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Town of North Reading  
Massachusetts

TOWN CLERK'S OFFICE  
NORTH READING, MASS.

Community Planning

**MINUTES**

**Tuesday, March 1, 2022**

Mr. Warren Pearce, Chairperson called the Tuesday, March 1, 2022 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  
Christopher Hayden, Vice Chairperson  
Ryan Carroll, Clerk  
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.

### **Minutes**

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

that the Community Planning Commission vote to accept the minutes dated January 18, 2022 as amended.

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

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

that the Community Planning Commission vote to accept the minutes dated February 15, 2022 as written.

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

### **North Reading Rail Trail – feasibility report**

Mrs. McKnight stated that Mr. Phil Hertz of the Land Utilization Committee has been working on feasibility report and he wanted to send an update to let the CPC know where things stood. Their study of the work that they did with the town meeting appropriation from a couple of years ago with the consultant BSC Group is coming to an end, or has come to an end, and they've published this report that has several possible routes. Their goal is to meet with the Select Board to discuss some issues relating to easements, as needed, on private properties and to ask the town for funding for the design phase, so that they can be eligible for the Transportation Improvement Plan funds from the State.

### **Zoning Board of Appeals**

340 Main Street – construction / landscaping business – the ZBA public hearing was continued.

40 Abbot Road – For a home occupation special permit to run his food truck / catering business office out of his home.

- The CPC does not object to the application, provided the provisions of §200-42, Home Occupations, are adhered to.

28 Hollywood Terrace – For a home occupation special permit to run his plumbing and heating business at his address.

- The CPC does not object to the application, provided the provision of §200-42, Home Occupations, are adhered to.

11 Kings Row – For a variance from the side setback for a two-car garage according to the requirements outlined in the dimensional and density regulations.

- The CPC questions what the hardship would be for this request.

### **Planning Administrator Update**

#### **CPC Budget**

Mrs. McKnight stated that she was told that the CPC budget hearing was going to be scheduled for March 14<sup>th</sup>, but Mr. Pearce is away that week, so she asked if it could be moved to the 28<sup>th</sup>. She hasn't heard back yet, but she will let the CPC know which date it will be.

#### **Economic Development Committee**

Mrs. McKnight stated that on that same night of the budget hearing they are also going to try to take care of the Economic Development Committee that is in need of some joint appointments.

#### **MBTA Community Housing**

Mrs. McKnight stated that she will also be speaking at the Select Board about the new MBTA Community Housing requirements which does impact North Reading. There may be some zoning decisions to make about what sort of changes, they may or may not want to make, in order to stay in compliance with what the State is asking communities to do. The Select Board is required to have this on their agenda and host the meeting. She will give a brief presentation on what the expectation and timeline is, over the next few years.

#### **Virtual vs. In-person meetings**

Mrs. McKnight stated that the option to hold virtual meetings was extended until July 15<sup>th</sup> and she wanted to know if the CPC would like to continue the virtual meetings or start meeting in person.

The consensus of the CPC is to go back to the in-person meetings starting in April.

#### **March 15<sup>th</sup> meeting**

Mr. Pearce stated that he will be away on the 15<sup>th</sup> and asked the members if they would be in agreement to move the meeting from the 15<sup>th</sup> to the 22<sup>nd</sup>.

The consensus of the CPC is that the March 15<sup>th</sup> scheduled meeting be changed to March 22<sup>nd</sup>.

**Cranberry Meadow Estates 39 Chestnut & 9 Flint Street – Definitive Subdivision – cont.**  
**P.H. 8:00PM**

Attorney Jill Mann of Mann and Mann P.C. stated that she reviewed the conditional approval and submitted the supplementary and restrictive covenants to the planning department. The homeowner's association will include the infrastructure elements and drainage systems, or she could include it into the restrictive covenant.

Mrs. McKnight stated that adding it into the restrictive covenant would work well because it would always be a part of that property. She also added some language in the conditional approval regarding the homeowner association. She had a discussion with John Klipfell, Town Engineer and Attorney Mann today, to make it very clear that the town will not be responsible for maintaining anything on private property. Mr. Klipfel suggested that each of the manholes be available in the right-of-way at the property line, so the town could access it without entering onto these properties.

Mr. Pearce stated that the fire department requested 18' driveways, but he spent some time talking to Deputy Galvin and they agreed that the minimum of a 12' width would give them the opportunity to get in and around the property.

Attorney Mann asked if this should be added to the supplementary covenant.

Mr. Pearce stated that it should be added to the covenant.

