



**Town of North Reading**  
*Massachusetts*

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***Town Administrator***

February 1, 2019

Greg Watson  
Manager of Comprehensive Permit Programs  
MassHousing  
1 Beacon Street  
Boston, MA 02108

Dear Mr. Watson:

Immediately after submitting the Town's second and supplementary response letter, I received a copy of a letter from Regnante Sterio LLP, addressed to MassHousing, responding to the Town's initial comments of January 15, 2019. While the Town respectfully disagrees with a number of the assertions made in Attorney Regnante's letter, the time limits imposed on the Town's response allow us only to comment on those items we find most urgently in need of rebuttal. I would like to take this opportunity to express the following:

- The Town is pleased to read that a new site plan has been developed responding to the height and setback issues previously identified. A recent phone call from the developer's consultant, Lynne Sweet, to the Town Planner, Danielle McKnight, indicated that such a plan would be forthcoming. However, to date, such a plan has not been shared with any official of the Town of North Reading, to my knowledge.
- Footnote 2 of Page 3 states that, according to the developer's assessment, "every lot" in the Town's 23-parcel Affordable Housing Overlay District "suffers from one defect or another that would make permitting of this development difficult, such as wetlands, lack of physical access, zoning nonconformities, etc." The Town vehemently disputes this. While the current Town Planner and I were not yet working for North Reading at the time the bylaw was contemplated and passed, our understanding of its intent is as follows: Prior to passage of this bylaw, the Community Planning Commission and the Town's GIS department undertook an analysis of the properties included in the district. The initial list of properties for inclusion was longer, but only those properties thought to be developable were included, after consideration of wetlands and access. While some of the properties in this district do contain some wet areas, each property included in the district is thought to contain sufficient upland (at least 10,000 SF contiguous) to accommodate small-scale housing development. While some of the properties do not have the benefit of existing street frontage on public ways, the Town determined for these properties that extending a small amount of roadway would be feasible and frontage could reasonably be provided as part of the development process. This type of improvement is not uncommon in North Reading as properties lacking sufficient street frontage are developed. It is worth noting that North Reading has no shortage of parcels that are entirely covered by wetlands, as well as many that are entirely landlocked, and if the intent of the Affordable Housing Overlay District were to create a set of parcels that could never actually be developed, as this letter appears to insinuate, the Town could have easily selected different properties with far less potential and far more constraints. Additionally, one of the very purposes of including many of these properties is that they are slightly deficient with regard to their underlying zoning, so the overlay makes them more developable by eliminating some of those zoning deficiencies with more lenient dimensional requirements. The Town indeed intends to pursue development on these properties,

but in the years immediately after the bylaw's passage, the housing market was less than favorable.

- On footnote 9 of page 7, Attorney Regnante notes that the nine properties in the Main Street Mixed Use overlay district are all “fully developed.” We respectfully disagree, as one of the purposes of this overlay was to encourage more intensive development of a set of underdeveloped properties. One example is 66 Winter Street, long the site of a garage and office for an asphalt company. Following the passage of the new overlay zoning district in 2017, the owner has shared with the Town concept plans for a new multifamily/office/retail mixed use development of three buildings. While the development has yet to be submitted to the Town for a site plan review, the Town is pleased that its new zoning district has prompted this type of redevelopment. Several properties in the vicinity are similarly underutilized, and as some of the current businesses there may be phased out or closed, the Town hopes the new and more permissive zoning regulations will encourage more intensive use and more housing.
- The letter acknowledges the Town's HPP has only been approved and in effect for several months; however, Attorney Regnante is presumably critical of the Town (Page 2) for failing to make progress in the last 10 years with regard to affordable housing development.
- With regard to the comments made on Page 3 (footnote 5) that the Town's public water infrastructure is a pre-existing condition and is thus “not relevant to this application,” it is unclear how the Town could provide water that it may not have at this time.
- The letter states “the applicant held an initial meeting with Town personnel, in which the town expressed opposition to any project permitted under Chapter 40B.” As I stated in my January 15, 2019 letter, “the Town has never indicated that, subject to the appropriate environmental approvals, housing development could not occur at the site. In fact, during the initial meeting, the Town expressed a willingness to consider a development that was denser than otherwise permitting by zoning.” (The Town further expanded upon its environmental concerns in our supplementary comment letter of February 1, 2019.) The Town was not aware that the developer had come to the conclusion that a 40B project was the only “reasonable” and “financially viable” alternative, as Page 16 of the letter states, or that the type of development suggested by the Town was found to be unacceptable to the developer. If the developer had met again with the Town, as they had indicated in June and then again in the fall, the Town would have welcomed further feedback on this issue from the developer in hopes of discussing different concepts and possibly coming to a more mutually agreeable solution.

Thank you for your consideration.

Sincerely,



Michael P. Gilleberto  
Town Administrator

cc: Select Board  
Danielle McKnight, Town Planner  
Town of North Reading Development Review Team