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Community Planning

MINUTES

Wednesday, May 27, 2015

Mr. Christopher B. Hayden, Chairperson called the Wednesday, May 27, 2015 meeting of the Community Planning Commission to order at 5:30p.m. in Room 10 of the North Reading Town Hall, 235 North Street, North Reading, MA.

MEMBERS

PRESENT: Christopher B. Hayden, Chairperson
William Bellavance, Vice Chairperson
Patricia Romeo, Clerk
Warren Pearce
Joseph Veno

STAFF

PRESENT: Danielle McKnight, Planning Administrator

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

Pluff Avenue & Fairway Road Citizen's Petition to Rezone - Discussion

Mr. Hayden stated that this is a public meeting, but not a public hearing, therefore, they will not be taking any input from the audience, the commission is only going to discuss the re-zoning bylaw and make a decision of what their recommendation will be at town meeting. Mr. Hayden noted that two of the CPC members had been able to attend the recent Board of Selectmen hearing on this matter and asked if those who attended could update the rest of the board on what took place at that meeting.

Mr. Bellavance stated that at that meeting, presentation was given from both sides as to why the properties should or should not be rezoned. An abutter did mention that they were concerned for the safety of the children walking down the street and keeping the atmosphere of it being residential because of the homes that are in this area. The Board of Selectmen came up with a compromise to eliminate one of the parcels (4 Pluff Avenue) off the map for rezoning.

Mr. Pearce stated that the rezoning of all of the residential parcels is not an issue, the comprehensive permit is clear and powerful, so it does not matter if it is rezoned residential or not, but taking the other lot against the owner's will is why he does not care for it. Anything that was included in the Comprehensive Permit is fine; it does not really change anything. If the intent of this request to rezone is to take someone else's parcel and rezone it, he does not think that this is fair.

Mr. Hayden stated that there are seven lots that were not included in the Comprehensive Permit.

Mr. Pearce stated that the people that own the properties in commercial want to change to residential he does not see a big issue with this, but they should not be forced.

Mr. Hayden stated that his issue is that they want to rezone it to Residence A, but none of these properties conform to Residence A.

Mr. Pearce stated that even if they did Residence B only some would conform.

Mr. Hayden stated that the frontage on the north side is 120'.

Mr. Pearce stated that 120' would be Residence B.

Mrs. McKnight stated that 125' is Residence B. She does not know if there are any lots in the subdivision that actually meet that meet the frontage requirements, but there are some on Pluff Avenue.

Mr. Pearce stated that if the parcels are changed and become non-conforming, they will have problems if they decide that they want to put a deck or do an addition.

Mrs. McKnight stated that she received an opinion from Town Counsel and if they do want to make changes to their property it would require a variance, even if it remains a 40B.

Mr. Hayden asked if it would help some of the properties.

Mrs. McKnight stated it would help if they became conforming, but it also depends where the house is set on the property.

Mr. Pearce stated in his opinion if they eliminate the property that does not want to be rezoned he would be in favor of it, even though they would be losing commercial.

Mr. Bellavance stated that he does agree with Mr. Pearce. There is a neighborhood in this area and there should be some compromise, so pulling 4 Pluff Avenue out would be okay with him.

Mr. Veno stated that he has looked at this area a few times to see what was going on. He is in agreement of removing 4 Pluff Avenue from the rezoning. He would like to state that the times that he did visit this area, he did not see the congestion of traffic that was stated by the abutters at a prior meeting.

Mr. Pearce stated that it could be a benefit to widen the road and asked if it was currently a 40' layout.

Mrs. McKnight stated that the road width was waived as part of the 40B Comprehensive Permit.

Mr. Pearce stated that if Pluff Avenue was 30' wide road it would be a lot easier for vehicles to get around.

Mr. Hayden stated that the problem has been at the corner of Main Street and Pluff Avenue.

Mrs. Romeo stated that she has been acquainted with Pluff Road for the past 40 years. Her children had friends on Pluff Road, so there was a lot of children's activity, although it was closer to Main Street, but there never was much of a problem. She has been down there to see what has been currently going on and she is amazed at how much quieter it is than in the past. She did not observe the area when there was snow this past year. She is dismayed to see all of the heavy equipment and knows that it is an allowed use, but it is not what she envisioned for Main Street. However, she agrees with the opinion about compromising. If she was told that her property was going to be rezoned against her will, she would be the first one out there fighting back.

Mr. Hayden stated that there are seven parcels, if #4 is dropped. There are two that don't have frontage for Residence B, two that have frontage for Residence A. He agrees with dropping #4, but has a problem with zoning if Residence A, when there would be many parcels that would be conforming in Residence B. He would like to make a motion to amend the zoning article from RA to RB.

Mr. Pearce stated that he agrees it should be rezoned to Residence B, but is not sure if it would be in the four corners of the article.

Mrs. McKnight stated that she spoke to John Goldrosen of Kopelman & Paige and he said that it would be in the scope of what was advertised.

Mr. Hayden stated that it would make the lots more conforming. This is more for the properties on Pluff Avenue because the Fairway Road was never meant to conform because of the 40B.

Mr. Pearce stated that he is not sure if this procedure is correct. If the commission votes to recommend, at that point, they take a vote before the change, he does not think that you can make an amendment with a recommendation. We have to recommend for or against the article as submitted. At Town Meeting the Town Moderator will call the Article and will look for recommendations from the Board of Selectman, Community Planning Commission and Finance Committee. At that point, if the commission wants to make an amendment they can.

Mrs. Romeo moved, seconded by Mr. Pearce:

that the Community Planning Commission vote to recommend to Town Meeting to support the citizens' petition submitted by Seth Pasakarnis for the rezoning of Pluff Avenue and Fairway Road. The CPC voted 0 in favor, 5 against the motion to recommend the article at Town Meeting,

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

that the Community Planning Commission vote to adjourn the meeting.

Adjournment at 6:00PM

Respectfully submitted,



Patricia Romeo, Clerk