



Town of Reading
16 Lowell Street
Reading, MA 01867

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December 12, 2022

Downtown Smart Growth District (DSGD) Plan Review
M.G.L. Chapter 40R
DECISION

Project: 25 Haven Street
Applicant: 25 Haven Street, LLC

To the Town Clerk:

This is to certify that, at a public hearing of the Community Planning and Development Commission opened on June 13, 2022, continued to November 7, 2022, December 12, 2022 and closed on XXX by a motion duly made and seconded, it was voted:

“We, the Reading Community Planning and Development Commission, upon request from 25 Haven Street, LLC, under Section 10.5 of the Zoning Bylaws of the Town of Reading, and MGL Chapter 40R, to consider the application for 40R Development Plan Review to construct a 4-story mixed-use building with 12 housing units, and approximately 3,850 square feet of interior commercial space with 16 at-grade parking spaces, at 25 Haven Street (Assessors Map 16, Lot 309) – as shown on the architectural plans prepared by O’Sullivan Architects, Inc. and the site plans prepared by Hayes Engineering, Inc., and listed below – do hereby vote XXX, to _____ the 40R Development Plan, inclusive of the listed waivers, subject to the Findings and Conditions below.”

Materials Submitted:

The following materials were submitted into the public record:

- a) Certified List of Abutters, dated 4/19/22;
- b) DSGD Development Application Form, Project Narrative and Requested Waivers, dated 5/2/22;
- c) Legal Notice, published in the Daily Times Chronicle on 5/25/22 and 6/1/22, and posted with the Town Clerk on 5/25/22;
- d) Civil Engineering Plan Set for 25 Haven Street Proposed 40R Development, Reading, MA, prepared by Hayes Engineering, Inc., and prepared for 25 Haven Street, LLC., consisting of:
 - a. Sheet C-1: Index Plan, dated 11/22/22;
 - b. Sheet C-2: Existing Conditions Plan, 11/22/22;
 - c. Sheet C-3: Demolition and Relocation Plan, dated 11/22/22;
 - d. Sheet C-4: Site Layout Plan, dated 11/22/22;
 - e. Sheet C-5: Grading and Drainage Plan, dated 11/22/22;
 - f. Sheet C-6: Utility Plan, dated 11/22/22;

- g. Sheet C-7: Details Sheet, dated 11/22/22;
- h. Sheet C-8: Details Sheet, dated 11/22/22;
- e) Architectural Plan Set for 25 Haven Street Redevelopment, Reading, MA, prepared by O’Sullivan Architects, Inc., and prepared for 25 Haven Street, LLC, consisting of:
 - a. Sheet A0.01: Project Data, originally dated 4/29/22, most recently revised 11/28/22;
 - b. Sheet A0.02: Schematic Landscape Layout Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - c. Sheet A0.03: Shadow Studies, originally dated 4/29/22, most recently revised 11/28/22;
 - d. Sheet A0.04: Layout and Photometric Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - e. Sheet A1.01: Ground Floor Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - f. Sheet A1.02: Second Floor Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - g. Sheet A1.03: Third Floor Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - h. Sheet A1.04: Fourth Floor Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - i. Sheet A1.05: Roof Level Plan, originally dated 4/29/22, most recently revised 11/28/22;
 - j. Sheet A3.01: Elevations Front and Rear, originally dated 4/29/22, most recently revised 11/28/22;
 - k. Sheet A3.02: Elevations Left and Right, originally dated 4/29/22, most recently revised 11/28/22;
 - l. Sheet A3.10: Perspectives, originally dated 4/29/22, most recently revised 11/28/22;
 - m. Sheet A3.11: Perspectives, originally dated 4/29/22, most recently revised 11/28/22;
 - n. Sheet A3.12: Perspectives, originally dated 4/29/22, most recently revised 11/28/22;
- f) Sheet A4.01: Sections, originally dated 4/29/22, most recently revised 11/28/22;
- g) Stormwater Management Report: 25 Haven Street Mixed-Use Development in Reading, MA, dated 11/22/22;
- h) Transportation Impact Assessment, 25 Haven Street Mixed-Use Development, prepared by Vanasse & Associates, Inc., dated October 2020;
- i) Staff Input:
 - a. Email from Reading Fire Department Captain Nelson, dated 11/30/22;
 - b. Memo from Town Engineer, dated XXX;
- j) Abutter Input:
 - a. Email from Ilene Bornstein, dated 5/31/22;
 - b. Email from Jonathan Barnes, dated 11/3/22;
 - c. Email from Jonathan Barnes, dated 11/30/22;
 - d. Email from Samantha Couture, dated 12/2/22;
- k) Draft Decision, dated 12/12/22.

General Findings:

- 1) **Zoning:** The site is located within the underlying Business-B Zoning District and the Downtown Smart Growth District (DSGD) / 40R Overlay District. Sites and areas located to the north, south, east and west are also located in the Business-B and DSGD Zoning Districts.

