



Town of Reading

16 Lowell Street, Reading, MA 01867

Community Planning & Development Commission

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August 14, 2023

Major Modification to a Definitive Subdivision Plan DECISION of APPROVAL

Land of: 4 Cold Spring Road

Proposed Street Name: Grandview Road Extension

To the Town Clerk:

This is to certify, that at a public hearing of the Reading Community Planning and Development Commission (CPDC), which was opened on May 15, 2023, continued discussion on June 12, 2023, July 10, 2023 and closed on August 14, 2023, by a motion duly made and seconded, it was voted:

“We, the CPDC, as requested by Michael Salamone, under the Town of Reading’s Subdivision Rules & Regulations, and MGL Chapter 41 Sections 81K through 81GG, and under the Town of Reading General Bylaw Section 7.9 and CPDC Stormwater Management and Erosion Control Regulations, to consider the Major Modification to the previously approved 4-Lot Definitive Subdivision Plan for property located at 4 Cold Spring Road (Assessors Map 27, Lot 404), as shown on the plans prepared by Fodera Engineering dated April 20, 2023, and last revised July 27, 2023 in support of an application filed on May 1, 2023, do hereby vote 4-0-0 to **approve** the said plans, inclusive of the waivers listed herein, subject to the Findings and Conditions below.”

MATERIALS:

The following documents and plans were submitted into the public record:

1. Form B: Application for a Definitive Subdivision Plan, filed with the Town Clerk 5/1/2023.
2. Form G: Designer’s Certificate, dated 4/3/2023.
3. Modification Summary memo from Fodera Engineering, dated 3/10/2023.
4. Certified List of Abutters, dated 4/3/2023.
5. Legal Notice, published in Daily Times Chronicle on 4/25/2023 and 5/3/2023.
6. Major Site Plan Modification Plan Set for Grandview Road Extension, for the land located on 4 Cold Spring Road, Reading, MA 01867, prepared for: Michael Salamone, prepared by: Fodera Engineering, dated 4/20/2023, and revised 6/20/23, including the following:
 - a. Sheet C-0: Cover Sheet, dated 4/20/2023, last revised 7/26/23
 - b. Sheet SV-1: Existing Conditions Plan of Land, prepared by PFS Land Surveying Inc., dated 7/8/2020;

- c. Sheet C-1: Plan of Land, dated 4/20/2023, last revised 7/27/23
 - d. Sheet C-2: Site and Tree Preservation, dated 4/20/2023, last revised 7/27/23
 - e. Sheet C-3: Erosion and Sediment Control Plan, dated 4/20/2023, last revised 7/27/23
 - f. Sheet C-4: Grading and Drainage Plan, dated 4/20/2023, last revised 7/27/23
 - g. Sheet C-5: Utility and Roadway Profile Plan, dated 4/20/2023, last revised 7/27/23
 - h. Sheet C-6: Details Sheet 1, dated 4/20/2023, last revised 7/27/23
 - i. Sheet C-7: Details Sheet 2, dated 4/20/2023, last revised 7/27/23
7. Stormwater Management Report, 4-Lot Residential Subdivision, Grandview Road Extension, prepared by Fodera Engineering, dated 3/10/2023
 8. HydroCAD Report, dated 6/20/23
 9. Memo from Town Engineer to Community Development Director, dated 5/3/23
 10. Memo from Conservation Administrator to Community Development Director, dated 5/10/23
 11. Memo from Fodera Engineering to Senior Planner, dated 6/20/23
 12. Memo from Town Engineer to Community Development Director, dated 7/6/23
 13. Draft Decision, dated 5/15/2023, revised 7/10/23, revised 8/14/23
 14. Stormwater Permit Application, received 6/20/23

FINDINGS:

1. **Original Approval:** On February 8, 2021 the CPDC approved a Definitive Subdivision Plan for a 4-lot residential subdivision on the land of 4 Cold Spring Road. The existing single-family dwelling was to be retained within a new lot boundary and a net of 3 new house lots and homes created.
2. **Proposal:** Based on changes made in conjunction with the existing occupant the Applicant is proposing the following modifications to their previously approved plan:
 - a. **Lot Usage:** Lot 2, the lot directly abutting the pre-existing home at 4 Cold Spring Road, will not be built at this time, though the lot remains approved as a buildable lot and the impervious surface area of the lot (i.e. driveway) has been included in the stormwater calculations and drainage design for the modification.
 - b. **Building footprints and backyards:** The building footprints for Lots 3 & 4 have each increased from 1,925sf to 2,200sf. Both Lot 3's and Lot 4's "Area of Tree Removal" have increased to provide larger backyards than originally approved. Wooded area to be removed increased from -29,734sf to -34,287sf; total new grass space to be included has increased from 8,050sf to 13,423sf.
 - c. **Grading and Drainage:** The roadway was regraded to create a low point at the end of the cul-de-sac. The grading of the road has dropped approximately 2-feet from the original approval. There are two double catch basins at the low point of the cul-de-sac. Stormwater flow from the right of way is directed to the low point through vertical granite curbing previously approved. The catch basins will gravity convey runoff to a newly proposed open infiltration basin through an added sediment forebay.

