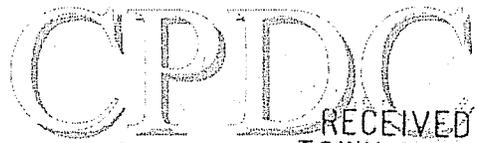


# Town of Reading

16 Lowell Street  
Reading, MA 01867-2683  
Phone: 781-942-6612  
fax: 781-942-9071  
website: [www.ci.reading.ma.us/planning](http://www.ci.reading.ma.us/planning)  
e-mail: [jdelios@ci.reading.ma.us](mailto:jdelios@ci.reading.ma.us)



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## COMMUNITY PLANNING AND DEVELOPMENT COMMISSION

December 8, 2011

### DECISION

#### Special Permit and Site Plan Review

*Project: Johnson Woods Phase II, Johnson Woods Realty Corporation*

**PLANNED UNIT DEVELOPMENT – RESIDENTIAL PRELIMINARY PLAN  
PERMIT APPROVAL ISSUED BY THE COMMUNITY  
PLANNING AND DEVELOPMENT COMMISSION ON THE  
APPLICATION FROM JOHNSON WOODS REALTY  
CORPORATION FOR THE PROPERTY KNOWN AS JOHNSON  
WOODS IN READING, MASSACHUSETTS.**

The Community Planning and Development Commission (CPDC) hereby issues a Preliminary Plan Permit Approval for a Planned Unit Development-Residential (PUD-R) for the application from Johnson Woods Realty Corporation for the property located at Johnson Woods in Reading, Massachusetts, shown as lot 4 on Reading Assessor's Map 19, pursuant to Massachusetts General Laws 40A, Section 9 and the Reading Zoning By-Law Section 4.9 {Planned Unit Development} and Section 4.3.3. {Site Plan Review}, subject to the findings, terms and conditions stated below.

#### **PROCEDURE:**

On October 11, 2011, the Applicant applied for approvals under the Reading Zoning By-Law Special Permit Section 4.9 and Site Plan Review Section 4.3.3 for the development of a Planned Unit Development-Residential (PUD-R) for 127 condominium units contained in attached townhouses and flat ("garden style") buildings and one detached condominium on a total of approximately 11.6 acres of land.

As required by Zoning By-Laws Section 4.9, the Applicant submitted an application and preliminary plans on October 11, 2011. The CPDC, as the Special Permit Granting Authority (SPP), held a duly advertised and noticed public hearing, with four members present throughout at meetings held on November 7, 2011 and December 8, 2011 on such application.

Proper publication was made and proper written notice of the public hearing, in conformity with Massachusetts General Laws Chapter 40A, Section 11 and as otherwise required, was sent by mail, postage prepaid to all parties in interest. Testimony was presented during the public hearing, including but not limited to that given by the Applicant and its consultants, Town employees and parties of interest. The CPDC also received information and comments from other Town Boards and Commissions, and engaged in an in-house review of the Fiscal Impact Analysis submitted by the Applicant on November 7, 2011 (dated October 25, 2011). Documents (including plans, reports, correspondence and supplemental material) were submitted for consideration by the CPDC either as part of the filing or during the hearing process. All materials have been available for public inspection.

During the public hearing process, the proposed development plans have been revised to provide additional detail or to address issues raised during the public input process. The Preliminary PUD Plans include architectural drawings, civil drawings and landscape plans. The architectural drawings include sheets A1-A3, S1, S2, and P1. The title/index page is entitled "Johnson Woods Condominiums, Phase II, West Street, Reading, Massachusetts;" Date Issued; October 12, 2011; The civil drawings include sheets C1-C10 and P1, entitled "Johnson Woods Planned Unit Development, Phase II, Reading, Massachusetts;" Date issued October 6, 2011 with a revision to sheet C5 dated October 13, 2011; The landscape plans include sheets L1 and L1A, entitled "Johnson Woods Planned Unit Development, Phase II, Reading, Massachusetts;" Sheet L1A dated October 6, 2011, sheet L1 dated October 11, 2011. Civil Engineering and Land Survey: Hayes Engineering, Inc; Architect: Grazado Velleco Architects. This grouping of sheets is referred to collectively in this Decision as the "Preliminary PUD Plan"

