



Office of the Town Manager
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To: Jessica Malcolm
40B Program Specialist
One Beacon Street
Boston, MA 02108

From: Robert W. LeLacheur, Jr. CFA
Date: April 27, 2015
RE: Review Comments – Lyle Estates (proposed 40B project)
364 Lowell Street, Reading MA

Dear Jessica,

The following constitutes the Town of Reading's comments which have been developed in response to the application for Site Approval submitted to MassHousing by Reading Townhouse Development, LLC for the above named property.

I strongly recommend denial of the Site Approval request. The rationale for denial is based on our review of the plans which concludes that this proposal does not fit with the neighborhood. Further, the Town of Reading has undertaken an extensive amount of proactive work to rezone areas for dense development, with an emphasis on an affordable housing component. As part of this work, we have formed two 40R Smart Growth Districts: one in is the downtown area, where there is public transportation including a heavily used commuter rail station.

This proposed site on Lowell Street is not located in the areas that we have identified for this type of development. This proposal is located in the wrong location and conflicts with our zoning, land use, and long-term strategic plans. In contrast, please note that presently MassHousing is in receipt of an additional unrelated 40B application for another dense housing project in Reading that is adjacent to our downtown 40R Smart Growth District.

The long narrow site on Lowell Street is heavily constrained and includes extensive wetland areas (see attached comments from the Town Staff and the Reading Conservation Commission). The approximate 2.75 acre site currently includes one existing home that fits in well with the pattern of development in the surrounding neighborhood. Access is limited, with only one way in and one way out, of a 24 foot wide road extending 430 feet with a cul de sac with no sidewalks.

The proposed Lyle Estates is out of character with this established single family neighborhood. Replacing an existing single family home with 16 new units of townhouse style duplex housing will double the allowed density of this single-family home district which requires 15,000 square foot lots.

Background

The Town of Reading has aggressively executed planning and zoning strategies that support affordable housing creation. This includes:

- **Efforts to Adopt the Community Preservation Act (CPA)** – Narrowly defeated by the voters, but under review for possible future action.
- **State Approved Housing Production Plan (HPP)** - adopted in 2013 guides strategies for housing development, especially for special populations like older adults and low/moderate income households.
- **Two 40R Smart Growth Overlay Zoning Districts that permit 458 new units “by right”** - adopted under MGL Chapter 40R.
- **Regional Housing Services Office** – developed by Reading planning staff, based in Reading Town Hall. The regional housing office serves the Towns of Wilmington, North Reading, Saugus and Reading with a shared housing coordinator that proactively promotes creation and retention of affordable housing monitors existing affordable housing, and maintains records related to a community’s SHI including expiring use agreements.
- **Regional Priority Development Plan** – developed in collaboration with the Metropolitan Area Planning Council and the North Suburban Planning Council. Reading’s Priority Development Plan identifies opportunities for both housing and economic development, including expansion of the existing Downtown Smart Growth 40R District. The implementation phase of this plan is underway and includes a community visioning process. A community forum was held on April 1, 2015 to get input on preliminary plans. A follow up forum with details on massing and number of units to be created will be held on June 3, 2015.
- **Comprehensive Update of the Reading Zoning Bylaw** – clarified, simplified, and modernized zoning which is a key to encouraging development. A major change was made to the “Accessory Dwelling Units” regulations such that they are now allowed “by-right” (instead of by special permit from the zoning board of appeals) provided they meet stated performance standards and they are located in an existing structure. This will foster multigenerational living and create many new opportunities for affordable housing.
- **Reading 2020 Board of Selectmen Strategic Plan** – A dialogue with the community about long term housing production plans including affordable and age restricted units in the downtown area.

Application Comments

The application has missing elements as follows:

- Location Map showing surrounding land uses
- No Figure 5 which is referenced several times throughout the application
- The site visit confirmed that there are structures encroaching onto the site which is not depicted on the site plan (Sheet C1)
- Tax Map is missing
- Photographs are missing – note says they are located in Section 1.1 (not there)
- Lack of communication and coordination with the Town (#3, p. 16 of permit application)
- Zoning Analysis – missing – should be in tab 13

There are inaccuracies as follows:

