

# Town of Reading

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COMMUNITY PLANNING AND DEVELOPMENT COMMISSION 2015 JAN 22 AM 11:34

## Site Plan Review

# DECISION

*January 12, 2015*

*Project: 186-190 Summer Avenue, Criterion Child Enrichment*

*To the Town Clerk:*

*This is to certify, at a public hearing of the Reading Community Development and Planning Commission (CPDC) opened on December 8, 2014 and continued and closed on January 12, 2015 by a motion duly made and seconded, it was voted:*

"We, the CPDC, as requested by Robert Littleton, Jr., President of Criterion Child Development, Inc., under the provisions of Section 4.3.3 of the Zoning Bylaws of the Town of Reading, and MGL Chapter 40A Section 3, to consider the contemplated site plan for property addressed at 186-190 Summer Avenue (Assessors Map 15, Lot 294, 295 & 296), as shown on the plan prepared by Sullivan Engineering Group, dated October 9, 2014 and lastly revised December 15, 2014 and the plan prepared by Maxwell Architects, LLC dated November 6, 2014 and lastly revised December 22, 2014, do hereby vote 3-0-1 to approve the said plans, subject to the Findings and Conditions below."

### **MATERIALS:**

The following materials in addition to the plans as recorded were submitted into the public record:

- |                  |  |
|------------------|--|
| November 6, 2014 | Development Review Team (DRT) Notes dated October 22, 2014.  |
| November 6, 2014 | Site Plan Review Application, certified list of abutters and stamped envelopes.  |
| November 6, 2014 | Letter to Mr. Jeff Hansen from Attorney Kenneth Margolin dated October 29, 2014 re: Reservation of Rights and Dover Amendment Package. |
| November 6, 2014 | Letter to Chairman Jeff Hansen from Attorney Kenneth Margolin dated November 5, 2014 with responses to Town Counsel inquiries.         |

November 6, 2014 Copy of Demolition Permit Application signed by property owner on June 26, 2014.

November 6, 2014 Copy of Locus Plan for 186-190 Summer Avenue.

November 6, 2014 Civil Drawings Sheets 1-5 prepared by Sullivan Engineering Group, LLC dated October 9, 2014 lastly revised November 5, 2014.

November 6, 2014 Architectural Drawings, Sheets A-101 –A-901 prepared by Maxwell Architects LLC, dated November 6, 2014.

November 6, 2014 Landscape Plan, Sheet L-101 prepared by Maxwell Architects, dated November 6, 2014.

November 6, 2014 Site Lighting Plan, Sheet 1of 1 prepared by VISUAL dated November 2, 2014.

November 6, 2014 Existing Plans, Sheets EX-101 – EX-201 prepared by Maxwell Architects, dated November 6, 2014.

November 6, 2014 Drainage Calculations, prepared by Sullivan Engineering Group, LLC dated November 5, 2014.

November 7, 2014 Letter from Town Counsel J. Raymond Miyares to Town Manager Bob LeLacheur dated November 7, 2014.

November 24, 2014 Letter from Fire Chief Gregory Burns to Community Development Administrator Jessie Wilson re: Site Plan for 186-190 Summer Avenue.

December 1, 2014 Email correspondence from Chief Engineer, Peter Price, RMLD to Community Development Administrator Jessie Wilson re: Site Plan for 186-190 Summer Avenue.

December 2, 2014 Planning Staff Comments dated December 2, 2014.

December 4, 2014 Memorandum for Town Engineer George Zambouras dated December 4, 2014.

December 8, 2014 Letter from Marc Maxwell to Jessie Wilson, Town of Reading re: Site Plan Review Questions.

December 8, 2014 Revised Site Plan prepared by Maxwell Architects, LLC, dated November 6, 2014 and lastly revised December 8, 2014.

December 8, 2014 Color Photographs of the site, submitted by Attorney Arthur Kreiger on December 8, 2014.

December 8, 2014 Letter from Attorney Kreiger to CPDC received on December 8, 2014.

December 8, 2014 Letter from Dennis Carr, submitted to CPDC on December 8, 2014.

December 9, 2014 Email correspondence from Mary Ellen O’Neil dated December 9, 2014.

December 10, 2014 EPA Porous Pavement Fact Sheet, submitted by Mary Ellen O’Neil to CPDC on December 10, 2014.