The roadway lowering allows for the use of a stormwater detention pond/infiltration basin instead of the previously approved stormwater subsurface infiltration system. The grading to the open basin is located entirely within Lot 2 and Lot 3 and is setback 10.4-feet from the eastern property line and more than 10-feet from the dwelling on Lot 3. The basin is an open basin pond design and is sloped no steeper than 4H:1V, with a maximum depth of 4-feet. The detention pond's overflow weir is located on the northeast portion of the basin, directing any possible overflow to the northern low

point of the site on Lot 2. Stormwater runoff calculations have been revised and updated in conjunction with the above listed changes.

Roof drainage from the home on Lot 4 will direct directly into the drain manhole and will not daylight.

Previously approved Lot 2 impervious driveway area is included in the stormwater calculations. However, if Lot 2 is developed in the future, roof drainage will require a separate dry well system and would not be directed to the detention pond.

- d. **Private easements:** The proposed drainage easement has also been revised accordingly with the new proposed detention/infiltration basin.
 - e. **Trees/Landscaping/Screening:** By increasing the size of Lot 3 and 4's backyard area the area of tree preservation dropped from 24,282sf to 19,600sf and the estimated number of trees preserved dropped from 353 to 70.
 - f. **Retaining Wall:** A retaining wall has been added to the southern portion of the site. It will be two tiered 3' high walls and will not require disturbing the abutting property. A fence has been added to the top of the retaining wall directly next to the driveway for Lot 4.
3. **Stormwater Permit Applicability:** Any activity that results in disturbance of one (1) or more acres of land and any land-disturbing activity that is part of a Common Plan of Development or Sale that will ultimately result in the disturbance of one (1) or more acres of land, shall be subject to the requirements of the Stormwater Management and Erosion Control Bylaw and Regulations. The project proposes to disturb and develop over one acre of land area.
 4. **Conservation:** The proposed changes to the previously approved grading and stormwater infiltration design will require review and approval from the Conservation Commission.
 5. **Board of Health:** In accordance with M.G.L. Ch. 41 Section 81U, a copy of the Form B and plans were submitted to the Board of Health. The Health Agent indicated that the proposed modifications do not warrant any additional requirements or actions from the Health Department.

WAIVERS:

No new waivers were requested or granted as part of this Modification Process.

The Applicant had previously requested, and the Commission had approved the following waivers from the Town of Reading Subdivision Regulations:

1. A waiver from Section 6.1.1.d.3 requiring the submittal of a full traffic study.
The development results in three (3) newly created single-family dwellings that would be located on a dead-end street. The Applicant feels that the additional vehicular demand can be determined to have an insignificant impact to the surrounding neighborhood.
2. A waiver from Section 6.1.1.d.4 requiring the submission of an Environmental Impact Report.
A protected resource area on-site is found in the buffer zone of an inland vegetated wetland. The Applicant states that minor site grading will be performed no closer than ~75' from the wetland area and will be performed in accordance with local and state regulations. Stormwater control will be properly mitigated on site. There are no Historical properties within 500' of the site and the Applicant feels it can be

determined that the project will have an insignificant impact on the protected environment.

3. A waiver from Section 7.1.1(a) requiring the layout width of a right-of-way to be a minimum of 60'. A waiver has been requested to **reduce the right-of-way layout from 60' to 40'**.

The project is proposing to develop the existing unimproved way known as Grandview Avenue that has a width of 40'. The right-of-way will remain at 40' but the Applicant is proposing a cul-de-sac that satisfies the subdivision regulation requirements.

4. A waiver from Section 7.1.2(a) requiring centerlines of opposing streets to be spaced a minimum of 150' apart. A **waiver has been requested to reduce the minimum spacing of 150' to 130'**.

The Applicant states that Ridge Road is located 130' east, however, the existing ways have been in existence prior to the Subdivision Regulations.

5. A waiver from Section 7.1.3(a) requiring a minimum of a 30' wide paved way. A waiver has been requested to **reduce the minimum width requirement of 30' to 25'**.