- It states that a subdivision plan was filed with the planning board and then formally withdrawn, however, it was not. The planning board never received a formal filing.
- Sustainable Development Principles –
 - No. 1 – Concentrate Development & Mix Uses – create pedestrian friendly neighborhoods – this development will not have any sidewalks which will impede its ability to meet this criteria. This also conflicts with the Town’s Complete Streets Policy.
 - No. 2 – Advance Equity – equitable sharing of benefits/burdens will be difficult to meet since the redevelopment will affect wetland areas. The application notes that this will be a rental project to benefit the community where this type of housing is lacking. The Application is for ownership units – not rental.
 - No. 3 – Make Efficient Decisions – there has been no communication with neighbors or the Town on this proposal.
 - No. 4 – Protect Land and Ecosystems – This development will significantly alter a forested natural area with wetlands. Trees and other resource areas will be destroyed or removed.
 - No. 5 - “Use Natural Resources Wisely” the natural resources will be disturbed and altered.
 - No. 6 – “Expand Housing Opportunities” refers to rental in “Rockland” and indicates the units are accessible to the disabled – this is a Townhouse development (presumably with stairs) located in Reading.
 - No. 7 – “Provide Transportation Choice” – In this section the site is stated to be 0.66 miles from the Reading MBTA Commuter Rail Station. The application (page 7) states this distance as 1.2. The discrepancy needs to be verified and clarified. Transit Oriented Development must be within a ¼ mile of transportation to be considered a viable development that reduces reliance on automobiles. Furthermore, it is made clear in the application that the surrounding land uses/amenities are not available by Public Transportation and many are outside the 15 minute walkshed.
 - No. 8 – “Increase Job and Business Opportunities” – This housing development is not located near businesses/jobs or near public transportation.

- No. 9 – “Promote Clean Energy” – automobile dependency will remain as this is not in a location that is proximate to transportation and other attractions and does not encourage pedestrian activity with lack of sidewalks.
- No. 10 – “Plan Regionally” – This proposal is not part of any regional priority development sites, alternative sites have been identified in the regional priority development plan.

Plan Review

- Sheet C2, Proposed Layout
 - Details on landscaping are limited and no screening is identified. Some of the structures will be within 20-feet of existing properties and there is concern for lack of mitigation measures to those abutters.
 - The proposed roadway width is 24-feet with no sidewalks. There is concern for safety and access on this road.
 - The plan does not identify the stormwater management system.
 - The plan does not identify lighting for the proposed development.
 - This property is located within Reading’s Aquifer Protection District. DEP limits the amount of impervious surface for properties within this district and there is no information regarding the total impervious area on the site.
 - Previous preliminary development plans, of a much lower density, filed with the Conservation Commission revealed serious concerns with impacts to the wetland areas.
- Architectural Plans (Sheet A.1-A.3)
 - No dimensions are included on these drawings.
 - The Plans have not been stamped by a registered architect.
 - The units will be subject to review under the Building and Energy Codes.
 - It appears there are egresses proposed at the rear of the units. It is unclear if these are to be accessed via decks/patios? If so, those should be identified.
 - No illustrative rendering was provided.
- Adverse Possession
 - It appears that several abutting structures are located on the subject property. It is unclear how these situations will be remedied and whether or not adverse possession would be applicable.
- Condo Association
 - No documentation was provided for a condominium or homeowners association. Since the road is to remain private, it is imperative to understand how the roadway, landscaping, stormwater management system and other features will be maintained.
 - How will trash and recycling be handled for the site?
- Parking
 - It appears the length of the parking space does not meet the standard required under the zoning bylaw. This is a concern as inadequate parking will only pose safety and access issues for the site.

Waivers

- There are a number of waivers from the Subdivision Rules and Regulations in Reading being requested, including a waiver from cul-de-sac radius. Reducing the cul-de-sac radii will make it challenging for fire truck apparatus to have access to the site.

Summary

Lyle Estates is proposed in an area heavily surrounded by environmental resources and proposed at a density (5.81 units per acre) that is much too high for the S-15 zoned single-family residence district which is comprised of predominantly single family homes on 15,000 (or more) square foot lots. This site is not proximate to the downtown and therefore the doubling of the density cannot be justified.

To reiterate, Reading proactively plans for affordable housing, by:

1. Modifying zoning to allow:
 - Clearer, simpler, modern zoning
 - Accessory apartments "by right";
 - Two 40R Smart Growth Districts (Downtown adjacent to the Commuter Rail Station and near the Stoneham line) that allow 458 new units of housing "by right"
2. Creating a State approved Housing Production Plan – identifying a production plan to achieve the required 10% affordable housing.
3. Developing a Priority Development Plan – highlighting areas that could be used for affordable housing, including expansion of the existing 40R Downtown Smart Growth District. Three priority development areas are currently being examined including identifying how many units of housing could be developed. A community engagement component will be included as well to develop consensus and community support.
4. Reading Selectmen's 2020 Strategic Plan – community based effort to identify housing opportunities for age restricted and affordable housing.
5. Regional Housing Services Office – based in Reading serving the region in supporting affordable housing.