December 11, 2014 Memorandum from Community Development Administrator Jessie Wilson to Project Applicant and Architect dated December 11, 2014.

December 19, 2014	Correspondence from Attorney Kenneth Margolin dated December 19, 2014, containing responses to CPDC Action Items.
December 20, 2014	Letter from 01867 Neighborhood Preservation to Mr. Marc Maxwell dated December 20, 2014.
December 23, 2014	Revised Civil Drawings Sheets 1-7 prepared by Sullivan Engineering Group, LLC dated October 9, 2014 and lastly revised December 15, 2014.
December 23, 2014	Revised Architectural Drawings, Sheets A-101 –A-901 prepared by Maxwell Architects LLC, dated November 6, 2014 and lastly revised December 22, 2014.
December 23, 2014	Revised Landscape Plan, Sheet L-101 prepared by Maxwell Architects, dated November 6, 2014 and lastly revised December 22, 2014.
December 23, 2014	Revised Site Lighting Plan, Sheet 1of 1 prepared by VISUAL dated November 2, 2014 and lastly revised December 22, 2014.
December 23, 2014	Existing Plans, Sheets EX-101 – EX-201 prepared by Maxwell Architects, dated November 6, 2014.
December 23, 2014	Revised Drainage Calculations, prepared by Sullivan Engineering Group, LLC dated December 17, 2014.
January 4, 2015	Email from Ms. Mary Ellen O’Neil with summary of Abutter Requests Dated December 30, 2014 and received on January 4, 2015.
January 5, 2015	Letter from Dennis Carr, submitted to Town Engineer George Zambouras dated and received January 5, 2015.
January 7, 2015	Memorandum for Town Engineer George Zambouras dated January 7, 2015.
January 8, 2015	Planning Staff Comments re: Revised Submission dated January 8, 2015.
January 9, 2015	Letter from Attorney Kenneth Margolin dated January 9, 2015 re: Draft Site Plan Review Decision.
January 12, 2015	Letter from Fire Chief Gregory Burns to Community Development Administrator Jessie Wilson re: Revised Site Plan for 186-190 Summer Avenue.

### **FINDINGS:**

1. The proposed use is protected under Massachusetts General Law (MGL) Chapter 40A Section 3; it cannot be prohibited from any zoning district, or made subject to a special permit. The proposed use is subject to reasonable regulations, concerning the bulk and height of structures and determining yard sized, lot area, setbacks, open space, parking and building coverage requirements.
2. The proposal is based upon the combining of three lots to create a single lot totaling 71,223 square-feet in the S-15 residential zoning district.

3. The proposed project is to renovate an existing historic home and to construct a new addition of 5,620 square foot for use as an educational facility by Criterion Child Enrichment. The historic barn on site is proposed to be stabilized and saved for future use as storage. Other improvements include the construction of a paved parking lot for 38 parking spaces, construction of a 1,200 square foot playground area and installation of drainage system including catch basins, stormceptor and infiltration fields.
4. A trash and recycling dumpster are proposed at the rear of the site and is proposed to be enclosed by a 6-foot high stockade fence that will be painted to match the building.
5. **Lighting** – The lighting plan identifies four (4) decorative pole lights, eight (8) bollard lights, seven (7) wall sconce lights, and three (3) flood lights as depicted on the lighting plan dated December 22, 2014 prepared by VISUAL.
6. **Landscaping** – The Applicant is proposing a variety of landscaping throughout the site as depicted on the landscape plan dated December 22, 2014 prepared by Maxwell Architects, LLC.
7. **Building Elevations** – The Applicant is proposing to demolish a portion of the existing historic home and construct a 5,620 square foot addition. The façade of the new addition is proposed to be composite clapboard siding, composite trim, and the proposed roof is to be asphalt shingles as depicted in the proposed elevation drawings and in the color rendering dated December 22, 2014 prepared by Maxwell Architects, LLC.
8. **Signage** – The proposed signage on the site includes a wood free-standing monument sign that will be approximately 3’-2” in height. Other on-site signage includes handicap parking signs and “No Parking” signs along the travel lane in the parking area.
9. **Snow Storage** – Snow storage is proposed at the rear of the site and along the edge of the parking lot travel lane as identified on the site plan prepared by Sullivan Engineering Group, dated October 9, 2014 and lastly revised December 15, 2014 and the site plan prepared by Maxwell Architects, LLC dated November 6, 2014 and lastly revised December 22, 2014.

