



RECEIVED
BARBARA STATS

2015 FEB 18 PM 2:05

Town of North Reading
Massachusetts

TOWN CLERK
NORTH READING, MA

Community Planning

MINUTES

Tuesday, January 20, 2015

Mr. Daniel Mills, Chairperson called the Tuesday, January 20, 2015 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:

Daniel Mills, Chairperson
Christopher B. Hayden, Vice Chairperson
Patricia Romeo, Clerk
Warren Pearce
William Bellavance

STAFF

PRESENT:

Danielle McKnight, Planning Administrator
Debra Savarese, Administrative Assistant

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

Minutes

Mrs. Romeo moved, seconded by Mr. Hayden and voted 5-0:

that the Community Planning Commission vote to accept the minutes of January 6, 2015 as written.

318 Haverhill Street – plan endorsement

Mrs. McKnight stated that Mr. Parker asked if he would be allowed to post the \$5,000.00 site opening bond before construction begins, rather than before endorsement of the plans as the Conditional Approval states.

The consensus of the commission was to allow this change.

Mrs. Romeo moved, seconded by Mr. Hayden and voted 3-0: (Mr. Pearce and Mr. Bellavance abstained)

that the Community Planning Commission vote to endorse the plan entitled, “Definitive Plan, 318 Haverhill St., North Reading, MA 01864; dated September 20, 2014; revised 10/17/14 & 12/31/14; drawn by JM Associates. Subject to the terms and conditions of the Certificate of Conditional Approval dated October 28, 2014.

Mrs. Romeo moved, seconded by Mr. Hayden and voted 3-0: (Mr. Pearce and Mr. Bellavance abstained)

that the Community Planning Commission vote to name the private way, Long Hill Lane of 318 Haverhill Street.

Flash Road/Roadway Improvement – bond release

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

that the Community Planning Commission vote to accept the December 1, 2014 report from Design Consultants, Inc. and that the amount of \$990.00 be established as sufficient to ensure the completion of the Flash Road, Roadway Improvement.

142 & 144 Main Street - discussion

Jonathan Cody of 57 Spruce Road stated that he is in the process of purchasing 142 & 144 Main Street. The proposal he will be submitting to the commission would be for the following changes to the site:

- 1) Renovate the gas station building.
- 2) Add a trailer/office to the side of the building which currently houses a semi-truck.
- 3) Clean up site and install a 7' high, solid vinyl fence, $\frac{3}{4}$ around the side yard to contain vehicles that will be worked on, or for sale.
- 4) Repave road within the trailer park.
- 5) Plantings placed along fenced area.

Mr. Hayden asked if the trailer would have facilities.

Jonathan Cody stated that it would have facilities.

Mr. Mills stated that there are numerous repair shops on Main Street and the commission is looking for a vibrant corridor. He does not believe that adding a solid fence to enclose the property makes it more vibrant and does not achieve the goal of this commission. He asked if there was any way to incorporate the trailer/office into the fenced area.

Jonathan Cody stated that the trailer/office could be placed inside the fence.

Mr. Hayden stated that this will not make it functional for sales.

Mr. Pearce stated that he does not see any reason to do this. The commission would prefer to see a commercial development on the site, but this the best solution, at this time, until the town can give amenities to commercial properties.

Jonathan Cody stated that there is a 10 year deed restriction with the trailer park; therefore, he is unable to do anything with the trailers.

Mr. Mills asked if there was an existing sidewalk in front of the site.

Jonathan Cody stated that there is a small portion of a sidewalk. He would be willing to construct a sidewalk in front of the site.

Mr. Mills stated that they should consider making the northerly driveway an entrance only driveway.

Mr. Pearce stated that he would like to have colors of the renovation included with the Site Plan Review application.

113 Haverhill Street – bond discussion

Mrs. McKnight stated that the bond estimate, from Design Consultants, Inc. was not received until this morning. Chris Moynihan did not have a lot of time to review it, but did want to speak to the commission in regard to reducing the bond and phasing the project.

Mrs. Romeo stated that the development is looking very good.

Chris Moynihan of 120 Essex Street, Lynnfield, Mass. stated that he has a potential buyer for one of the units in building B. He is having a little bit of a cash flow issue. He does need an occupancy permit for the building so that the buyer would be able to get a loan to purchase the unit. He has reviewed the bond, but did not anticipate the cost to be \$236,980.15. He sent the estimate to Glen Pyburn who is the site contractor, who then did a revised itemized list. He will try to get the bank to cover the bond for this amount if needed, but wanted to know if the commission would consider the revised list.