In general, the Town has made significant progress in the past 5 years to achieve significant milestones in affordable housing. The proposed Lyle Estates is not consistent with existing affordable housing plans. Specifically, we have focused many efforts on improving alternative forms of transportation including the adoption of a Bicycle and Pedestrian Plan and Complete Streets Policy. Lyle Estates conflicts with the goals included in the Bicycle and Pedestrian Plan. Likewise, Lyle Estates but is not a Complete Street. Additionally, this project has been described as Transit Oriented and within close proximity of local amenities and shopping centers. However, it is much too far from the Downtown and public transportation to be considered a

Transit Oriented design and is located out of the 15 minute walkshed to really encourage a reduction in automobile reliance.

Reading has also focused efforts on planning for future development through participating in a Priority Mapping Project with our regional planning agency. This site was not identified as a local OR regional priority for development. However, the Downtown area and South Main Street were identified for future housing opportunities due to their access to municipal services, walkability, impact to the watersheds and open spaces. **This project does not align with that priority plan.**

This application is lacking some important information to be considered eligible for site approval. Items listed on the required checklist, such as the Tabular Zoning Analysis, are a major deficiency in the application. Lacking the Tabular Zoning Analysis is critical, without it a reviewer can not clearly see how inconsistent the proposed development is with Reading zoning. The Tabular Zoning Analysis would clearly illustrate how Lyle Estates does not fit within the characteristics of this single-family residential neighborhood.

Thank you for the opportunity to review this application for MassHousing Comprehensive Permit Site Approval. I hope our comments and feedback will assist you in your decision not to approve the project proposed at 364 Lowell Street.

Sincerely,



Robert W. LeLacheur Jr.

Town Manager

Attachments: Development Review Team (DRT) Notes

Email correspondence from Police Chief James Cormier

Letter from Conservation Administrator Charles Tirone

CC: Board of Selectmen

Zoning Board of Appeals

Community Planning and Development Commission

Assistant Town Manager

Community Development Director

Development Review Team Meeting
Thursday, April 23, 2015
364 Lowell Street

Staff Present (see attached sign in sheet for contact info): Town Manager Bob LeLacheur, Assistant Town Manager Jean Delios, Community Development Administrator Jesse Wilson, Fire Chief Greg Burns, Assistant DPW Director Joe Huggins, Town Engineer Peter Reinhart, Conservation Administrator Chuck Tirone.

Applicant: Reading Town House Development, LLC

Material Reviewed: Notice of Application for Chapter 40B Site Eligibility Letter – Masshousing New England Fund Project: “Lyle Estates” 364 Lowell Street, Reading MA

The proposed project is to develop 2.75 Acres in a residential neighborhood at 364 Lowell Street into an 8 duplex, 16 unit homeownership development under Chapter 40B. All units will be 3 bedrooms with 2 parking spaces. The site is presently wooded with a single family house located in the front northeast corner of the property. A 430’ long, 24’ wide roadway will provide access from Lowell Street (Route 129) to the proposed development. The development will be serviced by town water and sewer. An Existing wetland parallels the easterly conditions property line. The existing structure will be demolished as part of the proposed project. Communication, electric and gas are located within Lowell Street.

The following is a list of comments from the DRT. These comments are based on the Application for Site Eligibility and material submitted therein.

DRT Comments		
Planning	Comment	Policy/Regulation
1.General	The project is double the proposed density of this residential district. It does not fit the character of the neighborhood.	Zoning Bylaw Table 6.3 Table of Dimensional Controls
2.Aquifer Protection	Located in Aquifer Protection District and clarification is needed for compliance with this regulation.	Town of Reading Zoning Map
3. Egress door	There is an egress door on plans but unsure what it leads to; i.e. deck, patio, walkout basement?	NA
4. Lighting	No lighting shown on plans.	NA
5. Rain Garden	Proposed rain garden is written in application but not shown on plans.	NA

Fire		
	Comment	Policy/Regulation
1.Road Width	The cul-de-sac is not wide enough for fire trucks to fit through.	Reading Subdivision Rules and Regulations Section 7.1.5.a
2. Landscaped Island	This may be challenging for the truck movements.	Reading Subdivision Rules and Regulations Section 6.1.5.a
Conservation		
	Comment	Policy/Regulation
1.Vernal Pool	Potential vernal pool in the back of the property.	State Wetlands Protection Act
2.Wetlands	Wetlands are prominent on the site and many of the structures are within the 25'-35' buffer zone.	State and Local Wetlands Protection Act
3.Trees	Many of the existing trees are proposed to be removed.	State and Local Wetlands Protection Act
Police		
	Comment	Policy/Regulation
1.Parking	No street parking and no room for visitor parking.	
2.Sidewalks	No sidewalks pose safety issue.	
SEE ATTACHED EMAIL		
Building		
	Comment	Policy/Regulation
1. Building Code	All structures will be required to meet applicable building and energy codes.	Massachusetts State Building Code
2. Zoning Tabulation	There is no indication on the nonconformity of the zoning requirements.	NA
3. Parking	The parking stalls appear to not meet the requirement under zoning and could pose to be an access issue.	Reading Zoning Bylaw Section 9.1.2.2
DPW/Engineering		
	Comment	Policy/Regulation
1. Snow removal	There are limited snow storage areas. Plowing operations would be done by the condo association and not the Town of Reading.	NA
2. Trash	Not sure if trash trucks will be able to maneuver the roadway and cu de sac.	NA
3. Sewer	It is unknown whether the existing sewer system on Lowell Street could accommodate another 16 units. This project would be subject to the Town of Reading's I/I Fee	Board of Selectmen's Policies
4. Paper Street	The property is accessed by an existing paper street. The developer should identify the owners who have rights of access.	NA

