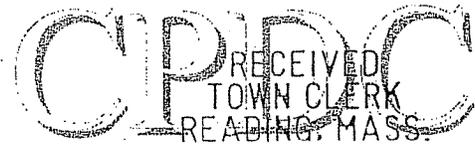


Town of Reading

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2011 APR -4 P 4: 34

March
28, 2011

COMMUNITY PLANNING AND DEVELOPMENT COMMISSION

Site Plan Review

FINAL DECISION

Project: Reading Woods, Jacob Way, Pulte Homes of New England

To the Town Clerk:

This is to certify, at a public hearing of the Reading Community Planning and Development Commission (CPDC) opened on January 24, 2011 continued to February 28th, March 21, 2011 and closed on March 21, 2011 by a motion duly made and seconded, it was voted:

"We, the CPDC, as requested by Pulte Homes of New England of 115 Flanders Road in Westborough, MA, under the provisions of Section 4.3.3 and 4.11 of the Zoning By-Laws of the Town of Reading, and M.G.L Chapter 40A Section 3, to consider the contemplated site plan for property addressed at 0 Jacob Way (Assessors Map 4, Lots 57, 69, 74, 77, 84 & 86), as shown on the site plans prepared by Marchionda & Associates, L.P. Sheets 1-34 dated January 4, 2011 and lastly revised on March 14th, 2011 and Sheets L-1 through L-8, SK-1 & SK-2 dated January 4, 2011 and lastly revised on February 15, 2011 do hereby vote 4-0-0 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:

- | | |
|-----------------|---|
| January 4, 2011 | Cover letter from Marchionda & Associates dated January 4, 2011, completed site plan review application form, completed Gateway Smart Growth District application form, application fees, certified abutters list and stamped envelopes. |
| January 4, 2011 | Site Plans for Reading Woods in Reading, MA prepared for Pulte Homes of New England LLC of Westborough, MA plans prepared by Marchionda & Associates, L.P. sheets 1 - 33 and sheets L-1, L-2, L3, L4, L5, L6, L7, & L8 dated January 4, 2011. |
| January 4, 2011 | Architectural Plans for Reading Woods dated January 4, 2011 (renderings, floor plans, elevations) prepared by Pulte Homes of |

- New England and Minno & Wasko. 36 & 50 unit buildings sheets A2.00, A2.01, A2.02, A2.03, A2.04, A3.20, A3.21, A3.22, dated December 2010. Townhomes elevations and clubhouse floor plan sheet A-2, elevations A-3 & A-4.
- January 4, 2011 A Fiscal Impact Analysis for Reading Woods Reading, Massachusetts prepared by Connery Associates of Melrose, dated December 6, 2010.
- January 4, 2011 Draft Smart Growth Zoning District Program Affordable Housing Restriction Agreement.
- January 4, 2011 Traffic Impact & Access Study for Reading Woods, Reading, MA prepared for Pulte Homes of N.E. prepared by Dermot J. Kelly Associates Inc dated December 9, 2010 (143 pages).
- January 4, 2011 Stormwater Report for Reading Woods, Reading, Massachusetts for Pulte Homes of New England prepared by Marchionda & Associates, L.P. of Stoneham dated January, 4, 2011 (264 pages).
- January 4, 2011 Environmental Notification Form (ENF) for Reading Woods in Reading Massachusetts prepared for Pulte Homes of New England, prepared by Epsilon Associates, Inc. dated January 3, 2011.
- January 4, 2011 Development Review Team minutes/notes dated October 13 and December 1st 2010.
- January 20, 2011 Memorandum from the Conservation Commission to the Community Planning & Development Commission Re: Reading Woods, Jacob Way, Pulte Homes of New England, LLC, Application dated January 20, 2011.
- January 20, 2011 Letter from Fire Chief Gregory J. Burns to Pulte Homes of New England, LLC Re: Reading Woods Project dated January 20, 2011.
- January 20, 2011 Memorandum from Town Planner/Community Services Director Jean Delios to Secretary Richard K. Sullivan Re: Environmental Notification Form, EEA # 14688 Reading Woods, Jacob Way, Reading MA dated January 20, 2011.
- January 24, 2011 Completeness / Advisory Report from Reading CPDC to Pulte Homes of New England Re: Certification of Completeness/ Advisory Report, Application for Reading Woods at Jacob Way dated January 24, 2011.
- January 24, 2011 Peer Traffic Review completed by Fay, Spofford & Thorndike (FST Engineers) Subject: Review of Traffic Impact and Access Study Reading Woods Residential Development - Reading, MA dated January 21, 2011 (7 pages).
- January 24, 2011 Public hearing presentation slides/ packet elevations, renderings, site plans, photographs entitled "Reading Woods Reading, Massachusetts" prepared by Huntress Associates and Marchionda & Associates (35 pages).