The Applicant states the 25' roadway width would accommodate the existing 40' right-of-way best by allowing the inclusion of a one-sided 5' sidewalk and 5' wide vegetated strip. The remaining 5' within the right-of-way will be on the west side of the proposed roadway and be graded out onto the Town-owned land.

6. A waiver from Section 7.1.3(b) requiring dimensions of the proposed roadway, curbing, tree lawns, and sidewalks be conforming to the cross section shown in Figure 1 of the Subdivision Regulations has been requested.

Figure 1 of the Subdivision Regulations displays a 60' wide right-of-way with two 5' sidewalks, two 10' wide vegetated strips and a 30' wide paved roadway. The Applicant states conforming to Figure 1 is unfeasible due to the proposed 40' right-of-way width.

7. A waiver from Section 7.1.3(e) requiring side slopes, outside of the exterior street lines, be a maximum allowable slope of one foot horizontal to one foot vertical (1:1) has been requested.

The Applicant proposes to grade outside of right-of-way limits and onto Town-owned land. The proximity of the proposed road and grading plan prove that it would require a retaining wall to avoid this waiver request and the Applicant feels that grading into the Town property is more practical and beneficial.

8. A waiver from Section 7.1.4(b) requiring that curb lines at all intersections provide a radius of not less than 30'. A waiver has been requested to **provide a 24' radius curb line at the northeastern corner of the proposed roadway intersection and to provide a 15' radius curb line at the western intersecting side.**

The Applicant states that the existing intersection at Cold Spring Road and the proposed road is limited in radial width due to the corner property boundary of 4 Cold Spring Road. The Applicant feels the 15' radius on the western intersecting side will be satisfactory due to the absence of a western roadway intersection.

9. A waiver from Section 7.1.5(e) requiring a landscape island to be installed within the cul-de-sac has been requested.

The Applicant states that a fully paved cul-de-sac turnaround will be provided for emergency access and feels that a landscaped island presents maintenance and plowing concerns.

10. A waiver from Section 7.2(a) requiring sidewalks to be constructed on both sides of the proposed street. The Applicant is proposing **a sidewalk on one side of the proposed street.**

The Applicant states that due to the proposed 40' right-of-way sidewalks on both sides are not practical and that a sidewalk will be provided on one side of the proposed road.

11. A waiver from Section 7.5.4 requiring a 20' slope easement to be provided beyond the road layout for appropriate grading behind the sidewalk. A waiver has been requested to **increase the easement from 20' to 30' on the west side of the road and into the Town owned land abutting the project site.**

The Applicant states that this waiver would benefit the proposed grading discussed in Waiver #7 above.

CONDITIONS:

General:

- 1) **Plan Modification:** Upon approval of a Major Modification, the Applicant shall submit one (1) paper copy and one (1) electronic copy, in a format acceptable to the Building Inspector, of the modified plan, as well as a letter issued by a registered professional engineer, registered architect or registered landscape architect certifying, under pains and penalties of perjury, that the modified plan is consistent in all aspects with the approved modification and that all conditions of approval have been satisfied.
- 2) **February 8, 2021 Approval:** All conditions listed in the February 8, 2021 approval remain in full force and effect to the extent that they are not rendered obsolete by the Major Modification herein.
- 3) **Conservation:** The Applicant shall coordinate with the Conservation Administrator to comply with the requests and conditions imposed of/by the Conservation Commission.

Stormwater Permit Conditions:

- 1) The Applicant shall notify the Community Development Director and Town Engineer before significant site milestones, such as installation of erosion and sediment control measures or completion of site clearing.
- 2) The Applicant shall conduct and document periodic inspections of all control measures (before, during and/or after construction) and submit reports to the Community Development Director and Town Engineer.
- 3) The Applicant shall post, before the start of land disturbance activity, a cash bond or other surety to secure the performance of the Permittee's obligations under the Stormwater Permit.