## **CONDITIONS:**

### **Prior to the Start of Construction:**

1. All other requirements and permits shall be sought and received, including, but not limited to, utility connections, sewer, water, curb cut, street opening and Jackie’s Law excavation permits from the Engineering Division (prior to excavation), Board of Health, and other State laws and regulations.

2. The Engineering Division shall be notified at least 72 hours in advance to mark out Town utilities.
3. All Site work shall be inspected by the Engineering Division. The Applicant/Owner's contractor shall submit a construction schedule of proposed work and all inspections shall be scheduled at least 36 hours in advance.
4. **Revised Grading, Drainage and Utility Plan:** Prior to the start of construction, the Applicant shall submit to the Town Engineer and Town Planner for review and approval a revised drainage plan depicting the alteration of the elevations of, or relocation of the infiltration system #2. The plan shall also depict the elimination of the surcharge drain lines.
5. **Pre-Construction Meeting:** The Applicant shall coordinate with the Town Planner a pre-construction meeting with Town staff prior to the start of any construction to review these conditions and any and all final construction sequencing, details, and/or plans for this Project. Periodic status reports (agreed upon at said pre-construction meeting) shall be submitted to the Town outlining the general status of the construction and major milestones completed.

**Prior to the issuance of a Building Permit:**

1. **Combined Lots:** This site plan review and approval is contingent upon evidence that the lots have been combined. The Applicant shall submit to the Town Planner and Building Inspector a full size copy of the plan that depicts the two lots have been combined by an Approval Not Required Plan (ANR). This shall be required prior to the issuance of a Building Permit to ensure compliance with zoning requirements.
2. **Revised Site Plan:** The Applicant shall submit a revised Site Plan to the Town Planner, Town Engineer and Fire Chief for review and approval that depict the following:
  - a. Fire truck turn-around and associated signage as well as the relocation of snow storage area toward the eastern property line.
  - b. Relocation of the two (2) parking spaces nearest Summer Avenue to the rear parking area and extension of lawn area where the two spaces were located.
  - c. Stained wooden fencing along the northern property line from the basement stair to the inside corner of the abutting property.
3. **Revised Lighting Plan:** The Applicant shall submit a revised Lighting Plan to the Town Planner and Town Engineer for review and approval that depict the following:
  - a. Pole lighting height revised to 12-feet.

- b. Elimination of one (1) bollard light located at the rear of the building near the basement egress.
  - c. Elimination of the flood lights.
  - d. Replacement of the rear barn light with Lighting Type C.
  - e. Replacement of the ground sign lights with two 2" diameter ground sign lights.
  - f. Relocation of the pole light nearest the entrance as a result of the relocated parking spaces indicated in the above Condition.
4. **Revised Landscape Plan:** The Applicant shall submit a revised Landscape Plan to the Town Planner and Town Engineer for review and approval that depict the following:
- a. Arborvitae plantings to be located on the northern side of the building from the end of the proposed wooden fence to the back of the historic house.
  - b. Extension of landscaping in the area in area of the two (2) parking spaces as indicated in Condition 2 above.
  - c. Identification of any additional tree removals as a result of changes associated with the proposed fire truck turn-around.
  - d. Any changes to the landscaping as a result of the dumpster relocation.
5. Full construction documents must be submitted and approved by the Fire Department. A building permit shall not be issued until the Fire Department has approved the plans.

**During Construction:**

1. Per Reading General Bylaw Section 8.9.8., Hours of Construction shall be adhered to and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site. The Hours established by Town of Reading General Bylaw are:
  - Mondays through Fridays inclusive: 7:00 AM to 8:00 PM,
  - Saturdays: 7:00 AM to 5:00 PM,
  - Sundays and Legal Holidays: None
2. **Site Inspections:** Town staff or their designee shall have reasonable access to inspect the site to determine compliance with this Decision. All drainage facilities (if any) shall be subject to inspection by the town.
3. The Applicant and/or its contractor shall provide during construction complete, full coordination with local officials on making alterations to existing utilities. Utilities shall be placed underground as indicated on the approved site plan, provided the same is permitted by the utility company and the Department of Public Works.

