

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

March 17, 2016

* ADMITTED TO PRACTICE IN
MASSACHUSETTS AND NEW HAMPSHIRE

Community Planning & Development Commission
Town Hall
16 Lowell Street
Reading, MA 01867

Re: *Application for Final Planned Residential Development (PRD) Approval and Special Permit by Jessie Wilson and Sarah Wilson on property known as 149 Van Norden Road, Reading, MA*

The following documents are submitted herewith:

1. Application for PRD Special Permit, with Addendum;
2. Recorded Order of Resource Area Delineation issued by the Reading Conservation Commission;
3. Preliminary Plan Review Decision dated December 16, 2015;
4. Report from Sullivan Engineering Group, LLC as to PRD – Drainage Design.
5. Draft Resident's Association Trust
6. Assessors Map;
7. Certified list of abutters;
8. Two sets of stamped, envelopes addressed to statutory abutters;
9. Existing Condition Plan;
10. Proof Plan;
11. Site Plan of Land;
12. Check for filing fee;

The applicant requests that the CPDC schedule a public hearing on the preliminary plan pursuant to the Zoning by-law.

Sincerely,
Latham Law Offices, LLC



O. Bradley Latham

cc: Reading Town Clerk

CASE #

Town of Reading
COMMUNITY PLANNING AND DEVELOPMENT COMMISSION

APPLICATION FOR PUBLIC HEARING

Location of Property: 149 Van Norden Road

Name of Applicant/Agent Jessie Wilson and Sara Wilson Phone # 781-942-4400
c/o O. Bradley Latham

Applicant/Agent Address: 643 Main Street, Reading, MA 01867 Email: bradlatham@lathamesq.com

Applicant is: Owner Agent Tenant Prospective Owner

Owner (If not applicant): Barbara J. Hitchcock Phone # 781-942-4400

Owner Address: 149 Van Norden Road, Reading, MA 01867 Email: bradlatham@lathamesq.com

Application is for:

- Variance from Section _____
- Special Permit in accordance with Section 11.2 et.seq.
- Appeal from Decision/Order of Building Inspector (Attach Building Inspector's Letter)
- Accessory Apartment Special Permit, Sections 5.3.2 & 5.4.7.2
- Other (please specify): _____

Detailed reason for request (attach extra pages if necessary):

Applicant seeks Special Permit for Planned Residential Development
and asks for approval of the Final Plan and submission. See
Addendum attached.

Community Planning and Development Commission

I hereby request a hearing before the ~~Zoning Board of Appeals~~ **Zoning Board of Appeals**. (Application requires signatures of both owner and agent if agent is applying for hearing):

Signature of Owner: *Barbara J. Hitchcock*

Signature of Agent: *Bradley Latham*

ADDENDUM TO APPLICATION
FOR PLANNED RESIDENTIAL DEVELOPMENT
149 VAN NORDEN ROAD, READING, MA

The Applicant has submitted the final PRD plan in a definitive form with design sufficiently developed to provide the basis for review by the Community Planning & Development Commission (CPDC) and determination that the proposal satisfies the requirements, standards and guidelines of a planned residential development under the Reading Zoning Bylaw (section 11.2 *et. seq.*).

The CPDC issued approval of the preliminary PRD plan on December 14, 2015. A copy of that decision is enclosed. The final plan is consistent with the approved preliminary PRD plan except for changes in accordance with conditions included in the CPDC's approval of the preliminary plan, and satisfies all such conditions.

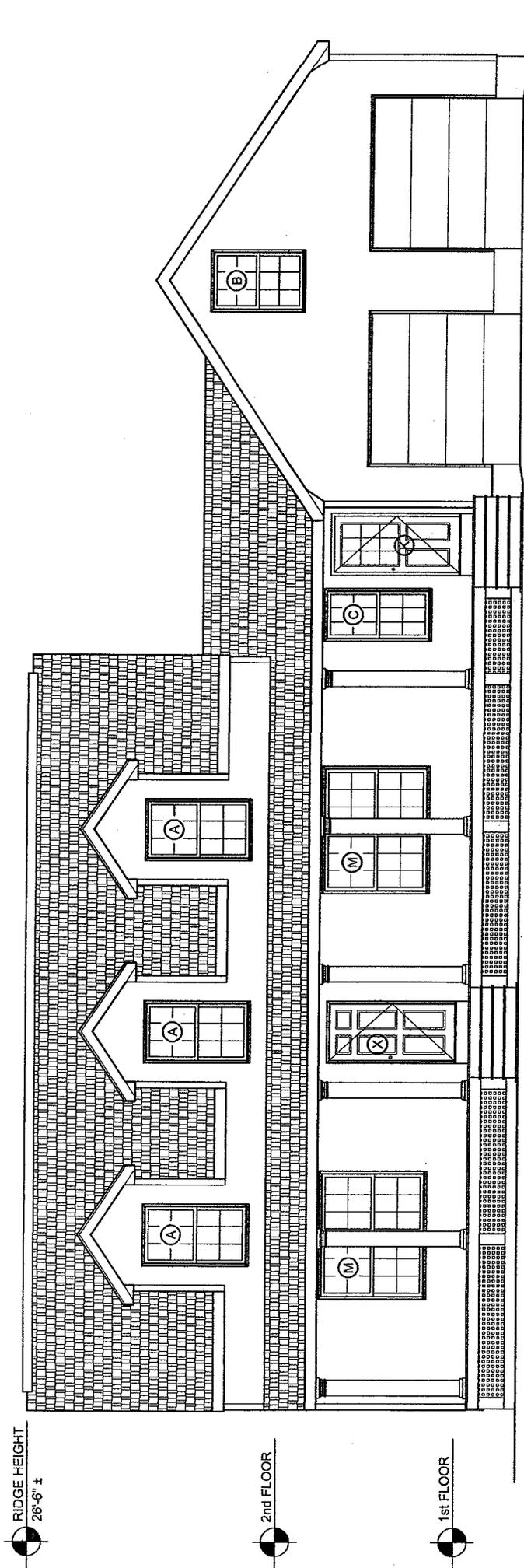
Use and Dimensional Requirements:

The final plan conforms to the use and dimensional requirements as contained in zoning By-law section 11.2.4, as follows:

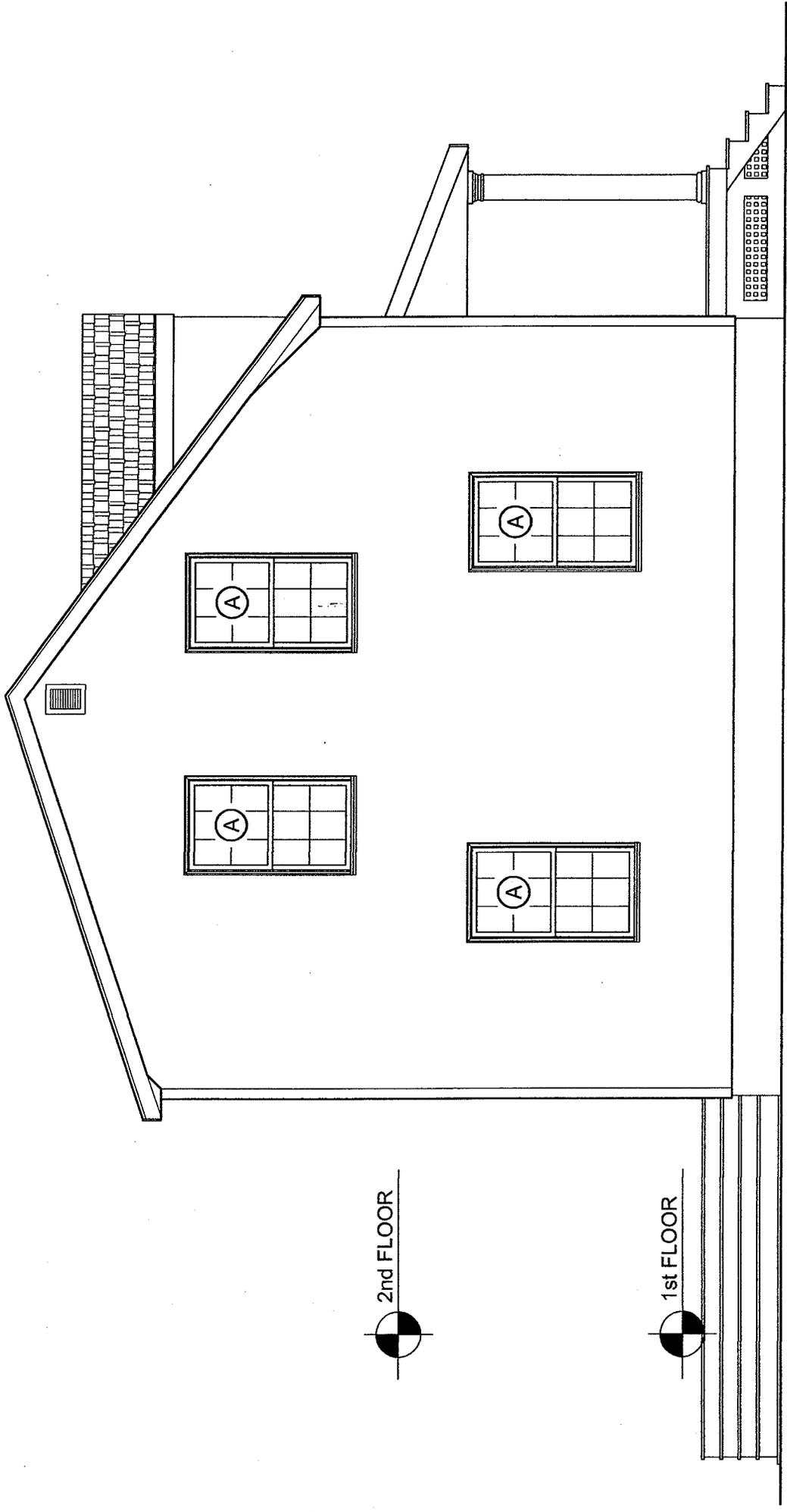
1. **Parcel Size:** The minimum size of any PRD-G parcel must be 60,000 square feet. The parcel involved in this filing is 105,439 square feet, more or less. [section 11.2.4.1].
2. **Permitted Uses:** Only residential uses, parking to accommodate such use and open space are permitted within a PRD. The proposal is for two single-family dwellings with garages. Such use meets the requirements of the by-law. [Section 11.2.4.2].
3. **Intensity of Development:** For a PRD development, the minimum parcel frontage is 50 feet. The minimum coverage of the parcel by the aggregate ground area of all the buildings is 25%. The maximum floor area ratio is 0.40. Each lot has in excess of 50 feet of frontage. The lot coverage is approximately 4%, well below the maximum of 25%. The floor area ratio is 0.04 which is well below the maximum 0.40. [Section 11.2.4.3]
4. **Maximum Building Height:** The maximum building height is 48 feet. The proposed construction falls below the prevailing limit of 35 feet. [Section 11.2.4.3]
5. **Parking:** There must be two parking spaces for each residential unit. Each unit has in excess of two parking spaces. [Section 11.2.4.3]
6. **Maximum Basic Development Density:** The density must meet the standards in the S-20 zoning district. The project meets the zoning density limitations in an S-20 zoning district. [Section 11.2.4.3]

