Pond Road – Citizen's Petition

The CPC does not support Article 25.

Mr. Pearce stated that this could open up a possibility for development and expose town owned land.

Adjournment at 9:30PM

Respectfully submitted,



Christopher B. Hayden, Clerk