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Town of North Reading
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NORTH READING, MA

Community Planning

MINUTES

Tuesday, February 17, 2015

Mr. Daniel Mills, Chairperson called the Tuesday, February 17, 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 20, 2015 as amended.

Mrs. Romeo moved, seconded by Mr. Hayden and voted 4-0: (Mr. Pearce abstained)

that the Community Planning Commission vote to accept the minutes of February 3, 2015 as amended.

Dogwood Lane Subdivision (minor modification)

Dana Rowe of 12 Dogwood Lane stated that he would like to request a minor modification to condition 8b from the Conditional Approval dated August 30, 2007.

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

that the Community Planning Commission vote to approve the minor modification to allow for driveway access to lots 4A, 4B, 4C, 5A, 5B and 7 in the Dogwood Lane Subdivision as described in the letter dated 2/3/2015 by Attorney James Senior on behalf of the applicant Dana Rowe.

20 Maple Road – discussion

William Smith of 20 Allston Road stated that he applied for a building permit to construct a home at 18 Maple Road and was told that he would need to receive a Determination of Access from the CPC before a building permit would be issued because the road is unaccepted. After researching this road he found that it was accepted as part of the Parkside Little Farm, in 1935, at Town Meeting. He did speak to the planner and she told him that she would need to have Town Counsel review this acceptance because she was under the assumption that it was not accepted. The North Reading street list shows a length of 1796' x 15' wide, being accepted, which is the exact length and width of the road that he is being told is unaccepted.

Mrs. McKnight stated that the Building Inspector did request an opinion from Town Counsel. Town Counsel's correspondence stated that they reviewed all of the Town's documentation and found that the road is not accepted.

William Smith stated that he is going to file under either a 40A, Section 6 as a grandfathered lot; if it is an unaccepted street then he will file under a grandfathered clause that will exempt it from zoning.

Mrs. McKnight stated that the reason for filing is to determine access, not zoning.

Mr. Mills stated that they are not going to debate Town Counsel's opinion.

Mr. Pearce stated that Maple Street was accepted in 1935, not Maple Road. He also believes that the town realized that it was accepted as a street and rectified this error by changing it to road and clarifying that it was only to be accepted between Lee and Juniper, in 1940.

William Smith stated that Mr. Ferrazzani (of 16 Maple Road) applied for a Determination of Access in 2001 for 16 Maple Road and was granted approval.

Mr. Hayden stated that it was approved based on the upgrade of the road to the property.

Mr. Mills asked if they were speaking about lot 18 or 20.

William Smith stated that it was originally lot 16, but the Assessor's Office combined 16 and 18 and made it lot 20.

Mr. Pearce stated that from a purely practical point of view, the condition of that area, Parkside Little Farm, at that time (1935), no one would accept this 5' wide dirt path.

3 Wren Circle - discussion

Michael O'Neill stated that he is representing Max Marino, owner of 3 Wren Circle. The proposal is to subdivide the property to create a buildable lot that conforms to zoning. There is frontage on Wren Circle and approximately 70' on Francis Street for this property, but the right of way narrows down and becomes 39.8 wide. He would like to make improvements under the Unaccepted Street policy to create a roadway that is 22' wide and all of the others items that would be required. The road would remain a private way and this would also create the frontage for this lot. The other alternative would be to apply for a subdivision to create frontage. There is an abutting property that is owned by the town and if they were able to subdivide this property and take a piece, the access would then only be 49.6' wide where 50' is required.

Mr. Hayden stated that a nice square land swap could be done, by taking a piece of the town owned land from one side and replace it on the other.

Mr. Pearce stated that this would not solve the whole problem.

Michael O'Neill stated that this would require a vote at town meeting.

Mrs. McKnight stated that this is not always the case for town-owned land, but most of these parcels do have provisions that say that they cannot be sold, or parceled off to be combined with other lots in the interest of creating a new building lot.

