



Town of Reading
16 Lowell Street
Reading, MA 01867

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February 28, 2022

Major Plan Change to Approved 40R

DECISION

Project/Site: 531 Main Street
Applicant: Reading Chronicle, ACG RE Reading, LLC

To the Town Clerk:

This is to certify that, at a hearing of the Community Planning and Development Commission opened on February 28, 2022, and closed on the same date, by a motion duly made and seconded, it was voted:

“We, the Reading Community Planning and Development Commission, upon request from ACG RE Reading, LLC, for a Major Plan Change to an Approved 40R Development, for the property located at 531 Main Street (Assessors Map 17, Lot 162) for a change in building orientation, as shown on the architectural plan set for Reading Chronicle, 531 Main Street Reading, MA, prepared by RP Architectural Studio, dated 2/14/22, do hereby vote 5-0-0, to **approve** the project under Section 10.5.13 of the Reading Zoning Bylaw, subject to the Findings and Conditions below.”

Materials Submitted:

The following materials were submitted into the public record:

1. Legal Notice of Public Hearing, printed with the Reading Chronicle on 2/10/22 and 2/17/22;
2. Summary of Changes, received 1/19/22;
3. Garage and First Floor Plan, redlined change of building orientation, received 1/19/22;
4. Architectural Plan Sheets, prepared by RP Architectural Studios, for ‘The Chronicle’ at 531 Main Street, Reading, MA, dated 2/14/22, including:
 - a. Sheet A1.1: Garage Floor Plan, Approved vs Proposed Comparisons;
 - b. Sheet A1.2: Level Two Plan, Approved vs Proposed Comparisons;
 - c. Sheet A1.3: Level Three Plan, Approved vs Proposed Comparisons;
 - d. Sheet A1.4: Roof/Stair Plan, Approved vs Proposed Comparisons;
 - e. Sheet A2.1: North Elevations, Approved vs Proposed;
 - f. Sheet A2.2: East Elevations, Approved vs Proposed;
 - g. Sheet A2.3: South Elevations, Approved vs Proposed;
 - h. Sheet A3.1: Wall Sections, Approved vs Proposed;
 - i. Sheet A4.1: Chapin Avenue Renderings, Approved vs Proposed;
5. Sheet L101: Proposed Landscape Plan, prepared by Allen and Major Associates, Inc., dated 2/14/22;
6. Email from 16 Chapin Avenue, received 2/2/22;

7. Draft Decision, dated 2/28/22.

Zoning Bylaw Section 10.5.13 – Plan Changes After Approval by Approving Authority

10.5.13.1 Minor Plan Changes

After Plan Approval, an Applicant may apply to make minor changes in a Development Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall build out or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the Approving Authority on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the Approving Authority. The Approving Authority may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The Approving Authority shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the Applicant for filing with the Town Clerk.

10.5.13.2 Major Plan Changes

Those changes deemed by the Approving Authority to constitute a major change in a Development Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the Approving Authority as a new application for Plan Approval pursuant to this Section 10.5.

Findings:

1. **Original Approval:** On February 8, 2021 the CPDC approved a 40R Plan Review for a 3-three story mixed-use building with 7 residential units, ~603 square-feet of commercial space and an at-grade garage with 9 parking spaces, at 531 Main Street (Assessors Map 17, Lot 162).
2. **Proposal:** Based on findings that the approved transformer and its location is no longer required the Applicant is proposing adjustments to building orientation that would allow for an increase in parking (one additional space), additional landscaping opportunities, and an increase in private usable outdoor space. However, the proposed changes also increase the building length and in turn reduce the setback of the building from the eastern lot line.
 - a. **Parking:** The original approval included 9 parking spaces within the garage, which includes one ADA van accessible space. **Due to the proposed changes one additional standard parking space can be allocated within the garage for a total of 10 parking spaces.**
 - b. **Setbacks:**
 - i. The CPDC approved a building layout and architectural plan sheets that depicted a pocket of land in the northeast corner of the site that maintained a 16'5" setback from the eastern lot line and a 10' setback from Chapin Avenue. This pocket of land was originally to be used for the transformer location. **Due to the proposed changes, and the building no longer requiring a transformer, the buildings north façade will increase by 5'9" in length and reduce the side setback to the eastern lot line to 10'7"**. The 10' setback from Chapin Avenue will be maintained for the remaining area at the northeast corner.
 - ii. The CPDC approved a building layout and architectural plan sheets that depicted a 3'1"-3'9" recessed area from the eastern lot line for the entirety of

the eastern façades ground level. Levels two and three of the building above were extended to the lot line. The recessed area was required in order to maintain access to the buildings gas meters that were located on the exterior of the building's eastern façade. **Due to the proposed changes, and the building no longer utilizing gas utility, the entirety of the eastern façades ground floor level is proposed to be reduced to the 0' side setback from the eastern lot line and match the setback of the second- and third -floors above.**