- January 27, 2011 Development and Infrastructure Agreement for Addison Wesley Longman Property, Reading between the Town of Reading and National Development Acquisitions, LLC dated December 20, 2007.
- January 27, 2011 Estoppel Certificate between the Town of Reading and Pulte Homes of New England/Pearson Education Re: One Jacob Way, Reading, Massachusetts signed by the Town Manager on January 27, 2011. Development and Infrastructure Agreement for Addison Wesley Longman Property, Reading.
- February 3, 2011 Four page memorandum from Assistant Town Manager/Finance Director Bob LeLacheur to CPDC Re: Response to Connery Associates Reading Woods Fiscal Impact, December 6, 2010.
- February 8, 2011 Massachusetts Department of Environmental Protection letter from John D. Viola, Regional Director, Re: Reading Woods Jacob Way EEA # 14688 (formerly 12166, 14252) dated January 25, 2011.
- February 18, 2011 Letter from Building Justice based in Washington DC to Jean Delios dated February 18, 2011 about Pulte's proposal in Reading.
- February 22, 2011 Site Plans for Reading Woods Jacob Way, Reading, Massachusetts plans prepared for Pulte Homes of New England, LLC and prepared by Marchionda & Associates, L.P. plans dated January 4, 2011 with revisions per CPDC Comments on February 15th and revised for Con. Com. Revisions and lastly revised on February 18, 2011.
- February 22, 2011 Cover letter from Mark Mastroianni of Pulte Homes to the CPDC dated February 22, 2011. Twelve page response to the CPDC's completeness/advisory report dated January 24, 2011.
- February 22, 2011 Reading Woods Response to Comments packet dated February 15, 2011 with cover letter, response to comments, exhibits, traffic revisions, market summary, and fiscal impact comments.
- February 22, 2011 Traffic Impact and Access Study and Response to Comments for Reading Woods dated February 17, 2011 and prepared by Dermot J. Kelly Associates, Inc.
- February 22, 2011 Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form for Reading Woods (EEA Number 14688) signed by Richard K. Sullivan, Jr. dated February 4, 2011.
- February 24, 2011 Electronic Mail from Reid Blute of Pulte Homes to Jean Delios Subject: Union Letter to Reading, Ma dated February 24, 2011.
- February 28, 2011 Memorandum from the Town Engineer George Zambouras to Community Services Director/Town Planner Jean Delios Re: Reading Woods - Site Plan Submittal dated February 28, 2011.

- March 8, 2011 A Draft Affordable Housing Restriction under review by DHCD.
- March 14, 2011 Cover Letter from Michael Rosati of Marchionda & Associates to the CPDC Re: Reading Woods - Response to Comments dated March 14, 2011 and stamped by the Building Department on March 14, 2011.
- March 14, 2011 Revised Site Plans entitled "Site Plans for Reading Woods Jacob Way Reading, Massachusetts" for Pulte Homes of New England, LLC Sheets 1 - 34 dated January 4, 2011 and lastly revised on March 14, 2011 Sheets L-1, L-2, & SK-2 are dated January 4, 2011 and lastly revised on February 15, 2011.
- March 17, 2011 Letter from the Assistant Town Manager/Finance Director Bob LeLacheur to the CPDC Re: Further on Connery Associates Reading Woods Fiscal Impact, December 6, 2010 dated March 21, 2011.
- March 18, 2011 Letter from Mark Mastroianni of Pulte Homes of New England, LLC to the CPDC Re: Additional Waiver Request - Reading Woods dated March 18, 2011.
- March 21, 2011 Parking Layout Exhibit submitted via electronic mail on March 21, 2011 from Mark Mastroianni of Pulte Homes of New England to Jean Delios, Parking Layout Exhibit dated March 21, 2011.
- March 21, 2011 Four page letter from FST Fay, Spofford & Thorndike to George Zambouras Subject: Response - Traffic Impact and Access Study Reading Woods Residential Development - Reading, MA dated March 22, 2011.
- March 24, 2011 Letter from Scott and Sheila Spinney, 323 South Street, and Theresa Petrillo, 329 South Street Re: Pulte's commitment to install a new six-foot cedar stockade fence behind all South Street homes abutting the former Addison-Wesley property, from the top of the street down to the access road.
- March 28, 2011 E-mail (with sketch attached) from Reid Blute, Pulte Group, reaffirming commitment to install a new six-foot cedar stockade fence along the South Street property line which will be incorporated into final site plan.