- 4) The Applicant shall record notice of the Operation & Maintenance Plan with the Registry of Deeds (or the Land Court for registered land).
- 5) The Applicant shall establish a dedicated source of funding for long-term operation and maintenance of stormwater control measures, if not conducted by the Town.
- 6) The Applicant shall submit, to the Community Development Director and Town Engineer, an annual certification documenting the work that has been done over the last 12 months to properly operate and maintain the stormwater control measures.
- 7) The Applicant shall notify the CPDC in writing of any change or alteration of a land-disturbing activity authorized in a Stormwater Permit before the change or alteration occurs. If the proposed change or alteration is minor, the Community Development Director, after coordinating with the Town Engineer, may authorize such change or alteration in writing with a copy to the CPDC. Otherwise, the Community Development Director shall forward the notification of change or alteration to the CPDC. If the CPDC determines that the change or alteration is significant, it may require the Permittee to apply for an amendment to the Stormwater Permit.
- 8) The Approval of the Stormwater Permit shall lapse two (2) years after the date of its issuance if construction pursuant thereto has not begun; provided however, that the CPDC may grant an extension of the two (2) year period, for a maximum of one (1) year, upon a finding of good cause, including the need to obtain other local, state, and federal permits duly applied for, at the written request of the applicant, if submitted to the CPDC at least thirty (30) days prior to the expiration of the two (2) year period.
- 9) The CPDC may, upon application by the Permittee, amend a Stormwater Permit. Any such amendment shall conform to the requirements of the Stormwater Management and Erosion Control Bylaw and Regulations.
- 10) Within 60 days of the completion of construction of the project, the Permittee shall submit to the Community Development Director and Town Engineer a record plan detailing the actual stormwater management system as installed. The as-built plan must depict all on-site controls, both structural and non-structural, designed to manage the stormwater associated with the completed site. Such plan shall be provided both in hard copy and as an electronic file. Upon review of the as-built plan, the Community Development Director and Town Engineer may approve it or may direct the Permittee to take any actions necessary to correct the plan or to comply with any outstanding requirements of the Stormwater Permit.

Prior to Plan Endorsement:

- 1) **Plan Revisions:** The Applicant shall revise the Site Plan pursuant to any conditions imposed herein and submit 2 full-size (24x36) copies of the revised plans to the Community Development Director for review and approval prior to the issuance of a Building Permit. Revisions include but are not limited to:
 - a. The project utility plan shall be revised to reflect utility stubbing up to the Lot 2 property line and no utility infrastructure within Lot 2.
- 2) **Mylars:** The Applicant shall submit two (2) complete sets of mylar plans, and an electronic version, to the Community Development Director for endorsement by the CPDC.

- 3) **Electric Utility and Easement:** The proposed changes to the electric utility plan shall be approved by the Reading Municipal Light Department (RMLD). Locations of light poles, transformers, etc. shall be added to the plans and approved by RMLD.

Prior to the Commencement of Site Work, Road Work or Utility Work:

- 1) **Other Permits:** The Owner/Applicant is responsible for meeting all other requirements and obtaining all other permits as needed including but not limited to: Order of Conditions from the Conservation Commission, utility connections, street opening, and Jackie's Law excavation permits from the Engineering Department (prior to excavation).
- 2) **Recorded Plans:** The Applicant shall provide electronic copies of the recorded plans and all other recorded documents to the Community Development Director.
- 3) **Engineering Comments:** The Applicant shall coordinate with the Town Engineer to resolve any necessary outstanding comments.

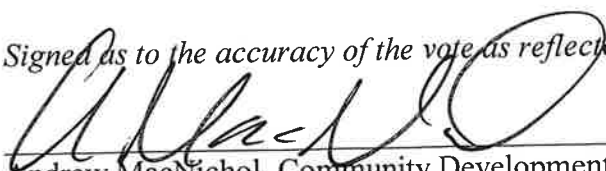
Prior to the Issuance of a Building Permit:

- 1) **Lot Two Conveyance:** The Applicant shall provide recorded proof to the Community Development Director that Lot 2 has been conveyed to the property owner of 4 Cold Spring Road.
- 2) **Shed Relocation/Removal:** The Applicant shall provide confirmation that the existing shed has been relocated and/or rebuilt to fit entirely within Lot 1 and meet zoning requirements.

Prior to the Issuance of Occupancy for Any Lot:

- 1) **Access Easement:** The Applicant shall provide a copy of the executed and recorded Access and Utility Easement established between Lot Three and Lot Four.
- 2) **Closing Documents for Homeowners:** Additional reference to the Stormwater Operation and Management Plan shall include language that no structure, trees, fill and/or blockage of the stormwater detention pond within Lot Three shall be allowed. Additional language as to the maintenance, cleaning and responsibilities to ensure the detention pond works as designed shall be included.
 - a. If deemed required, prior to the issuance of an Occupancy Permit for the future construction of a dwelling on Lot 2, draft documents prescribing Lot 2 to join the established Homeowners Association shall be submitted to the Community Development Director for review and approval.

Signed as to the accuracy of the vote as reflected in the minutes:


Andrew MacNichol, Community Development Director

8/15/23
Date

Cc: Applicant, Town Clerk, CPDC, Development Review Team, Building Inspector, planning file