



Town of Reading
16 Lowell Street
Reading, MA 01867

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July 10, 2023

Preliminary Subdivision Plan **DECISION of APPROVAL**

246 Walnut St

Proposed Street Name: Walnut St Extension

RECEIVED
TOWN CLERK
READING, MA
2023 JUL 11 AM 5:43

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 and closed on July 10, 2023, by a motion duly made and seconded, it was voted:

“We, the CPDC, as requested by Stella Construction, under the Town of Reading’s Subdivision Rules & Regulations, and MGL Chapter 41 Sections 81K through 81GG, to consider the 3-Lot Preliminary Subdivision Plan for property located at 246 Walnut St (Assessors Map 3, Lot 19), as shown on the plans prepared by Meisner Brem Corporation, originally dated May 3, 2023, and most recently revised June 14, 2023, in support of an application filed on June 26, 2023, do hereby vote 5-0-0 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 Subdivision Approval, filed with the Town Clerk 6/26/23.
2. List of Requested Waivers from Reading Subdivision Regulations, dated 7/6/23.
3. Certified List of Abutters, dated 6/14/23.
4. Email from Staff Planner to Applicant’s Engineer with a statement deeming the submission Substantially Complete, and including a list of minor revisions to be made for the next plan submission, dated 6/21/23.
5. Legal Notice, published in Daily Times Chronicle on 6/26/23 and 7/3/23.
6. Preliminary Subdivision Plan of Land for 246 Walnut St, Reading MA, prepared for: Stella Construction, prepared by: Meisner Brem Corporation, including the following:
 - a. Sheet 1 of 3: Cover Sheet and Location Plan, dated 5/3/23; and most recently revised 6/14/23
 - b. Sheet 2 of 3: Preliminary Subdivision Plan, dated 5/3/23; and most recently revised 6/14/23
 - c. Sheet 3 of 3: Preliminary Subdivision Layout Plan, dated 5/3/23; and most recently revised 6/14/23.
7. 60-foot Right of Way Proof Plan, prepared by Meisner Brem Corporation, dated 7/10/23

8. Emails from residents to the CPDC
 - a. From Paul Frazier and Eirinn Keogh, dated 7/10/23
 - b. From Peter Nicolaides, dated 7/9/23
 - c. From Michael and Heather Soracco, dated 7/9/23
9. Draft Decision, dated 7/10/23.

FINDINGS:

1. **Existing Conditions:** Walnut St is an existing 50' wide Public Way with 24' of paved roadway width serving eight single-family homes that dead-ends in a partial cul-de-sac. The development tract is comprised of 246 Walnut St, which is the last house on Walnut St. The 2.02-acre tract currently has one single-family home on the western portion of it, closest to Walnut St. The site is entirely within the S-20 Zoning District. The tract maintains 240 linear ft of frontage along Walnut St. The eastern portions of the site are flagged wetlands and the eastern abutting properties contain a river. The 100' inner riverfront line crosses approximately the eastern third of the tract and the 200' outer riverfront line covers the majority of the site, with only the westernmost portions excluded.
2. **General Proposal:** The Applicant is proposing to raze the existing single-family home and to subdivide the lot into three buildable tracts. Walnut Street is proposed to be extended by approximately 270' in length, with a 50' right-of-way width on paper and 24' width paved. The applicant is requesting a waiver to reduce the right-of-way width from the required 60' width to 50'. The extension will terminate in a cul-de-sac with a radius of 60', 45' of which will be paved.
3. **Zoning & Upland Area:** The site is within the S-20 Zoning District; of which the three proposed lots comply with the frontage and area requirements of the S-20 Zoning District. Single-family dwellings are to be compliant with the setbacks, lot coverage and height limitations of the S-20 Zoning District. There are no known Special Permits or Variances relative to the subject properties

A minimum total of 20,000sf of area, 12,000sf of upland area, and 120' linear feet of frontage is required. Or per Footnote 3, the required frontage can be reduced to not less than 80 ft if the street is a curve having a radius of not more than 200 ft and that lot has a width of not less than 120 ft.

- a. Lot 1 is proposed to be 21,000sf, all of which is upland, with 410 ft of frontage.
 - b. Lot 2 is proposed to be 27,500sf with 13,500 upland and 100ft of frontage along a curve less than 200 feet.
 - c. Lot 3 is proposed to be 26,500sf with 14,5000 upland and 270ft of frontage.
4. **Proof of Concept & Proposed Right-of-Way:** A proof of concept depicting a 60' right-of-way and 60' cul-de-sac was shown on the plan 60' Right of Way Proof Plan, prepared by Meisner Brem Corporation, dated July 10, 2023. The Applicant proposes a reduction to a 50' right-of-way that would extend the existing variable 40' right of way of Walnut St by 270' and terminate in a 45' paved cul-de-sac. The extension will bring Walnut Street to total length of approximately 750-feet. The extension will provide the necessary frontage and access for the proposed 3 new single-family homes on the tract.
5. **Wetlands:** A wetland survey was performed by Basbanes and Associates in January 2023 and an area of Bordering Vegetated Wetlands (BVW) was flagged on the eastern portion of the tract. The buildable lot areas are proposed outside of the 35' no build zone, although work is proposed within the 100' buffer zone. The flagged bank of the river in the eastern abutting properties means

that the 100' inner riverfront line crosses approximately the eastern third of the tract and the 200' outer riverfront line covers the majority of the site, with only the westernmost portions excluded.

