



RECEIVED

2023 APR -7 AM 11:54

TOWN CLERK'S OFFICE  
NORTH READING, MASS.

**Town of North Reading**  
Massachusetts

*Community Planning*

## **MINUTES**

**Tuesday, March 21, 2023**

Mr. Christopher B. Hayden, Chairperson called the Tuesday, March 21, 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  
David Rudloff, Vice 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.

Mr. Hayden notified abutters that the Anthony Road and Haverhill Street public hearing is going to be continued to April 4, 2023.

### **Planning Administrator Updates**

#### **97 Main Street – Stop & Shop**

Mrs. McKnight stated that the property is on the market to be sold. She has been fielding some calls from developers regarding this sale. There is a bidding process happening where numerous developers are submitting bids. She doesn't know what the result is of that, yet. She was able to speak to the people from the parent company (AHOLD) and they are happy to keep the lines of communication open about their plans and who they select to purchase and develop the property. As developers are contacting her she is able to tell them that there is a study that the Planning Commission and Abacus Architects did and also send them a copy of it as a demonstration of what the Planning Commission would like to see. She has let them know and that a development like that would take rezoning.

Mr. Hayden asked when the submission date for the bids is.

Mrs. McKnight stated that the submission date was March 14<sup>th</sup>.

Mr. Rudloff asked if there was any information on the closing of Papa Gino's.

Mrs. McKnight stated that it's not on the market, but she believes that Ahold is going to reach out to the owner, Mr. Lucci.

Mr. Pearce stated that they can let the developer know that the planning board did try to put together a plan in anticipation of these things happening.

### **Warrant Articles**

Mrs. McKnight submitted two articles.

- 1) Request funds for the completion of the ADA plan. The town did receive a grant two years ago to do the first portion of the ADA plan. The funds they had at the time didn't cover anything more than town facilities, minus the schools, but they were asked to apply for the grant again this year to finish that plan. However, the town did not receive the grant this year. So, after some discussion with the Mike Gilleberto, Town Administrator they decided to put in a warrant article, to request the money to complete that plan.

- 2) She's been working to get Norse Environmental Services, Inc. under contract to do the flagging for the wetland delineations that were funded at the town meeting last year. She's also been working with Luke Roy of LJR Engineering to take the information and put it onto a survey plan. She is hoping to have this completed by summer and then they can start making decisions to see whether it makes sense to have this shown on an ANR plan as reserving some of those parcels to the town as conservation land and then showing where the developable areas will be.
- 3) She is continuing to work with the Mike Bazegian, GIS manager, on the compliance model for MBTA communities.

Mr. Carroll joined the meeting.

### **Zoning Board of Appeals**

180 North Street – On the petition of Carmine Petrosino on an appeal of the decision of the building commissioner according §200-7 of the North Reading Zoning Bylaws for the construction of a single-family house in an RA/HB district.

- The CPC supports the decision of the building inspector in this matter.

### **Accessory Dwelling Units**

Mrs. McKnight stated that she put together a draft based on the feedback that they had the last time they met about this, and she knows that Mr. Rudloff still had some comments that he'd like to make. So, she sent them to Gerry Noel, Building Inspector. She then made those additional comments and sent them back to Mr. Noel for his review. She has provided the previous draft and newest draft.

Mr. Pearce stated that he thinks the final draft is sufficient for the CPC to get started because they're going to put this together and try to get it by Town Meeting and then to the building inspector to see how it works. They've made it fairly restrictive and he thinks that people might want it less restrictive, but he doesn't think they're in a place to that. What they have now is a workable bylaw and if they can get this on the books and take it for a test drive then they could make changes if they need to.

Mr. Rudloff stated that the stuff he pointed out yesterday to Mr. Noel and Mrs. McKnight was more conflicting language outlined in red. There are all these nice concise bulleted items and then when we get to page 2, #2 and it seems like there are a lot of items that are all jammed in together.

Mrs. McKnight stated that they could take the A bullet and have sub-bullets because it's all under the same category.

Mr. Hayden stated that they can work on this to make it more palatable.

Mr. Rudloff stated that he is only making suggestions and this comes from a person that doesn't really believe in this bylaw. He doesn't think the positives outweigh the potential negatives and has made this very clear. He doesn't agree with some of the Select Board members position that this is how you keep elders in North Reading. It provides something, but the high taxes is the problem with keeping elders here. If the bylaw is not allowing rent then it's really not a money maker. We can't say it's going to change the financial position of the elder. There is not a huge benefit to the town and there's not going to be a discernible increase in tax from these ADUs.