The site is considered a Transitional Area (directly abutting a lot containing single-family dwelling).

→Therefore, Section 10 of the Design Guidelines applies to this redevelopment.

Commented [MJ1]: Look for language in DG re: RHC review/approval

"7.2.5 Existing building facades with architectural significance are to be incorporated into new construction wherever feasible. Protected buildings can be changed only with the approval of the Reading Historical Commission."

- 2) **Overview:** The land totals 18,935 square feet in area and maintains ~186.78 linear feet of frontage along Haven Street to the north and ~119.51 linear feet of frontage along Green Street to the south. The site is abutted by: Haven Street to the north; both a single-family dwelling and a one-story commercial building to the east; Green Street to the south, and; a two-story commercial building to the west.

The existing site contains a vacant ~7,953 square-foot, single-story commercial structure and associated parking. It was formerly a Reading Municipal Light Department building, and subsequently owned and occupied by a series of convenience stores, the most recent of which was Rite Aid (which was then bought by Walgreens). The site contains one curb cut along Haven Street and another curb cut along Green Street.

The Applicant proposes to redevelop the site into a Mixed-Use 40R Development including twelve (12) residential dwelling units. The project is proposed as homeownership units, and is under the unit threshold so does not require any deed-restricted affordable units. It will also include a total of ~3,850 square-feet of interior commercial space on the first-floor, with an 875 square-foot commercial patio area, and sixteen (16) associated parking spaces located at-grade. All sixteen (16) parking spaces are located in an at-grade parking lot; seven (7) of the spaces are located under the building roof line and the remaining nine (9) spaces are fully exposed to the elements. The parking lot is accessed by a 26-foot wide two-way driveway on Green Street.

The Applicant is seeking Development Plan approval from the CPDC under Section 10.5 of the Reading Zoning Bylaw and the Downtown Smart Growth District Design Standards & Guidelines, pursuant to M.G.L. Chapter 40R.

- 3) **Historic:** The existing building is listed on the local Reading Historical Inventory and is subject to a demolition delay. On July 28, 2021 the Reading Historical Commission (RHC) voted to impose a demolition delay on the property for up to six (6) months. On January 28, 2022 the demolition delay elapsed and was lifted.
- 4) **Setbacks and Dimensional Requirements:** The proposed building will have a 2' front yard setback from the northern lot line (Haven Street); a 10' side yard setback from the western lot line (adjacent to 1 Haven Street); a minimum 16' side yard setback from the eastern property line (adjacent to 51 Haven Street and 12 Green Street); and a minimum 25' rear yard setback from Green Street.

Building Height: For structures with flat roofs, 'height' is defined in Section 2.0 of the Reading Zoning Bylaw as "*The vertical distance from the average grade around the perimeter of a building to the top of a flat roof, including any parapet...*" Height is not defined separately or differently for 40R projects within ZBL Section 10.5, and mixed-use 40R projects are allowed a maximum height of 45' unless a height waiver can be justified.

Design of a flat roof with a metal roof coping is utilized. The elevator penthouse and mechanical units are proposed to be located on the roof and be setback and/or screened from view.

Section 10.4.1 of the Design Guidelines requires the following: “*building height shall be measured from the pre-development site grade.*” The maximum building height, to the parapet, based off of the pre-development site grade, is 44’. While not accounting towards maximum height requirements it should be noted that the elevator penthouse measures X’ in height and the stairwell measures X’ in height bringing maximum building height to X’.

Commented [MJ2]: Does it extend above the roofline?

Building Step-backs:

Lot Coverage: The lot totals ~18,935 square-feet of area, 8,994 square feet will be covered by the building, resulting in a 47.5% Lot Coverage calculation. Including associated parking, which is exempt under the definition, total impervious area calculates to 13,070 square feet (69%).

- 5) **Interior/Exterior Space:** The proposed project will comprise +/-30,009 net enclosed square feet, as follows: +/-8,637 (1st floor); +/-8,416 (2nd floor); +/-8,416 (3rd floor); +/-4,540 (4th floor); and +/-0 (roof). The first-floor/garage level includes seven (7) parking spaces dedicated the residential use, along with a residential lobby, a parking lot lobby, a trash room, a water room, an electrical room, the elevator, an elevator machine room, two stairwells, and the commercial spaces.

Commented [MA3]: Garage storage areas and bike parking accommodations? More utility space needed?

Commercial Space #1 shall include 2,388 gross floor area of interior space as well as an adjacent 875 gross floor area private outdoor patio space. Commercial Space #2 shall include 1,461 gross floor area of interior space. Each commercial space will have a separate and individual entrance off of Haven Street. Commercial Space #1 shall also have exterior access through the eastern public path and Commercial Space #2 shall be provided a secondary access through the rear lobby/parking area.

