

LATHAM LAW OFFICES LLC
643 MAIN STREET
READING, MA 01867

O. BRADLEY LATHAM*
CHRISTOPHER M. O. LATHAM
JOSHUA E. LATHAM*

TEL: (781) 942-4400
FAX: (781) 944-7079

* ADMITTED TO PRACTICE IN
MASSACHUSETTS AND NEW HAMPSHIRE

May 30, 2013

Community Planning & Development Commission
c/o Town Planner, and
Town Clerk
Reading Town Hall
16 Lowell Street
Reading, MA 01867

Re: *Application for Site Plan Review as to 1090-1100 Main Street Reading, MA; Submitted by Artis Senior Living LLC – Applicant.*

Artis Senior Living LLC (Applicant) hereby submits an application for a Site Plan Review as to 1090-1100 Main Street, Reading, MA. The submittal includes requisite copies of the following:

1. Application for Site Plan Review;
2. Addenda to Application;
3. Drainage report;
4. Traffic memorandum;
5. Check for the filing fee;
6. Plans;
7. Certified list of abutters;
8. Assessors' maps;
9. A set of stamped, addressed envelopes; and
10. Authorization to file application from property owner.

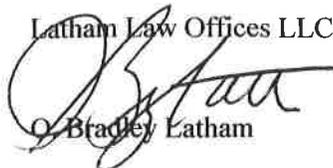
We respectfully request that the CPDC public hearing on the site plan review be held at the CPDC's second meeting date in June. The Buyer must stay within the time restraints in its purchase contract and the ZBA cannot act on the nursing home by-law special permit until the CPDC has issued its decision.

If you have any questions or if there are any deficiencies, would you please advise us.

Thank you.

Sincerely,

Latham Law Offices LLC



O. Bradley Latham



Town of Reading

16 Lowell Street
Reading, MA 01867-2683
Phone: 781-942-9012
Fax: 781-942-9071
Email: jdeslios@ci.reading.ma.us

Community Planning and Development Commission

APPLICATION AND REQUIREMENTS

Site Plan Review Section 4.3.3 of the Reading Zoning By-Laws

Applicability: The following types of activities and uses require site plan review by the CPDC:

- a. Construction, exterior alteration or exterior expansion of, or change of use within an institutional, commercial, industrial, or multi-family structure with four or more dwelling units;
- b. Construction or expansion of a parking lot for an institutional, commercial, industrial, or multi-family structure or purpose.

Exemptions: Site plan review shall not be required for the following:

- a. The construction is solely for the maintenance or repair of the existing structure;
- b. The construction, expansion or alteration of a building or structure does not exceed five hundred (500) gross square feet, or such alteration involves only interior renovation of less than two thousand (2,000) gross square feet;
- c. The construction, expansion or alteration only involves the modification of internal electrical, plumbing or mechanical systems.

Procedures: Applicants for site plan approval shall submit fourteen (14) copies of the site plan to the CPDC for review, and within three (3) days thereafter request a determination from the Town Planner on completeness of application. The Town Planner shall make a determination of completeness within thirty (30) days of receipt of such application.

Property Address 1090-1100 Main Street **Assessor Map** 39 **Lot** 140-145

Name of Applicant Artis Senior Living LLC

Address of Applicant Attn: Jay Hicks, 1651 Old Meadow Road, McLean, VA 22101

Email address rvw1872@gmail.com

Phone/Fax numbers c/o Latham Law Offices LLC; 1-781-942-4400/781-944-7079

Name of Owner (if not applicant) Goddard Family Trust

Address 1090 Main Street, Reading, MA 01867

Email _____

Phone/fax _____

Name of Engineer Peter Ogren, P.E.
Firm Hayes Engineering, Inc.
Address 603 Salem Street, Wakefield, MA 01880
Email pogren@hayeseng.com
Phone/fax 1-781-246-2800

Name of Attorney O. Bradley Latham
Firm Latham Law Offices LLC
Address 643 Main St., Reading, MA 01867
Email bradlatham@lathamesq.com
Phone/fax 781-942-4400/781-944-7079

Name of Architect (Landscape) James Emmanuel
Firm James K. Emmanuel Associates
Address 22 Carlton Road, Marblehead, MA 01945
Email james@jamesemmanuel.com
Phone/fax 781-622-7487/781-623-0293

Current Use of the property: Retail and agriculture

Proposed Use of the Property Assisted living facility

Brief Description of Project Remove existing buildings, construct
assisted living facility with fenced yard area and parking area.

