



Town of Reading
16 Lowell Street
Reading, MA 01867

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February 13, 2017

Definitive Subdivision Plan

DECISION of APPROVAL

364 Lowell Road, "Lyle Estates" – Jamieson Properties LLC
Proposed Street Name: Alfred E. Peterson Way

To the Town Clerk:

This is to certify, that at a public hearing of the Reading Community Planning and Development Commission (CPDC) opened on May 23, 2016, continued on February 13, 2017, and closed on [redacted] by a motion duly made and seconded, it was voted:

"We, the CPDC, as requested by Jamieson Properties LLC, under the Town of Reading's Subdivision Rules & Regulations, and MGL Chapter 41 Sections 81K through 81GG, to consider the 4-Lot Definitive Subdivision Plan for property located at 364 Lowell Street (Assessors Map 26, Lot 157), as shown on the plans prepared by ASB Design Group LLC, dated January 3, 2017, do hereby vote to approve the said plans, inclusive of all waivers listed herein, subject to the Findings and Conditions below."

MATERIALS:

The following documents and plans were submitted into the public record:

1. Form B: Application for a Definitive Subdivision Plan, filed 4/28/16.
2. Form G: Designer's Certificate, dated 4/27/16.
3. Certified List of Abutters, dated 4/12/16.
4. Email from Community Development Director to Applicant's Engineer and Attorney with list of items needed in order to deem the submission Complete, dated 4/5/16.
5. Summary of Plan and Report Revisions from ASB Design Group to Community Development Director, dated 1/3/17.
6. List of Waivers requested from the *Town of Reading Subdivision Regulations*, dated 10/17/16.
7. Lyle Estates Lot Report, dated 12/30/16.
8. Project Data/Environmental Impact Report Accompanying Definitive Subdivision, Lyle Estates, Reading MA, prepared by ASB Design Group LLC, dated April 2016, submitted 4/4/16; **re-dated January 2017, submitted 1/3/17, including:**

- a. Project Data/Environmental Impact Report documenting existing and proposed site conditions including the right-of-way, utilities, soils, drainage – pre-hydrology & post-hydrology conditions, erosion control measures, construction sequencing, long-term operations and maintenance, traffic, and hydrology calculations;
 - b. Appendix A: Soil Boring Logs 1-10;
 - c. Appendix B: TSS Removal Work Sheets 1 and 2; Stormwater Checklist, and Home Owner’s Rain Garden Guide;
 - d. Figure 1A: Existing Conditions (aerial photo) – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17;
 - e. Figure 1B: Proposed Subdivision (aerial photo) – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17;
 - f. Figure 2A: Soils Map
 - g. Figure 2B: Hydrologic Soil Group – Soil Map
 - h. Figure 3: Rain Fall Distribution Map
 - i. Figure 4: Rain Fall Data Map
9. Operation and Maintenance Manual and Plan – Construction Phase and Post Construction, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 10/25/16, including:
 - a. Figure 1: Homeowners Rain Garden LID and BMP 1 Location Guide – O&M Plan, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 10/25/16;
 - b. Figure SD1: Sight Distance Lowell Street Looking Northwest – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17; and
 - c. Figure SD2: Sight Distance Lowell Street Looking Southeast – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 10. C1: Cover Sheet – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 11. C2: Existing Conditions – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 12. C3: Tree Inventory Plan – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 13. C4: Lotting Plan – Definitive Subdivision & Notice of Intent, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC and Donohoe Survey, Inc., dated 1/3/17.
 14. C5: Layout, Utilities & Pavement Marking/Signage Plan – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 15. C6: Site Grading & Drainage Plan – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 16. C7: Wetland and Buffer Zone Mitigation Plan – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 17. C8: SWPPP & Erosion Control Details – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 18. C9: Site Details – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 19. C10: Utility Details – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
 20. C11: Headwall #1 and BMP #1 Details – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.