FINDINGS:

1. It is the finding of the CPDC that the property is zoned appropriately for the proposed 200 residential units in the Gateway Smart Growth District (sub-district C), the 16 townhomes in sub-district A, 86 senior independent living age restricted units in sub-district B, and 122 senior age restricted units in sub-district D. A total of 424 owner occupied units were proposed with this proposal. The proposed uses are permitted as-of-right according to Section 4.11.5 and Section 5.3.1.4.d of the Reading Zoning By-Laws.

2. The site plans contain a design that is sufficiently developed to provide the basis for the CPDC's determinations regarding the requirements, standards, and guidelines of Sections 4.11 and 4.3.3 of the Zoning By-Laws.
3. The Reading Zoning By-Law Section 2.2.28.1 defines senior independent living as: *a facility that provides dwelling units for residents over the age of 55, with no permanent residents under the age of 18, in a single or multiple buildings or in separate townhouses or cottages, and may include common areas for the use of residents.*
4. **Sustainable Design** – The approved plans include recycling collection areas for homeowners to use in the underground parking garages in Buildings 1, 2, 3, 4, 5, 6, 7, 8 and 9. These designated recycling collection areas are intended to allow for and encourage resident recycling. Recycling practices will be further encouraged by building management and the future condominium association, and a written recycling plan shall be provided to the Town Planner with any revisions/amendments made over time. Rain gardens have also been incorporated into the site design in several locations. Other sustainable design elements include the underground parking to reduce impervious surface on the site, fully shielded exterior light fixtures, bicycle racks and bicycle storage areas in the underground parking areas and throughout the site, irrigation systems that have rain sensors, and Energy Star Rated Homes.
5. **Scenic Road Application** – South Street is a designated scenic road which requires approval from the CPDC for any alteration or proposed work in the right of way. Notice of the proposed alteration, as reflected in the plans received as part of this decision, was published in the newspaper and abutters notified in accordance with Section 5.8 of the Reading's General By-Laws and the CPDC's Scenic Road Regulations. On March 28th the CPDC voted 4-0-0 to approve the proposed alteration to the scenic road as shown on the site plans dated January 4, 2011 and lastly revised on March 14, 2011. Since the alignment of Jacob Way is subject to the final approval by the Board of Selectmen any re-configuration of Jacob Way shall require the Applicant to re-submit plans to the CPDC for a modification of this Site Plan Review Decision.
6. **Parking** – The total number of parking spaces at full build-out for the entire site is 895 (including garage and surface parking). The GSGD area provides a total of 379 parking spaces which meets and exceeds by 59 spaces the zoning requirement of 1.6 spaces per unit. In sub-districts A, B and D, 516 parking spaces are provided at full build-out while the Business-C zoning requires 448 parking stalls. At full build-out, this proposal includes 127 parking spaces in excess of what the zoning regulations require. Surface parking spaces are not assigned to owners or guests and will operate on a first come first served basis.

To reduce impervious surface and in keeping with smart growth philosophies, the CPDC requested a reduction in the number of parking spaces. The final site plans identify sixty eight overflow parking spaces throughout sub-districts B, C and D on the site plans dated January 4 and revised on March 14, 2011. The sixty

eight parking spaces have been shown on the plans as "future parking spaces" and will not be constructed unless needed to meet the property's demands. A plan showing how these future parking spaces will be incorporated into the site in advance of completion shall be provided to the Town Planner. This could include using for additional green space until and unless needed for future parking.