Estimated construction cost of the project \$ 4,150,000.00

Proposed Building Size (SF) ^(footprint) 18,000 **Lot size** 3.5 Acres **# parking spaces provided** 36

List other Permit Requirements (list date of application thereof):

Conservation Commission Orders of Conditions

Zoning Relief Nursing Home Special Permit

Public Works Utility Connections

Board of Selectmen -----

Board of Health Food preparation; dumpster

Historical Commission -----

State Permits: DEP -----

MHD driveways

Other -----

21E filing -----

List of all easements, liens, mortgages, restrictions, or other encumbrances: None relevant to site plan review.

CERTIFICATIONS

The undersigned hereby certifies:

1. That fourteen (14) complete copies of this application and all attachments have each been enclosed in one envelope, have been delivered to the Community Services Department, and have been marked as follows:

One each to:

**Town Engineer
Municipal Light Department
Fire Department
Police Department**

**Building Inspector
Conservation Commission
Health Department**

Two each to:

Town Planner

Five each to:

CPDC

In addition, one (1) full copy is to be delivered by the Applicant to the Board of Health, as a separate but related filing; the Applicant is then to deliver a receipt from the Board of Health to the Town Planner;

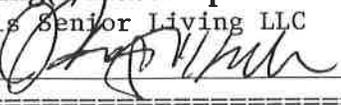
2. That he/she has delivered to the Town Planner a certified check for the required Application Fee in the amount of \$ 9,650.00 ;

3. That he/she understands and hereby agrees that, in addition to the Application Fee identified in Paragraph 2 above, if the Community Planning and Development Commission, in the course of its review of this application, determines at its sole and absolute discretion that review of all or any part of this proposed project by (an) outside, independent consultant(s) of the Commission's sole choosing is necessary for proper evaluation of this project or its possible effects on any matter of public interest, that he/she shall immediately provide to the Department of Community Development of the Town of Reading (a) certified checks(s) payable to the consultant(s) in an amount equal to the estimated cost of the consultant services, and that he/she further understands and hereby agrees that the Town of Reading shall issue no Certificate of Occupancy for this project until any and all such consultant fees which have been duly imposed subject to Site Plan Review Rules and Regulations have been paid in full;

4. That he/she understands and hereby agrees that no Building Permit shall be issued by the Town of Reading until this Application is approved or approved with modifications and/or conditions, that no Certificate of Occupancy shall be issued until the project has been duly certified as completed in full accordance with approved plans, or has been bonded to the Town by the Applicant to guarantee such completion, and that the subject property shall not be occupied or used until said Certificate of Occupancy is issued, or such bonding provided;

5. That he/she understands and hereby agrees that pursuant to law, notification of this Application and required public hearing(s) must be placed in a local newspaper at the Applicant's expense.

Artis Senior Living LLC

Applicant's signature by:  Date: 5/30/13

=====
This application is authorized for filing with the Town Clerk:
Town Planner, as Clerk to CPDC _____ Date: _____

PLANS SUBMISSION (14 copies plus digital format)

Preparation of Plans: Applicants are invited to submit a pre-application sketch of the proposed project to the CPDC and to schedule a comment period at a regular meeting of the CPDC. Site plans shall be submitted on 24-inch by 36-inch sheets, or larger if necessary for clarity. Plans shall be prepared by a registered professional engineer, registered land surveyor, architect or landscape architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal.