Two (2) one-bedroom units and ten (10) two-bedroom units are proposed, for a total of twelve (12) units. One-bedroom units average 764.5 net square feet, and two-bedroom units average 1,463 net square feet.

All residential units shall be provided with private balconies or access to private outdoor patios. Sizes of each varies in both width and length but are a minimum of 7’ x 10’. There is also a shared residential terrace on the 4th floor that totals 730 net square feet. There are no enclosed areas on the roof and there will be no public access to such.

- 6) **Roof:** Mechanical units located on the roof shall be placed so that they are not viewable from the street level or abutting residential properties. The elevator shaft is approximately X’ tall.
- 7) **Parking:** The project provides 16 parking spaces, which is 1 space more than required and results in a 1.33 spaces/unit ratio. Seven (7) of the parking spaces will be covered by the building while the other nine (9) parking spaces will be fully exposed to the elements. All of the spaces are dimensioned at 9’ x 18’, and one (1) space within the garage will be ADA accessible. The parking lot is accessed via a 26’ two-way drive on Green Street and maintains a 26’ wide two-way drive aisle. All parking spaces shall be designed and future proofed for use of Electric Vehicle Charging Stations.

The curb cut on Haven Street will be closed and two (2) on-street parking spaces will be added. The existing curb cut on Green Street will be relocated to the west and will result in the net loss of XXX parking spaces.

Commercial Parking: The site is within 300' of a municipal lot (Brande Court) and is exempt from providing off-street commercial parking. Also, as the proposed commercial spaces are expected to be occupied by retail and/or restaurant uses, zero (0) off-street parking spaces are required per Reading Zoning Bylaw Section 10.5.8:

10.5.8.1 Off-Street Parking

Off-street parking shall be provided to meet the following minimum requirements:

Retail or Restaurant 0 spaces

Loading / Deliveries: Front door and on-street deliveries are not allowed to occur on Haven Street or Green Street. Loading is proposed to occur within the outdoor parking and includes access to the trash room. A []' x []' temporary loading zone is shown utilizing the parking aisle in front of the covered parking spaces near the entry lobby and trash room. A drive aisle of 12'-14' shall remain if a truck is utilizing the loading zone. Commercial loading and deliveries will occur during off-peak traffic hours and the size and nature of the commercial space is expected to be served by box trucks and vans, and not trailer trucks. Commercial deliveries shall be provided access to the commercial area from within the garage. The same is expected for both residential move-ins/outs, which shall be managed and scheduled by the property management company.

Bicycle Parking: none proposed.

- 8) **Sidewalk Improvements:** The existing sidewalk will be replaced with new concrete sidewalk and vertical granite curbing to match existing. Sidewalk shall be extended down Haven Street along the property's entire frontage. Vertical Granite Curbing shall also be utilized around the outdoor parking area.
- 9) **Traffic Flow and Volume:** A Transportation Impact and Access (TIA) study was completed for the project by Vanasse Associates, Inc.

The TIA concludes with the following information/recommendations:

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- 10) **Drainage and Grading:** The existing site is relatively flat in grade and is nearly 100% impervious area due to the existing building and its associated parking. Redevelopment will incorporate Best Management Practices (BMP's) and Low Impact Design (LID) strategies and result in a net loss of 1,200 square feet of impervious area. LID measures include an infiltration system that mimics the natural runoff rate as the existing conditions.

The site will be graded in a manner to avoid puddling on the premises and to promote positive sheet flow away from the building. All surface runoff from the site will be collected in the closed drainage system so that there is no direct discharge to the surface of any abutting land.

Commented [MA4]: Is this the expectation?

Commented [MA5R4]: What is height clearance in garage? Can trucks of all sizes be accommodated?

Commented [MJ6]: The trash room doors open into a parking space – how will this work if there is a car parked there?

Also, re: the temporary loading space needs to be dimensioned – If delivery access to Commercial Space #1 is proposed via the back door, then I'd think the truck would pull all the way in to the end of the drive aisle. How does it impact/impeged use of residential spaces?

Commented [MA7]: This may be difficult when allowing entry and exit.

Commented [MA8]: Plans do not indicate any upgrades to sidewalk?

Stormwater runoff will be mitigated through the on-site infiltration system. The system will be designed to capture the 100-year storm event.

Roof and surface runoff will be captured and directed to the underground retention system prior to discharging into the municipal system. Stormwater treatment will be collected by deep-sump basin with an oil water separator. This provides enhanced pollutant removal from the stormwater by separating out Total Suspended Solids (TSS) and floatable oil/grease.

A final stormwater system long-term Operations and Maintenance Plan has been prepared. The Plan details measures to be taken by the property owner to ensure long-term sustainability of the system, which shall be conditioned below. The Plan includes, but is not limited to, schedules for inspections and maintenance, estimated costs of maintenance, safety measures, and responsible entity. A separate construction phase BMP plan has been drafted and shall followed throughout permitting.

