



## Town of Reading Meeting Minutes

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### Board - Committee - Commission - Council:

#### Community Planning and Development Commission

Date: 2024-4-8

Time: 7:00 PM

Building: Town Hall

Location: Hybrid Meeting – Zoom and Select Board Meeting Room

Address: 16 Lowell Street

Session: Open Session

Purpose: Hybrid Meeting

Version: Final

Attendees: **Members In person:** John Weston, Chair; Tony D'Arezzo, Vice Chair; Hillary Mateev; Tom Armstrong, Associate

**Others Present in person:** Community Development Director Andrew MacNichol

**Remote Participants:** Heather Clish, Mark Wetzel, Tony D'Arezzo

**Minutes Respectfully Submitted By:** Olivia Knightly

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#### Topics of Discussion:

#### **MEETING HELD IN THE SELECT BOARD ROOM AND REMOTELY VIA ZOOM**

Mr. Weston called the meeting to order at 7:00 PM.

Mr. MacNichol gave an overview of the hybrid meeting procedures.

#### **Sign permit Application, BM Skin Care, 28 Gould Street**

Mr. MacNichol stated that the proposal is for a dual sided projecting blade sign with aluminum brackets and a sign face are of 24". The sign meets all area requirements and will sit 8 feet above the sidewalk.

Mr. Weston asked if the building has a master signage plan. Mr. MacNichol said that the Town encouraged a Master Signage plan for the residential Ace Flats but one was never produced. Mr. MacNichol added that the building has two retail tenant spaces, and he anticipates the other space will be occupied soon. The business owner, Despina Alves, said that she worked with the same sign company as the neighboring business to ensure the signage was complementary but not identical. Mr. MacNichol asked if the businesses have separate entries, and the applicant confirmed that there are.

Mr. Armstrong asked if the sign projection from the building is consistent with requirements. Mr. MacNichol confirmed that there are no minimum requirements, but the proposed sign is consistent with what has been seen before. Ms. Clish asked if there is illumination on the sign. Mr. MacNichol confirmed that there is none.

The board reviewed the draft certificate of appropriateness. Mr. MacNichol noted that the building is in a 40R development, so the sign is subject to section 8 of the zoning bylaw and section 9 of the design guidelines. He added that all dimensional requirements are met, and the only conditions of note are that the applicant is required to obtain a building permit prior to the installation of the sign. Additionally, when installing window signage, the applicant should only cover 30% of the total window area.



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***Ms. Clish made a motion to approve the Certificate of Appropriateness for the sign application at 28 Gould Street for BM Skin Care. Ms. Mateev seconded the motion, and it was approved 5-0-0. (Armstrong, Mateev, Weston, Wetzel, Clish)***

### **Presentation on the Haven Street and Depot Area Streetscape**

Mr. MacNichol introduced the project and the consultants from BETA Group who joined the meeting on zoom, including project manager Darshan Jhaveri and Scott Ridder, Landscape Architect.

Town Engineer Ryan Percival introduced the project and BETA Group provided their presentation.

Mr. MacNichol stated that it was important to bring this presentation to the board to review the high-level visions and goals of the project. Mr. Weston recommended that the plans make the existing and proposed curb lines clearer. Mr. MacNichol stated that through this project they are trying to meet the needs of today while addressing the needs of the future and maximizing the effort. Mr. Weston stated that the area in front of the depot still appears to have a lot of surface pavement.

Mr. Armstrong recommended that they consult with the garden clubs to get their input on plantings and gardens. He added that crosswalk materials should be selected to ensure that no tripping hazards could exist in the future. Ms. Clish stated that pedestrian crossings should be viewed in conjunction with the railroad tracks on Woburn and High Street. She suggested that the proposed curved seating area at the depot area be facing toward the downtown area.

Mr. Wetzel recommended doing a site walk with the team and potentially with the public. He asked about bicycle accommodation and the potential for the state to require bike lanes, which would complicate the design. He suggested adding cycle lanes at the intersection on Woburn Street and providing signals for cyclists. Mr. Wetzel suggested that the design be shown to the DPW and expressed concern about the tree bump outs on high street being an issue when plowing. Mr. Wetzel said that there is an ongoing project on High and Chute Street including the new mosque downtown and suggested their needs be considered in the design. He suggested a smart light network be installed to dim the lights at night.