7. Pursuant to Massachusetts Environmental Policy Act (MGL Chapter 30, Section 61-62I and Section 11.06 of the MEPA regulations 301 CMR 11.00), the Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts found that this project did not require an Environmental Impact Report as outlined in the Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form dated February 4, 2011.
8. The public hearing for the Notice of Intent opened with the Conservation Commission on February 23rd, 2011 continued to March 16th and was continued to April 13th. The CPDC approves the site plans lastly revised on March 14, 2011 but understands there may be modifications made to meet the requirements by the Conservation Commission's Order of Conditions. Two sets (one full size and one reduced size) of the final approved plan shall be submitted to the Town Planner.
9. **Landscaping:** The landscaping plans (Sheets L1, L2, L3, L4, L5, L6, L7, L8, SK-1, SK-2 dated January 4, 2011 and lastly revised on February 15, 2011 are approved with this Decision.
10. **Lighting:** All exterior lighting shall be fully shielded to prevent glare onto abutting properties as indicated on the approved plans. The lighting plan and light fixtures presented with this application are detailed on Sheet L-8 dated January 4, 2011 and revised on February 15, 2011.
11. **Shuttle Program:** The Applicant has agreed to implement a shuttle service program after occupancy of the GSGD to reduce vehicular trips. Conditions related to the shuttle service are listed in the Conditions of this Decision.
12. **Development Agreement:** A Development and Infrastructure Agreement relating to certain contingent mitigation measures for the redevelopment of the property run with the land and are binding upon the new owner (Pulte Homes of New England LLC) as stated in the Estoppel Certificate signed by Reading Town Manager, Peter Hechenbleikner on January 27, 2011. The provisions of the Development Agreement are in full force and effect. Some of the provisions are as follows: off-site traffic mitigation; \$25,000 for peer review consultants; payments to the Town for the Sturges Pumping Station, MWRA water connection buy-in fees, and community access to the pedestrian paths. The Applicant/Owner has agreed to renegotiate with the Reading Town Manager the terms of Article 1.3 of the Development and Infrastructure Agreement due to the fact that the mitigation payment of \$500,000 as stated in the agreement is

estimated to be too low. Further, should an on-site pumping station become a preferred alternative, prior approval shall be secured from the CPDC through a Minor Change as stated at the end of this document. The Inflow & Infiltration (I and I) fees shall conform to the formula as stated in the Development Agreement.

13. **Utilities, Storm Water Report & Drainage:** All drainage systems, storm water management systems and their compliance with DEP Storm Water Standards shall be constructed to meet the full build-out conditions indicated in Finding No. 6.

The Applicant/Owner has satisfactorily addressed all utility comments identified in the Engineering review memorandum dated February 28, 2011 except for the submittal of the storm water management plan, construction sequencing plan and meeting the granite vertical curb standards. These items are addressed in Waivers and the Condition sections of this Decision. All comments requiring plan changes shall be included on the final set of plans submitted to the Town Planner and Town Engineer.

14. The naming of driveways identified as Abigail Way and Augustus Court is for the purpose of identification of buildings and unit addresses by emergency services, Town records and ease of delivery services only. The driveways named Abigail Way and Augustus Court shall in no way be construed to indicate that these driveways have been accepted or laid out as public or private ways under subdivision control law.
15. The CPDC has determined that Abigail Way and Augustus Court are driveways.
16. The site has been underutilized and vacant since Addison Wesley publishing company left in the late 1990s. In December 2007, the Town changed the zoning to allow for four sub-districts with a Business-C base zoning district, adopted maximum allowable development regulations in Section 5.3.1.4.d of the Zoning By-Laws and adopted the Gateway Smart Growth Overlay District in accordance with M.G.L c. 40R in sub-district C in Section 4.11 of the Zoning By-Laws. The proposed development of the site will result in the improvement in drainage design, aesthetic enhancement of the property, increased occupancy and tax revenue for the Town, increased buffering of the site from residential neighborhoods, a variety of housing types (townhomes, condominiums and age-restricted units) and affordable housing opportunities.

17. **Consistency with the Goals of the Gateway Smart Growth District (GSGD):**

- The proposal provides multi-family housing which allows for a diversified housing stock and provides affordable housing opportunities within the Town.
- The development project reflects high quality site planning, architecture and landscape design that enhances the visual character and identity of Reading.

- Generates positive tax revenue for the Town and allows the Town to benefit from the financial incentives of Massachusetts General Laws Chapter 40R.