- 11) Utilities: All utilities will be removed and re-connected through both Haven Street and Green Street as applicable. The existing sewer line will be cut and capped at the main within the right-of-way and shall be replaced with a PVC pipe. An oil water separator will be provided within the garage level and connected to the sewer line. An existing drain line through the property will be replaced with a new ductile iron drain and be relocated within the right-of-way. The domestic water service and a new fire service will be tapped from the water main within Haven Street. Electric, telephone and fiber optic services will be extended from Green Street. Natural gas will also be extended from the main on Haven Street and will be coordinated with the utility company. A grease trap shall also be provided for the commercial uses and will be located to align with future restaurant/kitchen location(s). All proposed utilities will be underground.
- 12) Lighting: A series of exterior lighting fixtures on the building's façade and within the exterior parking area is proposed. All exterior lighting shall be designed to be Dark Sky compliant and mitigate impacts to abutting residential properties; limited up-lighting is allowed in accordance with Design Guidelines Section 8.4.6.
- 13) Property Management: The property is proposed to be managed by a property management company.
- 14) Transformer: An electric utility plan shall be submitted and approved by RMLD. The transformer shall be located along Green Street and be screened from the street.
- 15) Wetlands / Floodplain: There are no wetland resource areas or buffers on or near the site, and the site is not within a 100-year floodplain.
- 16) Landscaping: Eleven (11) new trees are proposed on site – four (4) of which are to be street trees within the sidewalk along Haven Street. A series of additional shrubs and plantings is proposed along the site's property line. A pocket park will be developed in the southeast corner of the site and include a series of plantings and seating areas.
- 17) Trash Management: Trash and recycle bins shall be located within the garage. Trash is to be managed by a private entity. Language detailing how trash and recycling will be managed on-

Commented [MA9]: Is this true?

site, including but not limited to schedule of pick-up days and times, and logistics for trash truck access to the site shall be described within the property management documents. Trash management for both the residential and retail uses shall be managed separately, as is practicable.

- 18) **Signage:** No building signage is approved herein. Any future signage shall require the submittal of a Sign Permit Application and shall comply with Section 8.0 of the Zoning Bylaw and Section 9.0 of the Downtown Smart Growth District Design Guidelines.

Findings pursuant to DSGD Design Standards & Guidelines:

7. Building Design Standards

7.1 Massing

7.1.1 Front Façade Setback – Over 60% of the Haven Street façade is setback at 2' and the space between is designed to better activate the pedestrian entries. Additional active uses (i.e. outdoor commercial patio) and landscape is proposed along the front setback.

7.1.2 Building Step-Back Requirements – The building maintains a 25'-28'5" step-back at the fourth-floor level along the front façade. The same fourth-floor level also maintains a 12'7" step-back on the western façade. The step-backs are maintained for the entirety of the fourth-floor level.

7.1.3 Mixed-Use Building Proportions – The building's commercial space is provided horizontal brick work and large glass paned windows. Residential floors above are provided projecting bays, composite vertical panels, and balconies to differentiate from the retail uses below.

7.1.4 Special Function Space Differentiation – Not applicable to the current proposal; however, the Applicant is encouraged to think about community place-making events when approaching commercial tenants.

7.2 Appearance

7.2.1 Defined Proportions – The project uses projecting bays, balconies, a composite paneling system of different colors and a flat rooftop design to define different levels of the façade.

7.2.2 Horizontal and Vertical Elements – Horizontal elements such as brick masonry, trim, and large framed windows are combined with vertical projecting bays, at different levels. Materials shall be submitted to CPDC for review.

7.2.3 Continuous Façade Elements – Façade elements and materials are used continuously around the façade.

7.2.4 Rooftop Mechanical Setbacks – Mechanical units on the rooftop level are setback so as to not be visible from the pedestrian level.

7.2.5 Incorporation of Existing Significant Building Facades – The building form adapts in scale and texture to create continuity with abutting properties.

7.2.6 Franchise Architecture – Distinctive building design that is trademarked or identified with a particular chain or corporation and is generic in nature, is not allowed in the DSGD – the Applicant shall be aware of this when recruiting tenants.

7.3 Entries

7.3.1 Articulation – Commercial spaces are provided along Haven Street and are articulated through masonry design, signage, and recessed entries. The residential entry on Haven Street is flush with the rest of the building.

7.3.2 Retail and Commercial Entry Transparency – Commercial space is designed to activate Haven Street. Commercial spaces have large glass window panels for visibility.

7.3.3 Integrated Lighting & Signage – Exterior lighting has been designed around the entire perimeter of the building. Lighting shall activate entry ways and the commercial patio and illuminate the rear parking area.