Ms. Mateev pointed out the Washington and High Street intersection and noted that visibility is poor, and any proposed trees should not obstruct the turning view. She added that ground level lighting should be utilized for pedestrian areas to avoid any lighting nuisance for abutting residences. Mr. Percival said that they focused on the design of the Washington Street intersection and crossing area. He added that the Town needs to decide whether to decrease impervious surface and add greenery and shade trees, which he emphasizes is a need, or if the town wants to retain parking spaces. He said that the design improvements are needed to make the area safer and more walkable.

Mr. MacNichol stated that the design should incorporate bike parking racks on Haven Street and High Street, but people are unlikely to bike downtown if there aren't safe facilities to get there. Ms. Clish said that kids ride their bikes downtown and bike safety should be considered. She added that she likes the potential for the intersection to be repurposed for fall street faire and festivals. Mr. Percival said that they could look at adding bike lanes on upper Haven Street but this would result in a loss of parking because the road is narrow. He stated that they are also looking to add lighting and make the area more active. Ms. Clish voiced her support for losing parking spaces in favor of green space which would create a more pleasant environment downtown and promote walking.



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Mr. Percival stated that most of the parking being lost is in the Depot area, which is already underutilized, he described the area as a sea of asphalt. Mr. Wetzel echoed this statement by recommending a post-covid traffic study be conducted, because many of the spaces are not filled. Mr. MacNichol said they are looking to maximize opportunity downtown while maintaining use and being considerate of the needs of emergency vehicles and utilities.

### **Public Hearing, Definitive Subdivision Application** **246 Walnut St, Stella Construction**

Jeff Brem presented in person on behalf of Stella Construction and described the proposed plan as a two-lot subdivision at the end of Walnut Street. Mr. Brem reviewed a letter that he wrote to the board on March 22 addressing prior concerns.

Mr. Brem stated that there was uncertainty when determining what material to use for the curb on the south side of the roadway. He noted that the plans identify it as asphalt curbing because the roadway is private and there will be a homeowner's association responsible for maintenance. Mr. Wetzel asked if the curb will be a Cape Cod Berm and Mr. Brem confirmed, adding that the curb will have a 7" rise over 12".

Mr. D'Arezzo joined the meeting virtually on zoom at this time.

Mr. MacNichol stated that the Conservation Commission issued their Order of Conditions.

Mr. Armstrong asked for a separate document to be created that indicates responsibilities for road maintenance in the future. Mr. MacNichol said that he would look to add language requesting any future documents describe that the homeowners maintain the responsibility of maintaining and improving the road when necessary. Mr. Brem added that a stormwater maintenance plan would be given to the HOA.

Mr. Armstrong asked if the back lot, which is deeded to the town, is razed or if it is just a path and Mr. Brem confirmed that it is just a path. Mr. MacNichol said no trails exist on that lot yet, but that the town has access to the lot if desired in the future.

Mr. Weston stated that in relation to the outstanding curb item, he looks to follow policies from previous town engineers that have always required vertical granite curb and that he would continue to observe this policy, except for where it is not required as part of stormwater management.

Mr. Wetzel asked where the granite curbing ends, and it was further discussed by the board and Mr. Brem. Mr. Weston and Mr. D'Arezzo both stated their support for vertical granite curbing.

Mr. Weston opened for public comment, and none were provided.

Mr. MacNichol guided the board through the draft decision. The board provided comments and corrections. Mr. MacNichol amended a waiver in the draft decision to require the applicant to install vertical granite curbing along the south-side of the right-of-way.