Mr. Pearce stated that it would not be a good idea for the commission to question or change the bond estimate without first speaking to Dave Giangrande. They could ask him to look at the revised list and have him do a phasing bond. He does not want the project to fail and would be willing to change the bond to a phasing with the approval of Dave Giangrande.

Chris Moynihan stated that the other issue he has is that he needs to have this request completed within ten days so that he is able to sell the unit to the buyer.

Mr. Pearce stated that the commission could vote for a bond of \$150,000.00 with the condition that Dave Giangrande review and approve the phasing amount.

Chris Moynihan asked what the commission would consider as phase I.

Mr. Hayden stated that phase I would cover Building B. Phase II would include Building A and C, and any other outstanding items that need to be completed.

Mrs. McKnight asked if the trash pick-up had been resolved with the DPW. There is no room on the site for a dumpster.

Chris Moynihan stated that he was told that they would not pick up trash or recycle for this site. He would need to hire an outside company and then the costs would need to be added into the association fee.

Mr. Pearce stated that the trucks are going down Railroad Avenue to pick up and did not understand why the town would not want to collect the revenue for this site. He asked the planner if she could find out how Elmwood Village has handled this situation.

Mr. Hayden stated that she could also check 50 Mt. Vernon Street. The commission did ask that a 3-point turn-around be added to the plan for trucks to turn-around, so there should be no reason why they cannot get down there to pick up the trash.

Planning Administrator Update

Economic Development Committee

Mrs. McKnight stated that the B.O.S. has started to work on recruiting for the Economic Development Committee, which is a little different from sub-committee that was in place. The Town Administrator's, Administrative Assistant, Karen Marlin found that the sub-committee was a joint appointment. The suggestion has been made that the B.O.S. be the board that initiates this committee and makes the appointments alone, and Mrs. McKnight wanted to ask the CPC whether this was OK with them.

Mr. Pearce stated that he does not mind that the B.O.S. does the appointing without this commission.

Mr. Mills asked if a member of the CPC needs to be a part of the new committee.

Mrs. McKnight stated that there would need to be someone and Mr. Hayden has volunteered to be a member and she will also be giving administrative support.

Mr. Mills stated that he does not believe that this commission needs to vote to establish a committee for them. However, there will need to be a meeting between this commission and the B.O.S. to vote to dissolve the sub-committee, since the CPC had appointed that committee.

Sidewalk Discussion

Mr. Carnevale of the Department of Public Works did not attend the meeting. Mrs. McKnight will speak to him in regard to attending the next meeting.

265-271 Main Street/Cowabunga

Mrs. McKnight stated that she received photos of the signage and wanted to get some feedback. The consensus of the CPC is that the traffic direction sign and sidewalk marking submitted were acceptable.

157 Main Street/Firestone

Mrs. McKnight stated that Mr. Mills informed her that Firestone installed five signs, (4 wall-mounted and 1 free-standing) when they were only approved for four. She went to the site to check and found that they did install an extra wall sign. She will inform Firestone that the fifth sign (Bridgestone) must be taken down.

Regional Housing Services

Mrs. McKnight stated that the Regional Housing Services has hired Laurie Stanton. There was a meet & greet this morning. She was hired as a part-time employer, so the money that was allocated for this position will also be used for an expert consultant to supplement the services that were approved. The \$13,500.00 that was approved by the town will be pro-rated (approx.. \$5,000) for this year. If the commission wants to continue next year, they will need to ask the town to approve funding for next year.

Charles Street Ext.

Mrs. McKnight stated that a Notice of Intent has been filed with the Conservation Commission and they have coordinated with the neighbor who owns the private property. The plan that was submitted does not show the new easement in the correct place, however, and it does not show the wetlands exactly the way the Conservation needs them, so Conservation is asking them to adjust the plan. Once this is done she will continue to coordinate with Town Counsel to coordinate with the abutter at 3 Charles Street, to make the subdivision work.

Hazard Mitigation Plan

Mrs. McKnight stated that the town engineer is having the plan updated, which involves looking at how the town intends to respond to emergencies and prioritizing which ones are most important to the town. The commission will have an opportunity to comment on the draft report. They did mention that the commission may want to review some of the planning regulations that are in place. The reason for this is because there have been a couple of instances where applicants have successfully argued that they should not have to follow the Stormwater bylaw, even though their projects triggered it, by the size of them because those particular projects were not draining into the town's drainage system. The argument is that it is still impacting the watershed and therefore should have to meet the bylaw requirements. A suggestion was made that it should be clarified that it does not matter whether it is going into the town's drainage or not.