Pre-application sketch (optional) _____

Size/Scale of Drawings _____

Locus Plan (at 1"=400', or larger if necessary to show clarity, showing location of property to surrounding area)

At 1"=40' scale or larger if necessary to show clarity, showing location of property to surrounding area:

Existing Conditions Plan

- Grading
- Drainage
- Utilities
- Landscaping
- Impervious surfaces
- Structures
- Resource Areas
- Vegetation
- Ownership of direct abutters

Proposed Site Layout Plan

- Lot boundary
- Structures
- Access drives, connections to street(s)
- Parking/Loading areas (include parking compliance calculation)
- Fencing (include detail)
- Walls (include detail)
- Walkways (include detail)
- Outdoor lighting (include specification)
- Trash receptacle

Grading and Drainage Plan

- 2' contour intervals, spot grades as necessary
- stormwater management locations
- resource area delineation
- floodplain area
- limit of work delineation
- erosion control

Utility Plan

- Sewer
- Water
- Hydrants/fire alarm
- Electric

Architectural Plans

- Floor plans
- Elevations
- Color rendering

Landscape Plan

- Limit of Work delineation
- Existing vegetation proposed to saved and/or removed
- Plant List with key to plan
- Screening
- Parking lot
- Street trees
- Snow storage area
- Recreation area
- Open space area
- Resource area delineation
- Detention/Retention areas

Narrative on phasing of construction, estimated commencement and completion of project

The construction will be done in one phase. Construction will commence when all permits and approvals have been obtained, appeal periods have expired and the Applicant takes title. Completion will be within one year.

Site control/permission to pursue permits o

Drainage calculations/Compliance with DEP Stormwater Management Regulations o

Narrative on Project Impacts:

Municipal services

Water, sewer, electricity, police, fire and emergency response.

**ADDENDUM TO APPLICATIONS OF ARTIS SENIOR LIVING LLC FOR
SITE PLAN APPROVAL AS TO 1090-1100 MAIN STREET**

MAY 2013

NARRATIVE

Artis Senior Living LLC (“Applicant”) seeks site plan approval from the Community Planning and Development Commission (“CPDC”) as to the property known as 1090-1100 Main Street, Reading, MA (“Premises”).

The Property: The Premises are situated on the westerly side of Main Street and contain multiple buildings and over 3 acres of land. The property has been used historically for both retail agricultural use and a residence. The historical use has involved the use of trucks and heavy equipment on the site. Manure and mulch have been stockpiled on and sold from the property. The current use generates significant traffic. A good portion of the site is paved. The current parking goes to the property boundaries. The neighbors have stated that the retail and agricultural use has been problematic. It creates heavy traffic, noise and odor. Currently, stormwater runs off of the site and is uncontrolled and is untreated.

Proposal: The Applicant intends to remove the existing buildings and some of the pavement. A new building will be constructed for use for a memory care facility for those stricken with dementia, primarily those with Alzheimer’s disease. There will be fencing and landscaping and other site improvements that are shown on the plans submitted with this application. The result will be an attractive building and vastly improved site conditions.

Details: The plans and reports submitted show the project details. The Applicant has provided details as to the façade of the building, drainage controls, exterior lighting and landscaping. To the extent required, the Applicant shall file with the Massachusetts Department of Transportation for a driveway opening permit. The Applicant is submitting a concurrent notice of intent under the State Wetlands Protection Act and the Reading Wetlands By-law.

Site Plan Review [Section. 4.3.3]: The Applicant seeks site plan approval. A completed application is submitted herewith. The applicant also submits the plans, certified list of abutters, two sets of stamped addressed envelopes, a check for the filing fee, drainage calculations, and other supportive data and reports. The site plans show the boundaries of the property, the structures, drives, parking areas, fences, walls, walks, outdoor lighting, loading facilities, and areas for snow storage after plowing. Plans submitted also show topography, drainage and utilities. Architectural plans showing the interior and architectural elevations are included with this submission. Landscaping plans showing the limits of work and proposed landscaping are included in the package. The plans also show the proposed parking layout and dumpster location.

Construction Schedule: Once all governmental permits, approvals, decisions and orders have been obtained, the Applicant or its nominee shall take title to the Premises. The work shall commence soon thereafter, weather conditions controlling. The project will be done in one

phase and shall be completed within 14 months from commencement, subject to weather and availability of materials.

Compliance: The Applicant is aware that the premises must be in compliance with applicable requirements of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board regulations.