7. Wetland Considerations: The Applicant has submitted a request for Resource Area Delineation from the Conservation Commission. The Conservation Commission has determined the wetland boundaries to be such that no Notice of Intent need be filed. [Section 11.2.4.3]
8. Subdivision: The Applicant submitted a schematic subdivision plan with the preliminary plan review. A copy is also submitted with this Application that shows the wetland delineation. [Section 11.2.4.3]
9. No Further Subdivision: A note shall be added to the effect that there shall be no further subdivision of the property beyond the two lots as shown on the final plan. [Section 11.2.4.4]
10. Residence Association: All wetlands and adjacent 25 foot buffer areas contained in the PRD parcel shall be held in common ownership. The Applicant expects the final decision of the CPDC to require that a homeowners association be formed to hold title to that property. [Section 11.2.4.4]
11. Screening: Within required setbacks, landscaping shall be provided so as to provide effective screening of the PRD from visibility from abutting properties. To the greatest extent practicable, existing natural vegetation shall be preserved and enhanced. [Section 11.2.5.1]
12. Shadows: No building is situated so as to cast a shadow on any residential structure in existence at the time of preliminary PRD plan submission. [Section 11.2.5.2]
13. Open Space: Forty percent of the PRD parcel shall be devoted to open space, completely devoid of any structure, or parking or accessway or private yards for the exclusive or principal use by residents of individual dwelling units. The open space as to the subject property is 49.7%. [Section 11.2.5.3]
14. Site Circulation and Parking: The driveways for the site meet acceptable standards for private automobiles, service vehicles and emergency vehicles. There are no roadways within the PRD. [Section 11.2.5.4]
15. Utilities: All on-site improvements, including utilities and sewers shall be in accordance with the standards of the Reading Department of Public Works. To the extent feasible, utilities shall be located underground. [Sections 11.2.5.4 and 11.2.5.5.7].
16. Building Placement: Buildings are placed to provide and preserve attractive views from major vantage points. [Section 11.2.5.5.1]
17. Building Massing/Articulation: The structures are single family dwellings and to not have massing or adverse articulation. [Section 11.2.5.5.2]

18. Roofline Articulation: The design and roof lines of the two dwellings are different from each other. [section 11.2.5.5.3]
19. Building Materials: The building materials and colors are comparable with New England residential design and are compatible with buildings in the vicinity. [Section 11.2.5.5.4]
20. Landscaping: The PRD parcel is heavily forested. Please see the photographs attached. The vegetation on Lot 1 will not be altered by this proposal. Vegetation on lot 2 will only be disturbed to the extent necessary to do grading and for the development of lot 2 with the driveway, utilities, dwelling and reasonable yard area around the dwelling. Open areas within the PRD shall be landscaped consistent with that of single family dwellings. [Section 11.2.5.5.5]
21. Signage: No signage is required other than normal household identification. [Section 11.2.5.6]
22. Environmental Standard and Development Guidelines: The quality of the site design, building design and landscaping shall not adversely affect occupants within the PRD or adjacent residences or the Town as a whole. No significant traffic flow results from the proposal to add one dwelling. The additional dwelling will not adversely affect water quality, air quality, wetlands or the natural environment. The plan assures the preservation of open space. There is no material fiscal impact to the Town from one additional dwelling. The PRD plan conforms to all applicable Federal, State and local laws and regulations regarding the environment, including those concerning noise, air quality, wetlands, water quality, runoff and erosion control, and protection from flooding. [Sections 11.2.5.7. and 11.2.5.7.1]
23. Control of Runoff and Flooding: The PRD will not result in a measurable increase in the peak rate of storm runoff at the parcel boundary for the PRD as a whole for the 25, 50, and 100 year design storms. There will be no net loss in flood storage capacity for the 100 year design storms. [Section 11.2.5.7.3]
24. Residence Association: A residence association shall be formed to be owned and controlled by the owners of lots 1 and 2. It shall be in the form of a Trust established in accordance with appropriate State law by declaration recorded at the Middlesex South Registry of Deeds. A draft trust is submitted with this application. [Section 11.2.6]



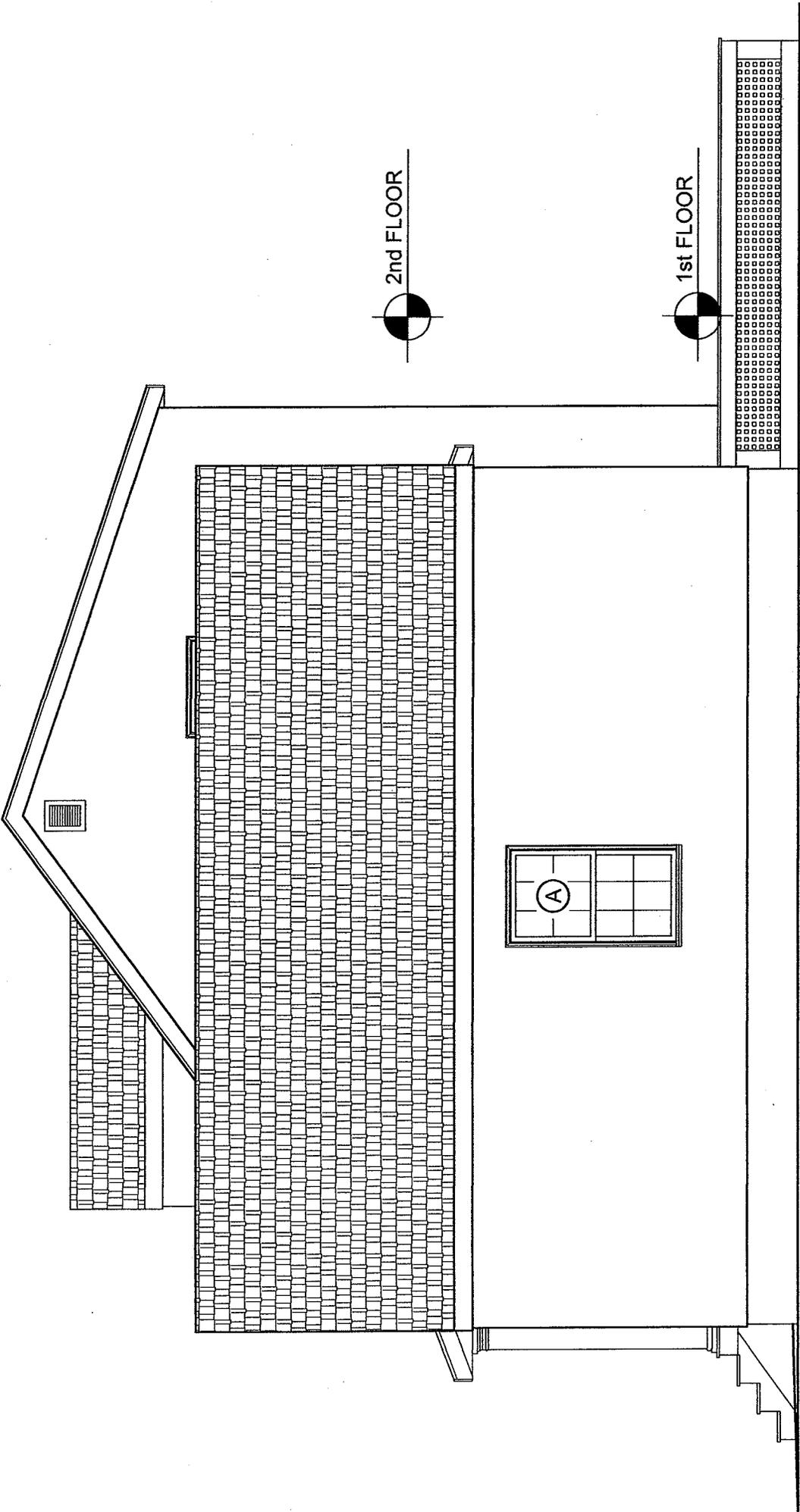
FRONT ELEVATION
 SCALE: 1/4" = 1'-0"