7.3.4 Upper Floor Entries – The entry to upper floor residential areas shall be made distinct upon entering through the residential lobby on Haven Street.

7.4 Fenestration

7.4.1 Commercial Horizontality & Residential Verticality – Commercial spaces are designed with over 60% of their façade length being glass window panels. Residential portions of the building have windows designed with a 2/6 muntin grid to balance verticality and horizontality.

7.4.2 Glazing – Commercial spaces are designed with over 60% of their façade length being glass window panels. Retail or restaurant uses were stated as intended tenants to provide activation of the areas and limit tint of the windows.

7.4.3 Overhanging Awnings or Canopies – Not applicable to application.

7.5 Materials

7.5.1 Exterior Finishes – A combination of horizontal brick veneer and vertical composite paneling of different colors with aluminum finishing is used on building façades.

7.5.2 Prohibited Materials – Not Applicable.

7.5.3 Changes in Materials – The first-floor will consist of a brick masonry to transition from the sidewalk to the building structure. Commercial spaces will utilize large windows inserted into the masonry storefronts. Residential spaces and entries above will differentiate themselves by utilizing the composite paneling, aluminum balconies and finishing. Recessed and projecting bays shall utilize different colors of the composite paneling. The fourth-floor will also utilize a different color of composite material than the levels below. Materials shall be submitted to CPDC for review.

7.5.4 Continuity of Materials – Façade elements and materials are used continuously around the façade.

7.5.5 Blank Facades Not Permitted –

8. Site Design Standards

8.1 Sidewalks

8.1.1 Sidewalk Continuity – The existing curb cut on Haven Street will be removed and replaced with sidewalk. The existing curb cut on Green Street will be relocated to the west and sidewalk shall be provided in its space.

8.1.2 Pedestrian Amenities – The project will provide an 875 gross square foot commercial patio along Haven Street and a separate public pocket park along Green Street. A public path will connect Green Street and Haven Street.

8.1.3 Usable Open Spaces – The open space will be programmed dependent on commercial uses, but will most likely be used for pedestrian-centric

activities such as dining and seating. A public path and pocket park shall connect Green Street and Haven Street.

8.1.4 Pedestrian Improvements – Improvements to adjacent crosswalks, curbing and sidewalks may be requested by the Town Engineer.

8.2 Driveways and Parking

8.2.1 Sidewalk Continuity – The existing sidewalk will be removed and replaced. The curb cut on Haven Street will be replaced with sidewalk while the Green Street curb cut will be relocated and replaced with sidewalk.

8.2.2 Parking Lots – The parking shall be located at the rear of the building structure and concealed from public view through landscape and screening. The entry and exit of such will be provided off of Green Street.

8.2.3 Parking Lots Behind Buildings – The ground level parking shall be screened by landscape. The parking area will be accessed through Green Street.

8.2.4 Below-grade Parking – Not Applicable to application.

8.2.5 Parking Lot Screening – The ground level parking will be screened through landscape and plantings.

8.2.6 Shared Parking – Shared use of parking between residential and commercial tenants will be encouraged. If the parking area is not fully utilized by residents the Applicant shall look to allow commercial employees or patrons parking access/use. Ride sharing services will be encouraged.

8.2.7 Pedestrian & Vehicular Safety – Future recommendations of the Traffic Impact Assessment shall be considered and discussed with the Town's Parking Traffic and Transportation Task Force (PTTTF).

8.3 Landscaping

8.3.1 Street Trees – Four (4) street trees shall be planted along Haven Street.

8.3.2 Retail Frontages – The final location of street trees shall be determined by the Tree Warden and shall not impede visibility of commercial areas or signage.

8.3.3 Parking Areas – The parking area will be screened through a series of plantings along the rear and side lot lines.

8.3.4 Public Open Spaces – The project will provide an 875 gross square foot commercial patio along Haven Street and a separate public pocket park along Green Street. A public path will connect Green Street and Haven Street.

8.3.5 Native Species – Final determination of street tree species shall be determined by the Tree Warden.

8.3.6 Preservation of Healthy 6" Caliper Trees – When feasible, healthy existing trees with a minimum 6" caliper and large canopy shall be preserved.

8.4 Lighting

8.4.1 Articulation of Building Uses & Entries – The project will incorporate lighting along the street level façade that will identify major commercial and residential entry ways. Any upper level lighting shall be Dark Sky compliant and designed to mitigate impact to residential abutters.

8.4.2 Coordination w/Town's Street Lighting & Trees – All proposed lighting will be coordinated with the Town's street lighting and street trees.

8.4.3 Light Spillover – Lighting at upper-level terraced areas shall be designed to minimize impact to abutting properties.