21. D1: Pre-Development Hydrology – Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17;
22. D2: Post-Development Hydrology - Definitive Subdivision, Lyle Estates, prepared for: Jamieson Properties LLC, prepared by: ASB Design Group LLC, dated 1/3/17.
23. Order of Resource Area Delineation, issued by the Reading Conservation Commission on 7/25/13.
24. Memo from the Town Engineer to the Community Development Director, dated 5/12/16.
25. Email from the Historical Commission to the Community Development Director, dated 5/17/16.
26. Email from the Health Agent to the Community Development Director, dated 5/19/16.
27. Memo from the Community Development Director to the CPDC, including all staff feedback and notes from the 3/16/16 Development Review Team Meeting, dated 5/19/16.
28. Memo from the Town Engineer to the Community Development Director, dated 2/8/17.
29. Memo from the Conservation Administrator to the Community Development Director, dated 2/8/17.

FINDINGS:

1. **Existing Conditions:** The development tract is comprised of one parcel (364 Lowell Street) and is approximately 2.574 acres. It contains an existing house, gravel road, driveway, septic system and lawn. The site access is via a 56’ wide curb cut off of Lowell Street. The site is heavily treed and has a peak elevation of 198’ at its northeast corner. More than half of the site is within a wetland resource area or 100’ wetland buffer area.
2. **Zoning:** The site is within the S-15 Zoning District and the Aquifer Protection Overlay District.
3. **Upland Area:** ZBL Section 6.2.8 requires that any lot in the S-15 District must contain at least 12,000 SF of upland area outside of a Wetland Resource Area. Sheet C6 notes compliance with this requirement.
4. **Aquifer Protection Overlay District:** a maximum of 15% or 2,500 SF of impervious coverage is allowed per lot, or a system of artificial recharge is required to handle any excess impervious. Sheet C6 includes calculations of impervious area requiring artificial recharge.
5. **Wetlands:** On July 25, 2013, the Applicant received an Order of Resource Area Delineation (ORAD) from the Reading Conservation Commission. The Applicant filed a Notice of Intent (NOI) in late 2016 and has begun the Reading Conservation Commission process.

→Conservation Administrator’s Comments – See Attached Memo

6. **Historical Commission:** The Reading Historical Commission does not have jurisdiction over the proposed project as indicated in email correspondence dated May 17, 2016.
7. **Proposed Lots:** The Applicant is proposing to subdivide the property into 4 lots that conform to the frontage and area requirements of the S-15 Zoning District. Lot 1 will contain the existing house at 364 Lowell Street.
8. **Proposed Structures:** Lots 2, 3 and 4 are proposed to be developed with new homes that will meet the setback requirements of the S-15 Zoning District.
9. **Existing Structure:** The existing house on the property currently fronts on Lowell Street and meets the setback requirements of the S-15 Zoning District. The Applicant is proposing to maintain the existing house in its present location, but to have the lot’s legal frontage be along the proposed subdivision road. In doing so, the existing house will not meet the 20’ front yard setback requirement, and the Applicant will need to seek a variance from the Zoning Board of Appeals.

10. **Proposed Addition to Existing Structure:** The Applicant is proposing to add a garage to the existing house. A portion of the proposed garage will infringe on the 20' front yard setback, thus the Applicant will need to seek a variance from the Zoning Board of Appeals.

→CDD Recommendation: the Applicant is advised to receive approval for these Variances prior to Plan Endorsement.

11. **Proposed Right-of-Way:** The proposed 40' wide subdivision road will be located within the existing curb cut and the historic 40' right-of-way. It will have a pavement width of 24', be 326' in length, and will end in a cul-de-sac bulb with a 46' radius.

12. **Traffic:** An analysis of traffic along Route 129 was provided and included data from MassDOT on existing traffic volumes. The analysis indicates that the addition of 3 new homes along this stretch of Route 129 will not significantly impact area traffic.

13. **Cut / Fill:** The site will require approximately 470 cubic yards of roadway gravel base. Excavated sand will likely be used in the final site grading. Where on the plan is this note?

14. **Landscaping:** An overall Landscape Plan has not been provided. CDD Recommendation: the CPDC should discuss whether the trees proposed to remain will provide enough and appropriate screening to abutting properties, or whether a separate Landscape Plan should be requested.