18. **Consistency with the 2005 Master Plan:** The Reading Master Plan (adopted February 2006) was the result of several years of work by the Master Plan advisory Committee. The Reading Woods proposal meets many of the goals and objectives stated in the Master Plan, such as; increasing Reading's affordable housing units, promoting diversity in housing types and households, new construction that connects with the surroundings, and provides age-focused housing.

WAIVERS:

The Reading CPDC as the Approving Authority opened the public hearing on January 24, 2011 and continued the public hearings until the vote to close the public hearing was made on March 21, 2011. At the March 28th CPDC meeting, the CPDC voted 4-0-0 to approve the request for waivers from Sections 4.11.9.1.3.4, 4.11.9.1.3.5, 4.11.9.7.3 and 4.11.9.12.1 in accordance with Section 4.11.11.12 "Waivers" of the GSGD Zoning By-Laws.

Waivers Granted for the following sections:

4.11.9.1.3.4. Windows on top floors should not be wider than windows on the first floor. The CPDC grants this waiver for the four 50 unit buildings as shown on the plans approved with this Decision.

4.11.9.1.3.5. Windows on the top and bottom floors should generally align vertically. The CPDC grants this waiver for the four 50 unit buildings as shown on the plans approved by this Decision.

4.11.9.7.3. The Village Green shall be located at a vehicular intersection in the Project, and shall be pedestrian accessible from two or more sides. Where practical, buildings and uses may front on the Village Green. The CPDC grants a waiver and approves the Village Green as shown on the plans located at the intersection of Jacob Way and Augustus Court.

4.11.9.12.1. Buffer from adjacent existing residential development. No building shall be located within one (100) feet of a Single Family Residence District. The CPDC grants a waiver from the 100 ft buffer to allow the welcome center planned near the entrance of the site on Jacob Way located approximately 65 ft from the adjacent residential zoning district. The welcome center will be an informational center only and was requested by the Town.

4.3.3.6. Vertical Granite Curbing

The curbing shown on the March 14, 2011 site plans includes a combination of sloped granite along Jacob Way and bituminous concrete curbing along all other internal roads. The Applicant/Owner requested a waiver from providing Vertical Granite Curbing. The CPDC voted 0-4-0 on March 28th to deny the request for a waiver. The

Applicant shall install Vertical Granite Curbing in accordance with the Town's Standards on Jacob Way and at the roundabout.

CONDITIONS:

Prior to Applying for Building Permits:

1. All other local requirements and permits shall be sought and received, including, but not limited to, utility connections, Board of Health and Conservation Commission approval. The Applicant shall bear the burden of ensuring all local permitting has been sought and received. As a Condition of this Decision, the Applicant shall provide two sets of the final plans approved by the Conservation Commission to the Town Planner. The Applicant shall diligently pursue any required state approvals needed, including, but not limited to, Mass DEP and Mass DOT approvals. The Applicant shall provide copies of all state approvals to the Town Planner. Notwithstanding the above, as a Condition of this Decision, the DEP sewer connection permit shall be obtained prior to receiving the first occupancy permit and prior to any connection of the sites proposed sewer improvements to any Town Sewer System or Component, and the DOT access permit shall be obtained prior to receiving the 100th occupancy permit, or sooner as may be required by all state requirements and state agencies.
2. The Owner / Applicant shall provide \$25,000 to the Town of Reading to cover the cost of the Peer Review Consultant in accordance with Section 1.5 of the Development Agreement.
3. The developer agrees to exceed the requirement that twenty percent (20%) of all the dwelling units in the GSGD (sub-district C) shall be affordable units as per Zoning By-Laws Section 4.11.10.1 and shall comply with all of the requirements of Section 4.11.10. The excess number of affordable units shall be proportionate to 10% of the total number of units in the development (424) or 43 total affordable units. The Applicant is required to submit evidence to the Town Planner that the project meets the cost and eligibility requirements of the GSD components of the project.
4. The Administering/Monitoring Agency for the affordable units shall be approved by the Reading Board of Selectmen in accordance with Section 4.11.10.7.1 in the GSGD zoning.
5. Prior to the issuance of a building permit and marketing of any units, the affordable units are subject to an **Affirmative Fair Housing Marketing Plan** approved by Massachusetts Department of Housing and Community Development (DHCD). The Affirmative Fair Housing Marketing Plan and the DHCD approval must be submitted to the Approving Authority (CPDC) through the Town Planner before any building permits are issued as proof that all conditions of Zoning By-Laws Section 4.11.10 have been satisfied.
6. Prior to the issuance of building permits, an **Affordable Housing Restriction** must be submitted to the Approving Authority (CPDC) through the Town