4. During construction, 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 Administrator or designee. The Applicant shall ensure that abutting local streets and private ways are kept clear of dirt and debris, which may accumulate as a result of construction activities, and documentation shall be provided demonstrating ongoing pest management control, subject to the approval of and administration by the Health Administrator.
5. The Applicant and/or its contractor shall ensure the limit of work/erosion control barriers and construction fencing are maintained throughout construction.

**Prior to the Issuance of any Certificate of Occupancy:**

1. The Applicant shall schedule a meeting with the Building Inspector and Town Planner before a request for a Certificate of Occupancy to review compliance with this decision.
2. **Landscaping:** All landscaping must be installed as shown on the approved Landscape Plan. If occupancy is sought prior to the completion of the landscape plantings, the Applicant may submit a bond for the outstanding landscape items. The amount of the bond shall be determined by the Engineering Division based upon the remaining amount of landscape items required.
3. **Lighting:** All lighting shall be installed as depicted on the approved Lighting Plan. All exterior lighting, with the exception of security lighting shall be turned off after dark, if no business is being conducted on the premises.
4. **Trash and Recycling Dumpster:** The trash and recycling dumpster and stockade enclosure shall be installed as shown on the final approved site plan.
5. **No Parking Signs:** The No Parking Signs shall be installed in accordance with the final approved site plan.
6. **Parking Area:** The parking lot shall be constructed and striped in accordance with the final approved site plan.
7. **As-Built Plans:** The Applicant shall provide to the Engineering Division, As-Built drawings for all utility and site work and shall be certified by a Registered Professional Engineer of Surveyor. The Plan shall be in accordance with Town standards and shall depict all final improvements, utilities and shall be submitted in paper and ACAD electronic format.

**After Occupancy:**

1. The Applicant shall ensure that the required parking spaces are accessible at all times. Snow shall not restrict sight lines, block safe passage to the entrance or be stored in parking spaces and shall be removed off-site as needed.

- 2. Emptying of the trash and recycling dumpster shall be in accordance with Board of Health Regulations.
- 3. Lighting - All exterior lighting, with the exception of security lighting shall be turned off after dark, if no business is being conducted on the premises.

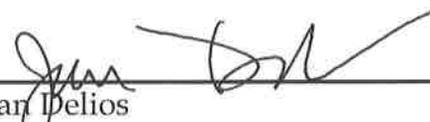
**Modifications/Revisions - Plan Changes after Approval by the Approving Authority:**

Contemplated future changes to the plan approved hereby shall be presented to the Community Planning & Development Commission, the Zoning Enforcement Officer/ Building Inspector, or other relevant Town Boards or staff prior to implementing proposed changes.

**1. Minor Modification:** Changes that do not substantially alter the concept of the approved Plan in terms of the qualities of the specific location, the proposed land use, the design of building form and approved building details and materials, site grading or egress points. Including but not limited to small changes in site layout, topography, architectural plans, landscaping plan, traffic circulation, parking, lighting plan, signage, open space or other criteria set forth in the Reading Zoning Bylaw. Requests for approval under a minor modification shall be reviewed and evaluated to determine if the proposed work qualifies for review through the Minor Site Plan Review process in accordance with the Reading Zoning Bylaw. Request for Minor Modification approval shall be reviewed by the Town Planner who by administrative approval may grant approval for the Minor Modification. At the determination of the Town Planner, the applicant may be required to present the proposed modification at a public meeting of the CPDC.

**2. Major Modification:** Substantial additions, deletions or deviations from the approved plan include but are not limited to large changes in site layout, topography, and architectural plans, landscaping plans traffic circulation, parking, lighting plan, signage, open space or other criteria set forth in the Reading Zoning Bylaw. (Note: Approval of the major modification shall be grounds for reconsideration of the Site Plan application. Denial of proposed major modifications shall not invalidate the Site Plan in conformance with the previously approved Plan).

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

  
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 Jean Delios 1/21/15  
 Assistant Town Planner, Community Services Date

Cc: Applicant, Town Clerk, Building Inspector, Health Director, Town Engineer, Town Counsel, Town Manager, planning files