***Mr. Armstrong made a motion to close the public hearing on the Definitive Subdivision Application for 246 Walnut St. Ms. Clish seconded the motion and it was approved 5-0-1. Mr. D'Arezzo abstained. (Armstrong, Weston, Mateev, Wetzel, Clish)***



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***Ms. Clish made a motion to approve the waiver requests 1 through 9 as amended. Mr. Wetzel seconded, and they were approved 5-0-1. Mr. D'Arezzo abstained. (Armstrong, Weston, Mateev, Wetzel, Clish)***

***Ms. Clish made a motion to approve the Decision for the Definitive Subdivision Application for 246 Walnut St, as amended. Ms. Mateev seconded the motion, and it was approved 5-0-1. Mr. D'Arezzo abstained. (Armstrong, Weston, Mateev, Wetzel, Clish)***

### **Continued Public Hearing, Definitive Subdivision Application 0 Harold Ave, Zero Harold Ave LLC**

***Ms. Clish made a motion to continue the public hearing for the Definitive Subdivision Application for 0 Harold Ave to Monday May 6, 2024, or the next available meeting. Ms. Mateev seconded the motion, and it was approved 5-0-0. (Weston, Mateev, Wetzel, Clish, D'Arezzo)***

### **Continued Public Hearing, Site Plan Review Application, Special Permit, Stormwater Permit, 252-262 Main St / 10 Pinevale Ave, BLVD Reading LLC**

Mr. Jesse Schomer, the applicant's legal representative, was in person to speak on behalf of the applicant and gave a brief presentation. Mr. Schomer stated that meetings have been conducted with residents to address any concerns. He reviewed the letter he addressed to the board on March 29 responding to concerns and major plan changes.

Mr. Weston asked for visual references for the proposed eight-foot noise screening fence and asked how the landscape design will be impacted by the new squared parking lot areas. Mr. Schomer and Mr. Carlton Quinn, the project engineer, affirmed that there is still going to be landscaping around the rear of the property. Mr. MacNichol provided a visual example and Mr. Schomer's team confirmed that the fence would be characteristic of a residential area.

Mr. Armstrong referenced the conditions detailed in a memo to the Town engineer relating to the transfer of drainage responsibilities. There was a brief discussion amongst the board to seek clarification about this inquiry, which Mr. MacNichol provided. Mr. Armstrong additionally advised that two additional charging stations should be wired to accommodate potential future needs.

Mr. D'Arezzo addressed resident concerns detailed in a letter to the board and asked if 10 Pinevale Ave were to be demolished in the future and used to access the proposed site, if this would trigger major site plan review. Mr. MacNichol confirmed that this would need permitting and approval. Mr. D'Arezzo reiterated that this would be a major change and the neighbors would be notified. Mr. MacNichol added that if this were to occur, then during the permitting process there would be a plan that details the consolidation of lots which would identify any lot lines and easements. The lot would maintain its use and structure, unless otherwise proposed and this lot would be identified as a single-family lot on any future plans.

Mr. Weston opened for public comment.

Laura Richards of 50 Pinevale Ave stated that neighbors and homeowners further down Pinevale have not been part of the discussion with developers and that this project will have a major impact on everyone in Pinevale, not just direct neighbors. She added that she will



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not be satisfied until the project is abandoned and that it does not enhance the Pinevale community.

Jennifer Killeen of 12 Pinevale Ave referenced a presentation that she prepared in reference to the special permit criteria 4.4.5.3. She stated that her primary concerns are about noise, landscape, and trash management. She asked the board to consider potential alternatives and what conditions should be put in place to better manage these concerns. She asked what the plan for parking is and how they will prevent overflow parking on Pinevale.

Mary Richards of 50 Pinevale Ave commented on the stormwater permit checklist and emphasized that under the zoning the proposed adjacent areas are residential, wetlands, commercial, and she echoed the concerns that previous public comments had.

Alicia Willis of 11 Pinevale Ave asked if there is potential for deed restriction to be placed on 10 Pinevale to ensure that no thoroughfare or driveway could be constructed to connect the two properties. She added that trash is a problem along the Main Street area and near Dominos.

Sarah Fuller of 24 Pinevale Ave spoke on zoom and asked the developer what their plan is during construction to manage traffic and parking.