Site Plan Approval: The submitted design and plans meet the *objectives* of site plan review, as follows:

- The proposed site alteration assures adequate access to the proposed building for fire and service equipment and makes adequate provision for utilities and storm water drainage, consistent with the functional requirements of the CPDC. The proposed storm water drainage system is a significant improvement over the current condition.
- The development plans are designed to meet the following criteria:
 - a. The plans minimize the volume of cut and fill, the number of removed trees 6” caliper or larger, the length of removed stone walls, any wetland vegetation displacement, the extent of storm water flow from the site, soil erosion, and the threat of air and water pollution. The site is already developed. The plan is a reuse of the property, which is consistent with smart growth. Tree removal is limited. Because traffic volumes will be less than the current traffic and the proposed use of state of the art heating, air conditioning and ventilation systems, there will be no material impact on the environment.
 - b. The plan would maximize pedestrian and vehicular safety both on the site and approach/egression from it. Vehicles entering and exiting the site have good site distance for safety. The site layout is designed so that vehicle movement within the site will be safe and slow. Pedestrian walkways for the occupants will be in an attractively landscaped and fenced area.
 - c. The plan does not result in obstruction of scenic views from publicly accessible locations. The proposed building height is no higher than that allowed for single-family dwellings. Because of the topography, many of the abutting dwellings are higher than the proposed building. No visual obstructions are created by a new structure. There are no scenic views to be obstructed.
 - d. The plan does not result in harmful “visual intrusion”. The proposed use and the site layout are consistent with the nursing home zoning as was overwhelmingly approved by Town Meeting a few weeks ago. The area that is used for parking will be decreased. Extensive landscaping and screening is proposed. There will be minimal glare from

headlights and lighting intrusion. There will not be significant traffic movement on the site and even less after dark. Site lighting will be controlled.

e. There will be no unreasonable departure from the character, materials, and height of buildings in the vicinity, as viewed from public ways and places. The building will be of an attractive New England character and will enhance the property and the area.

f. The use of the site should not result in contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances. The drainage design is intended to avoid denigration of groundwater. Water quality should improve over the current condition. Now, rainwater from the parking lot, fertilized plants and with pesticides runs untreated into the wetlands. Sewage will be placed in the Reading sewer system.

g. The plans submitted are intended to comply with the applicable provisions of the Zoning By-Law. The parking layout has been approved by the Zoning Board of Appeals.

h. The design of the building and landscaping will significantly enhance the appearance of the site.

i. The intended use of the site should not have environmental impacts on adjacent properties. Late night deliveries are not anticipated. An assisted living facility is a very quiet use, so noise is not a factor. Rubbish will be collected in an enclosed dumpster and removed as frequently as needed.

Construction Sequence: Artis Senior Living, LLC intends on starting construction as soon as practical once a building permit is issued. The sequence of construction events will track with a typical construction project. The process begins with the installation of soil and erosion and sedimentation control measures and is followed by site grading and utility installation. Building construction is next, starting with the structure and concluding with the installation of finishes. The site work is then finished, including parking lot paving, lighting, and landscape planting. A license from the Commonwealth of Massachusetts is secured at this point in the process.

This process is expected to take approximately 14 months, although weather and other variables may affect the final completion date. Artis Senior Living will follow all rules, regulations, and conditions relating to construction activities in the Town of Reading. Every effort has been made to be a "Good Neighbor," during the development approval process and intends on maintaining this approach with the neighborhood during the construction process and beyond.

The Applicant respectfully requests that the CPDC issue site plan approval.

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

BRIDGECARE LLC
1651 OLD MEADOW DRIVE, SUITE 100
TYSONS CORNER, VA 22102

EAGLEBANK
www.eaglebankcorp.com
BETHESDA, MD 20814

65-329/550

5/29/2013

1190

PAY TO THE ORDER OF Town of Reading

Nine Thousand Six Hundred Fifty and 00/100***** \$ **9,650.00

Town of Reading DOLLARS

MEMO

Mary Carter
Barbara Dupuis

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.
⑈001190⑈ ⑆055003298⑆ 0200137214⑈

BRIDGECARE LLC

Date	Type	Reference	Original Amt.	Balance Due	5/29/2013 Discount	Payment
5/29/2013	Bill		9,650.00	9,650.00		9,650.00
						9,650.00
						1190

Eagle Bank Operating

9,650.00



Security Features Included. Details on back.