2nd FLOOR

1st FLOOR

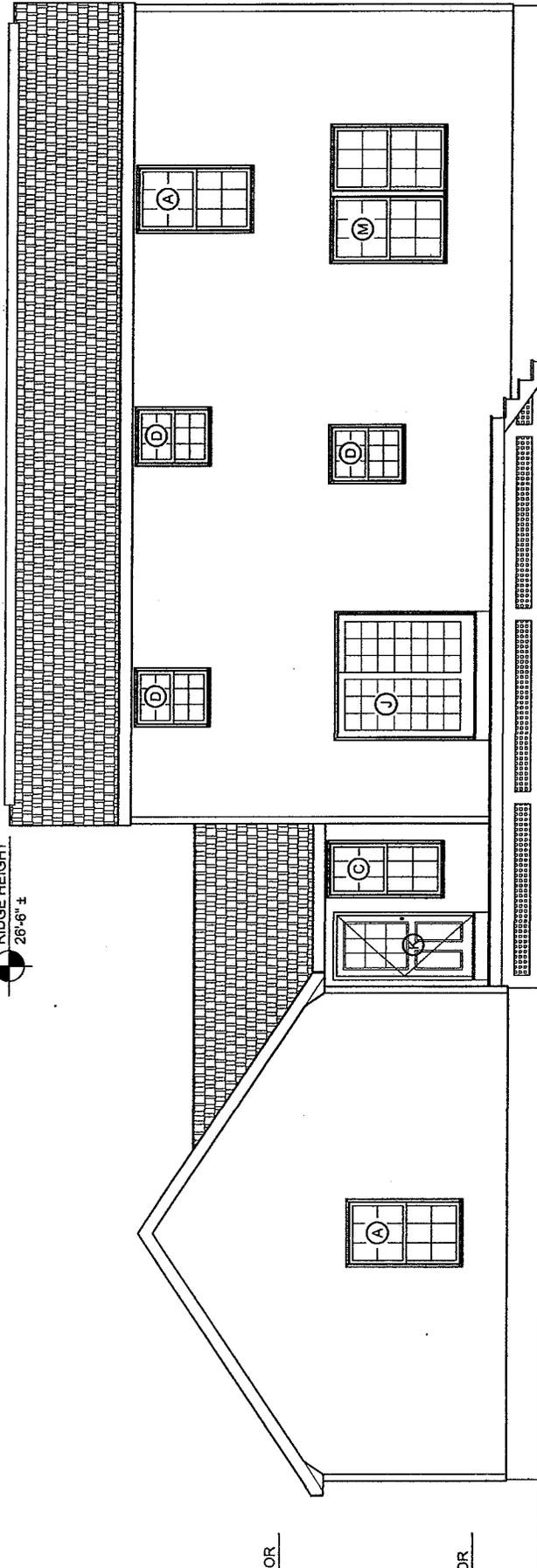
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

RIDGE HEIGHT
28'-6" ±



2nd FLOOR

1st FLOOR

REAR ELEVATION
SCALE: 1/4" = 1'-0"

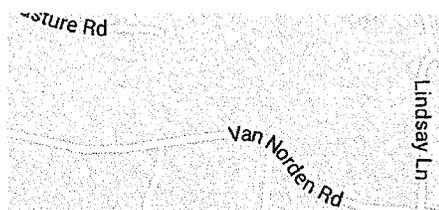
Google Maps Van Norden Rd



Image capture: Oct 2013 © 2016 Google

Reading, Massachusetts

Street View - Oct 2013



Google Maps

Google Maps



Google Maps

Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

| | |
|--|---------------------|
| Document Number | : 221904 |
| Document Type | : ORD |
| Recorded Date | : December 31, 2015 |
| Recorded Time | : 08:43:31 AM |
| Recorded Book and Page | : 66612 / 407 |
| Number of Pages(including cover sheet) | : 9 |
| Receipt Number | : 1895996 |
| Recording Fee | : \$75.00 |

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.cambridgedeeds.com



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B –Order of Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
 Reading Wetlands Protection Bylaw, Town Code 7.1

Provided by MassDEP:

270-0651

MassDEP File Number

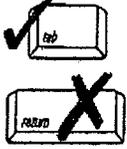
eDEP Transaction Number

Reading

City/Town

A. General Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

Address: 149 Van Norden Road, Reading, MA 01867

From: Reading
 1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
- b. Amended Order of Resource Area Delineation

3. Applicant:

Jessie & Sarah Wilson
 a. First Name b. Last Name

c. Organization
17 Gordon Road
 d. Mailing Address

North Reading MA 01864
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Barbara Hitchcock
 a. First Name b. Last Name

c. Organization
149 Van Norden Road
 d. Mailing Address

Reading MA 01867
 e. City/Town f. State g. Zip Code

5. Project Location:

149 Van Norden Road Reading 01867
 a. Street Address b. City/Town c. Zip Code

Map 39 Lot 212
 d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude (in degrees, minutes, seconds):
42d544630m s -71d114295m s
 f. Latitude g. Longitude

6. Dates: November 2, 2015 November 18, 2015 December 10, 2015
 a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

plan entitled "Existing Conditions plan", 149 Van Norden Road October 3, 2015
 a. Title b. Date

c. Title d. Date

Title Reference: Middlesex South Registry of Deeds
 Book 55453, Page 309



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B –Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
Reading Wetlands Protection Bylaw, Town Code 7.1

Provided by MassDEP:

270-0651

MassDEP File Number

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Reading

City/Town

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically:

a. _____

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically:

a. Only the following are approved under this Order: Bordering Vegetated Wetland flags numbered B-1 through B-4, Moving flag B-5, 7 feet up slope, B-6, Move 15 feet up slope B-7, Move 15 feet up slope and the Vernal pool boundary Moves to the edge of the Bordering vegetated Wetland boundary. Additional Resource Area boundaries exist on the subject property and adjacent properties outside the limits of the delineation shown on the approved plan

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically:

3. The boundaries were determined to be inaccurate because:



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4B –Order of Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
 Reading Wetlands Protection Bylaw, Town Code 7.1

Provided by MassDEP:

270-0651

MassDEP File Number

eDEP Transaction Number

Reading

City/Town

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B –Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &
Reading Wetlands Protection Bylaw, Town Code 7.1

Provided by MassDEP:

270-0651

MassDEP File Number

eDEP Transaction Number

Reading

City/Town

E. Signatures

December 10, 2015
Date of Issuance

Please indicate the number of members who will sign this form.

1 Number of Signers

Signature of Conservation Commission Member

Michael Flynn

Signature of Conservation Commission Member

Annika Scanlon

Signature of Conservation Commission Member

Brian Sullivan

Signature of Conservation Commission Member

Albert Couillard

Signature of Conservation Commission Member

James M. Mather

Signature of Conservation Commission Member

Rebecca Longley

Signature of Conservation Commission Member

Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on _____

a. Date

3. By certified mail, return receipt requested on _____

a. Date

December 10, 2015



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form**

DEP File Number:

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

1. Location of Project

| | |
|-------------------|-------------------|
| _____ | _____ |
| a. Street Address | b. City/Town, Zip |
| _____ | _____ |
| c. Check number | d. Fee amount |

2. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

| | | |
|--------------|----------------------------|----------|
| _____ | _____ | _____ |
| City/Town | State | Zip Code |
| _____ | _____ | _____ |
| Phone Number | Fax Number (if applicable) | |

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

| | | |
|--------------|----------------------------|----------|
| _____ | _____ | _____ |
| City/Town | State | Zip Code |
| _____ | _____ | _____ |
| Phone Number | Fax Number (if applicable) | |

4. DEP File Number:

B. Instructions

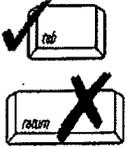
1. When the Departmental action request is for (check one):

- Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- Superseding Determination of Applicability – Fee: \$120
- Superseding Order of Resource Area Delineation – Fee: \$120

Send this form and check or money order, payable to the *Commonwealth of Massachusetts*, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form

DEP File Number:

Provided by DEP

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

ATTACHMENT
ORDER OF RESOURCE AREA DELINEATION
Jesse & Sarah Wilson, 149 Van Norden Road
DEP 270-0651

DOCUMENTS: The following documents are hereby incorporated into this Order, except that the findings and provisions on the following pages shall control where the terms differ from these documents:

1. Abbreviated Notice of Resource Area Delineation, 149 Van Norden Road, Reading, Massachusetts, dated November 2, 2015, with attachments, submitted by Jesse & Sarah Wilson, Applicant.
2. One-sheet site plan entitled "Existing Conditions plan", 149 Van Norden Road, dated October 3, 2015, last revised December 7, 2015, prepared by Sullivan Engineering Group, LLC, stamped & signed by John D. Sullivan P.E # 41586
3. DEP Bordering Vegetated Wetland Delineation Field Data Forms, Prepared by Steve Eriksen, dated October 3, 2013, Norse Environmental Services, Inc.
4. FEMA Flood Insurance Rate Map, Reading, Massachusetts, Community Panel #25017CO311E, effective date June 4, 2010
5. Map entitled "Figure 2, Town of Reading, Massachusetts, Zone II and Zone III Areas" prepared by Weston & Sampson, Engineers, dated July 8, 1996
6. Site Visit Report dated November 15, 2015 by Reading Conservation Commission.
7. Site Visit Reports dated November 12, 2015 by Chuck Tirone, Conservation Administrator

FINDINGS: The Conservation Commission hereby determines the following:

1. The site is a 2.42 acre lot with frontage on Van Norden Road. The site contains a house, a driveway, parking area, shed and in ground swimming pool with landscaped areas around the existing house. The remainder of the lot is forested. Volunteer vegetation separates the house from the wetlands on the northeast side of the lot.
2. The site plan (Document #2, hereinafter "Existing Conditions plan") depicts the Bordering Vegetated Wetland Boundary in the north and easterly end of the lot. The Commission confirms as accurate the "Hydric Soil Boundary" and the edge of the Vernal Pool Boundary marked by Steve Eriksen, Norse Environmental Services, Inc. by flags numbered 1B through 14B, moving flag 5B, 15 feet to the southwest; 6B, 15 feet to the southwest, 7B, 15 feet to the south, and the edge of the Vernal Pool up to the edge of the wetland boundary as modified by the commission at the meeting on November 25, 2015.
3. The ANRAD "Existing Conditions plan" plan depicts the 100-foot Buffer Zone south east of the Bordering Vegetated Wetland Boundary.
4. The 100-foot Vernal Pool Habitat boundary as defined under Reading General Bylaws, Section 7.1, as depicted on the ANRAD "Existing Conditions plan" plan last revised December 9, 2015.