- c. **Balconies:** The CPDC approved a building layout and architectural plan sheets that depicted balconies along the eastern façade at the building's residential levels. The balconies were limited to 4' in depth due to clearance needs required for the transformer location. **Due to the proposed changes and no transformer being required the two balconies along the eastern façade (located at level one and level two) are proposed to be increased in size to 10'2" x 9'6"**. This allows for more usable outdoor space for tenants who occupy Unit 3 and Unit 7.
- d. **Landscaping:** A series of shrubs and perennial plantings are proposed within the 10' x 10'7" pocket at the northeast corner.
- e. **Building Access:** The 24' garage entry is proposed to shift slightly to the east. The pedestrian access to the building along Chapin Avenue is proposed to be relocated and recessed within the 10' x 10'7" landscaped pocket of land at the northeast corner of the site.

Conditions:

General:

- 1) **Plan Modification:** Upon approval of a Major Plan Change, 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 Plan Change herein.

Prior to the Issuance of a Building Permit:

- 1) **Corner Elevation and Design:** The Applicant shall submit revised renderings of the building's north elevation and façade that depicts a change in material and/or color at the buildings northeast corner, as discussed and reflected in the meeting minutes, to the Community Development Director for review and approval.

Prior to the Start of Construction:

- 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).

During Construction:

- 1) **Construction Hours:** Construction shall be limited to the hours stated in Section 8.9.8 "Construction Hours" of the Reading General Bylaws and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site.
- 2) **Construction Activities:** Construction activities shall be conducted in a workmanlike manner at all times. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down, and proper storage and disposal methods, subject to the approval of the Health Director or designee. The Applicant shall ensure that the abutting local streets are kept clear of dirt and debris arising from the Project, which may accumulate as a result of construction activities for the Project.
- 3) **Site Inspections:** Town staff or their designee shall have reasonable access to inspect the Site to determine compliance with this Decision.

Conditions for Ongoing Maintenance:

- 1) **As-Built Plans:** Two full size paper copies and electronic AutoCAD final As-Built plans showing the building footprint, drainage systems and utility connections shall be submitted to the Community Development Director and Town Engineer to ensure compliance with this decision and other applicable Town standards.

Plan Changes after Approval by the Commission:

Further contemplated future changes to the plan approved herein shall be presented to the Community Development Director and the Building Inspector, or other relevant Town staff, for review prior to implementation of proposed changes.

10.5.13.1 Minor Plan Changes: After Plan Approval, an Applicant may apply to make minor changes in a Development Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall build out or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the Commission on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the Commission. The Commission may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The Commission shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the Applicant for filing with the Town Clerk.

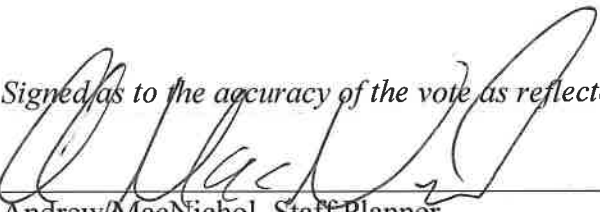
10.5.13.2 Major Plan Changes: Those changes deemed by the Commission to constitute a major change in a Development Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the Commission as a new application for Plan Approval pursuant to Section 10.5.

Appeal:

Any person aggrieved by this Decision of the CPDC may appeal to the appropriate court in accordance with the provisions of M.G.L. Ch. 40A Section 17, pursuant to M.G.L. Ch. 40R Section 11, within twenty (20) days after the date of filing of this Decision with the Town Clerk. Notice of

any appeal with a copy of the complaint must also be filed with the Town Clerk within such twenty (20) days as provided in M.G.L. Ch. 40A Section 17.

This Decision and the relief, terms, restrictions and conditions contained herein shall run with the land and all subsequent owners shall benefit from and be bound by the relief, terms, restrictions and conditions contained herein.

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

 Andrew MacNichol, Staff Planner 3/3/22
Date

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

