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NORTH READING, MA

**Town of North Reading**  
*Massachusetts*

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*Community Planning*

**MINUTES**

**Tuesday, August 19, 2014,**

Mr. Daniel Mills, Chairperson called the Tuesday, August 19, 2014 meeting of the Community Planning Commission to order at 7:33p.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

**STAFF**

**PRESENT:**

Danielle McKnight, Planning Administrator  
Debra Savarese, Administrative Assistant

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

#### **4 & 8 Junction Road - ANR**

Mrs. Romeo read the courtesy notice into the record.

Mike Tryder of 20 Brook Street, Tewksbury, Mass stated that his wife's parents have passed and she is the executor of the will. As they were trying to sell the property they found that the boundary lines are inaccurate. They are requesting that a land swap be done with the abutter to correct this problem.

Mrs. McKnight stated that she spoke to the Building Inspector, Jim DeCola and was told that this is the easiest way to correct the encroachment of the structure from the abutting property. While the smaller lot already has a little bit less than the required frontage and they would be making it a little smaller with the ANR, there really is not much else that can be done. If it was conforming and they were making it non-conforming, it would require a variance.

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

that the Community Planning Commission vote to endorse as "Approval-Not-Required", the plan entitled "#4 & #8 Junction Road, Plan of Land, Located in North Reading, Massachusetts (Middlesex County)"; dated July 15, 2014' drawn by Sullivan Engineering Group, LLC.

#### **Dogwood Lane – Lot 7 – Lot Release**

Mrs. McKnight stated that in the Conditional Approval there is an amount of money that the developer must contribute to the Community Development Fund. Previously the developer was given permission to pay in increments of \$2,000.00, after the lot has been sold, by the Community Planning Commission. The developer is requesting that this be done for the release of Lot 7.

Mr. Mills stated that he is not in favor of doing it this way.

Mr. Pearce stated that while he agrees with Mr. Mills that it is not a good policy, the commission is here to facilitate and help developers.

Mr. Hayden stated that Mr. Rowe has followed through on the other approvals and he does not have a problem with this.

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

that the Community Planning Commission vote to allow release of the Dogwood Lane Subdivision – Lot 7 from the statutory covenant prior to the \$2,000 contribution to the Community Development fund required by the Conditional Approval, dated 8/28/2007, until after the sale of the lot has been completed.

**Dogwood Lane – Lot 6 Easement**

Dana Rowe stated that original lot lines were changed to accommodate the two lots in the rear of the property (Rodham). The proposed easement is on Lot 6, for access to Lot 7.

Mr. Hayden asked if the easement is for access to the garage, but they can access from their frontage.

Dana Rowe stated that they do have access frontage.

Mrs. McKnight stated that she was unsure if this easement request would be a minor modification to the approved subdivision plan.

Mr. Pearce stated that he does not believe that this is a modification; he believes that the easement is between the two abutters, but should be recorded with the registry for future reference.

Mrs. McKnight asked Dana Rowe if he would send a copy of the recorded easement to the planning department.

**70 Main Street/Joe Fish Restaurant – SPR – P.H. 8:00PM**

Mrs. Romeo read the public hearing notice into the record.

Tom Cassidy of TNT Build/Design/Consultant stated that there are four areas of construction proposed.

- 1) Existing landscape will be removed and replaced with new landscaping.
- 2) Construct outdoor patio area with shed roof. This will add an additional 44 seats. Landscape will be installed in front of patio with a water fall to help with noise from bypassing traffic.
- 3) Construct a new office/and storage space. Move existing cooler refrigerator condensers that are located on the left side of the existing building onto office roof area and conceal units with a small fence.
- 4) Install two 8'x4' and four 4'x8' building signs.

Mr. Hayden asked if the main entrance would remain.

Tom Cassidy stated that it would remain the same.

Mr. Hayden asked what types of materials are proposed for the landscaping.