Jason Brown of 47 Pinevale Ave asked if the town has ever had a one-party easement agreement. Mr. MacNichol stated that this is not the first time that the town has seen this. Mr. Weston agreed that there have been several instances where this has occurred. Mr. Schomer stated that legally a one-party easement is not possible, but the owner would need to convey the property to a different entity to himself personally and then have an easement between two different entities.

Mr. Armstrong asked if it is possible to prohibit the applicant from granting access through 10 Pinevale to the apartment complex. Mr. MacNichol stated that the legal lease of any future driveway adjustments could be conditioned. Mr. Schomer agreed that this would be his recommendation which would provide sufficient protection to neighbors. Mr. Weston added that any developer could purchase any abutting property and gain access, making this parcel not unique and similar to other conditions that have occurred. Mr. MacNichol added that this is something that would need to be thought through more.

Mr. D'Arezzo proposed a condition, suggesting adding that we are not granting any access for this property to Pinevale Ave, any such request in the future will be considered a major modification and would need to go through the major modification process. Mr. MacNichol agreed that this sounds like an appropriate condition.

Mr. Weston responded to public comments, stating that the plan has come a long way to address noise and privacy concerns. He added that it doesn't seem right to deflect the trash issue onto the proposed development. Mr. Armstrong recommended that trash removal and maintenance practices to minimize litter, odor, and detraction of rodents and other animals be included in the operations and maintenance plan condition.

Ms. Clish asked if there is anything else can be done to keep rodents away from the dumpsters. Mr. Schomer's team responded saying that the dumpster will be enclosed on three sides by concrete walls and will have a gate on the front. Mr. MacNichol said that it is difficult to enforce trash pickup frequencies and best practices, but these can evolve over time.



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Mr. Weston recognized that certain uses create more trash and pest issues and asked if it could be conditioned to have other operations and maintenance practices enforced if a commercial tenant is a food establishment. He added that the board of health and town have provided responses, but the issue continues. He asked if there is a next step that the town can engage in to address the problem. Mr. MacNichol said that there likely is, and that the Health Inspector makes frequent trips to evaluate the dumpsters, however, regulatory policy could be pursued townwide in the future.

The developer, Mr. Saverio Fulciniti, stated that the community has failed to address the larger issue of trash management and now the developer is being held to that standard and that the development proposes improved pest and trash management operations. Mr. Weston stated that the special permit request has posed the question of whether what is being proposed is appropriate at this location. Mr. Weston continued to say that the mixed-use zoning in this location was created with the knowledge that all abutting parcels are residential, not making this a unique case, because this use has been deemed appropriate and in return these concerns must be mitigated. Ms. Clish stated that the applicant has proposed solutions that will make a difference.

Mr. Schomer added that the parcel is in a commercially zoned area that allows a variety of more intensive and disruptive uses to the abutting neighborhoods, and in this location multifamily is allowed by right and commercial use is allowed by right, but mixed use required a special permit. Mr. Weston stated that proposals of this nature have been seen in the past that would have been more impactful to the area.

Mary Richards of 50 Pinevale commented on the scale of the units in the building in combination with a commercial use. She stated that other properties on Main Street have a certain amount of trash based on their use and she is unsure that the trash produced by the houses on Pinevale would be more than the amount of trash produced from the proposed development.

Mr. Wetzel inquired if the Board of Health can require properties to maintain their trash or issue fines. He added that a construction management plan will be approved by the town and will address parking, dust control, and noise control. If this plan is not followed, then the town will require the developer to do so. Mr. Wetzel stated that he reviewed the site's stormwater management plan and believes that the stormwater management that will be on site is better than what exists today. He added that the DPW must ensure the operations and maintenance plan is followed so that the system operates properly.

Mr. Sriram Narayan of 16 Pinevale Avenue spoke on zoom and said that it is unclear which stormwater system is going to be implemented on site. Mr. Carlton Quinn, the project engineer, replied that no stormwater is going to be released on site except during the instance of a 25-year storm. Mr. Quinn stated that the underground infiltration system will release stormwater into the ground but during a large storm it will be released into a municipal system which is where the water currently drains. Mr. Narayan said that he is concerned about the wetland behind the property, and he is worried that more water will flood into the abutting properties. Mr. Quinn replied that a lot of the existing property is paved and there are no catch basins on site, causing runoff into the wetland. The proposed stormwater system will catch the water and release the water slowly into the ground, reducing the flooding in the pond and wetland. He added that the design is not to exceed the 100-year storm flow rates.

