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Community Planning

TOWN CLERK
NORTH READING, MA

MINUTES

Tuesday, August 6, 2019

Mr. Warren Pearce, Chairperson called the Tuesday, August 6, 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
Ryan Carroll, Clerk
Christopher Hayden
David Rudloff

STAFF

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

OTHERS

PRESENT: Richard Wallner, Select Board

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

Minutes

The July 30, 2019 minutes were not completed in time for this meeting.

Planning Administrator Updates

Master Plan Update

Mrs. McKnight stated that that she had a draft from MAPC and did a pretty extensive edits. She then sent them back to MAPC and they made the requested changes and then sent them back to her. She spoke to Carlos of MAPC about some parts she needed to write in and add which she did. She then sent them back to Carlos and he will wrap everything up together and send the draft back to her to release to the public. They set the date for final presentation for September 17, 2019. She hopes that this will be enough time, but would like the CPC's opinion about actually releasing the draft to the public, allowing for comments, incorporating comments and then coming to present.

Mr. Pearce asked what is the significance if the date.

Mrs. McKnight stated that was suggested because originally the target was July, but that was definitely not enough time. Carlos asked when the CPC would be meeting in September and she thought the second meeting would be better because of Labor Day weekend.

Mr. Bellavance asked what the ETA is on getting the draft.

Mrs. McKnight stated that she thought we would have it all by now, but it was a back and forth project of editing. October Town Meeting is October 7th and the EDC is planning an event on October 17th, so maybe right in between would be good. She will ask if October 22nd is good for MAPC to meet.

Mr. Pearce stated that he would like to have the draft released before Town Meeting.

Mrs. McKnight stated that they are definitely looking to release the draft for comment in August.

20 Elm Street – 40B

Mr. Bellavance recused himself from the discussion.

Mrs. McKnight stated that the Zoning Board of Appeals will be meeting on August 8, 2019 to discuss 20 Elm Street. Kathy Morgan was on vacation when they submitted the application so she sent it around to all of the departments for comments. She has been trying to assist her with this because there is so much to do. The department comments have started trickling in. She doesn't know if beyond the comments that the town already gave through the project eligibility letter, if there is anything more that the CPC would like to pass along to the ZBA. Chairperson Paul O'Leary is planning to get a development team together from various departments to meet every few weeks to manage the peer review process. Paul has asked if she would consider Chairing because she does the development team meeting. She said that she would consider it, but wanted to speak to the CPC first.

Mr. Pearce asked what the sub-committee will be looking for. He believes that Mrs. McKnight's workload is already full and would suggest that she not take on the position of Chair for the 20 Elm Street, sub-committee.

Mrs. McKnight stated that they are going to be basically looking at the information; working with Amy Kwesell from Town Counsel who will be attending the meetings and she is trying to find who they want to recommend to do the peer review and helping them go through the peer review.

Mr. Hayden stated that the last sub-committee remanded them to us to review the engineering because we understood drawings.

Mr. Pearce stated that he has not seen enough of the plans to know if there is any negotiating room.

Mr. Jesse Schomer is the attorney for the 20 Elm Street project. He stated that the Chris Sparages of Williams and Sparages Engineering is the engineer for this project.

Mrs. McKnight stated that Paul O'Leary has asked Town Counsel for recommendation on the peer review. She also stated that the plans have been available online.

Mr. Hayden stated that there is not enough information to make a comment on this project.

77 Elm St./9 Fairview St. – Definitive Subdivision – P.H. 8:00PM

Mr. Bellavance returned to the meeting.

Attorney Jill Mann stated that she wanted to bring up an administrative matter. At the first meeting the CPC members in attendance were Mr. Hayden, Mr. Rudloff, Mr. Bellavance and Mr. Pearce. At the second meeting, it was another member of the board, along with Mr. Hayden, Mr. Pearce and Mr. Bellavance. Mr. Carroll has not attended any of the meetings. Her

option would be to continue to the next hearing, so that he could have potentially have a seat.

Mr. Hayden stated that Mr. Rudloff attended the meeting, but he was not yet elected.

Atty. Jill Mann stated that when she was originally speaking to Mrs. McKnight regarding the engineer comments from Design Consultants, Inc., we were having a lot of back and forth and trying to get everything back to you. This evening David Giangrande did send a letter back saying that they have dealt with and provided every element except for one which is "during construction conditions". They have provided and do have a breakdown of those numbers. They also have a mitigation plan to be able to put in place, so that during construction we actually handle the run-off. Chris Sparages is going to address that, and go over and delineate what during construction would be in order to mitigate that flow that will result from the clearing and grading and how they plan to handle that. She would also like to ask the board, if the board so chose, to issue the decision, to condition it on the fact that we would agree with David Giangrande and work towards a solution, because it's absolutely evident from his comment and Chris's plan that they will be able to work together to resolve the issue and have a plan during construction.