15. **Existing Utilities:** Town of Reading water and sewer, as well as gas, telephone, electric, and a closed drainage system, are located within Lowell Street. The site has an existing septic system.

16. **Proposed Utilities:** Town of Reading water (8" line in Lowell, 1" line to homes) and sewer (8" pipe in Lowell, 4" pipe to homes), gas, telephone, electric and cable. All new utilities will be located within the right-of-way. The existing septic system will be decommissioned.

17. **Stormwater:** The project includes the construction of five LID BMPs to capture site and driveway stormwater runoff. A closed drainage system will collect stormwater runoff from the proposed subdivision road and direct it into an infiltration pond (BMP #1) on Lot 1.

18. **Drainage:** A poorly maintained culvert under the MBTA tracks at the southern end of the site causes a lot of water backup in the neighborhood. The Applicant intends to mitigate this situation.

19. **Streetlights:** Two light poles are proposed and shall be installed in accordance with RMLD standards and specifications.

20. **Easements:** Sheet C4 depicts the following easements: a drainage easement of varied dimensions on Lot 1; a 6' hydrant easement and a 15' water easement on Lot 2; and a 6' utility easement on Lot 3.

21. **Rooftop Solar:** Due to the size, shape and orientation of the proposed lots, the proposed homes are not ideally oriented to maximize the potential of rooftop solar installations by future owners.

22. **Board of Health:** In accordance with M.G.L. Ch. 41 Section 81U, a copy of the Form B and plans were submitted to the Board of Health. On May 19, 2016, the Health Agent indicated via email to the Community Development Director that on May 18, 2016, "the Board of Health voted to approve the proposed Definitive Subdivision plans at 364 Lowell Street without conditions."

Pursuant to Section 6.2.3 Criteria for Decision, the CPDC hereby finds that:

a. *Conforms entirely with all provisions of the Subdivision Control Law:*

- i. On April 4, 2016, a Definitive Subdivision Plan was submitted on behalf of Jamieson Properties LLC for the property at 364 Lowell Street. On April 28, 2016, upon receipt of additional information, the Community Development Director determined that the

application was substantially complete and distributed copies to other staff departments for review and comment.

- ii. The Applicant has conformed to the procedural requirements under Section 3.5 of the Reading Subdivision Rules and Regulations.

b. *Conforms to the recommendations of the Board of Health:*

The Reading Board of Health voted to approve the proposed Definitive Plan without conditions on May 18, 2016.

c. *Meets all stated requirements and standards of these Regulations, with the exception of any waiver therefrom which has been requested in writing by the applicant in accordance with Section 3.8 hereof and which the CPDC specifically grants as part of its action with respect to the application:*

The Applicant has requested waivers, they are listed herein for the CPDC to consider.

d. *Satisfies in full all purposes of these Regulations set forth in Section 1.2 thereof:*

- a. *For the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel;*
- b. *For lessening congestion in such ways and in adjacent public ways;*
- c. *For reducing danger to life and limb in the operation of motor vehicles;*
- d. *For securing safety in case of fire, flood, panic, or other emergencies;*
- e. *For ensuring compliance with applicable zoning, health, conservation, and natural resource protection bylaws;*
- f. *For securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, street lighting, and other requirements where necessary in a subdivision;*
- g. *For coordinating the ways in a subdivision with each other and with the public ways in the town and with ways in neighboring subdivisions; and*
- h. *For the encouragement of the use of solar energy and the protection of solar access.*

e. *Conforms in every respect with the requirements of the Reading Zoning Bylaw as the same may be conditioned by special permit or modified by a variance:*

The Applicant will seek a Variance from the Zoning Board of Appeals for the existing structure's newly non-conforming front yard setback created from a change to the lot's legal frontage, and for the proposed garage that infringes on the front yard setback.

f. *Is suitable for the land on which it is proposed to be placed:*

The Applicant is proposing a residential subdivision that conforms to the requirements of the underlying residential zoning district. The site is surrounded by single-family residential development.