Sarah Fuller 24 Pinevale Ave spoke on zoom and asked what measures can be put in place to ensure that if and when this developer sells the property, what part of the operations and maintenance plan get carried over to the next owner, and what can be done to strengthen



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this now to ensure the next owner follows the plan. Mr. MacNichol stated that all O+M plans transfer with ownership along with special permit conditions, and that all conditions within the decision must be adhered to.

Alicia Willis of 11 Pinevale Ave asked who abutters should go to with concerns and if abutters would be notified should the property change ownership. Mr. MacNichol said that people can reach out to him with concerns, and he will redirect them to the appropriate person, but in terms of ownership transfer this is not something that the town or the abutters would be notified of. Mr. Weston stated that site plan review decisions help to enforce the responsibilities of the development. Mr. Armstrong added that an operations and maintenance plan includes points of contact for concern.

Mr. Schomer asked the board to address resident concerns in the conditions. Mr. MacNichol reviewed the draft decision findings and conditions. The board provided comments and revisions on the conditions. The board advised residents to contact the Reading Police Department with any concerns related to health and safety during construction, as the board cannot enforce traffic restrictions on Public Ways such as Pinevale Ave. Mr. Quinn stated that the construction plan details site access during construction, directing construction vehicles to the farthest access point on Main Street and away from Pinevale.

A resident asked Mr. MacNichol if there is language in the decision that states the developer is responsible for any truck damage that occurs during construction. Mr. MacNichol responded that these would be private disputes that cannot be controlled in any decision. Mr. Armstrong added that the applicant had previously stated that there is no intention to do any blasting.

Ms. Willis asked if the condition regarding public health, safety, and welfare could address uncontrolled pests. Ms. Clish and Mr. MacNichol stated that the condition already addresses this. Mr. Weston stated that this section provides examples of health and safety concerns, and that the decision could list trash in addition.

Ms. Killeen asked if the decision would reflect the agreed change in fence height behind the property. Mr. Schomer stated that he had agreed with the abutter to reduce the fence height from eight feet to six feet.

Mr. Weston asked the applicant to address the request from Mr. Armstrong to include additional EV charging stations. Mr. Quinn said that they would install a conduit to accommodate any future use.

Mr. MacNichol stated that Ms. Clish cannot vote on the application due to absence at two meetings and that Mr. Armstrong submitted a Mullen Rule Form and can vote. He added that the board needs a simple majority, four out of five members to vote.

**Mr. D'Arezzo made a motion to close the public hearing on the Site Plan Review Application and Special Permit for 252-262 Main St / 10 Pinevale Ave. Mr. Armstrong seconded the motion and it was approved 5-0-0. (Armstrong, Weston, Mateev, Wetzel, D'Arezzo)**

**Mr. D'Arezzo made a motion to grant the Stormwater Permit. Mr. Wetzel seconded, and it was granted 5-0-0. (Armstrong, Weston, Mateev, Wetzel, D'Arezzo)**

**Mr. D'Arezzo made a motion to approve the Decision for the Site Plan Review for 252-262 Main St / 10 Pinevale Ave, as amended. Mr. Wetzel seconded the motion, and it was approved 5-0-0. (Armstrong, Weston, Mateev, Wetzel, D'Arezzo)**



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### Veterans Way Bond Reduction

Mr. MacNichol introduced the six-lot subdivision off of Main Street, adding that the development underwent a public hearing in late 2022 for consideration of the bond and to review any remaining work. It was determined that they did not need to pull the bond, and that the applicant was working toward the remaining items. Since the hearing the town has been looking for updates on any remaining work that is to be complete. Mr. MacNichol stated that the application is nearly complete, and the developer is requesting reduction of the remaining bond. He stated that there are a few areas not set for release yet, including granite bounds that have cracked and the replacement of any dead trees.