Mr. Pearce stated that Mr. Rudloff's points are valid, but it's already being done and we're trying to make it legal, so we have some control over it.

Mr. Rudloff stated that if this bylaw is done, every builder will seize on this.

Mrs. Liane Gonzalez stated that she tends to lean more on the side with Mr. Rudloff.

Mr. Pearce stated that there are no town rules for an ADU, but there are state laws. So, if the town has bylaw it will encourage the proper construction and proper inspections.

Mr. Carroll stated that he and Mr. Rudloff see this bylaw pretty similarly. He sees the situation that this puts the building inspector in, but he has his reservations about what this bylaw is going to create in terms of builders and people doing this, but he doesn't see the benefit.

Mr. Johnston stated that he is pro-ADU and views this as a potential positive for the greater community. He's questioning the purpose of all of this and why they can't just close the loopholes on the existing rules rather than create ostensibly a shell of a policy that so restrictive and to such a narrow class of people who could actually take advantage of it. He's inclined to be supportive of the policy if it gets the idea of the ADUs into the community discussion and opens the door to people kind of viewing it as a less scary thing for their community. He does appreciate property ownership and the ability to take advantage of the very valuable land that we pay taxes on. He's disinclined to government overreach when it comes to asking for and getting approval from bodies like ours. If somebody meets these qualifications what could their neighbor possibly complain about? He thought they had come to an agreement as a group, certainly not as a majority, but if the qualifications are met that it would be a by-right, but according to the redline, even if you do meet all of the qualifications you have to go to the CPC to get that approval and he thought that wasn't what they weren't going to do, so he's surprised to see that in there.

Mr. Rudloff asked Mr. Johnston other than a one sentence bylaw, how he would make that better without doing what they've done. He read the Accessory Structure Bylaw (§200-63) from the Zoning Bylaws. There's no accessory dwelling bylaw because they're not allowed. He does agree that it is a little over restrictive, if looking at it clearly from that perspective.

Mr. Hayden stated that Mr. Rudloff's view is good, it's what they're looking at. The CPC needs to clearly define the bylaw so everyone can understand it.

Mr. Pearce stated that they've created this problem by setting such restrictive regulations on the building of a subdivision. So, a builder has to build a huge house to justify the money they get for the lot and the house. So, the architect designs a house, but you only need just so much living space, so he adds an in-law. He would be very surprised to see that there's an increase of any major percentage of people designing them on new construction then there already is. The motivation to do this is not going to be for money because if they bought a house that big they probably don't need the money, the motivation will be for family.

Mr. Hayden asked if they should remove from Purpose and Intent, #7 "Family" from the bylaw.

The consensus is that family should be removed from the bylaw.

Mr. Rudloff stated that he is concerned with the character of the neighborhood and the design of the house. He would like to add in Review Procedure, #7, an elevation plan must be submitted, so they can see what the house is going to look like.

Mr. Johnston asked if there was anything written that a person needs to get permission of what their house will look like. If not, why would this extend to an ADU?

Mr. Hayden stated no.

Mr. Pearce stated that a developer of a subdivision is going to have restrictions and requirements, so that all of the houses have a similar type of look, so it doesn't disturb the value of the subdivision.

Mr. Rudloff stated that he just wants it to be in keeping with the architecture of the house.

Mr. Johnston stated that he would have a really hard time saying no to a person who wants to add an ADU. The way that the CPC is approaching this is a way to kind of introduce the topic to the community and for those purposes he still stands by them. He thinks this is something they should put forward, but they should be very open to what kind of feedback they get from the community.

Mrs. McKnight reiterated the changes to make to the bylaw from this evenings discussion.

1. #2 – bullet everything under the main heading, so it's more concise
2. Take out requirement that would be a family member
3. Keep Special Permit until public meeting – can always be removed later
4. Change reference to floor plan - to all applicable plans
5. Setback requirements

Mr. Rudloff added the wording for #5 - In converting an accessory structure to a dwelling, the former accessory structure must conform to the setback requirements of a dwelling.

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

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

that the Community Planning Commission vote to continue the public hearing for 17 Anthony Road & 346R Haverhill Street until Tuesday, April 4, 2023 @8:00PM

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

**14 Concord Street – endorsement of plan**

Endorsement will be finalized at the next CPC meeting.

Adjournment at 8:45PM

Respectfully submitted,  
Ryan Carroll, Clerk