Elmwood Hill Village

Mrs. McKnight stated that the town engineer was contacted by the owner on 3 Pickard Lane with regard to the town's responsibility for a wall constructed on that property as part of the Elmwood Hill subdivision; the wall is now falling down.

Mr. Pearce stated that if there is an easement this would infer that the town has the easement to maintain the slope.

Mrs. McKnight stated that the easement was put in place so that the road could be constructed, but it was initially intended to be graded.

Mr. Mills stated that the town can re-grade, but does not have to rebuild the wall.

Mr. Pearce stated that this is not something that is done everywhere; it is only where there may be an issue. Since it was put in this particular place, it means that it was an anticipated an issue.

Mrs. McKnight stated that she believes that the easement was put in place when the original subdivision was approved and the general plan was to grade it.

Mr. Pearce stated that all subdivisions have a grading easement that expires when the town accepts the road.

Mrs. McKnight stated that this is a permanent easement.

Mr. Pearce stated that it was made permanent for a reason.

Mrs. McKnight stated that she believes that it was made permanent before the wall was approved.

Mr. Pearce stated that this easement is on the plan and it should show the explanation for what it is.

Mr. Hayden stated that if the town does repair the wall, it should be a one-time repair and an agreement for this should be done between the home owner and the town.

Mr. Pearce stated that he would still like to know why there is a permanent easement on this property.

Mrs. McKnight stated that there has been no final decision made. The town engineer is looking into the costs and if the town has the resources to pay for it. The final decision will probably be made by the Board of Selectmen.

Maple Road

Mrs. McKnight stated that she is awaiting an opinion from town counsel as to whether or not the road is accepted.

Mr. Pearce stated that that section of Maple Road is not accepted.

Mrs. McKnight stated that there is a recorded 1926 subdivision plan, and this in addition to the town meeting votes from 1935 and 1940 might indicate that the road was accepted. However, they have not received their opinion from town counsel yet.

Mr. Pearce stated that there was no reason for the town to accept this road.

Mrs. McKnight stated that it might not matter, because the town meeting vote referred to a subdivision plan that is at the registry. It may not have been the intent, but it looks like this is what was done.

Mr. Pearce stated that he believes that the second vote clarified the first vote. There would be no sense in accepting a dirt road, when the main road that connects these other roads and is used on a daily basis was not accepted.

Mrs. McKnight stated that they may not have meant to, but the street could have been accepted anyway. She would be inclined to contact the owners of the abutters if this road was accepted.

Pipeline

Mrs. McKnight stated that she received a letter from AECOM. They are the consultants working for Kinder Morgan, on the proposed gas pipe-line. They are asking the town to provide them with information as to whether there are any sensitive areas where the pipeline route is proposed. The map that they provided is not very clear. She spoke to the town administrator and he told her to ask AECOM to provide a map showing all of the parcels that this pipeline would be going through. She asked AECOM for their GIS data to do this and they agreed. She also asked for the data file that would show the pipeline's route, so that it could be input into the town's GIS system. They said that they would send it to her, but she has not received.

Zoning Board of Appeals

Mr. Mills asked if there were any ZBA applications.

Mrs. McKnight stated that they have not received any correspondence, but she would check with the ZBA

Main Street/Pluff Avenue

Zoning violation:

Mrs. McKnight stated that it was discovered that there is a zoning violation on the property, which is that they are not supposed to be renting heavy equipment and the building inspector agrees. He will be issuing a violation notice.

Rezoning:

Mrs. McKnight stated that the zoning bylaw requires a map prepared by an engineer. The residents wanted to know if this would be required, if they decide to file a citizen's petition to rezone. She wanted to know if the residents could purchase a zoning map from the town and highlight the parcels.

Mr. Mills stated that they would need to have an accurate map for town meeting.

Mrs. McKnight stated that she feels this could be done using the town's zoning map, as long as this was acceptable also to the town clerk.

Mr. Pearce asked if she checked to see if the parcels built under the 40B were protected.

Mrs. McKnight stated that she does not believe that these parcels can be changed, but she will find out.

Mr. Pearce stated that he also believes that these 40B parcels are perpetual, so the only parcels to be rezoned would be the two that are not part of the 40B.

Adjournment at 10:00PM

Respectfully submitted,



Patricia Romeo, Clerk