As part of the subdivision plan they have provided supplemental and statutory covenants, two easement plans and reviewed the decision and updated it to include that one additional waiver. During the review process there was a provision that was addressed by Mike Clark of DCI, who is no longer working for DCI that is why they got the comment from Dave Giangrande. Basically, it was how he actually calculates whether or not the storm basins are working and how you would actually address infiltration. One of the rules that the Stormwater bylaws has is that you're not actually supposed to calculate infiltration in determining how your basins are handling flow which seems a little out of place because nothing could work if you can't consider the infiltration. David Giangrande said that he would think that if the CPC would approve this waiver it would make sense.

They have addressed all of the DCI comments and have been discussed, remedied and provided for. They continue to have the seven lots in the subdivision. They have provided the levelling area that was discussed at the first hearing and they did address the issues relative to the basins. Regarding the basins they originally had the underground infiltration and Mr. Hayden said that if they are going to have infiltration, make it above because the DPW knows how to handle that. So, all of the basins are above, with sufficient access and they did loop the water.

Chris Sparages of Williams & Sparages Engineering stated that he would like to talk about the additional waiver request. When they first started preparing their plan set they were lucky enough to just becoming off of a very similar size project on Mt. Vernon Street. They did run into a few back and forth comments with Mike Clark of D.C.I. during the review process. Many of them had to do with the town's Stormwater bylaw that's referred to as part of the Site Plan

Review requirements. A lot of things that are in there, in their view are more for commercial site plans than for subdivisions. So, there was a difference in opinion, but they did work through all of them. The one regarding infiltrations basins, there was an item that talked about not being allowed to count the infiltration that was taking place. They recalled that at the beginning of the project they talked about how they approached the Stormwater Management design and that they had such permeable soils, were at the top of the hill and the land slopes in just about all directions away from the site and the amount of run-off was relatively small, so they decided to spread out the Stormwater too.

Mr. Pearce stated that if they are going to use those detention areas, the construction would have to precede a lot of the other work. They need to be roughed out and somewhat useable, certainly not finished, maybe before the tree cutting.

Mr. Sparages stated that just clearing the trees won't cause the erosion problem; it will be when the stumps are pulled out.

Mr. Sparages provided details for the retaining walls.

Mr. Hayden stated that area 6 was not in existence in February that was added sometime after the Stormwater Management report. Access should be provided to all of the Stormwater Management areas.

Mr. Rudloff arrived at 8:30PM.

Mr. Pearce asked why a waiver is being requested for the infiltration system. Is this a flaw in the guidelines?

Mr. Sparages stated that Mike Clark left Design Consultants and David Giangrande took over the review. They explained the Stormwater Management to him and he thinks that they need to ask for the waiver. They need to have the waiver because the Stormwater Management guidelines stated that they "cannot exclude any infiltration from the Stormwater Management areas".

Mrs. McKnight stated that this might be a flaw, but she will talk to the town engineer to see if they need to make changes to the bylaw. She did get feedback from Dave Giangrande and he told her that what their requesting to do does not change the performance. They are still waiting for the final peer review from Design Consultants.

Mr. Sparages stated that Dave Giangrande had to take over the review. He did send the peer review, but not in format with the usual reviews.

Robert Atkinson of 82 Elm Street stated that he is still concerned with the site distance and would prefer that the road be connected to Fairview Street vs. a cul-de-sac.

Mr. Pearce stated that they have decreased the slope coming off of the roadway, so there is safe access now.

Henrike Huntress of 3 Putter Court stated that she is concerned with the drainage. She has heard from the engineer that there is very good soil on the property, but when they get rain it does come down to the road and puddles, so it doesn't all drain and they are at the very bottom of the slope. She would like to be sure that the numbers are being reviewed by the planning board or an engineer, so that they don't get flooded. If things don't go as planned what happens.

Mr. Pearce stated that this whole process does go out for peer review by another engineering firm and they make sure that everything works the way it should. They do go through intense calculations to be sure that this all works. Their charge is to control the rate of run-off from the site.

Geoff Bemis of 3 Fairview Street asked if the water loop from the Fairview to the new street still going to be connected.

Mr. Pearce stated that it is going to be connected.

Tom Laquidara of 85 Elm Street asked if there would be plans showing the type of retaining wall to be constructed.