Planner with DHCD's written approval verifying compliance with M. G.L. c. 40R requirements under 760 CMR 59.00 and Reading Zoning By-Laws Section 4.11.10. Each affordable unit is subject to an Affordable Housing Restriction which shall be recorded at the Middlesex South District Registry of Deeds. The Applicant has submitted a draft Affordable Housing Restriction to DHCD which is currently in the review process at the time of this Decision.

7. In accordance with Zoning By-Laws Section 4.11.10.4 "Design and Construction," as well as relevant State law the affordable units must be dispersed throughout the development project and be comparable in initial construction quality and exterior design to the unrestricted units. The affordable unit distribution shall be approved by DHCD and the Town Planner.
8. The total number of bedrooms in the affordable units must be at least proportionate to the total number of bedrooms in all units of the project of which the affordable units is part as per Section 4.11.10.5 "Unit Mix" of the Zoning By-Laws.
9. Full construction plans shall be submitted and approved by the Fire Chief or his designee prior to the issuance of a building permit. All items listed in the Fire Chief's January 20, 2011 letter shall be adhered to. Items outlined in the letter include a Fire Protection Narrative Report, a Fire Protective Signaling System, key lock boxes and no parking on the roadways except in designated parking spaces as shown on the approved plans.
10. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted and approved by the Town Engineer prior to the issuance of a building permit. The SWPPP shall include a sequencing timeline that clearly state all utility work, erosion protection, dust control, a demolition plan etc.
11. In accordance with the Development Agreement, the Applicant/Owner shall pay to the Town the initial Sewer Payment prior to the issuance of the first building permit. Thereafter, for each new building, the Inflow & Infiltration (I & I) payments shall be paid to the Town upon the issuance of the Certificate of Occupancy for each new building as per the renegotiated terms in accordance with the Development Agreement.
12. The final designs for all retaining walls shall be submitted and approved by the Town Engineer prior to the issuance of a building permit.
13. The Applicant/Owner shall provide calculated hydraulic evidence that the volume of runoff discharging into each of the infiltration/recharge areas are of sufficient volumes to satisfy the DEP Storm Water Standards.
14. Per Zoning By-Laws Section 4.3.3.6, vertical granite curbing shall be installed according to the Town's Standards on Jacob Way and at the roundabout.

15. **Construction Timing/Sequencing:** Construction sequencing shall be as indicated on the March 14, 2011 plan Sheets 26 - 32 giving priority to installing the perimeter fencing, vegetation and planting and barriers to maintain a buffer between the residential neighbors during the construction phases. The implementation of the shuttle service shall also be included in the project timeline. A more detailed phasing plan shall be developed which satisfies concerns expressed during the public hearing process and that provides buffers, fencing, plantings and other improvements so that the site is not left in a disturbed state while it is being developed over a period of several years. Construction and phasing schedules shall be updated regularly and submitted to the Town Planner for distribution to the CPDC; this shall be done at least biannually by the tenth of the month in and January and in July. Surety Bonds for outstanding work in each development phase are further discussed in Condition # 1 under "Prior to the Issuance of a Certificate of Occupancy".
16. All existing trees indicated to be saved shall be marked prior to any construction activities. All identified trees which are adjacent to proposed construction activities shall be furnished with suitable and adequate protection. All protected trees damaged by construction activities shall be replaced as determined by the Town Planner.
17. All perimeter fencing indicated to be installed per final mylar plan as referenced in the 3/28/11 e-mail and attachment from Pulte, shall be replaced during the project's 1st phase.
18. In accordance with Zoning By-Laws Section 4.11.11.5.6, a copy of this Decision shall be recorded with the title of the land at the Registry of Deeds. Proof of the filing with the Registry shall be submitted to the Town Planner.
19. **Pre-Construction Meeting:** The Applicant shall coordinate with the Town Planner a pre-construction meeting with Town staff at least 30 days prior to applying for building permits to review the conditions of this Decision and any and all final construction details, sequencing, and plans for this project.