Tom Cassidy stated that it would be a combination of mulch, sand, stone, ivy ground covering, river rock, techno blocking and annuals in the patio area, which will be upgraded every year.

Mrs. Romeo asked if the siding of the building would be changed.

Tom Cassidy stated that it would remain the same.

Mr. Hayden asked if the front corner of the shed would be protected from vehicles coming around the corner.

Tom Cassidy stated that there would be curb stone, but he could put in metal poles if the commission requested this.

Mr. Mills asked how many parking spaces are currently on the lot.

Tom Cassidy stated that there are 54 parking spaces. If they add 44 new seats to an existing 150 seats that would equal 194 seats, so required would be 49 spaces. (4 spaces per seat)

Mr. Mills stated that he would like to suggest that they consider taking out the front passageway. He believes that it would make the area much more attractive.

Tom Cassidy stated that the problem in taking out the passageway is that the trucks use this area for access to deliver supplies to the restaurant.

Mrs. Romeo asked if there was dedicated parking for take-out orders.

Tom Cassidy stated that this could be considered.

Mr. Pearce asked if the Board of Health is okay with this.

Tom Cassidy stated that they are. The Board of Health is currently working with the owners of the entire property to approve a treatment plant.

Mrs. McKnight summarized the Town Engineer's (8/13/2014) and Building Inspector's (8/12/2014) memos for the record. She stated that that the Signage should be addressed with the building inspector.

Tom Cassidy asked if this was an item that he could take to the Zoning Board of Appeals.

Mrs. McKnight stated that he should speak to the building inspector first because the zoning bylaw does not allow the signs being proposed. She would also suggest that the commission make reference that the signage not be part of the conditional approval, given that they cannot approve the signage as presented. She asked the commission if they would require a bond be submitted for the site work or landscaping.

Mr. Hayden stated that an as-built needs to be submitted.

Mr. Pearce stated that a site opening bond is not required because it is an existing building, but a bond could be required for the as-built plan and landscaping with a time line of 12 months for the final planting.

Mrs. McKnight stated that she would speak to the Town Engineer to see if he could give an estimate for the proposed bond. She would also do a draft Conditional Approval and send it to the applicant for review.

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

that the commission vote to close the public hearing for 70 Main Street.

Mr. Mills closed the Public Hearing.

### **230 Main Street – Bond Release**

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

that the Community Planning Commission vote to release the United Casualty & Surety Bond in the amount of \$101,000.00 for the completion of 230 Main Street/North Reading Transportation. Subject to the satisfactory installation of exterior lighting, that will be checked by the CPC during this evening's site visit.

### **Minutes**

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

that the Community Planning Commission vote to approve the August 5, 2014 minutes as amended.

### **Planning Administrator Update**

#### **Swan Pond Road - update**

Mrs. McKnight stated that she attended the Conservation Commission meeting on August 12<sup>th</sup> to let them know that this commission has been discussing the acceptance of the road and in doing so discovered that a lot is under the control of Conservation. They were very supportive in going ahead with the Article 97 process. She also met with the DPW Director and the Town Administrator, who then brought it to the Board of Selectmen and they all agreed that this would be the best way to proceed. She will be submitting an Article to the October Town Meeting, but it will be for the Selectmen to authorize filing for legislation, not street acceptance at this time. If it does get approved by the legislature, she would submit an Article for Street Acceptance at the October 2015 Town Meeting.

Warrant Articles

The Board of Selectmen will hold the public hearings for the Warrant Articles on September 15<sup>th</sup>.

Capital Request


Requests are due by September 30th. They have the funding for the flyover for this fiscal year, so they should submit a proposal to digitize and finalize the maps, once they have the flyover data, and ask for it in 2016.

Forest Park Subdivision

The minor modification request has been withdrawn because the Conservation Commission has stated that the applicant would not be allowed to put the garage where they have requested.

Adjournment at 9:30PM

Respectfully submitted,

  
Patricia Romeo, Clerk