8.4.4 Public Safety – All lighting for public safety shall be added to the plans.

8.4.5 Sign Lighting – No signage proposed or approved herein.

8.4.6 Dark Sky Standards – All upper floor lighting shall comply with dark sky standards.

8.5 Utility Areas and Utilities

8.5.1 Location – The trash area will be provided access to/from the rear parking area. The trash area will be situated near garage entry. Mechanical units will be located on the roof and will not be visible from the street. **Utility meter locations?**

8.5.2 Screening – All rooftop mechanicals will be setback so they are not viewable from street level.

8.5.3 Shared Utility Areas – Not Applicable.

8.5.4 Aboveground Utilities Not Permitted – All utilities will be underground.

8.5.5 Underground Utilities Required – All utilities will be underground.

8.6 Drainage and Storm Water Management

8.6.1 BMP/LID Strategies – Roof and surface runoff will be captured and directed to the underground retention system prior to discharging into the municipal system. The project will not create new untreated discharge of stormwater runoff.

8.6.2 System Elements – Stormwater will be collected through a deep sump basin equipped with a separator to enhance treatment.

8.6.3 Operations & Maintenance Plan – A long term O&M Plan has been provided.

8.6.4 On-site Recharge – On-site recharge has been provided.

8.6.5 Pervious Paving – Not Applicable to application.

8.6.6 Site Grading – As existing, the site is proposed to remain relatively flat.

9. Signage Design Standards – No building signage has been proposed or approved herein.

10. Additional Considerations for District Edges & Transitional Areas

10.3 Applicability – The site is designated as a Transitional Area as it abuts an existing two-family structure to the east.

10.5 Design Considerations for Transitional Areas

10.5.1 Abutting Historic Structures – Not Applicable to application.

10.5.2 Density of Project away from Residential Use – The building structure is setback 16' from the eastern lot line where it abuts an existing commercial structure. Where the lot abuts the existing two-family structure to the east no structures are proposed and parking shall not directly face the structure. The parking lot is screened through a public path and series of landscape plantings.

10.5.3 Engage Existing Residential Fabric – Inviting landscape and residential amenities (i.e. pocket park, balconies) are used to engage the residential fabric of Green Street.

10.5.4 Screen for Residential Privacy – A series of landscape plantings and public amenities (i.e. path and pocket park) will screen the parking area.

10.5.5 Shadow Study – A shadow study has been provided.

10.5.6 Noise Mitigation – Mechanical units located on the roof shall be placed so that they are not heard from the street level or abutting residential properties.

Waivers pursuant to Section 10.5.12 and DSGD Design Standards & Guidelines:

Upon request of the Applicant, the Commission, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the DSGD and the Reading Master Plan, or if it finds that such waiver will allow the project to achieve the density, affordability, mix of uses and/or physical character allowed. The Commission shall take into consideration the following items when considering a waiver:

1. High performance energy efficient buildings and construction methods.
2. Projects with publicly accessible open space.
3. Projects that include retail and restaurants located on street level.
4. A demonstrated shared parking initiative that makes efficient use of land and existing parking supply.
5. The preservation or rehabilitation of historic properties or other buildings considered significant to the Town.

The Applicant has requested the following waivers from ZBL Section 10.5:

1. **Density:** *to allow a density of 27.9 units/acre where 20 units/acre is permitted by right.* The Applicant stated this will allow the development to be economically viable and notes that the Floor Area Ratio (FAR) of 1.58 is below the maximum of 2.80 allowed.

The CPDC voted XXX to _____ the requested waivers.

Conditions:

General:

- 1) **Public Health, Safety and Welfare:** If, at any time, the site becomes a nuisance to public health, safety or welfare (i.e., traffic spillover, excessive noise, unreasonable site illumination beyond the hours of operation, etc.) – as shall be evidenced by substantiated complaints to the Police Department or Public Services Office – the Applicant/Owner shall agree to work with staff to rectify the problem. Should the situation warrant it, an additional Site Plan Review by the CPDC may be required.
- 2) **Utilities:** All utilities, structures, frames and covers shall meet the Town of Reading standards. The electric utility plan is subject to approval by the Reading Municipal Light Department (RMLD).
- 3) **MS4 Permit:** The project shall comply with the most recent MS4 permit.
- 4) **Lighting:** The Applicant shall ensure that any proposed lighting is not occluded by the street trees along the frontage, and does not compete with existing street lighting. The Applicant shall submit specifications for each type of lighting fixture to the Community Development Director for approval.
- 5) **Limitations / Future Uses:** The 40R Development Plan Decision herein does not include approval for any future uses or site renovations that may – on their own merits and design – trigger the requirements of 40R plan review, or site plan review, and/or require a special permit. Pursuant to Section 10.5 of the Zoning Bylaw the following uses are permitted by

Commented [MA10]: Anything needed for historic review and input? Look at Chronice/Gould/Postmark

right within the proposed commercial spaces: office, retail, restaurant, institutional and consumer services.