g. *Has properly, accurately, and completely identified its effects on all matters of concern to legal parties of interest and to the general public, as specified in these Regulations, and sets forth when required by the CPDC and where appropriate mitigation measures which the applicant is obligated to carry out and which are reasonable and appropriate to address and overcome such effects: See conditions regarding paper streets.*

- h. *Does not omit adjacent property which is owned by the applicant and which the Building Inspector has not determined to be a legally separate and buildable lot:*
Sheet C4 (Lotting Plan) indicates ownership for all adjacent lots.
- i. *Does not cause any existing structure on the subject property to become non-conforming under the Reading Zoning Bylaw or increase any existing non-conformity:*
The Applicant will seek a Variance from the Zoning Board of Appeals for the existing structure's newly non-conforming front yard setback created from a change to the lot's legal frontage.
- j. *Contains a street system which connects directly with one or more existing accepted public ways:*
Lowell Street is an existing accepted public way.
- k. *Does not cause a street intersection within the study area as defined in Section 6.1.1.d.3 to fall below a Level of Service (LOS) of D, nor discharges traffic into an intersection already operating at a Level of Service of F without reasonable mitigation:* The Applicant has only included the intersection of Lowell Street and the proposed subdivision road within the study area, and has not indicated the LOS of Lowell Street.
- l. *Includes an offer to the Town to accept all common water and sewer utilities, and proper easements therefor, in the subdivision:* The proposed subdivision right-of-way will be offered to the Town for acceptance as a public way, it includes all of the utilities for the site. All drainage, utility, and planting easements shall be provided as needed and depicted on Sheet C-4.
- m. *Has available to it adequate public water supply in terms of quantity, quality, and water pressure without adversely impacting such availability to other developed properties:*
The project includes the construction of appropriate water lines to ensure adequate public supply and service.
- n. *Has available to it adequate capacity in the public sewer system to accept the discharge from the proposed subdivision without adversely affecting other developed or undeveloped properties:*
The project includes the construction of appropriate sewer lines to ensure adequate public supply and service.
- o. *Has available to it adequate storm drainage capacity to accept stormwater runoff from the subdivision without adversely affecting other developed or undeveloped properties:*
The project has been designed to ensure that post-development runoff is not worse than pre-development runoff.
- p. *Does not have any street name or locational designation which in the opinion of the Fire Chief may be confused in emergency situations with the name of any existing street name or locational designation in the Town:*
The Engineering Division will consult with dispatch, the Police Department, the Post Office, and the Town's addressing standards to determine if the proposed street name of Alfred E. Peterson Way causes any pronunciation issues or confusion. Punctuation is not allowed.

WAIVERS:

Pursuant to Section 7.0 Design Standards, the Applicant has requested, and the Commission has **granted the following waivers from the Town of Reading Subdivision Regulations:**

1. *Section 7.1.1a – to provide a 40' right-of-way where 60' is required;* the existing right-of-way on the property is 40' wide and existing homes on either side restrict the width.
2. *Section 7.1.3a – to provide a pavement width of 24' where 30' is required;* reduced per the reduced right-of-way width, but still wide enough for emergency vehicles.

3. *Section 7.1.3b – to provide no sidewalks where sidewalks are required on both sides of the right-of-way; removed per the reduced right-of-way width and to allow the pavement to shift further from the wetlands.*
4. *Section 7.1.3b – to provide a 4' wide tree planting easement to the Town outside of the right-of-way where a 10' wide tree lawn is required within the right-of-way; proposed due to the reduced right-of-way width, the Applicant shall be responsible for planting the street trees.*
5. *Section 7.1.3b – to offset the pavement from the centerline of the right-of-way where it is required to be on center; shifted to push paved area further from wetlands.*
6. *Section 7.1.4b – to provide curb radii of 20' where 30' is required; reduced per the reduced right-of-way and pavement widths.*
7. *Section 7.2a – to provide no sidewalks where sidewalks are required on both sides of the right-of-way; removed per the reduced right-of-way width and to allow the pavement to shift further from the wetlands.*

Pursuant to Section 3.8 Waivers, the CPDC voted x-x-x to approve all of the requested waivers.