ATTACHMENT
ORDER OF RESOURCE AREA DELINEATION
Jesse & Sarah Wilson, 149 Van Norden Road
DEP 270-0651

5. According to the FEMA Flood Insurance Rate Map, the wetland contains no classification.
6. The site is in the Aquifer Protection District.

END OF FINDINGS



Town of Reading
16 Lowell Street
Reading, MA 01867

RECEIVED
TOWN CLERK
READING, MASS.
2015 DEC 16 AM 10:12
Julie D. Mercier
Community Development Director
Phone: 781.942-6648
Fax: 781.942-9071
www.readingma.gov

December 16, 2015

Preliminary Plan Review
Planned Residential Development – General
DECISION

Project: 149 Van Norden Road – Jesse & Sarah Wilson

To the Town Clerk:

This is to certify, at a public hearing of the Reading Community Planning and Development Commission (CPDC) opened and closed on December 14, 2015 by a motion duly made and seconded, it was voted:

“We, the CPDC, as requested by Jesse and Sarah Wilson, under the provisions of Section 11.2 and Section 4.4 of the Zoning Bylaw of the Town of Reading, and MGL Chapter 40A Section 9, to consider the PRD-G Preliminary Plan for property addressed at 149 Van Norden Road (Assessors Map 39, Lot 212), as shown on the site plans prepared by Sullivan Engineering Group LLC, dated October 3, 2015, do hereby vote 5-0-0 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:

- a) Site Plan Review Application, Narrative and Property Deed – received 11/10/15.
- b) Certified List of Abutters – dated 10/15/15.
- c) Sheet 1 - Cover Sheet: entitled “Planned Residential Development”, 149 Van Norden Road Site Plan of Land, Located in Reading, Massachusetts, prepared by Sullivan Engineering Group LLC, dated 10/3/2015.
- d) Sheet 2 – Existing Conditions Plan: 149 Van Norden Road, Reading, Massachusetts, prepared by Sullivan Engineering Group LLC, dated 10/3/2015.
- e) Sheet 3 – Proof Plan: 149 Van Norden Road, Reading, Massachusetts, prepared by Sullivan Engineering Group LLC, dated 10/3/2015.
- f) Sheet 4 – Site Plan of Land: 149 Van Norden Road, Reading, Massachusetts, prepared by Sullivan Engineering Group LLC, dated 10/3/2015.
- g) Memo from the Community Development Director to the CPDC – dated 12/10/15.

FINDINGS:

Pursuant to Section 4.4.5, the CPDC hereby finds that:

4.4.5.1 The proposed use will be suitably located in the neighborhood in which it is proposed and in relation to the entire Town.

4.4.5.2 The proposed use will be compatible with existing uses and other uses permitted by right in the same district.

4.4.5.3 The proposed use will not constitute a nuisance due to air and water pollution, flood, noise, dust, vibration, lights, or visually offensive structures and accessories.

4.4.5.4 The proposed use will not be a substantial inconvenience or hazard to abutters, vehicles, or pedestrians.

4.4.5.5 Adequate and appropriate facilities will be provided for the proper operation of the proposed use.

4.4.5.6 Adjoining premises will be reasonably protected against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance.

4.4.5.7 The proposed use will be in conformance with the sign regulations of Section 8 of the Zoning Bylaw.

4.4.5.8 The proposed use will provide convenient and safe vehicular and pedestrian movement within the site in relation to adjacent streets, property or improvements.

4.4.5.9 Adequate space will be provided for the off-street loading and unloading of vehicles, goods, products, materials, and equipment incidental to the normal operation of the proposed use.

4.4.5.10 Adequate methods of disposal and storage will be provided for sewage, refuse and other wastes resulting from the proposed uses, and adequate methods of drainage will be provided for surface water.

4.4.5.11 The proposed uses will ensure protection from flood hazards, considering such factors as elevation of buildings, drainage, adequacy of sewage disposal, erosion and sedimentation control, equipment location, refuse disposal, storage of buoyant materials, extent of paving, effect of fill, roadways, or other encroachments on flood runoff and flow.

4.4.5.12 The proposed use will ensure protection of water quality in both public and private supplies.

Pursuant to Section 11.2.5.7, the CPDC hereby finds:

a That the proposed PRD conforms as appropriate to existing policy plans established by the Town Meeting, the Board of Selectmen, and the CPDC for the specific area of the Town in which the PRD is proposed to be located;

b That there is no significant adverse effect under any of the following:

1 Quality of site design, building design, and landscaping as they affect occupants of the proposed development, the PRD Overlay District, adjacent residential districts and the Town as a whole,

2 Traffic flow and safety in the context of this and other proposed developments in the PRD Overlay District and sensitive neighboring areas, which may be identified in the scope of a State Environmental Impact Report and/or in a Pre-Application Conference,

3 Water quality, air quality, wetlands and the natural environment,

4 Provision of open space,

5 Adequacy of utilities and other public works and impact on existing public facilities within the Town, and

6 Potential fiscal impact to the Town of Reading.

c That approval of the proposed PRD provides benefits to the Town which outweigh all adverse effects, as evaluated under the above criteria.

CONDITIONS:

1. The final plans shall indicate the names of all abutters.
2. The final plans shall identify proposed locations for water, sewer, electrical, telephone, cable TV and natural gas (if proposed) connections to the proposed dwelling on Lot 2. To the maximum extent feasible, all utilities should be located underground.
3. The final plans shall indicate the location of any existing fire hydrant(s) along or near the property frontage.
4. The Final PRD-G Plans shall be accompanied by professional calculations of drainage impacts on abutting properties and by acceptable mitigation measures.
5. The final plans shall include a grading plan for the proposed dwelling and driveway on Lot 2, along with locations of any drainage features proposed for mitigation of stormwater runoff. Infiltration of roof runoff is recommended to minimize the flow of stormwater runoff onto abutting properties and streets.
6. The final plans shall be accompanied by a draft homeowners association agreement, including stipulations that the Town of Reading is not responsible for maintenance or plowing of the site driveways, lighting, sewer and water services, maintenance of drainage systems, nor maintenance of open space. The agreement shall also stipulate that the site shall not be further subdivided, and a note shall be added to the plans indicating such.
7. The final plans shall be accompanied by a proposed open space maintenance plan and agreements, including covenants, deeds, or other instruments by which the tenure and rights in and to these lands are proposed to be established and permanently maintained.
8. The final plans shall indicate area calculations and dimensions for the proposed open space.
9. The final plans shall be accompanied by elevations of all proposed new buildings and of all conversions or expansions of existing buildings.
10. The final plans shall specify the size and type of existing trees and major shrubbery to be removed or retained and of proposed landscaping materials to be planted. These plans shall also detail the relationship of plantings to serve as a buffer to the abutting residence at 145 Van Norden Road, and impacts to existing vegetation relative to the installation of new utility services.
11. The Applicant shall ensure that all requirements of the Board of Health, Department of Public Works, Fire Department and the 12/10/15 Order of Conditions issued by the Conservation Commission are met. In addition, the approved wetlands delineation shall be added to the final plan set.
12. All necessary permits and approvals shall be obtained prior to construction and occupancy, including as appropriate but not limited to: Final PRD-G Plan approval, Street Opening Permit, Street Tree Removal Permit, Sewer Extension Permit, Curb-cut Permit, Building Permits, Proof of Inspection and Certification of Cellar Floor Elevations, Conservation Orders of Conditions for the development.

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


Julie D. Mercier, Community Development Director

12/16/15
Date

Cc: Applicant, Town Clerk, CPDC, Building Inspector, Health Director, planning file

February 25, 2016

Town of Reading
Engineering Division
16 Lowell Street
Reading, MA 01867

**Re: 149 Van Norden Road, Reading
PRD - Drainage Design**

Engineering Division:

The following drainage report is prepared as part of the PRD submission for 149 Van Norden Road, Reading. This project involves the creation of 2 lots. Lot 1 is the existing homesite consisting of a single family house, shed, pool, and driveway area. There is no proposed increase in impervious area on this lot and as such there is no proposed drainage mitigation. On Lot 2 the applicant is seeking to construct a single family house, roofed porch, and a porous pavement driveway. All impervious areas associated with Lot 2 will be mitigated thru the use of low impact drainage methods. The porous pavement will be constructed on a 24" stone and gravel base which will allow stormwater recharge. Additionally, the roofed area of the house and porch will be piped via roof drains to the 24" crushed stone base for storage and infiltration.

Soil testing was conducted onsite and witnessed by the Town of Reading Engineering Division on May 5, 2015 and the soils were marginal for infiltration (Sandy Loam) with a high seasonal groundwater table (45"-55" below grade). An infiltration rate of 1.02 in/hr was used for the design in accordance with the Rawl's Infiltration Rates for "Sandy Loam" soil.

On the Site Plan, a construction detail of the porous pavement has been provided. Additionally, an Operation & Maintenance plan is provided on the Site Plan in order for the porous pavement to function properly over time.

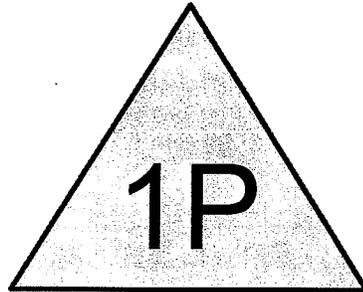
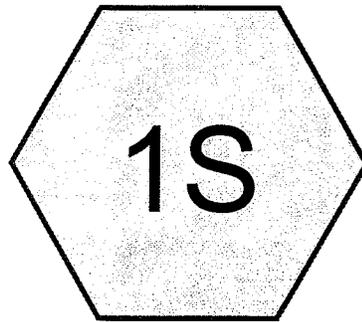
Attached is the HydroCAD report for the 2, 10, 25, and 100 year storm event showing that there is sufficient storm in the porous pavement stone/gravel base for the impervious areas on Lot 2

Very Truly Yours,

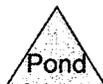
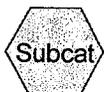
John (Jack) D. Sullivan III, P.E.