**MATERIALS:**

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

- |                  |                                                                                                                                                                                        |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 13, 2011 | Development Review Team Notes from the October 5, 2011 meeting.                                                                                                                        |
| October 13, 2011 | Cover letter from Attorney Bradley Latham dated October 13, 2011 to the CPDC c/o Town Planner, Site Plan Review Application Form, Narrative, and Certified Abutter's List & Envelopes. |
| October 13, 2011 | Traffic Impact Study prepared by Hayes Engineering, dated September, 2011.                                                                                                             |
| October 13, 2011 | Mitigative Drainage Study prepared by Hayes Engineering, dated October 7, 2011.                                                                                                        |
| October 13, 2011 | Architectural Plans for Johnson Woods dated October 12, 2011 prepared by Grazado Velleco Architects sheet A1, A2, A3, S1, S2, P1.                                                      |
| October 13, 2011 | Civil Plans for Johnson Woods dated October 6, 2011 prepared by Hayes Engineering sheets C1, C2, C3, C4, C5 (revised October 13, 2011) C6, C7, C8, C9 and C10.                         |
| October 13, 2011 | Landscaping Plans prepared by Hayes Engineering sheet L1A dated October 6, 2011 and L1 dated October 11, 2011.                                                                         |
| October 18, 2011 | Revised Landscape Plan, sheet L1A dated October 17, 2011.                                                                                                                              |
|                  | Submission of Photometric Plan dated October 17, 2011.                                                                                                                                 |
| November 7, 2011 | Fiscal Impact Analysis for Johnson Woods, Reading Massachusetts prepared by Connery Associates of Melrose, dated October 25, 2011.                                                     |

- November 7, 2011 Letter from Johnson Woods Realty Corporation dated November 7, 2011 granting the CPDC an extension of time to act on the Preliminary PUD Plan.
- November 23, 2011 Memorandum from George Zambouras, Town Engineer on Preliminary PUD Plans, dated November 21, 2011.
- December 7, 2011 Letter from Hayes Engineering providing response to Town Engineer Comments, dated December 7, 2011.
- December 7, 2011 Memorandum from George Zambouras, Town Engineer regarding Hayes Engineering Response to Comments, dated December 7, 2011.

**FINDINGS: Based upon evidence presented, the CPDC makes the following specific findings:**

1. The Applicant has conformed to the procedural requirements under Section 4.9.3 of the Reading Zoning By-Laws.
2. The Applicant's proposal for 127 dwelling units meets the purpose of the PUD zoning district by creating a dense development which has little impact on the Town's existing infrastructure. The proposed residential use is permitted within the PUD-R zoning district.
3. The Applicant's proposal provides for more rigorous development standards than found in other zoning districts in the Town. Among other standards this includes more control over the design, height and location of buildings, the mix and use of the units and the requirement for affordable units.
4. The Preliminary PUD Plan contains a design that is sufficiently developed to provide the basis for the CPDC's review regarding the requirements, standards, and guidelines of the PUD by-law. CPDC shall review for approval the definitive Final PUD Plans, which shall include among other things drainage design, the detailed design of on-site utilities, and landscaping.
5. The Preliminary PUD Plan and the proposed PUD conforms to the use and dimensional criteria as listed in Section 4.9.6 of the PUD by-law, including that as to parcel size and eligibility, permitted uses, intensity of use, dimensional requirements as to building height, setbacks and buffers and open space.
6. The Preliminary PUD Plan satisfies the following criteria as listed in Section 4.9.5 of the PUD by-law:
  - a. The proposed PUD conforms as appropriate to the existing policy established by the Town Meeting and CPDC for the specific area of the Town in which the proposed PUD is located. Town Meeting established the current PUD zoning which allows the specified proposed uses in the PUD. The site will be developed for residential uses and intensity (not to exceed 11 units to the acre) as identified in Condition 1 of this Decision.
  - b. There is no significant adverse effect under any of the following:
    1. **Design:** The quality of preliminary site and conceptual building design, as it affects occupants of the proposed development, PUD

Overlay District, adjacent residential districts and the Town of Reading as a whole, is positive.