During Construction:

1. A bond shall be posted for the final As-Built plans and will be returned to the Applicant when the requirements of Condition number 1 under "Prior to the Issuance of the Last Permanent Certificate of Occupancy" are met. The bond amount shall be determined by the Town Engineer.
2. As detailed in the Applicant's Traffic Impact & Access Study and Response to Comments dated February 15, 2011, the Applicant agreed to make a mitigation payment to the Town for the Hopkins Street/Main Street intersection traffic

study or implemented improvements in the amount of \$10,000, such payment to be made prior to the issuance of the 50th occupancy permit. This amount has been increased to \$50,000 which was derived from a more recent estimate from the Town Engineer.

3. The proposed roadway improvements and associated landscaping to the South/Main Street intersection and Jacob Way (public portion) shall be completed prior to final occupancy of the first building phase. As the development's construction period will occur over several years and to insure the integrity of Jacobs Way, the roadway pavement's wearing surface shall be milled 1 ½ inches and re-applied following the completion of all site work. Prior to milling all roadway and associated defects shall be restored to the satisfaction of the Engineering Division.
4. Sturges Sewer Pump Station - The Sturges Sewer Pump Station does not have sufficient capacity to handle the peak flows with this proposal, see Finding No. 12.
5. Per Zoning By-Laws Section 4.3.3.6.j., Hours of Construction shall be adhered to as per Section 5.5.8. Construction Hours and Noise Limits of the Town of Reading General By-Laws and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site.
6. Site Inspections: Town staff or their designee shall have reasonable access to inspect the site to determine compliance with this Decision. All drainage facilities shall be subject to inspection by the Town.
7. Per Zoning By-Laws Section 4.3.3.6.j., 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 Administrator or designee. The Applicant shall ensure that abutting local streets are kept clear of dirt and debris, which may accumulate as a result of construction activities for the Project, and documentation shall be provided demonstrating ongoing pest management control, subject to the approval of and administration by the Health Administrator.
8. Care shall be taken to avoid damage to existing trees that are not proposed to be removed during development of this site.
9. Any revisions in the utility design required during construction shall be submitted to the Town Engineer for review and approval.
10. The area in the northwest corner of the property shall be preserved as existing open space. The Applicant is not proposing any work in this area but has agreed to make drainage improvements to reduce flooding on the abutting residential properties which will include the installation of a pipe that will drain into South Street subject to the approval of the Town Engineer, Conservation Commission, and property owners.

11. The construction and installation of all water mains shall be supervised by Reading's Department of Public Works, Water and Sewer Division.

Prior to the Issuance of a Certificate of Occupancy:

1. Prior to the issuance of Certificate of Occupancy for any building, the Applicant/Owner shall furnish surety bonds, in a form acceptable to the CPDC, for all outstanding work for each building's phase as identified in the final approved Construction Timing/Sequencing Plans or CPDC approved sequencing modification. The bond amount shall be developed by the Engineering Division and approved by CPDC. The bonds for each phase shall include all items necessary to fully complete all work within that phase; provide temporary emergency vehicle turnarounds (when necessary); the completion of landscaping for that phase; landscaping necessary to restore disturbed areas within the entire site and all site fencing.
2. Parking is limited to the designated parking spaces and "no parking signs" shall be posted on the roadways as shown on the plans submitted. The Applicant shall work out an agreement with the Reading Police Department to enforce the no parking areas and ticket violators. Handicap parking spaces shall be clearly labeled and located at the spaces near the building entrances as indicated on the approved plans.
3. Signage: No signage was presented or approved by this Decision. Any proposed signage that requires a sign permit shall be submitted to the CPDC through the Town Planner for review and approval prior to receiving a sign permit from the Building Inspector.
4. Bike Racks: Bicycle racks shall be installed throughout the site as indicated on the plans approved by this Decision.
5. Proof that the Affordable Housing Restriction for each affordable unit has been recorded with the Middlesex South District Registry of Deeds shall be submitted to the Town Planner.
6. The Applicant/Owner shall contribute to the Town's cost to erect a "Gateway to Reading" sign/structure/or landscaping on Main Street in accordance with 1.6 of the Development Agreement.
7. **Shuttle Service:** The Applicant has committed to implement a shuttle service program after issuance of the final certificate of occupancy for the GSGD units. Prior to implementation, the Applicant shall submit further details regarding the shuttle service which addresses the shuttles routes, schedule, and hours of operation. Included in the sustainable design submission to MEPA was the designation of a transportation coordinator who will develop and implement options for alternative forms of transportation such as ride sharing, MassRides, and others and who will inform residents of these programs.

