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Town of North Reading
Massachusetts

Community Planning

TOWN CLERK
NORTH READING, MA

MINUTES

Tuesday, March 7, 2017

Mr. Warren Pearce, Chairperson called the Tuesday, March 7, 2017 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
Jonathan Cody, Clerk
Christopher B. Hayden
Joseph Veno

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. Veno and voted 4-0: (Mr. Cody absent)

that the Community Planning Commission vote to accept the minutes of February 21, 2017 as written.

162 Park Street/Ryers Store – Site Plan Review extension

Mr. Mark Hall stated that he would like to request an extension for his Site Plan approval. There was a set back with the DEP that they are currently trying to work through.

Mr. Bellavance stated that he was not on the board when this was approved and wanted to get some background on the approval.

Mr. Hall stated that he would like to utilize the rear of the site by adding more parking spaces, a loading zone and rear access to the building. DEP has requested that he needs to show that there are no wetlands in this area.

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

that the Community Planning Commission vote to approve the request of Mark Hall for an extension of the timeframe for completion of the project at 162 Park Street until May 24, 2021.

28 Hollywood Terrace – ANR

Mr. Bellavance moved, seconded by Mr. Veno and voted 4-0: (Mr. Cody absent)

that the Community Planning Commission vote to endorse as "Approval-Not-Required", the plan entitled "Plan of Land in North Reading, Massachusetts (Middlesex County)"; dated February 27, 2017, drawn by LJR Engineering, Inc.

Sidewalk Committee – Discontinuation

Mrs. McKnight stated that the Town Clerk has expressed some concern that we do have this existing committee even though there is no quorum to meet. Although, there are no requirements that the members be residents of the town, two of them have moved out of town and have no desire to participate. Currently, there is a Complete Streets Advisory Committee which is doing much of the same work.

Mr. Daniel Mills stated that he was a liaison to the committee when he was a member of the North Reading Community Planning Commission. He does not object to the Sidewalk Committee being dissolved. The Sidewalk Committee did put together a priority list of areas where sidewalk connections would be beneficial to the town.

Mrs. McKnight stated that the list provided by the Sidewalk Committee has been very helpful to the Compete Streets Advisory Committee in development of their prioritization plan.

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

that the Community Planning Commission dissolve the Sidewalk Committee, created by the Community Planning Commission on November 16, 2010. The CPC no longer considers this Committee necessary because its charge has been absorbed by the Complete Streets Advisory Committee.

3 Wren Circle – minor modification/town easement

Mrs. McKnight stated that the town engineer had requested that a condition be put into the Conditional Approval that required the developer to give the town an access easement. The way that this condition was worded at the request of the developer was that it would be a temporary easement and would go away if the property was sold. In the course of figuring out how to accept the easement, Town Counsel advised them that there was some substantial title work that needed to be done and the developer agreed to pay the expense. She spoke to the Town Engineer and Town Administrator who both agreed that this is a temporary easement and is not much value to the town, so why have the developer pay for such an expense. She suggested considering a minor modification to the Conditional Approval to eliminate the requirement for the town access easement.

Mr. Pearce stated that a new plan with a note of the change should be submitted.

Mrs. McKnight stated that she would call the developer and ask that a revised plan be submitted.

35-37 Main Street – Site Plan Review – cont. P.H. 8:00pm

Matthew Waterman of Landtech Consultants stated that they met with the Zoning Board of Appeals in regard to the parking variance. The meeting was continued until March 23, 2017. Their major concern would be if they rent to a U-haul or other similar company, how it would impact the total number of parking spaces. They received correspondence from the fire department which was promulgated from the stormwater changes. They did demonstrate that the requirements of being able to reach within a 150' from the fire vehicle to the rear of the building. They met with Conservation and there were some changes made. There will be no formal planting in the buffer zone at the rear of the building. They are currently waiting for

Design Consultants, Inc. to submit the peer review for the stormwater management. They also submitted a rendering for the sign showing the exterior lit sign with lettering.

Mr. Cody arrived at 8:06pm.

Mr. Bellavance stated that he invited Sharon DeGrazio of 14 Damon Street to the meeting. Sharon DeGrazio's pool is located on 35-37 Main Street's property. The reason is that a number of years ago the lot line was changed with the previous owner. She was given a copy of a plan that showed her pool on her property, but recently found out that this was not the correct/recorded plan. She was recently told that half of her above ground pool is on 35-37 Main Street's property. He asked the current owner if there was anything that they could do to fix this situation.