Mr. Pearce stated that it is very unique proposal, but they are overlooking the fact that they are *creating* an unaccepted street.

Mr. Mills stated that the CPC had had a discussion about this property with the owner previously and he thought that they had come to a conclusion.

Michael O'Neill stated he might be able to get land from the O'Keefe property which is located across the street to create the 50', but this would make the lot non-conforming.

Mr. Hayden stated that he owns another 50' of land that abuts the O'Keefe property on the back side. So they may be able to extend the property longwise to make it more conforming.

Mrs. McKnight stated a lot of their subdivisions create private ways that never get accepted. It would be up to the commission to grant approval of a subdivision with waivers to create new frontage.

Mr. Pearce stated that if frontage is going to be created then it needs to be a subdivision.

DPW Sidewalks – discussion

Mr. Mills stated that the DPW director is asking the commission to help fund sidewalk improvements on Haverhill Street, in the amount of \$125,000.00. He believes that they estimate a \$50.00 per linear foot, for a 5' to 6' wide sidewalk, bituminous concrete with a granite curb. The granite curbing would be more expensive than \$50.00 per foot. It would cost at least \$30.00 to \$40.00 per foot for the granite curbing alone. He did not see a lot of drainage structures on the plan, but typically when curbing is added it captures the Stormwater.

Mr. Pearce stated that the DPW has already put catch basins in.

Mr. Mills stated that there should be more than two catch basins.

Mrs. McKnight stated that there is not \$125,000.00 in the Community Development Fund.

Mr. Mills stated that there was some wording in the request that suggested phasing, but he does not believe that this is a good idea.

Mr. Hayden stated that he does not believe that \$125,000.00 would be enough to fund the project with granite curbing included in the construction.

Mrs. Romeo stated that if it is phased it would need to go from Foley Drive to North Street.

Mr. Mills asked if the commission is in favor of supporting or not supporting, or wait to speak to the DPW director.

Mr. Pearce stated that it is obviously something that the commission has been working on. All of the engineering was completed by O'Neill Associates, and paid for by the commission.

Mr. Mills stated that they are not using the engineering by O'Neill Associates. They are using LJR Engineering.

Mr. Pearce stated that LJR Engineering used to be O'Neill Associates. The DPW should be told that the commission would like to see this done and would be willing to give half of the money to fund the project.

Mr. Hayden stated that he agrees with giving them half to do the project.

Mr. Mills stated that he believes the cost is going to be more like \$150,000.00, and half of that would be \$75,000.00, which would be most of the money that is in the fund.

Mr. Hayden stated that the commission could give them \$65,000.00 and they could fund the rest.

Mrs. Romeo asked where all of the money went that was in the fund.

Mr. Pearce stated that money has been used over the years. There is an accounting of the money that was used. The DPW could put an article in for Town Meeting to ask for the other half. He suggested that the commission try to find a solution to replenish the development fund, because it is inevitable that at some point there will be no money left, unless they do.

Mr. Mills stated that there seems to be some resistance for funding sidewalk improvements. He would like this board to consider tying any other roadway improvements to have sidewalks as part of the project.

Mrs. McKnight stated that in order to formalize what Mr. Mills is suggesting, would the board consider saying yes to the funds, but with the condition that DPW support the board with a complete streets policy for the town.

Mr. Pearce stated that they would also need to look at the subdivision control law, as far as putting two sidewalks, on both sidewalks of the street into a subdivision because in the past they have created so much infrastructure that they will never be able to fix. He would suggest that they tell DPW that they will pledge half of the money.

Mr. Mills stated that he would prefer to give them a specific number.

Mr. Hayden suggested \$65,000.00.

Mr. Pearce stated that \$50,000.00 from the Community Development Fund and go to Town Meeting for the rest. They should also speak to the DPW director and let him know what their planning.

The consensus of the commission is to agree to give \$50,000.00 to the DPW if DPW will request that Town Meeting fund the rest.