2-25-16



Porous Pvmt Base Material



149 Van Norden

Type III 24-hr 2 Year Storm Rainfall=3.20"

Prepared by {enter your company name here}

Page 2

HydroCAD® 7.00 s/n 001433 © 1986-2003 Applied Microcomputer Systems

2/25/2016

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S:

Runoff Area=2,165 sf Runoff Depth=1.79"

Tc=462.0 min CN=98 Runoff=0.02 cfs 0.007 af

Pond 1P: Porous Pvmt Base Material

Peak Elev=120.00' Storage=5 cf Inflow=0.02 cfs 0.007 af

Outflow=0.02 cfs 0.007 af

Total Runoff Area = 0.050 ac Runoff Volume = 0.007 af Average Runoff Depth = 1.79"

Subcatchment 1S:

Runoff = 0.02 cfs @ 17.94 hrs, Volume= 0.007 af, Depth= 1.79"

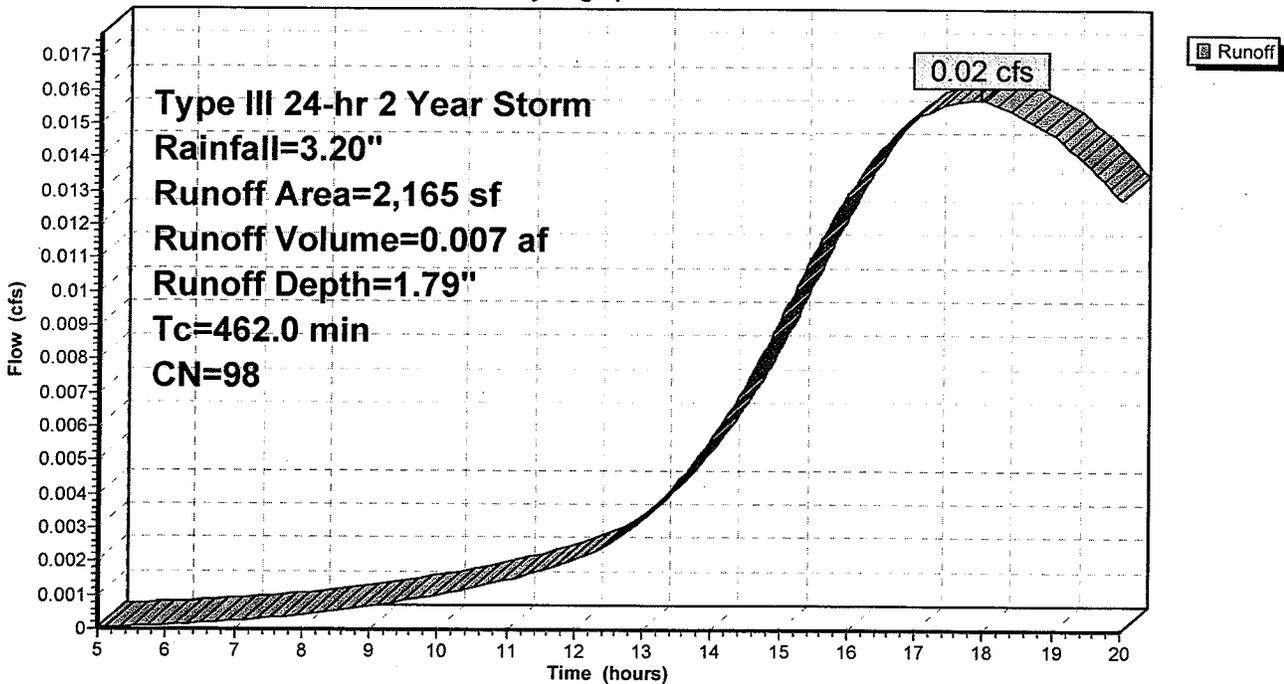
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2 Year Storm Rainfall=3.20"

| Area (sf) | CN | Description |
|-----------|----|------------------|
| 1,893 | 98 | House Roof |
| 272 | 98 | Porch Roof |
| 2,165 | 98 | Weighted Average |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|----------|---------------|---------------|-------------------|----------------|---------------|
| 462.0 | | | | | Direct Entry, |

Subcatchment 1S:

Hydrograph



Pond 1P: Porous Pvmt Base Material

Inflow Area = 0.050 ac, Inflow Depth = 1.79" for 2 Year Storm event
 Inflow = 0.02 cfs @ 17.94 hrs, Volume= 0.007 af
 Outflow = 0.02 cfs @ 17.99 hrs, Volume= 0.007 af, Atten= 0%, Lag= 3.0 min
 Discarded = 0.02 cfs @ 17.99 hrs, Volume= 0.007 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 120.00' @ 17.99 hrs Surf.Area= 3,360 sf Storage= 5 cf
 Plug-Flow detention time= 5.6 min calculated for 0.007 af (98% of inflow)
 Center-of-Mass det. time= 2.8 min (998.1 - 995.3)

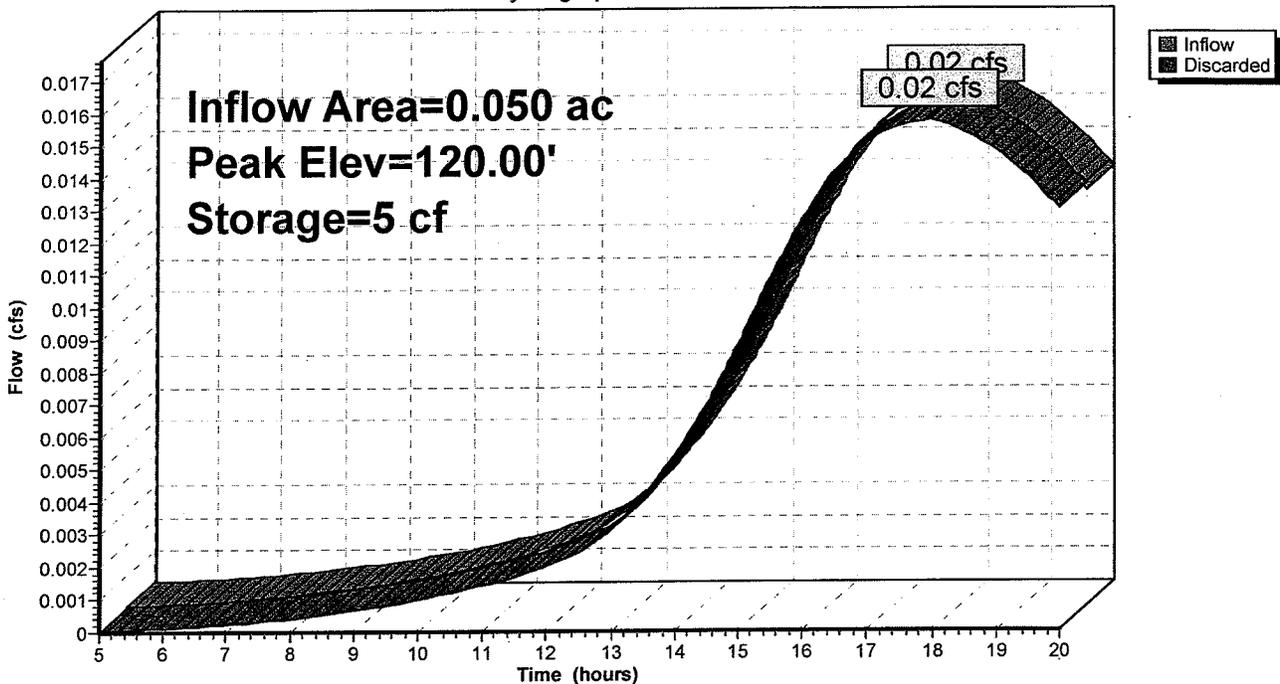
| # | Invert | Avail.Storage | Storage Description |
|---|---------|---------------|---|
| 1 | 120.00' | 2,688 cf | 14.00'W x 240.00'L x 2.00'H Prismatic 6,720 cf Overall x 40.0% Voids |

| # | Routing | Invert | Outlet Devices |
|---|-----------|--------|--|
| 1 | Discarded | 0.00' | 0.001416 fpm Exfiltration over entire Surface area |

Discarded OutFlow Max=0.08 cfs @ 17.99 hrs HW=120.00' (Free Discharge)
 1=Exfiltration (Exfiltration Controls 0.08 cfs)

Pond 1P: Porous Pvmt Base Material

Hydrograph



149 Van Norden

Type III 24-hr 10 Year Storm Rainfall=4.80"

Prepared by {enter your company name here}

Page 5

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2/25/2016

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S:

Runoff Area=2,165 sf Runoff Depth=2.78"

Tc=462.0 min CN=98 Runoff=0.02 cfs 0.012 af

Pond 1P: Porous Pvmt Base Material

Peak Elev=120.01' Storage=8 cf Inflow=0.02 cfs 0.012 af

Outflow=0.02 cfs 0.011 af

Total Runoff Area = 0.050 ac Runoff Volume = 0.012 af Average Runoff Depth = 2.78"

Subcatchment 1S:

Runoff = 0.02 cfs @ 17.94 hrs, Volume= 0.012 af, Depth= 2.78"