Matthew Waterman stated that this was also brought up at the Zoning Board of Appeals and he believes that the owner of 35-37 Main Street will be doing a land swap to fix this problem.

Mr. Cody moved, seconded by Mr. Bellavance and voted 5-0:

that the Community Planning Commission vote to grant the requested continuance of the public hearing for 35-37 Main Street until Tuesday, April 4, 2017 @8:00pm.

20 Main Street (SPR) cont. Public Hearing 8:00PM

Mr. Brian Dundon of R.J. O'Connell & Associates, Inc. stated that based on comments from the board and the abutters at the February 21, 2017 meeting modifications have been made to the plans.

- 1) Location of the eight (8') foot high noise attenuation fence has been moved 6' off of the edge of the curb line along the access road.
- 2) Modification to the northerly curb cut on Main Street.
- 3) Bike rack relocated to Mario's Restaurant.
- 4) Show dimensions associated with the relationship of the landscaped island located at the rear left corner of CVS as it relates to the compactor, dumpster and fence.
- 5) Updated the Site Photometrics plan to show:
 - a) wallpack lighting along the rear and side of the existing shopping center.
 - b) existing light pole located to the rear corner of the parking lot revised fixture head so the light will be directed down.
- 6) Updated landscaping plan to show green Tahoola arborvitaes on the entire rear length of the property line.
- 7) Provided a cut sheet of what a typical parking lot light fixture will look like, as well as the wallpack.
- 8) Also provided a LED wallpack – 0 lighting prohibited.

Mr. Veno asked when the parking lot is redone and restriped will the poles for the handicap signs be installed into the ground. He also noted that on the plan that one of the handicap parking spaces does not have a sign.

Mr. Dundon stated that the poles will be mounted into the ground and he will add the handicap sign to the plan.

Mr. Hayden stated that the wallpacks do not seem to be the Hubbell as called out on the original building.

Mr. Dundon stated that he will need to follow up on a cut sheet on this. His understanding was that when the photometrics vendor gave him the plan bag it was all to be the same.

Mr. Hayden stated that it would be more convenient to have one vendor do the lighting. He also asked if they were going to the Zoning Board of Appeals for a variance on the reduced parking space size because the four (4) handicap spaces on the side of CVS are shown as 9' wide spaces and they are supposed to be ten (10).

Mr. Dundon stated that these parking spaces are designed to meet the ADA criteria.

Mr. Hayden asked why the van space was put to the left of the large access area.

Mr. Dundon stated that there was no preference taken because some vans have the doors on the driver's side and others have it on the passenger's side.

Mr. Veno stated that the driver can either pull in forward or back in to the space to accommodate whatever side the door may be on.

Mr. Hayden stated that he also observed that the gas meter on the proposed CVS building is located in the rear and wanted to know how much space this will take away from the loading area.

Mr. Dundon stated that the bollards will project out 3'.

Nancy Omogrosso of 9 Burditt Road asked if the 6' distance beyond the existing stockade fence was owned by Mr. Lucci. If so, there are many trees in this area and are they going to be taken down. The property at 7 Burditt already has arborvitaes, will this hinder the planting of the new arborvitaes. There are also 3 huge pines at 9 Burditt Road where the arborvitaes are delegated for planting. Will these pines be removed?

Mr. Dundon stated that the 6' of property behind the fence is owned by Mr. Lucci and the trees will be removed. The new arborvitaes will be staggered to avoid the already existing plantings. The intent would be to save those pines and stagger the arborvitaes around it.

Janice Brown of 15 Burditt Road asked if the trees beyond the stockade fence would be removed. Because all of the property owners assumed that the 6' belonged to them.

Mr. Pearce stated that they would not have known unless a survey had been done.

Mr. Dundon stated that the majority of the trees to be removed along the rear property of the residential are predominantly limited where the drainage ditch is going to be filled in. If there are a few trees straddling the property line, they will flag those to be kept. But anything inboard will come out. The portion of the drainage ditch that is staying at the corner of 11 Burditt to 17 Burditt will not be touched because there will be no grading or disturbance to that basin.

Nancy Omogrosso stated that she has tried to contact the owner of 11 Burditt Road because the house has been abandoned for approximately 15 years and this is where there is going to be a jut in the fence and is unsure if the property owner would approve.