Planning Administrator Update

Economic Development Committee

Mr. Mills stated that the commission was comfortable not being the appointing body of the Economic Development Committee and therefore met with the Board of Selectmen to vote to dissolve the committee on February 3rd. (Mr. Pearce was not present for the vote). A new committee will be formed and they were encouraged, and agreed to be a part of the process as an appointing joint board.

Mr. Pearce stated that once the committee is appointed, they will need to sit with them to give some directive, to get them focused on a couple of things that will be productive.

Mrs. Romeo stated that the aesthetics and beautification are the responsibility of this commission. When the commission sees abuses they need the enforcement and back up from building.

Mr. Pearce stated that Andover and Reading handled it by not legislating it. They have a downtown cooperative that self-regulates because they watch each other.

Mrs. Romeo also believes that they need the Board of Trade. They were much more productive than the Chamber of Commerce.

EDSAT Funding

Mrs. McKnight stated that they were given additional funds for Economic Development related activities in the budget at last year's budget hearings for the current fiscal year. They have spent \$5,000.00, but have approximately \$11,000.00 left to spend until the end of the fiscal year and she would like to discuss with the commission how this money should be spent.

Mr. Pearce stated that when they were approved the money there was an Economic Development Committee which has since been disbanded, so they had no one to support. Now that there is going to be a new committee the money can be used for mailings, meetings, and other ways of encourage businesses to get involved.

Mr. Pearce left the meeting at 9:05pm.

Winter Hill Bank – bond release

Mrs. Romeo moved, seconded by Mr. Bellavance and voted 4-0: (Mr. Pearce absent)

that the Community Planning Commission vote to release the \$5,000.00 Performance bond to the Winter Hill Bank.

Zoning Board of Appeals

26 Peter Road – On the petition of Dmitry Sandovich for a home occupation special permit for an IT services business (High Availability Solutions for Oracle Databases)

The Community Planning Commission supports the petition as long as the criteria of §200-42, Home Occupations, are adhered to.

84 Main Street – On the Petition of John Cataldo of Sunset Limousine for a special permit for a livery business.

The Community Planning Commission supports the petition as long as the area for parking limousines is designated appropriately so that visibility from any driveway or accessway of this property or adjacent properties is not obstructed (at least 20 feet back from Main Street).

Planning Administrator Updates (cont.)**Zoning Bylaws**

Mrs. McKnight stated that Medical Marijuana and Wireless Facility updates Communications bylaws were accepted by the Attorney General's Office with no changes.

Planner Evaluation

Mrs. McKnight stated that she would like to coordinate a meeting with the Chair and Vice Chair to evaluate her performance for the year.

Pluff Avenue – 40B

Mrs. McKnight stated that she received information from DHCD, but wanted the commission to review before she sent it to the abutters.

Mrs. Mills asked if there was any activity with the ZBA.

Mrs. McKnight stated that the building inspector sent out a notice of violation to the company at the corner, but she does not have any more information than that at this time.

MAPC

Mrs. McKnight stated that MAPC received feedback during the priority mapping project that MAPC not done enough to support historical preservation and wanted the towns to have more initiative in this area. A meeting has been scheduled for March 30th to discuss "Incorporating Historic Preservation into Planning Process".

Grants

MDI – Has not heard anything in regard to this grant.

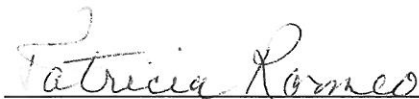
DLTA – MAPC has allocated approximately half of the monies, but the town was not one of the recipients. The town may still receive the grant.

Regional Housing Services

Mrs. McKnight stated that she met with Laurie Stanton. She has begun looking at the town's inventory. She will ask for an update because a decision needs to be made whether to go forward with the contract for another year by April 1st. If they do move forward they will need to go to Town Meeting to ask for more funds.

Adjournment at 10:10PM

Respectfully submitted,



Patricia Romeo, Clerk