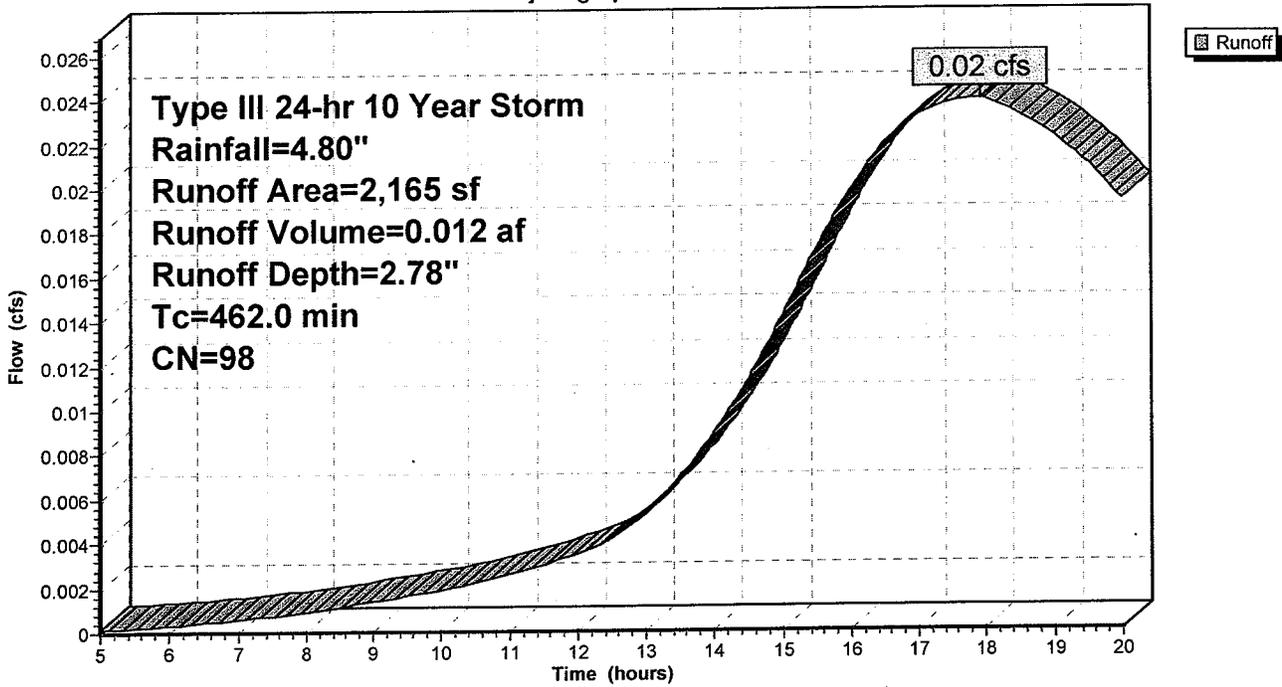
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 10 Year Storm Rainfall=4.80"

| Area (sf) | CN | Description |
|-----------|----|------------------|
| 1,893 | 98 | House Roof |
| 272 | 98 | Porch Roof |
| 2,165 | 98 | Weighted Average |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|----------|---------------|---------------|-------------------|----------------|---------------|
| 462.0 | | | | | Direct Entry, |

Subcatchment 1S:

Hydrograph



Pond 1P: Porous Pvmt Base Material

Inflow Area = 0.050 ac, Inflow Depth = 2.78" for 10 Year Storm event
 Inflow = 0.02 cfs @ 17.94 hrs, Volume= 0.012 af
 Outflow = 0.02 cfs @ 17.99 hrs, Volume= 0.011 af, Atten= 0%, Lag= 2.8 min
 Discarded = 0.02 cfs @ 17.99 hrs, Volume= 0.011 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 120.01' @ 17.99 hrs Surf.Area= 3,360 sf Storage= 8 cf
 Plug-Flow detention time= 5.6 min calculated for 0.011 af (99% of inflow)
 Center-of-Mass det. time= 2.8 min (991.1 - 988.3)

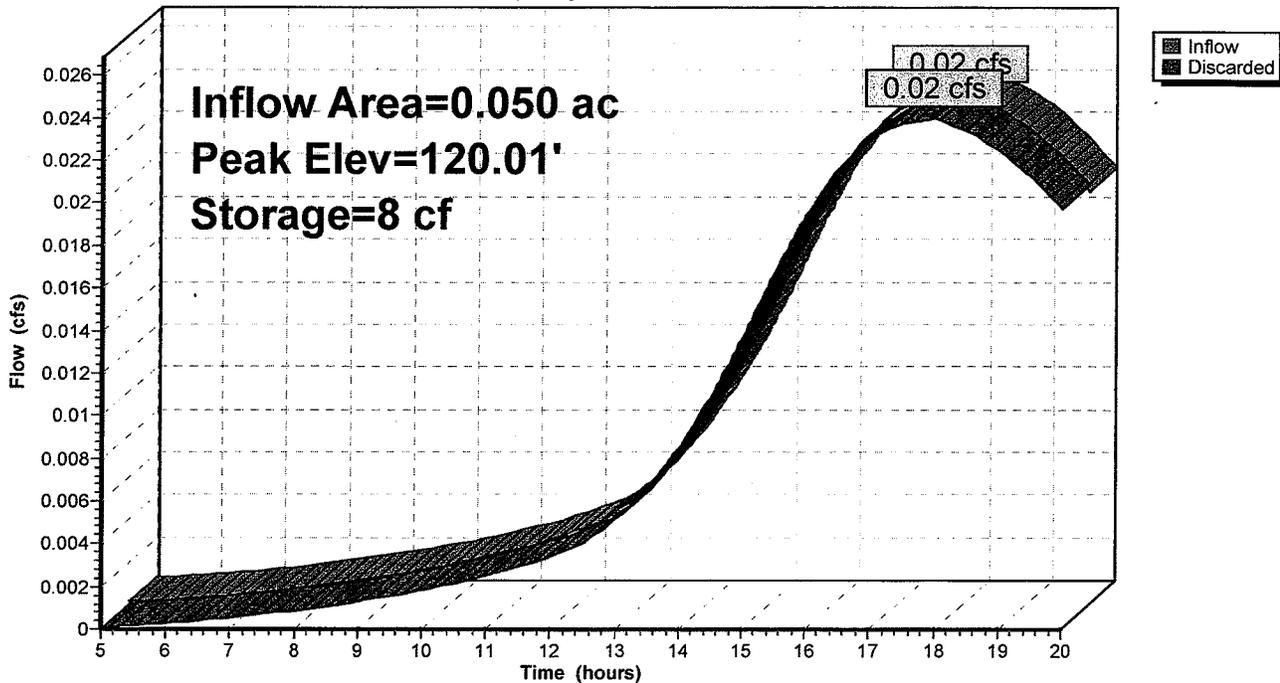
| # | Invert | Avail.Storage | Storage Description |
|---|---------|---------------|--|
| 1 | 120.00' | 2,688 cf | 14.00'W x 240.00'L x 2.00'H Prismatic 6,720 cf Overall x 40.0% Voids |

| # | Routing | Invert | Outlet Devices |
|---|-----------|--------|---|
| 1 | Discarded | 0.00' | 0.001416 fpm Exfiltration over entire Surface area |

Discarded OutFlow Max=0.08 cfs @ 17.99 hrs HW=120.01' (Free Discharge)
 ←1=Exfiltration (Exfiltration Controls 0.08 cfs)

Pond 1P: Porous Pvmt Base Material

Hydrograph



149 Van Norden

Type III 24-hr 25 Year Storm Rainfall=5.50"

Prepared by {enter your company name here}

Page 8

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2/25/2016

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S:

Runoff Area=2,165 sf Runoff Depth=3.22"

Tc=462.0 min CN=98 Runoff=0.03 cfs 0.013 af

Pond 1P: Porous Pvmt Base Material

Peak Elev=120.01' Storage=9 cf Inflow=0.03 cfs 0.013 af

Outflow=0.03 cfs 0.013 af

Total Runoff Area = 0.050 ac Runoff Volume = 0.013 af Average Runoff Depth = 3.22"

Subcatchment 1S:

Runoff = 0.03 cfs @ 17.94 hrs, Volume= 0.013 af, Depth= 3.22"

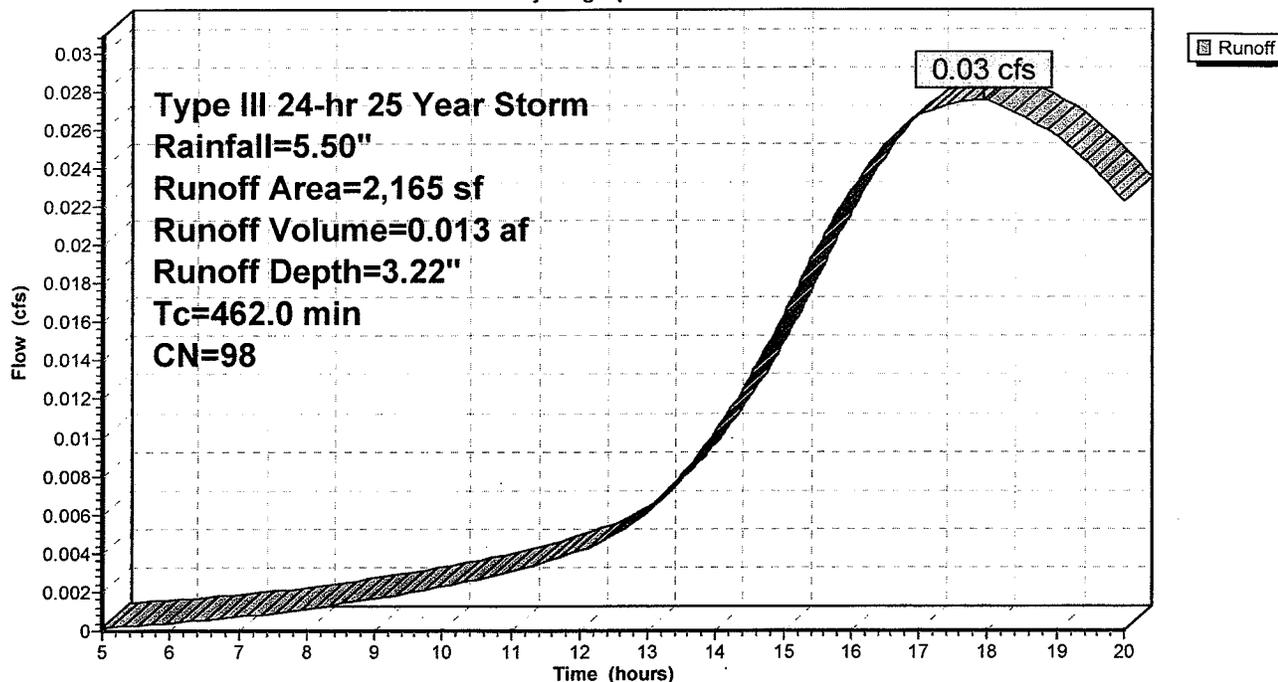
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25 Year Storm Rainfall=5.50"

| Area (sf) | CN | Description |
|-----------|----|------------------|
| 1,893 | 98 | House Roof |
| 272 | 98 | Porch Roof |
| 2,165 | 98 | Weighted Average |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|----------|---------------|---------------|-------------------|----------------|---------------|
| 462.0 | | | | | Direct Entry, |