8. **Lighting:** All exterior lighting shall be fully shielded down lighting to prevent glare onto abutting properties as indicated on the approved plans. The lighting plan and light fixtures presented with this application are detailed on Sheet L-8 dated January 4, 2011 and revised on February 15, 2011. There shall be no illumination of the fascia of the buildings. Any changes to lighting shall be submitted and approved by the Town Planner prior to installation.
9. Per Zoning By-Laws Section 4.3.3.f, the façade (colors, materials, design and dimensions) shall be substantially as indicated on the architectural plans dated January 4, 2011 and the site plans sheets 1-34 dated January 4th and revised to March 14, 2011. Prior to any exterior modifications being made, any exterior modifications shall require a request for a Modification to Decision and approved plans subject to the review and approval of the CPDC as stated at the end of this Decision under "Plan changes after approval by Approving Authority".
10. **Trash:** Collection and recycling will be by a private contractor, not the Town of Reading. Dumpster and recycling shall be stored in the garages as indicated during the site plan review with the CPDC. Separate recycling totes will be clearly labeled and provided to residents of buildings 1 through 9 for their use in the recycling areas included in the enclosed underground garages. Trash receptacles will be provided for each of the 16 townhomes and will be collected from their driveways at a minimum of once per week. Trash totes will be stored inside the townhomes garages on days trash is not to be collected.
11. Storm water management shall meet the "Best Management Practices" as prescribed by Massachusetts Department of Environmental Protection.
12. **Public Safety:** All sidewalks shall meet ADA standards and the crosswalks shall be located as shown on the site plans approved with this Decision and lastly revised on March 14, 2011.

Prior to the last Permanent Certificate of Occupancy:

1. Two full size paper copies and electronic AutoCAD final As-Built plans showing the building footprint, drainage systems and all utility connections shall be submitted to the Town Planner and Town Engineer to ensure compliance with this Decision and other applicable Town standards. The As-Built plans shall be prepared by a Professional Engineer or Registered Surveyor. The bond held for this requirement will be returned to the Applicant once this condition has been fulfilled to the satisfaction of the Town Engineer.
2. **Landscaping:** Weather permitting, the landscaping shall be substantially as shown on the plans (Sheets L1, L2, L3, L4, L5, L6, L7, L8, SK-1, SK-2 dated January 4, 2011 and lastly revised on February 15, 2011) including the creation of raised berms to ensure proper buffering, screening and noise barriers between the adjacent residential properties.

After Occupancy:

1. The Owner or future owner shall have the responsibility of maintaining all the proposed fencing, lighting and landscaping as indicated on the approved plans and shall implement a contract with a professional landscaping and maintenance service which may be addressed in the condo association documents.
2. Snow Storage: A snow storage plan (Sheet 32 dated January 4 and revised on February 15, 2011) was submitted with this application. Snow storage shall not restrict sight lines, damage landscaping or be placed over the infiltration beds.
3. Community Access: The pedestrian walking trails, paths and green spaces shall remain open to the surrounding residential neighborhood as stated in the Development Agreement.
4. The Owner is responsible for maintaining the pathways and public spaces.
5. Parking: If the owner would like to develop the 68 additional parking spaces described in Finding # 6 and shown on Sheets 7 and 8 on the site plans revised on March 14, 2011, the owner shall submit a request for a modification to the parking layout to be reviewed and approved by the CPDC prior to making such change.

Plan changes after approval by Approving Authority (CPDC):

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

Major Change. Those changes deemed by the Approving Authority to constitute a major change in a Development Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the

Approving Authority as a new application for Plan Approval pursuant to this Section 4.11.

DATE: March 28, 2011

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

 4/4/11

Jean Delios, Community Services Director/Town Planner

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 and Reading Zoning By-Laws Section 4.11.11.10 "Appeals" pursuant to Section 11 of Chapter 40R of Mass. Gen. Laws within 20 days after filing with the Town Clerk.

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