CONDITIONS:

Prior to Plan Approval:

1. **Engineering Comments:** The Applicant shall coordinate with the Town Engineer to resolve any of the outstanding comments listed in his memo dated 2/8/17.

→Town Engineer's Comments – See Attached Memo

General:

1. **No Further Subdivision:** This Decision of Approval is limited to the number of lots shown on the approved plans.
2. **Paper Streets:** The subdivision is proposed over an area that has or has had paper streets (Street No. 1 and Street No. 8) already laid out on the property. The Applicant shall provide documents to the Town Engineer indicating whether these streets need to be abandoned prior to construction of the project.
3. **The Applicant shall work with the Town Engineer** to address all outstanding conditions within the Town Engineer's memo to the Community Development Director, dated 5/12/16.
4. **Other Permits:** The Applicant is responsible for obtaining all other required Federal, State and Local permits, including but not limited to: a NPDES Permit; utility permits for sewer, water, electric, etc.; curb cut, driveway, MassDOT and Jackie's Law excavation permits; Board of Health approvals; and an Order of Conditions from the Conservation Commission.
5. **Order of Conditions:** At all times throughout construction of the project and occupancy of the site, the Applicant and/or future owners shall comply with all provisions of any Order of Conditions issued for the project by the Reading Conservation Commission. As part of the Purchase and Sale Agreement, the Applicant shall provide a copy of the Order of Conditions to the buyer for each lot.
6. **Subordination:** All encumbrances, mortgages and restrictions shall be subordinated to this Decision of Approval and the Covenant Agreement described herein as a matter of record.

Prior to Plan Endorsement, the Plans shall be revised, and submitted to the Town Engineer and Community Development Director, as follows:

1. **Variations** – Variations required for the home and garage on proposed Lot 1 shall be received and referenced on the plans.
2. **Proposed Subdivision Road** – a note shall be added to the plans indicating that the proposed subdivision road will be offered to the Town for acceptance as a public way.
3. The **telephone number** of the record owner shall be added to the plans.
4. The signature lines, for **certification signatures by the CPDC members**, shall be revised to say “Reading Community Planning & Development Commission.”
5. The **Locus Inset** shall be revised to show all properties within 1,000 feet of any portion of the subject property, the locations of all structures on all lots abutting the proposed subdivision site; and the name, location, right-of-way width, pavement width, sidewalk location and width, of any existing public and private streets abutting, providing access to, or located within 1,000 feet of any portion of, the proposed subdivision, together with labels as to whether each is an accepted or unaccepted way; drawn at a scale of 1” = 100’.
6. The **Tree Inventory Plan** should be revised to clearly indicate which trees will remain.
7. The existing **topography** of the tract – containing the proposed subdivision and of all lands within 100 feet of any portion thereof, with contour intervals not to exceed two feet and with spot elevations as appropriate – shall be added to the plans.
8. The **Zoning Table** shall be corrected to reference the S-15 Zoning District and to incorporate actual calculations for each proposed lot demonstrating compliance with bulk requirements.
9. The **minimum cellar floor elevations** for each proposed habitable structure shall be added to the plans.
10. The width and location of each **proposed driveway curb cut** relative to each proposed lot and for each lot within 100 feet of the proposed subdivision shall be added to the plans.
11. The **font sizes and types** shall be brought into compliance with the Registry of Deeds standards for recordable plans.
12. **Easements:** Sheet C4 shall be revised to include a 4’ planting easement (see Waivers) and a 5’ maintenance easement around the cul-de-sac bulb (see Town Engineer’s memo).
13. Sheet C-5 shall be revised to indicate the placement of “**No Parking**” signs along the north side of the proposed street and within the cul-de-sac, as well as “**No Dumping**” signs along the southern property line (Conservation Commission requirement). CDD Recommendation: a sign should be located behind each abutting house lot on Plymouth Road.
14. All **Notes** shall be corrected per the Town Engineer’s memo dated 2/8/17.
15. **Covenant Agreement:** The Applicant shall submit to the Town Engineer and Community Development Director, a Covenant Agreement (Form H) that is fully completed, properly executed, duly recorded, and running with the land, providing that the ways and services shall be constructed in accordance with the approved Definitive Subdivision Plan and approval conditions thereof to serve any lot before such lot may be built upon or conveyed other than by mortgage deed. No partial release of lots from this Covenant shall be allowed. This Covenant shall be referred to on the Definitive Subdivision Plan as follows:
“A Covenant Agreement between the Community Planning and Development Commission of the Town of Reading and _____ (Applicant) to secure completion of required ways

and utilities has been executed and is recorded at the Middlesex South Registry of Deeds with this plan.”