6. **Conservation Review:** The Application will require an Order of Area Resource Delineation (ORAD) and Notice of Intent (NOI) with the Conservation Commission, as well as the issuance of an Order of Conditions prior to permitting. As part of the Notice of Intent the applicant will be required to perform an alternative analysis pursuant to 310 CMR 10.58(4)(c) for work in the outer riparian zone of the river front area.
7. **Traffic:** Due to the proposal of a single buildable tract with a net of two single-family dwellings, the Applicant is expected to request a waiver for the requirement of a Traffic Impact Assessment submittal under Section 6.1.1.d.3 of the Subdivision Rules and Regulations.
8. **Trees/Landscaping/Screening:** Deciduous and Evergreen trees with 6" and greater diameter are to be depicted on a Definitive plan set. Area/count of tree removal, tree preservation and tree replacement are to be provided.
9. **Lighting:** No street lighting has been proposed and a waiver from Section 7.1.11 may be expected in a Definitive Application. If a waiver request is submitted the Applicant is to provide the reasoning behind the request. Typical house mounted lights will be provided at the proposed lots.
10. **Utilities:** Both Town water and sewer are proposed to be extended and connected to the proposed house lot. Electric, Telephone and Cable service shall also be provided. All utilities are proposed to be underground and extended through the proposed right-of-way. A new hydrant is proposed at the end of the cul-de-sac. Further information on water flow and looping is to be provided in a Definitive Plan Set.
11. **Drainage:** Associated road runoff is presently expected to be directed to a stormwater infiltration system located on the eastern edge of the cul-de-sac between Lots 2 & 3. The Applicant should consider a minimum of two catch basins within the right-of-way to capture runoff.
12. **Easements:** There is a presently proposed drainage easement on Lots 2 & 3 in conjunction with the proposed drainage system. Should the drainage design expand or relocate in a Definitive Plan Set the easements shall be adjusted accordingly.
13. **Stormwater Permit:** A stormwater permit application will be required with a Definitive application. The Conservation Commission shall issue and oversee the Stormwater Permit.
14. **Rooftop Solar:** The Applicant shall consider orienting the homes so that future owners can benefit from potential rooftop solar installations and/or passive heating.

WAIVERS:

The Applicant has requested, and the Commission has voted the following waivers from the Town of Reading Subdivision Regulations, with guidance and the understanding that such waivers are subject to change and revote in a Definitive Subdivision Application:

1. A waiver from Section 7.1.1.a requiring a right of way width of 60-feet.
 - a. *The existing layout of Walnut St is 40-feet wide and the Applicant proposes to extend the layout of Walnut St at the 50-foot width, because of such the Applicant requests relief of this requirement.*

The CPDC voted 5-0-0 to approve the requested waiver.

2. A waiver from Section 7.1.3 requiring Typical Cross Section for a Sixty-Foot Street.
 - a. *Due to the proposal of a 50-foot right-of-way the Applicant proposes a 24-foot paved travel way where 30-feet is required.*

The CPDC voted 4-1-0 to approve the requested waiver.

3. A waiver from Section 7.1.5.a requiring dead end streets to be no longer than 500-feet.
 - a. *The Applicant proposes an extension of Walnut Street by 270-feet, bringing the dead end of Walnut Street to a total of an estimated 750-feet in length. A 45-foot paved cul-de-sac is provided for turnaround.*

The CPDC voted 5-0-0 to approve the requested waiver under the condition that utilities are proven sufficient to support the proposed development.

The Applicant did not formally request a vote on the following Sections but discussed the potential for the following waivers in a future Definitive Subdivision Application:

1. A waiver from Section 6.1.1.d.3 requiring a full traffic study.
 - a. *The Applicant is likely to request relief from the requirement due to the modest scope of two additional single-family dwellings.*

The CPDC opined that such a waiver request may be appropriate given the modest scope of the development.

2. A waiver from Section 7.1.3.e requiring side slopes no steeper than three feet horizontal to one foot vertical (3:1)
 - a. *The Applicant proposes a slope of 2:1 to provide grading flexibility.*

The CPDC requested more information be provided, as well as input from the Conservation and Engineering Divisions.

3. A waiver from Section 7.1.5(e) requiring a landscaped cul-de-sac island.
 - a. *The Applicant requests a waiver from this requirement due to access, plowing and maintenance concerns.*

The CPDC opined that such a waiver request may be appropriate due to access, plowing and maintenance concerns.

4. A waiver from Section 7.1.11 requiring the installation of street lighting.
 - a. *The Applicant requests a waiver of this requirement due to the opined limited extension, wetland implications and that typical house and driveway lighting is to be provided.*

The CPDC recommended further discussion on lighting needs due to potential impacts to the wetland systems within the site.