2. **Traffic:** The CPDC, after considering and examining prior traffic studies and considering the impacts from the proposed PUD, has determined that the Preliminary PUD Plan, with the proposed mitigation, does not adequately addresses the traffic impacts and pedestrian safety. As identified in Condition 5 of this approval, the Town Engineer will verify with GPI that the traffic analysis presented is sufficient. If it is determined that additional review is required, the applicant shall conduct and provide the necessary traffic analysis as part of the Final PUD Plan submission.
3. **Water quality, air quality, wetlands, and the natural environment:** The Preliminary PUD Plan seeks to preserve the existing topography by minimizing cuts and fill. The drainage system proposed for the project will be designed to address water runoff and water quality issues in accordance with DEP stormwater management standards. As identified in Condition 7 of this approval, the Final PUD Plans will reflect all revisions to the proposed drainage system as recommended by the Town Engineer.
4. **Provision of Open Space:** Over 50% of the site shall remain open space which is substantially more than the required 25% under the PUD by-law. The Preliminary PUD Plan as design provides for the preservation of adequate open space and access to recreational resources in proximity to the site.
5. **Adequacy of utilities and other public works and impact on existing public facilities within the Town:** The CPDC has been advised though Town staff that utilities and public works as proposed are adequate to serve the Preliminary PUD Plan, without materially impacting existing public facilities. As identified in Condition 6 of this approval, the Final PUD Plan submittal shall provide evidence that suitable utility rights of access have been secured from UDR (Avalon Apartments) and the City of Woburn
6. **Potential Fiscal Impact to the town of Reading:** The Development of the property will provide significant tax revenue to the Town. The improvements of the property with the PUD is anticipated to have no adverse impact on residential property values in the area and may encourage other property improvements, which may also generate additional tax revenues to the Town.
7. The net benefits (benefits compared to adverse impacts) from the proposed uses warrant the allowance of such uses.
8. The proposed uses and Preliminary PUD Plan are in harmony with the general purpose of the PUD by-law and are not detrimental, but shall be beneficial upon the neighborhood in particular and the Town at large in general.

**WAIVERS:**

7.1.5 of the Subdivision Rules and Regulations: Dead End Street/Cul-de-sacs. No dead end street or cul-de-sac and their extensions shall be longer than five hundred (500) feet. The applicant shall seek a waiver from this requirement as part of the Final PUD Plan submittal.

**PRELIMINARY PUD PERMIT GRANT:** Pursuant to Section 4.9.3 of the Reading Zoning By-Law, the Community Planning and Development Commission, by a 4-0-0 vote, does hereby approve the Preliminary PUD Plan and allow the Applicant to submit a Final PUD Plan in substantial conformance with the Preliminary PUD Plan, subject to the following conditions:

**CONDITIONS:**

1. **Density:** The development shall be limited to 11 units to the acre, or 127 units on approximately 11.6 acres of land, according to the following development mix:

Building Type	Number of Dwelling Units
Single Family	1
Townhouses – 2 to 5 units per building	15
Three-Story, Garden-Style building*	111
<b>TOTAL</b>	<b>127</b>

\* Two 36-unit buildings and one 39-unit building.

Bedroom Type	Market-Rate Units	Affordable Units	Total Number of Units
Single Family	1	0	1
Townhouse	15	0	15
Garden-Style Flat:			
One Bedroom	2	7	9
Two Bedroom	53	12	65
Penthouse	37	0	37
<b>TOTAL</b>	<b>108</b>	<b>19</b>	<b>127</b>

The calculation of the affordable units is to be rounded to the nearest whole number.

2. **Roadway Connections:** Taylor Drive and the extension of Green Meadows Drive must be constructed to support the weight of 50,000-pound vehicle and provided with a width of 24' minimum. Trevor Lane shall be a minimum of 22' in width. The roadway curbing shall be sloped granite. No parking shall be allowed on the access ways, other than in the parking cutout areas. The condominium documents shall impose this prohibition in the rules and regulation, unless otherwise regulated by the Town. The Condominium Association shall actively enforce this prohibition. The Condominium Association shall post notice of the parking regulations in a manner that is consistent with Phase I of the Johnson Woods development. The Condominium Association shall assign concurrent rights of enforcement to the Town of Reading. Permission must be granted to Reading Police Department to ticket vehicles in "No Parking" areas.
3. **Parking:** The total number of parking spaces shall be 284 (200 garage spaces and 84 surface spaces) which are more than the required amount of 254. Included in the total parking are 12 on-street guest spaces as indicated on the sheet C5, the Site Layout Plan revised on October 13, 2011. The total parking shall be approximately as follows:

Building Type	Number of Units	Required Parking	Proposed Surface	Proposed Garage	Proposed Total
Single Family	1	2	2	2	4
Townhouse	15	30	22	22	44
Garden Style	111	222	70	166	236

4. **Emergency Access:** The site will provide an emergency access point from Taylor Drive to Inwood Drive in Woburn which will be gated as to only allow for emergency vehicles. Evidence of the rights of passage to Inwood Drive shall be provided upon application of the Final PUD Plan submittal.
5. **Traffic:** As a condition of this approval, the Town Engineer shall review the traffic analysis with GPI (the Town's consulting engineer). If the conclusion of the review is satisfactory then no additional traffic mitigation measurements are required at the intersection of West, Willow and Summer Streets. If GPI determines that further study is required, the applicant shall undertake the necessary traffic analysis as part of the Final PUD Plan submission
6. **Site Utility and Connections:** The utility plan as submitted are subject to approval per Memorandum from Town Engineer. During construction, the Applicant and/or its contractor shall provide complete, full coordination with state and local officials on making connections to the existing water and sewer mains. A piped connection with appropriate gate valves shall be provided to the City of Woburn's water system located in Inwood Drive. Additionally, the applicant shall provide the Town with an easement right to access, maintain and repair water and sewerage utilities for emergency purposes. The location of the easement right shall be identified and approved by the CPDC on the Final PUD Plan. In the event that suitable utility access rights are not obtainable from UDR

(Avalon Apartments) and the City of Woburn the final plans shall re-design the water, sewer and drainage utilities in accordance with the Town of Reading’s Standards and the DEP Stormwater to the satisfaction of the Town Engineer.

7. **Drainage:** As a condition of this approval, the Final PUD Plans will reflect all required revisions to the proposed drainage system per the Town Engineer.
8. **Timing/Sequencing:** The Applicant shall submit a Phasing and Sequencing Plan with the Final PUD Plan. The plan shall demonstrate that each completed building shall have utilities, roadway, parking and landscaping sufficient for the use of that building prior to occupancy. Building permit fess shall be paid when the building permit application is submitted to the Building Inspector on a building-by-building basis.
9. **Affordable Housing:** As required by the PUD by-law, 15% of the total residential units shall be affordable units. The Applicant has proposed a total of 19 affordable units within the flat-style unit buildings: There will be 6 affordable units in each of the two 36-unit buildings and there will be 7 affordable units in the 39-unit building. Units distribution will be approximately designated as follows:

Floor	Unit	Bedroom/Bath	Size (sq feet)
1 <sup>st</sup> Front	101	2bed/1.5 bath	1,200
1 <sup>st</sup> Back	107	2 bed/1.5 bath	1,180
1 <sup>st</sup> Front	112	1bed/1b bath	1,000
2 <sup>nd</sup> Front	201	2bed/1.5 bath	1,200
2 <sup>nd</sup> Back	207	2bed/1.5 bath	1,180
2 <sup>nd</sup> Front	211	1bed/1 bath	1,000

The exterior of the affordable units shall be indistinguishable from the market units of the same building style. As a condition of this approval, the Applicant shall designate the location, floor plans and layout of these units including the remaining unit to be determined, on a certified site plan contained within the submission package of the Final PUD Plan application. Affordable housing units shall remain affordable in perpetuity. The requirements of Section 4.9.6.10 of the PUD by-law shall be satisfied in each construction phase, or the Town shall receive financial assurance in an amount to be determined by the CPDC as necessary to insure that the permitted affordable units equal the 10% of the cumulative building permits issued at the time.