16. **Sureties:** A surety in the form of a bond or deposit of money or negotiable securities sufficient in the opinion of the CPDC to secure the construction of ways and the installation of municipal services may be provided, acceptable to the CPDC at any time prior to the completion of the subdivision. The value of the surety shall be based on the total estimated costs, including engineering, management, supervisory, inspections, inflation, and contingencies, and the costs to prepare as-built plans, to complete all remaining required improvements in the subdivision over a period of time extending to four years from the date of the establishment of the surety, together with the costs of any restoration of affected lands and properties. The Applicant shall secure said surety via any of the following methods of performance guarantee:
 1. Performance Bond – Secured by Deposit (Form I); or
 2. Performance Bond – Secured by Surety Company (Form J); or
 3. Retention of Funds by Lender – Three Party Agreement (Form K).
17. **Withdrawal of 40B Application:** The Applicant shall submit proof to the Community Development Director that the pending 40B Application at the State has been withdrawn.
18. **Mylars:** The Applicant shall submit two (2) complete sets of Mylar plans, and an electronic version, to the Community Development Director for endorsement by the CPDC. The Mylar plans shall be in black ink only, no colors or shading will be accepted.

Prior to the Commencement of Site Work, Road Work, or Utility Work:

1. **Pre-Construction Meeting:** The Applicant shall contact the Community Development Director to set up a pre-construction meeting with Town staff.
2. **Recorded Plans:** The Applicant shall provide one (1) Mylar copy of the recorded plan and seven (7) blackline copies thereof, and three (3) duplicate certified copies of all other recorded documents to the Community Development Director.
3. **Electric Utility:** The electric utility plan shall be approved by the Reading Municipal Light Department (RMLD).
4. **Utilities:** The Applicant shall coordinate the installation and/or decommissioning of any utilities with the Town Engineer, the Health Agent, and the RMLD.
5. **Notification:** The Engineering Division shall be notified 72 hours in advance of excavation work to mark out Town-owned utilities.
6. **Erosion Controls:** Any erosion controls shown on the plans approved herein and/or approved by the Conservation Commission shall be installed to the satisfaction of the Conservation Administrator and Town Engineer.
7. **Trees:** Any trees requiring removal need to be identified and approved by the Tree Warden.
8. **I&I Fee:** The Applicant is subject to the required one-time Inflow & Infiltration Fee of twice the Title V flow multiplied by \$4.00.
9. The Applicant shall provide a written statement to the Police Department indicating that the MBTA has been contacted regarding **safety requirements** for working within proximity to the railroad tracks.

Prior to the Issuance of a Building Permit for any Lot:

1. **Lot Release:** CPDC shall vote to release all or certain subdivision lots, and the Community Development Director shall provide a Notice to the Building Inspector (Form L) of such.
2. **Plot Plans:** Individual plot plans for each lot shall be submitted to the Town Engineer and Conservation Administrator for review and approval. These plans shall indicate locations of proposed utilities, driveway locations and widths, final lot grading, and delineations of any resource areas or resource area buffers.
3. **Building Permit Plans:** Building Permit Plans shall be submitted for review by the Building Inspector, including all information required for the issuance of a Building Permit.