Mr. Sparages stated that they are looking at 3 possible styles. They are shown on Detail Sheets 13 and 14. 1) A typical cross-section for a block wall with larger blocks. 2) Reinforced concrete. 3) Stone and mortar.

Henrike Huntress asked when the project would commence.

Attorney Jill Mann stated they were hoping to start it this fall.

Mr. Hayden stated that he would like to have the preconstruction on paper.

Mr. Sparages stated that they are already listed in the Stormwater Report.

The public hearing was continued to August 20, 2019 @8:00PM.

RFP for Wastewater Development Plan

Mrs. McKnight stated that she has made revisions to the Wastewater RFP, as the project has evolved. The draft copy was added to the dropbox for review by the CPC.

Mr. Rudloff stated that he had a question about the title. He liked the conceptual study from 2001 and wanted to know if that was going to be dropped.

Mrs. McKnight stated that that is the old one from 2017 which was a wastewater plan.

Mr. Pearce stated if someone asked him about this, he would probably say that if Stop & Shop was included into this, there is enough square footage in that parking lot and the soils are good enough, we could probably get away without a package treatment plant. We would be able to put a bio-clear or some other pretreatment in.

Mrs. McKnight asked if that would change the language in the RFP.

Mr. Pearce stated that the feasibility has to be based on whether or not we can get numerous landowners or one of them to commit a space for a treatment plant that others are going to use.

Mrs. McKnight stated that one of the ways that this has changed a little bit, is that initially the whole thing was about shared package treatment, but because we have made progress on the sewerage discussion that she was trying to change the project a bit so that the whole thing was focused on that. Will it be valuable for us to know the results of the sewer study that is going on right now, prior to sending this out?

Mr. Pearce stated that it's a problem because the reality of this is if sewer is imminent or at least in the reasonable future, we are not going to need a package treatment plant.

Mr. Hayden stated that they're not going to use all of the ground and they're not going to want to take everyone's waste and get rid of it.

Mr. Pearce stated that if we do a feasibility study for a package treatment plant that's going to service a number of properties, getting someone to agree with us, it almost becomes a situation where the town would have to own one of the pieces of property to provide space for the package treatment plant. So, the question is where do we go from that and the answer is the DPW site on Chestnut Street has already been approved for it, there's already a discharge site and a capacity calculation for it and it's right up the street. This is what makes Winter Street a key to the whole thing because if the town makes a deal, they have a piece of property that they can maneuver, manipulate and use it provide the treatment plant to get the other properties involved.

Mr. Carroll stated that he is not clear is what is the deliverable on this Article. He thought they were soliciting proposals to look at that entire area, multiple parcels, and develop a Master Massing plan of what the potential redevelopment is for Winter Street, Stop & Shop and various other abutters, could potentially look like for a developer.

Mr. Pearce stated that Mr. Carroll is not wrong, but partial of that is no level of intensity for development would be possible without a package treatment plant.

Mr. Carroll stated that is why he thought the whole idea was to look at the whole corner as one site for a potential developer.

Mrs. McKnight asked if they should go over what the project deliverables are and if they're not clear and need to be adjusted, they can do that. We never really talked about the town ever owning the intersection. First, we were going to do a feasibility study for a shared package treatment plant to show companies and landowners this is what could happen and who wants to be involved. The town would coordinate it, but the private owners are funding and running it. Now, as time has gone on people have mentioned the possibility of the town owning a package treatment plant, and actual sewerage could be brought into the town.

Mr. Hayden stated that having a package treatment plant on town property means that the town is going to own it and we have always talked about not supporting that. For the town to own the discharge area was fine, but he doesn't think that the treatment plant is.

Mr. Carroll stated that he doesn't think that getting the redevelopment plan and giving it to small property owners is feasible. He thinks that the only way to get this development going is to give it to a developer.

Mr. Bellavance stated that we seem to go around in circles. He thought the intent of this was to figure out what the development would be in this area if we had sewer or a treatment plant. What will it look like?

Mr. Rudloff stated that we seem to be driven by the use. First, we need to understand what the use is and what the development will look like. A design firm is going to see what fits on that property and the use is going to drive what is needed for GPD. We need to figure out what is going to entice firms to bite on this and understand that were trying to get a Master plan of this area.

Mrs. McKnight stated that she thinks that that is the better project and more to the point of what we need, along with a financial analysis, but the reason we have so much of the wastewater feasibility study in the draft is: 1) the findings from the sewer study are still a couple of months away and 2) she is concerned with it remaining in the four corners of the warrant article.

Mr. Pearce stated that it was driven by the need for some type of wastewater treatment.