Mr. Dundon stated that it is a continuous fence along the property line. It will all be the same.

Nancy Omogrosso asked if signs could be posted "No Trucks" on Kingston Street while the construction is going on.

Mr. Pearce stated that this request should be made to the Police Department by the abutters.

Mr. Stephen O'Leary of 15 Meade Road asked for clarification on the height of the fencing at the 11 Burditt Road.

Mr. Dundon stated that the fence will be 5' to 6' off the curb line, of the access road. It will then take a 90 degree turn towards the rear property line and be installed 1' off because that is the remaining ditch that is staying.

Mr. O'Leary stated that for an aesthetics standpoint for the property owner who is not here to look out for their own interest. He does not believe that the owner would like to have a portion of a fence go along his property and then just be wide open.

Mr. Dundon stated that there will be a staggered row of evergreens planted, and then the piece that is 1' off the property line is already heavily vegetated. The fence is going to be continuous along this property.

Geraldine Gleisberg of 3 Burditt Road asked if a fence was going to be added at her property line.

Mr. Dundon stated that the fence will end opposite the corner of 367 Park Street.

Janice Brown asked if the fencing would be started before the construction and wanted to know if there was an estimate of time when the fence would be put up.

Mr. Dundon stated that this would be the preference. The ditch will be filled in to subgrade and then relocated the existing drainage, electric, gas and water, so that it will not conflict with the CVS expansion. It will take approximately 3 weeks to do this work and then the fence will be installed.

Mrs. McKnight stated that she does have a draft approval, but would like to know what the hours of operation would be for deliveries and trash pick-up.

Mr. Dundon stated that the hours would be Monday through Saturday – 7:00am to 8:00pm for deliveries and trash pick-up.

Mr. Pearce asked what the current hours of operation are for the stores.

Mr. Dundon stated that the CVS opens at 8:00am and closes at 10:00pm, Monday through Sunday.

Mr. Hayden asked if there was going to be a loud speaker at the drive-thru window.

Mr. Dundon stated that it would not be a loud speaker.

Mr. O'Leary asked if it was the commission's practice to grant the abutter's some relief from the delivery hours on the week-end.

Mr. Dundon stated that they would change the hours for Sundays - 10:00am to 6:00pm.

Mr. Bellavance stated that (No Idling) signs should be put up.

Mr. Pearce closed the public hearing.

Mr. Cody moved, seconded by Mr. Bellavance and voted 5-0:

that the Community Planning Commission vote to approve the application for a Site Plan Review Special Permit for 20 Main Street, subject to the terms of the Conditional Approval dated March 7, 2017, as amended this evening.

Town Meeting - discussion**Recreational Marijuana**

Mr. Bellavance stated that he has always been against prohibition. He believes that it does not work, it actually increases organized crime. We are not going to be able to stop the sale of marijuana in the Town of North Reading. It could be right over the border in Wilmington or Andover. The town will lose out on tax benefits that could be used to educate the children on the use of marijuana.

Mr. Pearce stated that he would expand on this by saying that in this town the vote was 48% for the selling of marijuana to 52% opposing it. What are the 48% going to do? They are going to go to another town and will be enriching that community by buying it there. It will also enrich the cartels who add chemicals to the drugs. At least the marijuana being grown in the grow houses are high quality and it will hopefully decrease the death of people using it. There will always be black market sales, but it will be decreased. It will also keep children not of age from purchasing the marijuana.

Mr. Veno stated that he does not believe that legalizing marijuana will kill the black market. If legal sells it for \$10.00 the black market will sell it for \$8.50. He believes that the black market will be increased.

Mr. Cody stated that he agreed with Mr. Veno. The black market has no overhead or taxes and will sell it more cheaply.

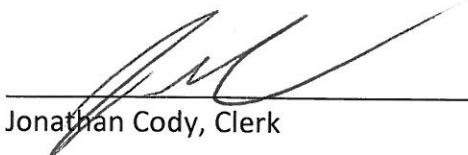
Mr. Pearce stated that the Selectmen can present the article, giving their reasons for the prohibition.

Mrs. McKnight stated that the CPC's oral report to Town Meeting can consist of the board giving their recommendation but also saying that they were split on their decision whether to support the article.

The consensus of the commission is to support the article by a 3-2 vote.

Adjournment at 11:00PM

Respectfully submitted,



Jonathan Cody, Clerk