- 6) **Commercial Spaces:** It is strongly recommended that the Applicant prep the commercial space(s) with utility connections, grease traps, etc. in anticipation of future tenants.
- 7) **Engineering Concerns:** In general, throughout the project, the Applicant shall work with the Town Engineer to address any outstanding comments in the memos to the Community Development Director dated XXX.
- 8) **Shared Parking:** The Applicant is encouraged to engage in conversations with nearby property owners regarding shared parking, and to partner with Zip Car and other shared services if possible, and to provide electric vehicle charging stations. If and when progress on shared parking is made, the Applicant shall provide more information about these amenities, and indicate which area(s) of the garage are intended for them and how they will be managed.
- 9) **Storage Areas:** The Applicant is encouraged to consider adding supplemental storage areas for tenants to the building if possible.
- 10) **Community Place-making / Creative Economy:** When approaching potential commercial tenants, the Applicant is encouraged to think about community place-making events, and/or dividing the space into smaller units that are affordable to creative economy tenants.
- 11) **Historic:** If possible, the Applicant shall salvage some bricks/tiles from the existing building and replicate the pattern on an accent wall in the exhibit gallery, and shall consider mimicking the existing art deco design elements in the new building's signage design.

Commented [MA11]: Can Applicant confirm such would be included in residential lobby in building not preserved?

Prior to the Issuance of Building Permits and Prior to the Start of Construction:

- 1) **The Applicant shall make the following plan changes, and shall submit two (2) full size (24x36) copies of the revised plans to the Community Development Director:**
- 2) **Other Permits:** The Owner/Applicant is responsible for obtaining all other requirements and permits including but not limited to, utility connections, sewer, water, curb cut, street opening and Jackie's Law excavation permits from the Engineering Department (prior to excavation), and Board of Health approvals.
- 3) **Pre-Construction Meeting:** The Owner/Applicant and contractors shall coordinate with the Community Development Director to schedule a pre-construction meeting with Town staff prior to applying for demolition and/or building permits, in order to review these conditions and any and all final construction sequencing, details and plans for this project.
- 4) **Construction Management Plan / Contractor Parking:** The Applicant shall submit a Construction Management Plan which includes provisions for off-site parking.
- 5) **Construction Documents & Fire Safety:** Full construction documents must be submitted and approved by the Fire Department at 80% design. A building permit shall not be issued until the Fire Department has approved the plans.
- 6) **Master Box:** The Applicant shall coordinate with the Fire Department on the requirement for a Master Box tied that is to be tied to the fire alarm system.
- 7) **Materials:** No colors have been approved herein. The Applicant shall return to the Commission with samples of proposed materials and colors to be used on the building prior to installation.

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 Agent or designee. The Applicant shall ensure that the abutting local streets are kept clear of dirt and debris, which may accumulate as a result of construction activities for the Project. Documentation shall be provided demonstrating ongoing pest management control, subject to the approval of and administration by the Health Agent.
- 3) **Construction Management Plan / Contractor Parking:** Site operations shall comply with the aforementioned Construction Management Plan at all times. Contractors shall park in the locations designated and provided for within the CMP.
- 4) **Site Inspections:** Town staff or their designee shall have reasonable access to inspect the site to determine compliance with this Decision.
- 5) **Bond:** The Applicant/Owner shall furnish a bond for the final As-Built plans prior to the issuance of the final certificate of occupancy. The bond amount shall be determined by the Town Engineer consistent with the reasonable costs associated with a third party performing the work. The bond shall be returned once the requirements of this condition are met.
- 6) **Scaffolding:** The scaffolding at the property lines shall be completely screened 100% of the time to maintain privacy and prevent materials/debris from falling/blowing or otherwise dropping onto the abutting properties.

Prior to Vertical Construction:

- 1) **Covered Parking As-Built:** The Applicant shall provide, to the Building Commissioner and Community Development Director, an as-built of the foundation and covered parking area, that shows an overlay of the location and size of structural columns, fire/building/energy code requirements, and dimensioned parking striping, proving that the parking as approved can work. If the parking cannot work as approved, the Applicant shall return to CPDC for an amendment prior to starting vertical construction.