Mr. Rudloff stated that when they are designing it they need to know that they cannot just fill it up with buildings. They do need to know where the waste systems are going to go. The feasibility study can give options with a rough square footage.

Mr. Carroll asked if the Everett proposal could be of any help.

Mrs. McKnight stated that it's a different way to do it, but it could be helpful.

Mr. Rudloff stated that they're looking for a developer, not a design.

Mr. Pearce stated that Everett is holding the reins because they don't want just anything being put into the area and we should do the same.

Mrs. McKnight stated that if the town doesn't pursue any property there it'll be a Master plan for private development, which is fine, because we do it all the time. If the town did acquire a piece of the property then there would be this control that Mr. Pearce is talking about, but she doesn't see the town moving on this until the Master plan facilities is done and the town can have a clear answer on whether the town can have a use for it. She doesn't see the town acquiring it just to facilitate development of a town center without including a municipal building.

Mr. Bellavance stated that a public use, such as a town hall or youth center should be incorporated into this concept design. We can base it off of the MAPC study.

Mr. Rich Wallner stated to just flip it around as what we know makes it a thriving town.

Mr. Pearce stated that they shouldn't put in the town hall and replace it with "to include as public uses".

Planning Administrator Updates

Warrant Article – Open Space Recreation Plan – Funding

Mrs. McKnight stated that she is working with the Parks & Recreation Department to get quotes for the Open Space & Recreation Plan. They will be soliciting for three quotes.

Concord Street/Fordham Road Riverpark Improvements

The intersection improvements are moving along with the design. There is some easement work that needs to be done and she is coordinating with Town Counsel on this. They need easements from private properties to build some of the sidewalks, this does not need to go to Town Meeting. One of the possibilities is that one of the easements would be more of a taking

situation and they would need to go to Town Meeting and the CPC would need to be the sponsor.

Mrs. McKnight stated that it would be a “friendly” taking because one of the businesses is concerned about putting a public sidewalk on private property because of the liability. They wanted the town to indemnify them, but the town can’t. Her question to Town Counsel is if that’s the case and they won’t give the town an easement without there being indemnification, should the town acquire it. If there is going to be a warrant article it will be due on August 19th.

The consensus of the CPC is the taking is fine if the private owners are agreeable to it and they would be willing to sponsor the article.

70 Concord Street

The CPC has been invited to the Select Board meeting on August 19th because the EDC is looking to take action and they are spending \$5,000.00 to have Weston & Sampson assess the work that has already been done evaluating the contamination and give recommendation to the town on whether they should go any further.

Maple Road – Road Construction

Mr. Bill Smith is asking for a building permit for 20 Maple Road. He would like to build the house and then do the roadwork. He would prefer that the Certificate of Occupancy be held up instead of the building permit. The town was supposed to do the grading and Mr. Smith would then pave, but the DPW is not going to be doing any of the work.

Mr. Pearce stated that he wouldn’t mind giving him the building permit, but would like to get a written agreement that he is going to do all of the roadwork.

The consensus of CPC is to have Mr. Smith attend a meeting to discuss this issue.

Community Compact – Draft/Final

The Community Compact program gave the town money to do a park and ride study. She received the final report today. They talked about getting people to North Wilmington, Woburn or Reading. People in the survey generally prefer Reading. The North Wilmington schedule does not work for people for morning commuters. They thought the best solution would be Reading, but when they talked to the MBRTA their response was that they could give the town an express to Boston. They are doing this for North Andover and its working great. The final report will be added to the dropbox for the CPC to review and comment on at the next meeting.

Commission on Disabilities

We need to come up with a better way to get our plans to Commission on Disabilities. The former building inspector would call and discuss the plans with them and Joe Veno (a former CPC member) would give us feedback. Mrs. McKnight was never a part of this process and she has been talking to Meg Robertson and they both agreed that she should just be added on to the routing process of plans received. She is also concerned that when anyone is doing sidewalk work there has to be an accessible route around it and there has not been in the past couple of years. This is not necessarily a CPC issue; it's more of a DPW. Mrs. McKnight is considering adding a condition that that they have to meet the regulation.

Mr. Bellavance stated that when they request a building permit the building inspector can request that an access point be done.


Mrs. McKnight stated that the building inspector can do everything within the site, once it's in the right-of way it becomes DPW's responsibility.

Mr. Carroll stated that's a Mass. code is 20' from the structure. Within 20' you have to protect overhead and the walkway, but in this case it's the actual area that needs to be re-routed.

Mr. Rudloff stated that this more site than building code.

Adjournment at 10:30PM

Respectfully submitted,


Ryan Carroll, Clerk