Mr. MacNichol stated that the applicant has proposed a current bond reduction in relation to road work, seeding, and loam. He added that these areas could be released while maintaining holdings for the as built plans, the street trees, and the granite bounds but the Town will ensure remaining items are completed. Mr. Weston provided the precise bond reduction value requested of \$17,928.48 with a remaining bond value of \$45,115.95.

Nelson Lau of 19 veterans Way moved into the subdivision in 2019 and corrected the record that five houses have been constructed. He stated that he has been in contact with the Town to ensure any remaining work be completed by the developer. He added that several street trees have died and there is roadway that remains to be paved. He is concerned that a partial bond reduction will result in the loss of any leverage to compel the developer to finish the street. He stated that the granite bounds were installed incorrectly which resulted in cracking. Mr. Lau added that the developer has become unresponsive to him, and he requested that the CPDC require the developer to complete all the remaining conditions before the bond is reduced.

Mr. Weston stated that the applicant was brought before the CPDC in 2022 to explain why the project was not complete, and that he agrees with Mr. Lau about the bond reduction. Mr. Armstrong asked if the remaining amount after bond reduction would be enough to cover the remaining items. Mr. MacNichol said that the road currently meets the public standard for acceptance as a public way, but since there is leverage of a bond there is a preference for the developer to finish the remaining items. Mr. Wetzel asked if there is a Tri-Party agreement, Mr. MacNichol confirmed yes.

Ms. Clish asked for a summary of the work completed. Mr. Lau said that the trees planted have died and the granite bounds were not installed properly, and that there are remaining items to be complete. Mr. Weston stated that the remaining items on their own are likely a higher cost than the estimate indicated. The board deliberated on whether they should reduce the bond for the work completed, including the detention pond and the road base work. Mr. MacNichol stated that the proposed for reduction would include funds for the granite bound, trees, loam and seed, and engineering as built. Mr. Weston stated that he would not vote to reduce the bond. Mr. MacNichol stated that if the site has not adequately shown completed work that necessitates a reduction in bond, then it is within the right of CPDC to not reduce the bond. Mr. Wetzel suggested the bond money be used to complete the work.

Mr. Weston suggested that the board does not entertain a motion or vote on the bond reduction because there is not sufficient information, in the meantime they will look for input from town engineering and town counsel.

Mr. D'Arezzo asked if there is a time limit on the bond reduction if the board does not vote. Mr. MacNichol stated that this is not something he has come across in the subdivision



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regulations. Mr. Wetzel added that there is a tri-Party Agreement requiring the town to sign off before the funds can be withdrawn by the applicant.

### **Annette Lane Plan Endorsement**

Condition prior to endorsement was a slight modification on the notation of the fence and the plans are ready for endorsement.

***Ms. Mateev made a motion to endorse the Annette Lane Plan Mylars, seconded by Mr. Weston and it was approved 4-0-1 (Weston, Mateev, Clish, Armstrong). Mr. D'Arezzo abstained.***

### **Other Business**

### **Adjournment**

***Mr. Weston made a motion to adjourn, and it was approved 5-0-0.***

Documents Reviewed at the Meeting:

- Sign Permit Application, BM Salon, 28 Gould Street
  - Sign application
  - Sign plans
  - Draft Decision
- Haven Street Presentation, BETA Group
- 246 Walnut St
  - Letter to the Board, dated March 22, 2024
  - Drainage Report Volume 1 and Volume 2, dated September 20, 2023
  - Plans, dated December 20, 2023
  - Draft Decision
- 258 Main St, Strada
  - Letter to the Board, dated March 29, 2024
  - Public comment,
    - Letter to the board: Linda McKenzie of Pinevale Ave, dated April 8, 2024
    - Letter to the board: Jennifer Killeen of 12 Pinevale Ave, dated April 7, 2024
  - Presentation slides, by Jennifer Killeen of 12 Pinevale Ave
  - Plans, dated March 29, 2024