Prior to the Issuance of a Certificate of Occupancy:

- 1) **Architecture:** The building façade on each elevation (north, south, east, and west) shall be substantially as indicated on the approved architectural plans and elevations.
- 2) **Stormwater O&M Plan:** An Operations and Maintenance Plan for the stormwater system shall be provided to the Town Engineer.
- 3) **Property Management Documents:** A copy of the finalized Property Management Documents shall be submitted to the Community Development Director for review and approval, and shall contain the following language:

- a. **Fire Safety:** Language ensuring fire safety by prohibiting gas/propane grills on balconies, etc.
 - b. **Delivery Vehicles & Times:** Language prohibiting commercial deliveries along **Haven Street and Green Street**, and prohibiting commercial deliveries to the commercial space between 10:00 PM and 5:00 AM.
 - c. **Management of Move-ins & Move-outs:** Language regarding management of move-ins and move-outs by the on-site property manager, specifically with regards to the size of moving vehicles allowed and the timing and use of the parking area.
 - d. **Drainage System Maintenance:** Language that requires the property management company to adhere to the requirements of the O&M Plan.
 - e. **Trash Removal:** Language detailing how trash and recycling will be managed on-site, including but not limited to schedule of pick-up days and times, and logistics for trash truck access to the site. Trash management for both the residential and retail uses shall be managed separately, as is practicable.
 - f. **Snow Removal:** Language detailing how snow will be managed and removed from the property, including the roof and uncovered parking area, and that snow storage shall not impact sight lines for vehicular traffic.
 - g. **Site Lighting:** Language that commercial lighting (including signage) shall be programmed to shut off at the close of business each day.
 - h. **Pedestrian Path:** Language outlining responsibility for maintaining the public path through the site, especially during inclement weather, to keep it clear of debris, trash, and snow/ice at all times.
 - i. **Conditions for Ongoing Maintenance after Occupancy:** Language that the property management company shall adhere to the “Conditions for Ongoing Maintenance after Occupancy” as are stated herein below.
- 4) **Rooftop Mechanicals:** All rooftop mechanicals shall be set back from building facades and appropriately screened from view.
 - 5) **Pedestrian Improvements:** Improvements along Haven Street, Green Street, and abutting rights-of-way, as deemed necessary or advantageous to the Town Engineer and Community Development Director, to adjacent crosswalks, curbing and sidewalks, shall be installed at the Applicant’s expense in accordance with Town standards.
 - 6) **Streetscape Design:** The Applicant shall coordinate with the Engineering, Planning, Economic Development, and other staff departments as needed, on the final streetscape design for the Haven Street frontage and Green Street as needed. Design utilizing the Lower Haven streetscape concepts provided by the Town shall be incorporated. The Applicant shall work with Town Staff on the need for potential public easements for a portion of the sidewalk, which shall support the Lower Haven streetscape concepts.
 - 7) **Parking Striping:** All parking spaces shall be striped in accordance with the approved plans. Dimensions shall be measured from centerline to centerline.
 - 8) **I/I Fee:** The Applicant is subject to the required Inflow/Infiltration Fee as the proposed sewer flow usage will be greater than historical usage. The Fee is calculated as twice the flow times \$4.00.

- 9) **Street Trees:** The Applicant shall work with the Tree Warden to locate the street trees along Haven Street to an appropriate location. Both the species and location shall be approved by the Town Tree Warden.
- 10) **Lighting:** All exterior building and site lighting shall comply with the dark sky initiatives (light shall shine down only) with the light source being fully shielded (with cutoff shields) so that little to no light or glare spills onto abutting properties. Spec sheets of proposed lighting fixtures shall be submitted to the Community Development Director for review and approval.
- 11) **Easements:** Necessary easements for the pedestrian pathway(s), streetscape and/or other shall be drafted, approved and recorded. All easements, and agreements, as reviewed by the Community Development Director, Town Engineer and Town Counsel, shall be properly written and recorded.

Conditions for Ongoing Maintenance after Occupancy:

- 1) **Parking Utilization Data:** The Applicant shall provide reports to the Community Development Director indicating utilization of the on-site parking and shall work with Town staff to evaluate impacts and make any necessary modifications to the parking space management system described above, including the provision of EV charging infrastructure, Zip Car spaces, etc. if evidenced to be desired by tenants.
- 2) **Signage:** Prior to installation of any building or tenant signage, a Sign Permit Application and/or Master Signage Plan shall be submitted for review and approval.
- 3) **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. The bond held for this requirement will be returned to the Applicant once this condition has been fulfilled.
- 4) **Landscaping:** Landscaping on-site shall be maintained in a healthy condition in perpetuity. In the event that landscaping is damaged during snow removal operations, the property owner shall replace such landscaping during the next growing season.
- 5) **Lighting:** All exterior building and site lighting shall comply with the dark sky initiatives (light shall shine down only) with the light source being fully shielded (with cutoff shields) so that little to no light or glare spills onto abutting properties. Any exterior lighting that is required for security purposes may be illuminated by photocells and is not required to be extinguished at the close of business. All site and building lighting for commercial purposes, beyond what is needed for security purposes, shall be programmed to shut off at the close of business each day.
- 6) **Trash Removal:** All trash collection and disposal are the responsibility of the owner / property manager. The Applicant shall ensure daily that exterior areas of the site remain clear of debris, trash and any equipment used in connection with any commercial activities on site.

Plan Changes after Approval by the Commission:

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, Community Development Director
Cc: Applicant, Town Clerk, DRT Staff, planning file

Date