Wilson, Jessie

From: Cormier, James
Sent: Tuesday, April 14, 2015 2:07 PM
To: Wilson, Jessie
Cc: Zambouras, George; Zager, Jeff; Segalla, Mark; Delios, Jean; LeLacheur, Bob
Subject: FW: 364 Lowell Street - 40B
Attachments: 364 Lowell Street_40B Application.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jessie,

In response to your request for review of the proposed 40b development at 364 Lowell St. I have had a chance to review the proposal and have a few comments:

- It seems to be a very dense proposal
- With the density and the fact that they are 3 bedroom units and would lend themselves to families, I would strongly recommend sidewalks be mandated for the safe travel of pedestrians.
- Also, with the density I would also recommend that on street parking be regulated so as to not allow parking other than in garages or parking spots.
- I would also request that the developers grant permission for the Police Department to enforce the parking regulations on the property and make that part of the condominium documents when they transfer responsibility to the condominium association.
- Although not my purview I am confident the Fire Chief will have concerns with the ability to get his equipment in and out of the property especially the cul-de-sac.

Thank you for inquiring, if you have any further questions please don't hesitate to touch base.

Jim

Chief James W. Cormier
Chief of Police
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FBINAA 233

From: <Wilson>, Jessie <jwilson@ci.reading.ma.us>
Date: Tuesday, April 14, 2015 at 12:13 PM
To: James Cormier <jcormier@ci.reading.ma.us>
Subject: 364 Lowell Street - 40B

Jessie Wilson
Community Development Administrator
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Monday, Wednesday, & Thursday : 7:30am - 5:30pm
Tuesday 7:30am - 7:00pm & CLOSED on Fridays



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April 23, 2015

Jessie Wilson
Community Development Administrator
16 Lowell Street
Reading, MA 01867

RE: 364 Lowell Street, 40B Development Site Eligibility Comments

Dear Ms. Wilson:

The Reading Conservation office and the Conservation Commission have discussed the conceptual plan for site eligibility for a proposed 40B development off Lowell Street in the Town of Reading. We offer the following comments and observations:

1. The Site is located in a critical Area (Zone II).
2. On July 25, 2013 the Commission reviewed and approved an Order of Resource Area Delineation for only the wetland line of a Bordering Vegetated Wetland located on the site. Additional resource area boundaries may exist on the site and the adjacent properties outside the limits of the delineation, DEP File # 270-0616.
3. The project site contains a protected wetland and potential vernal pool not certified with Natural Heritage. In early April 2014 several commission members recorded chorusing spring peepers and "quacking" of the wood frog also a dead wood frog was found at the site during an approved site inspection.
4. The jurisdiction of the Town of Reading Conservation Commission under the State Wetland Protection Act extends 100-feet from the edge of bordering vegetated wetlands. The Town of Reading Conservation Commission will exercise its jurisdiction to impose conditions upon the construction of site amenities within this 100-foot area, including proposed structures, detention basin, wells, and roadway.
5. A 40B designation on the 364 Lowell Street site frees the developer from many of the local environmental ordinances that apply to other developments in town; a structure is not acceptable within 35' of the Resource Area, Reading Wetland Protection Regulations 7.1 section 3, D (2) & (3). Reading Conservation Commission has determined and permitted projects that protect the Resource Area by maintaining a vegetated natural buffer strip for all projects in Reading with a 35 foot No Structure Zone and 25 foot Zone of Natural

Vegetation. The project design does not appear to reflect consideration for this environmentally sensitive area.

6. The applicant should be encouraged to preserve as much existing 100 foot Buffer Zone upland habitat and vegetation as possible.
7. Sufficient hydrologic testing should be conducted to ensure that this project will not adversely impact water levels and or create flooding in the adjacent neighborhoods and wetland area.
8. More comprehensive environmental studies should be done before the project is considered.
9. The applicant should be encouraged to utilize "low impact development" techniques to maximize infiltration and detention of runoff close to the source, rather than relying upon a centralized detention basin to control peak flows. Information on such techniques is readily available from a variety of sources and can be made available upon request.

Charles Tirone
Conservation Administrator

cc: RCC file
Town Planner
Town Engineer