5. A waiver from Section 7.1.7.a requiring vertical granite curbing.
 - a. *The Applicant requests a waiver of this requirement as it is a minor extension of a street without curbing.*

The CPDC recommended providing Vertical Granite Curbing to guide right-of-way stormwater flow to the drainage and infiltration infrastructure.

6. A waiver from Section 7.2 requiring sidewalks along both sides of the roadway.
 - a. *The Applicant requests a waiver from this requirement due to no existing sidewalks along Walnut Street.*

The CPDC recommended the Applicant review the feasibility of a sidewalk on at least one side of the right-of-way.

7. A waiver from Section 7.6 requiring the installation of street trees.
 - a. *The Applicant requests a waiver from this requirement due to the proposed extension of Annette Lane by 30-feet and the fact that the rest of the way shall remain on paper.*

The CPDC recommended a landscape plan or tree replacement plan be submitted for review and discussion.

CONDITIONS:

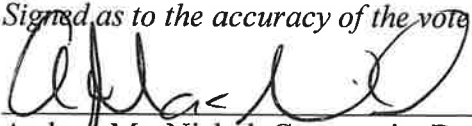
General:

1. **Definitive Subdivision:** Should the Applicant wish to proceed with this project, Definitive Subdivision Plans shall be submitted to the Town within 7 months of the preliminary application filed on June 26, 2023, in conformance with Chapter 41A Section 81Q of the Subdivision Control Law.
2. **Drainage Design:** No drainage design is approved herein. The Definitive Plans shall include any LID or conventional stormwater management features proposed on-site, along with relevant calculations and documentation as may be required by the Town Engineer. Requirements within Section 7.4.4.3 of the Subdivision Rules and Regulations shall be met; if a waiver from such requirements is to be sought, relevant reasoning shall be provided. Infrastructure shall be designed to meet Standard 1 through 6, for New Development, of the Massachusetts Stormwater Management Standards; as well as any post-construction design requirements. An Operation and Maintenance Plan associated with the infrastructure is to be submitted.
 - a. **Stormwater Permit Application:** The Applicant shall file a Stormwater Permit Application with the Community Development Director, Conservation Administrator, and Town Engineer. Requirements of the Stormwater Regulations shall be met and approved by the Conservation Commission.
3. **Test Boring Logs:** Test Boring Logs shall be provided to the Town Engineer showing the results of all test borings performed as required in Section 6.1.1.d.5 of the Reading Subdivision Rules and Regulations.
4. **Trees/Landscaping/Screening:**
 - a. A future Definitive Plan Set shall specify locations and identifications of trees 6-inch caliper or larger and of significant stands or groups of trees, together with indications of trees and groups of trees proposed to be saved or preserved as required per Section 6.1.1.b.13 of the Subdivision Rules and Regulations. If a waiver from such requirement is to be sought, relevant reasoning shall be provided.
 - b. The Applicant shall provide replacement trees on each lot at the ratio of at least one such tree for each 2,000 square-feet of open area on such lot as required per Section

7.6.2.2 of the Subdivision Rules and Regulations. If a waiver from such requirement is to be sought, relevant reasoning shall be provided.

- c. All trees proposed to be removed from within the 100' wetland buffer shall be approved by the Conservation Commission. Any proposed Street Trees will not count towards the Conservation replacement requirement.
 - d. A future landscape plan shall look to address sound mitigation from the abutting highway.
5. **Utilities:** The Applicant shall work with the DPW and RMLD to ensure compliance with all utility extension requirements. Utilities for the new homes are required to be underground.
 6. **Other Permits:** The Applicant is responsible for obtaining all other required Federal, State and Local permits, including but not limited to: Definitive Subdivision Plan Approval from the CPDC, a NPDES Permit; Stormwater Permit, utility permits for sewer, water, electric, etc.; curb cut, driveway, MassDOT and Jackie's Law excavation permits; Board of Health approvals; and an Order of Conditions from the Conservation Commission.
 7. **ORAD and NOI:** As appropriate prior to submitting a Definitive Subdivision Plan, the Applicant shall submit an Order of Resource Area Delineation (ORAD) and Notice of Intent (NOI) application with the Conservation Commission.
 8. **Health Division:** As appropriate, prior to submitting a Definitive Subdivision Plan, the Applicant shall ensure compliance with applicable requirements of the Health Department.
 9. **Snow Storage:** The Applicant shall coordinate with the Conservation Commission, Engineering Department, and DPW Department, to determine the most appropriate location on-site for snow storage.
 10. **Electric Utility:** The electric utility plan shall be submitted and approved by the Reading Municipal Light Department (RMLD). Locations of light poles, transformers, etc. shall be added to the plans and approved by RMLD.
 11. **Property Maintenance:** The Applicant shall maintain the property in a neat and orderly fashion while the development is pending, and during construction.

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



Andrew MacNichol, Community Development Director

7/11/23
Date

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