10. **Lighting:** The proposed site lighting will include 18 ornamental lighting fixtures of low intensity, placed throughout the site. No lighting shall be located within 150 feet of any dwelling off-site. The wall mount fixtures on the carriage garages shall be motion activated. The lighting plan and light fixtures presented with this application are detailed on Sheet P-1 dated October 17, 2011 and within the application package dated October 11, 2011.
11. **Landscaping:** The landscaping plans, Sheets L1A October 6, 2011 and L1 dated October 11, 2011 are approved with this Decision. All care shall be taken to retain as many existing trees as possible and to protect trees from damage during construction. As a

condition of this approval, the applicant shall provide a supplemental landscaping plan that clearly denotes the trees to be saved, estimated volume of trees to be removed, and provides sufficient detail to show the buffer zones from the site and the adjacent residential buildings located on site and the Town line in the City of Woburn.

**12. Solid Waste Disposal:** Trash may be handled as proposed by the Applicant with interior trash rooms for collecting and storing trash and an exterior pad for placement of trash receptacles on trash collection day. The condominium staff shall place trash on the exterior pad in enclosed containers with covers for pickup by the Town's trash contractor. If this system fails to operate satisfactorily, the applicant will be required to return to the CPDC with an alternative plan. Failure could be but is not limited to:

1. The trash operation plan does not function properly (e.g. creates an unsafe or unsanitary condition); or
2. The Town's trash contractor requires an alternative method of trash removal.

**13. Wetlands:** The public hearing for the Notice of Intent opened with the Conservation Commission with meetings held on November 9, 2011 November 30, 2011 and continued to December 14, 2011. Work will occur within buffer zone of regulated resource areas and within Riverfront Area. If changes are made to the approved Preliminary PUD Plans as a result of the NOI hearing, the Applicant shall submit copies of the revised Preliminary PUD Plans to the Town Planner (one full size and one reduced size).

**14. Consistency with the 2005 Master Plan:** Reading's Master Plan (adopted February 2006) was the result of several years of work by the Master Plan advisory Committee. The Johnson Woods, Phase II proposal meets many of the goals and objectives stated in the Master Plan, such as; increase affordable units, promote diversity in house types and households and provide a community and regional network to open spaces, restrictions and public facilities.

**15. Approved Preliminary PUD Plans:** The Applicant shall submit copies of a complete set of the Preliminary PUD Plans as approved herein, properly identified, indexed, titled and certified as being accurate copies, to the Town Planner.

**16. Final Plans:** The Applicant shall submit a Final PUD Plan in accordance with the provisions of Section 4.9.3.9 of the PUD by-law.

**17.** The CPDC reserves the right to review and condition any aspect of the project not expressly enumerated in this approval, as allowable by Zoning By-Laws Section 4.9, during the Final PUD Plan.

**Plan changes after approval by Approving Authority (CPDC):** Additions or amendments to the Preliminary PUD Plan at this stage shall be deemed either major or minor by the CPDC according to Section 4.9.3.13 and 4.9.3.14. Minor additions or amendments shall be authorized by written approval of the CPDC. Major additions or amendments shall be considered as original items to the application and be subject to the procedures specified in Section 4.9.3.12.

**Minor Amendment:** After Plan Approval, an Applicant may apply to make minor changes in a Development Project which does not substantially alter the concept of the approved Preliminary PUD Plan in terms of floor area ratio, use, height, provision of open space, or the

physical relationship of elements of the development. Minor amendments shall include, but no be limited to the following: small changes in floor area, mix of uses, site coverage, height, setbacks, or open space; small changes in the location of buildings, open space, or parking; or small changes in the alignment or minor streets on-site.

**Major Amendment:** Those changes deemed by the Approving Authority to constitute a major change in a Development Project because the additions or amendments represent substantial deviations from the Preliminary PUD concept approved by the CPDC. Major amendments shall include but not be limited to the following: large changes in floor area, mix of uses, site coverage, height, setbacks, or open space; large changes in the location of buildings, open space, or parking; or large changes in the circulation system, including the number and location of access ways.

**DATE: December 19, 2011**

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

  
\_\_\_\_\_  
Jean Delios, Community Services Director/Town Planner 12/19/11

Appeal: The appeal of any Decision of the CPDC hereunder shall be made in accordance with the provisions of Mass. Gen. L. 40A, section 17 within 20 days after filing with the Town Clerk.

Cc: Applicant, Town Clerk, Building Inspector, Town Manager, planning files