Mr. Hayden stated that drains in the street will need to be at binder grade and the manholes need to be raised, before the town accepts the road.

Mr. Pearce stated that that's standard procedure under the Stormwater Management. Although, he would say that during construction all drains are structural via binder grade until final paving.

**Waivers:**

Mr. Carroll stated that he is in objection to the waiver for sidewalks and curbs. He wanted to know if there's a hardship that they're citing to grant these because this is one of the subdivision rules that gives consistency to new subdivisions in town and wanted to know why it's a benefit to the Town of North Reading to waive this requirement.

Mr. Johnston stated that he does agree with Mr. Carroll that the rule was set up for a reason and would prefer that the CPC follow those rules.

Mr. Pearce stated that a previous town engineer tried to convince the CPC to never put sidewalks on both sides because it creates infrastructure and a situation that's going to have to be fixed later. They shouldn't be creating infrastructure that the town can't afford to fix. They can ask the developer to make a donation to the Sidewalk fund and they can then add a sidewalk in another area of town where it's needed.

Mr. Hayden stated that he agrees with Mr. Pearce.

Mr. Johnston stated that it doesn't seem reasonable to require a sidewalk on both sides of this particular subdivision. However, there is something to be said for consistency and the point of hardship. He doesn't want to burden this developer, with the bigger issues of this community, but the CPC has to view this from the bigger perspective of walkability as an issue in this town, and there are other streets that are in need of a sidewalk.

Mr. Hayden stated that when the Subdivision Control bylaw was drawn up, waiving a sidewalk on one side is easy, if there are no sidewalks on the street then it can't be added in. But, taking one away is something that can be done.

Mr. Carroll stated that those are all good points, but he still maintains his original position and thinks what's written in Section 350-21 and 26 – Sidewalks should be followed unless it's a hardship, or the CPC should require something else in lieu of (i.e. another street or connectivity)

Mr. Johnston stated that since there has been bargaining in the past it would be worth exploring, to see if those funds could be shifted to other parts of town where there is a need for sidewalks.

Mr. Pearce stated that CPC does have a sidewalk fund that people have made donations to, and it has been used for things like this.

Mr. Hayden stated that they could consider putting a donation back into that fund again.

Mr. David Jamieson stated that he agrees to whatever the board decides about the sidewalk and donation to the Sidewalk fund.

Attorney Mann stated that it would be a cost of \$1,000.00 per lot which would total \$13,000.00.

Mrs. McKnight stated that \$6,500.00 should be given to the planning department before the first lot is released and then the remaining \$6,500.00 at the seventh lot release.

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

1. Section 350-21 and 26 – Sidewalks - Which requires sidewalks to be installed on both sides of the new subdivision street and allow instead a sidewalk to be installed on only one side subject to the agreed conditions is GRANTED.

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

Mr. Carroll stated that with the value of plowing and overall road maintenance, he does not follow allowing the country drainage in these subdivisions and wanted to know why it's preferential here?

Mr. Pearce stated that this is something that the CPC has allowed in the past and they looked at this being the best way because of the topography and less infrastructure for maintenance.

Mr. Carroll stated that he struggles with why they have a bylaw that they just circumvent and wanted to know why they don't just change the bylaw.

Mr. Pearce stated that it's pertinent and practical to apply them all and there are plenty of subdivisions in town where there were no waivers given.

Mr. Hayden stated that it's been proven over the last few years that it does function properly and protect the other properties.

Mr. Carroll moved, seconded by Mr. Hayden and voted 3-1: (Mr. Rudloff absent)

2. Section 350-27 – Curbs and Berms – Which requires curbing and allow instead country drainage and no curbing is GRANTED.

Mr. Pearce asked for a roll call vote: Mr. Johnston, Mr. Hayden, and Mr. Pearce in favor, one opposed.

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

3. Section 350-28 - Grass plots - Which requires a grass plot between the pavement and sidewalk areas and instead waive a grass plot along the sidewalk in the area adjacent to the wetland filling area is GRANTED.

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

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

I move that the Community Planning Commission vote to approve the plan entitled, "Definitive Subdivision & Notice of Intent Plans, Cranberry Meadows Estate, 39 Chestnut and 9 Flint Street, North Reading, MA. 01864, Map 56 / Parcel 74 and 80"; dated August 30, 2021; last revised February 4, 2022; drawn by ASB Design Group, LLC. Subject to the terms and conditions of the Certificate of Conditional Approval dated March 1, 2022 as amended this evening

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

Adjournment at 9:00PM

Respectfully submitted,  
Ryan Carroll, Clerk