During Construction:

1. **Construction Hours:** Construction Hours shall be adhered to as per Section 8.9 of the Town General Bylaw. Said hours shall be posted in a conspicuous place at the entrance prior to any work on the site. Per the Town Engineer and Police Department, hours of work on Lowell Street shall be restricted to between 9:00AM and 3:00PM Monday through Friday.
2. **Order of Conditions:** The Applicant shall ensure that all requirements of the Order of Conditions issued by the Conservation Commission are complied with at all times.
3. **Utilities:** All utilities, structures, frames and covers shall meet Town of Reading standards. All utility and site work shall be inspected prior to backfilling by the Engineering Division. The Division shall be notified 36 hours in advance of required inspections.
4. **Materials:** All project materials shall be stockpiled safely.
5. **Inspections:** All site work shall be inspected by the Engineering Division. The Applicant / Owner's Contractor shall submit a construction schedule of proposed work. All inspections shall be scheduled at least 24 hours in advance.
6. **Reduction of Performance Guarantee:** The Applicant may submit at any time a Request for Reduction or Release of Surety Amount (Form M) to reflect the actual expected cost of work remaining to be completed.
7. **Time Limit for Completion:** Construction of all required improvements shall be completed fully and to the satisfaction of CPDC in accordance with the approved Definitive Subdivision Plan, conditions of approval, and any modifications thereto duly authorized, within two years of the date of endorsement of the plan or the time set forth in any surety, whichever is earlier. The Applicant may request a one year extension of time in writing from the CPDC before the expiration of said two-year period.

Prior to the Issuance of a Certificate of Occupancy for any Lot:

1. **Conveyance of Easements and Utilities:** The Applicant shall execute a Conveyance of Easements and Utilities (Form N) transferring to the Town valid, unencumbered title to all sanitary sewers, stormwater drains, water mains and all appurtenances thereto constructed and installed in the subdivision. All easements, as reviewed by the Town Engineer and Town Counsel, shall be properly written and recorded. In no instance shall any lot be sold until all easements and utilities are properly conveyed to the Town.
2. **Right-of-Way Ownership:** When establishing ownership of the right-of-way, the Applicant shall hold interest in the right-of-way and not transfer it to the abutters. Upon sale of the lots, deeds shall be submitted to the Town to demonstrate compliance with this.

3. **Road Work:** The roadway base course and binder have been constructed properly and approved by the Town Engineer.
4. **Drainage:** The stormwater infiltration system is properly constructed, operational, and inspected by the Town Engineer and Conservation Administrator.

Prior to the Issuance of a Certificate of Completion or the Release from Covenant:

1. **No Parking Signs:** “No Parking” signs shall be installed along the north side of the road and along the entire cul-de-sac bulb to ensure access by emergency vehicles at all times.
2. **As-Built Plans:** Upon completion of construction, and within 60 days of the issuance of the final Certificate of Occupancy for the project, the Applicant shall prepare and submit As-Built Plans in hard copy, PDF and AutoCAD format to the Community Development Director and Town Engineer.
3. **Final Release of Performance Guarantee:** The Applicant shall submit a Form M for review by the Town Engineer and Community Development Director. The CPDC shall not release the performance guarantee unless and until written documentation from the Town Engineer and Community Development Director have been provided verifying the durability of required improvements as outlined under Section 9.5.2.1 of the Subdivision Regulations.
4. **Certificate of Completion:** The Applicant shall submit a Certificate of Completion (Form O) for review by the Town Engineer and Community Development Director. The CPDC shall not vote to approve the Certificate of Completion unless and until the requirements of Section 9.5.2.4 of the Subdivision Regulations have been satisfied.

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

Julie D. Mercier, Community Development Director

Date

Cc: Applicant, Town Clerk, CPDC, Development Review Team, Building Inspector, planning file

Timeframe for Approval:

April 4, 2016 – Definitive Plan submitted (w/no Prelim Plan) = 135 Days

April 28, 2016 – Submission deemed Complete

May 23, 2016 – Public Hearing, had to be re-noticed due to lack of quorum

June 20, 2016 – Public Hearing opened

August 8, 2016 – Hearing Continued to this date, but Applicant not ready

August 15, 2016 – 135th day

Extension of Time Granted to November 23, 2016

Extension of Time Granted to February 28, 2017

January 3, 2017 – Revised Plans Submitted

February 13, 2017 – Hearing Continued but not Closed

Extension of Time Granted to March 20, 2017

March 13, 2017 – Hearing to be Closed..?