Subcatchment 1S:

Hydrograph



Pond 1P: Porous Pvmt Base Material

Inflow Area = 0.050 ac, Inflow Depth = 3.22" for 25 Year Storm event
 Inflow = 0.03 cfs @ 17.94 hrs, Volume= 0.013 af
 Outflow = 0.03 cfs @ 17.98 hrs, Volume= 0.013 af, Atten= 0%, Lag= 2.7 min
 Discarded = 0.03 cfs @ 17.98 hrs, Volume= 0.013 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 120.01' @ 17.98 hrs Surf.Area= 3,360 sf Storage= 9 cf
 Plug-Flow detention time= 5.6 min calculated for 0.013 af (99% of inflow)
 Center-of-Mass det. time= 2.8 min (989.1 - 986.3)

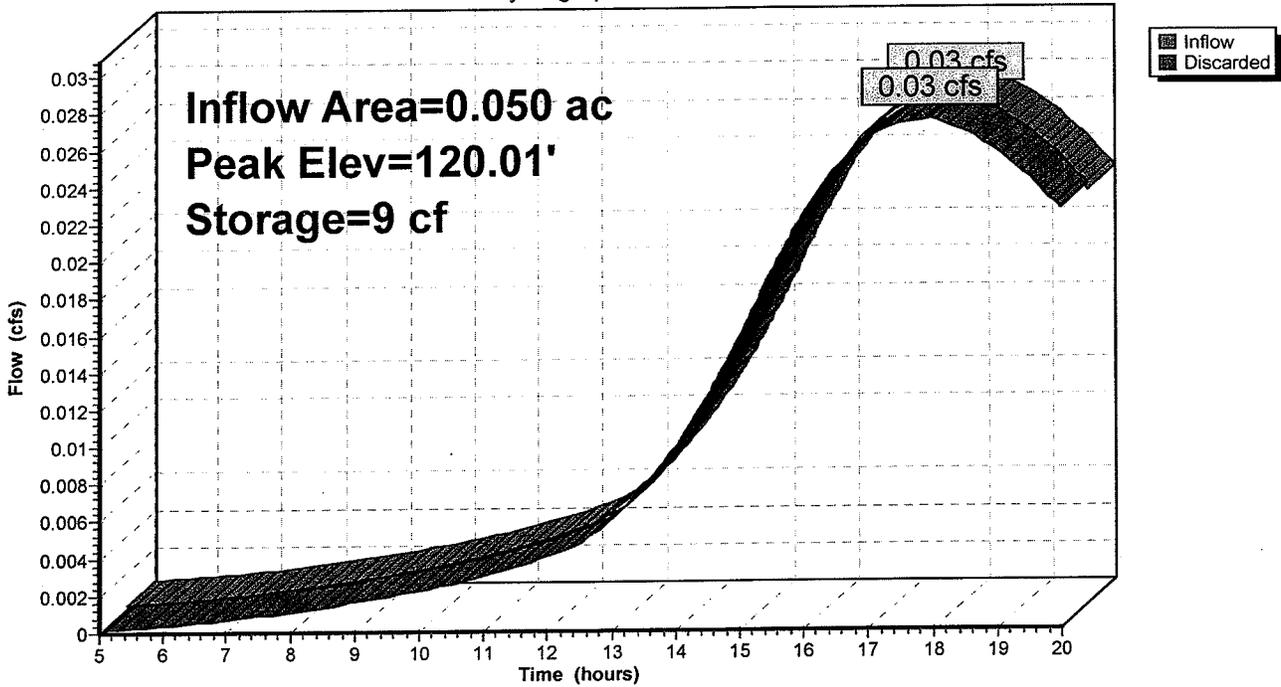
| # | Invert | Avail.Storage | Storage Description |
|---|---------|---------------|--|
| 1 | 120.00' | 2,688 cf | 14.00'W x 240.00'L x 2.00'H Prismatoid 6,720 cf Overall x 40.0% Voids |

| # | Routing | Invert | Outlet Devices |
|---|-----------|--------|--|
| 1 | Discarded | 0.00' | 0.001416 fpm Exfiltration over entire Surface area |

Discarded OutFlow Max=0.08 cfs @ 17.98 hrs HW=120.01' (Free Discharge)
 ←1=Exfiltration (Exfiltration Controls 0.08 cfs)

Pond 1P: Porous Pvmt Base Material

Hydrograph



149 Van Norden

Type III 24-hr 100 Year Storm Rainfall=7.00"

Prepared by {enter your company name here}

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2/25/2016

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S:

Runoff Area=2,165 sf Runoff Depth=4.15"

Tc=462.0 min CN=98 Runoff=0.04 cfs 0.017 af

Pond 1P: Porous Pvmt Base Material

Peak Elev=120.01' Storage=12 cf Inflow=0.04 cfs 0.017 af

Outflow=0.04 cfs 0.017 af

Total Runoff Area = 0.050 ac Runoff Volume = 0.017 af Average Runoff Depth = 4.15"

Subcatchment 1S:

Runoff = 0.04 cfs @ 17.94 hrs, Volume= 0.017 af, Depth= 4.15"

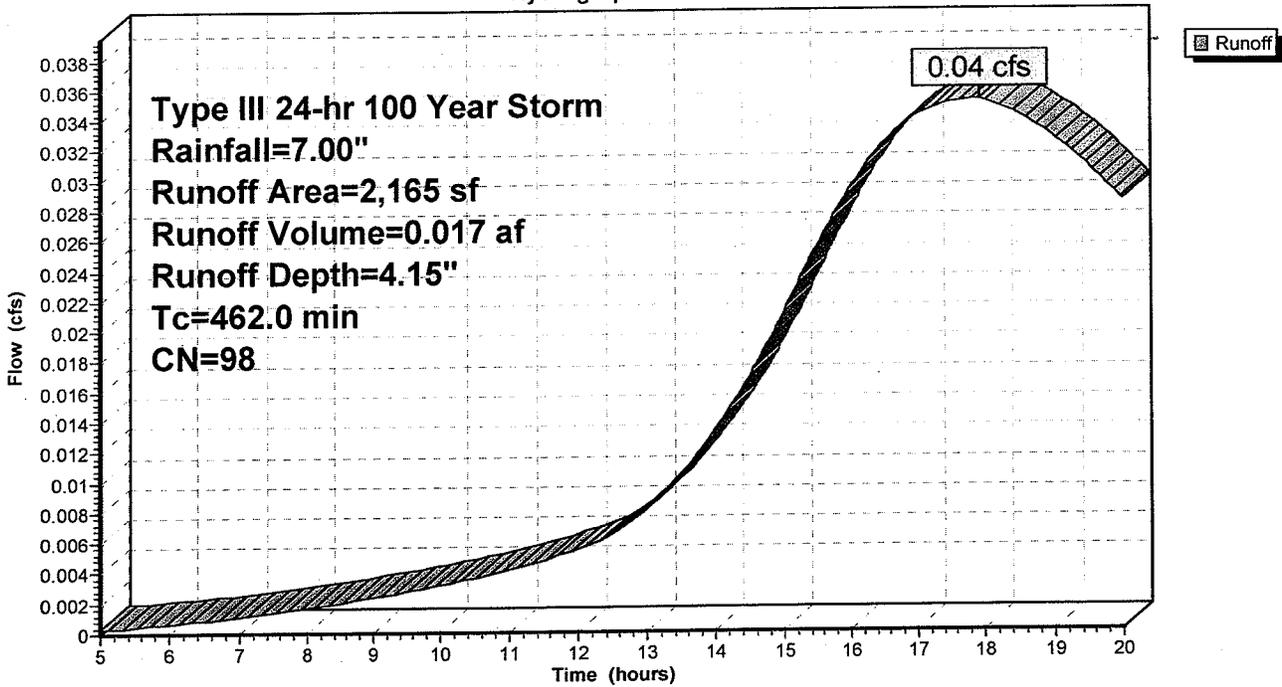
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 100 Year Storm Rainfall=7.00"

| Area (sf) | CN | Description |
|-----------|----|------------------|
| 1,893 | 98 | House Roof |
| 272 | 98 | Porch Roof |
| 2,165 | 98 | Weighted Average |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|----------|---------------|---------------|-------------------|----------------|---------------|
| 462.0 | | | | | Direct Entry, |

Subcatchment 1S:

Hydrograph



Pond 1P: Porous Pvmt Base Material

Inflow Area = 0.050 ac, Inflow Depth = 4.15" for 100 Year Storm event
 Inflow = 0.04 cfs @ 17.94 hrs, Volume= 0.017 af
 Outflow = 0.04 cfs @ 17.98 hrs, Volume= 0.017 af, Atten= 0%, Lag= 2.7 min
 Discarded = 0.04 cfs @ 17.98 hrs, Volume= 0.017 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 120.01' @ 17.98 hrs Surf.Area= 3,360 sf Storage= 12 cf
 Plug-Flow detention time= 5.6 min calculated for 0.017 af (99% of inflow)
 Center-of-Mass det. time= 2.8 min (985.8 - 983.0)

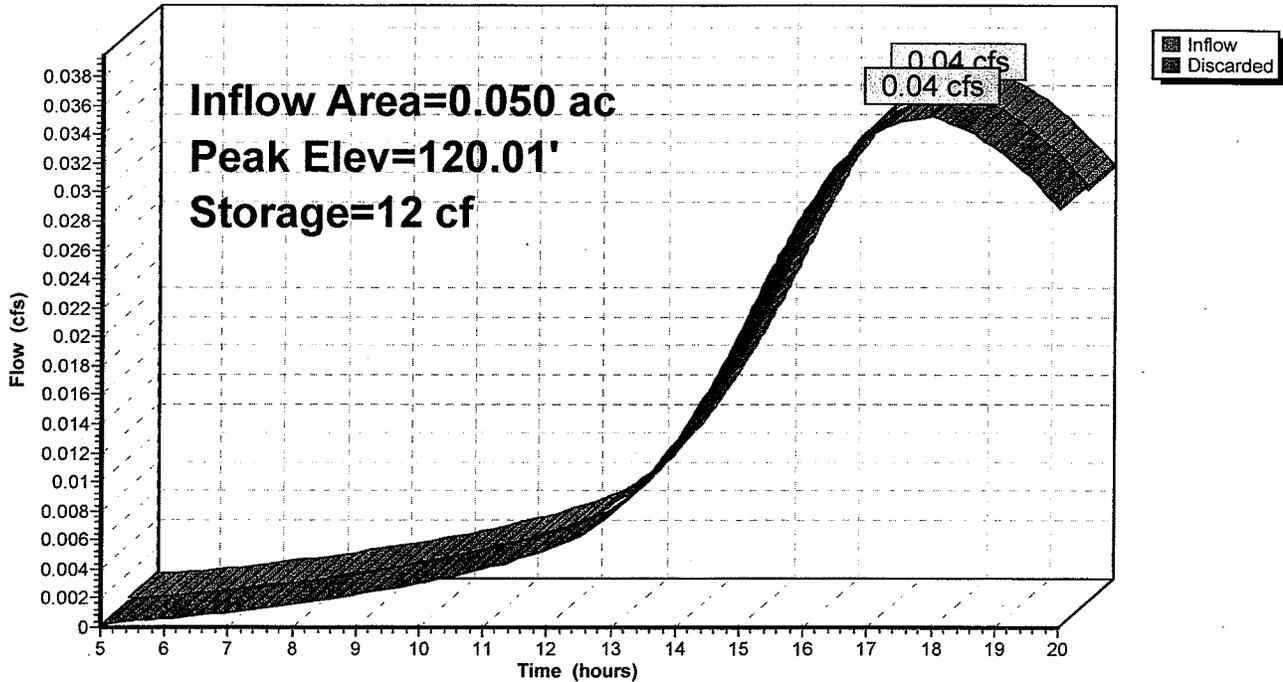
| # | Invert | Avail.Storage | Storage Description |
|---|---------|---------------|---|
| 1 | 120.00' | 2,688 cf | 14.00'W x 240.00'L x 2.00'H Prismatoid 6,720 cf Overall x 40.0% Voids |

| # | Routing | Invert | Outlet Devices |
|---|-----------|--------|---|
| 1 | Discarded | 0.00' | 0.001416 fpm Exfiltration over entire Surface area |

Discarded OutFlow Max=0.08 cfs @ 17.98 hrs HW=120.01' (Free Discharge)
 1=Exfiltration (Exfiltration Controls 0.08 cfs)

Pond 1P: Porous Pvmt Base Material

Hydrograph



149 VAN NORDEN ROAD RESIDENT'S ASSOCIATION TRUST

Barbara Hitchcock of 149 Van Norden Road, Reading, Middlesex County, Massachusetts (Settlers), hereby establish this trust and appoints Jesse Wilson and Sarah Wilson of _____ Van Norden Road, Reading, Massachusetts, to serve as Trustees pursuant to this trust agreement. The Trustees shall hold and manage certain property, in trust, in accordance with the terms of this Agreement. This document shall be known as the 149 Van Norden Road Resident's Association Trust. The terms and conditions of the trust are as follows:

1. **DEFINITIONS, PURPOSES AND AUTHORITY**

- 1.1 Common Area shall mean the area shown as *PROP. COMMON AREA* on the plan entitled Site Plan of Land "PRD located in Reading Massachusetts (Middlesex County); prepared for Jesse + Sarah Wilson; scale: 1" = 20'; dated February 25, 2016; prepared by Sullivan Engineering Group, LLC, ("Site Plan") recorded at the Middlesex South District Registry of Deeds ("Registry") herewith. The Common Area is shown with cross hashing and is a part of Lot 2. The Common Area serves as the *Open Space* as required by Section 11.2.5.3 of the Reading Zoning By-law. The Open Space is for the benefit of the owners of lots 1 and 2 for passive, quiet recreational use between sunrise and the following sunset.
- 1.2 This Trust is established pursuant to the requirements of the Town of Reading Zoning By-law, section 11.2.6 and is the *resident's association*.
- 1.3 The Premises as shown as lots 1 and 2 on the Site Plan constitute a planned residential development ("PRD"). The Reading Community Planning & Development Commission ("CPDC") has issued a PRD Special Permit dated _____, 2016, which is recorded herewith ("PRD Special Permit").
- 1.4 To the extent there are common expenses relating to the maintenance of the Open Space, the Owners of both Lots 1 and Lot 2 are equally responsible for that maintenance.
- 1.5 The Trustees may establish bank accounts and designate signatories therefor and engage persons to inspect, repair and maintain the Open Space, to the extent necessary.

2. **RESTRICTIONS**

The Trust is responsible for maintaining in perpetuity the Open Space in accordance with the Reading Zoning By-Law and the conditions of PRD approval as contained in the PRD Special Permit.

3. **COMMON AREA USAGE**

The Common Area shall be preserved for the common benefit of the Owners of Lots 1 and 2, subject to the use restrictions contained herein and in the PRD Special Permit.

4. **RULES AND REGULATIONS**

The Trustees may establish and amend from time to time reasonable rules and regulations governing the use, maintenance and security of the Common Area, and other relevant issues.

5. **LOT OWNERS MEETING**

Meetings of the Owners of Lots 1 and 2 may be held at such time and place as shall be determined by the owners of Lots 1 and 2, but at least one such meeting shall be held biannually. The meeting shall be scheduled by a Trustee and notice shall be given to each lot owner not less than seven days prior to the meeting. Unless otherwise agreed, the meeting shall be held on the Open Space.

6. **PAYMENT OF COMMON CHARGES**

The owners of Lots 1 and 2 shall each be obligated to pay one-half of the Common Expenses. Under no circumstances may an Owner withhold their payment of the Common Expenses assessed.

The Trustees shall assess Common Expenses against the Owners from time to time as needed and shall take prompt action to collect any Common Expenses due from any Owner which remains unpaid for more than 30 days from the due date for payment thereof. Interest at the rate of 1 ½ % per month may be charged on all payments which are more than 15 days overdue. The delinquent Owners shall also be obligated to pay all expenses, including attorney's fees, incurred by the Trustee in proceedings brought to collect such unpaid Common Expenses. The Trustees shall have the right and duty to attempt to recover such Common Expenses, together with interest thereon, and the expenses of the proceeding, including attorney's fees, in an action to recover the same brought against such delinquent Owner. The Trustees may provide a certificate as to the status of Common Expenses payments by each Unit.

7. **REPAIR TO COMMON AREA**

In the event of damage to or destruction of the Common Area or to the extent action is required to preserve and protect the Common Area and enforce applicable restrictions, the Trustees shall arrange appropriate action.

8. **AMENDMENTS AND TERMINATION**

The Trustees may amend this Declaration of Trust with the consent in writing of the Owners of Lots 1 and 2. No such amendment shall be effective unless and until it is recorded at the Registry.

9. **SUCCESSORS IN INTEREST**

This Trust, and all amendments thereto, are binding upon the Owners of Lots 1 and 2 as shown on the Site Plan. The beneficiaries of this Trust are the Owners of Lots 1 and 2 from time to time;

each Lot having an equal beneficial interest. The beneficial interest and the obligations imposed hereby shall run with and be binding upon each of the Owners of Lots 1 and 2. The beneficial interest in this Trust and Trust Assets may not be severed from the ownership of said property.

10. **SUCCESSOR TRUSTEES:**

Should either of the original trustees cease to serve for any reason, the other trustee may serve alone. Should Jesse Wilson and Sara Wilson no longer hold title to Lot 1, the then owners of Lot 1 shall automatically become Trustees of this Trust.

IN WITNESS WHEREOF, Barbara Hitchcock, as Settlor has set her hand and seal to this instrument this _____ day of _____, 2016.

Barbara Hitchcock

The Trustees hereby accepts the trusteeship.

Jesse Wilson, as Trustee

Sarah Wilson, as Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

On this _____ day of _____, 2016, before me, the undersigned notary public, personally appeared Barbara Hitchcock, proved to me through satisfactory evidence of identification, which was a photographic identification with signature issued by a federal or state governmental agency, to be the person whose name is signed on the preceding or attached document, and acknowledge to me that she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

Tax Map

39

Reading
Mass.
FY 2016



Legend

- Parcel Map
- Town Boundary
- Parcel
- Easement
- Unimproved Easement
- Town Owned
- Zoning District
- Subdistrict
- Aqualifer Prot. Dist.
- Overlay District
- Roads
- Bridge
- Paved
- Unpaved
- Railroad



Data current as of 7/1/15.
Zoning approved 1/10/14.
This map is for assessment
purposes only and is not
intended to be used in place
of an actual survey or legal
description of the property.

12/20/16

