



Town of Reading
16 Lowell Street
Reading, MA 01867

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2017 SEP 26 P 1:491

September 25, 2017

Definitive Subdivision Plan DECISION of APPROVAL

48-54 Franklin Street – ‘Barton Estates’
Proposed Street Name: Lenetta Lane

To the Town Clerk:

This is to certify, that at a public hearing of the Reading Community Planning and Development Commission (CPDC), which was opened on August 14, 2017, continued to August 28, 2017 and September 25, 2017, and closed on September 25, 2017, by a motion duly made and seconded, it was voted:

“We, the CPDC, as requested by S & L Homes LLC, under the Town of Reading’s Subdivision Rules & Regulations, and MGL Chapter 41 Sections 81K through 81GG, to consider the 6-Lot Definitive Subdivision Plan for property located at 48-54 Franklin Street (Assessors Map 52, Lots 24 and 25), as shown on the plans prepared by Christiansen & Sergi, Inc., dated June 30, 2017, with a latest revision date of September 11, 2017, in support of an application filed on July 12, 2017, do hereby vote 3-0-0 to approve the said plans, inclusive of the 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 with the Town Clerk 7/12/17.
 - a. List of Waivers requested from Reading Subdivision Regulations, filed 7/12/17, revised 9/20/17.
2. Form G: Designer’s Certificate, dated 7/10/17.
3. Certified List of Abutters, dated 6/1/17.
4. Email from Community Development Director to Applicant’s Engineer with a statement deeming the submission Complete, and including a list of minor revisions to be made for the next plan submission, dated 7/11/17.
5. Legal Notice, published in Daily Times Chronicle on 7/26/17 and 8/2/17.
6. Sheet 1 of 9: Cover Sheet, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised .

7. Sheet 2 of 9: Lot Plan, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 7/18/17, and revised to show the Potential Land Donation.
8. Sheet 3 of 9: Existing Conditions Plan, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17.
9. Sheet 4 of 9: Site Grading Plan, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 9/11/17.
10. Sheet 5 of 9: Site Plan and Profile, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 9/11/17.
11. Sheet 6 of 9: Stormwater Detention Details, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 9/11/17.
12. Sheet 7 of 9: Erosion and Sedimentation Control, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 9/11/17.
13. Sheet 8 of 9: Construction Details I, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 9/11/17.
14. Sheet 9 of 9: Construction Details II, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17, revised 9/11/17.
15. Tree Planting Plan: Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 9/23/17.
16. Sight Distance Plan: Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for: S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 9/23/17.
17. Supporting Reports for the Definitive Subdivision Plan for "Barton Estates," Reading MA, prepared for S & L Homes LLC, prepared by Christiansen & Sergi, Inc., dated 6/30/17, including:
 - a. Boundary Survey Closure Calculations;
 - b. Soils Report;
 - c. Drainage Analysis, revised 9/11/17.
 - d. Sheet 1 of 1: Drainage Analysis, Definitive Subdivision Plan for Barton Estates, Reading MA, prepared for S & L Homes LLC, prepared by: Christiansen & Sergi, Inc., dated 6/30/17.
 - e. Stormwater Management Checklist;
 - f. Operation & Maintenance Plan;
 - g. Traffic Study; and
 - h. Environmental Impact Report.
18. Memo from Town's Civil Engineer to Community Development Director, dated 8/9/17.
19. Memo from Interim Health Agent to Community Development Director, dated 7/31/17.
20. Letter from Nancy Kohl to her neighbors, copied to the CPDC, dated 9/14/17.
21. Memo from Conservation Administrator to Community Development Director, dated 9/20/17.
22. Memo from Town Engineer to Community Development Director, dated 9/19/17.

FINDINGS:

1. **Existing Conditions:** The development tract is comprised of two parcels (48 and 54 Franklin Street), each of which has frontage on Franklin Street. The lot at 48 Franklin Street is currently vacant (two homes were razed recently), while the lot at 54 Franklin Street contains an existing single-family home. The home will be razed and the lots will be combined into one tract of approximately 5.83 acres with 400 feet of frontage. The tract is partially wooded with bordering vegetated wetlands at the rear, and ranges in elevation from 96' at the street with a gentle slope to 84' at the wetland boundary. The property is directly across the street from the Wood End

Cemetery, and is close but not adjacent to a Town-owned property (under the control of the Conservation Division) to the east on Haverhill Street, and across Franklin Street (Wood End Cemetery and Bare Meadow). The site is surrounded on all sides by properties within the S-20 Zoning District.

2. **General:** The Applicant is proposing to construct an approximately 300 foot subdivision right-of-way with a cul-de-sac bulb which will create frontage for 6 house lots. Since the overall tract at one point recently contained 3 homes, this subdivision will result in a net of 3 homes to the Town.
3. **Zoning:** The site is within the S-20 Zoning District; each of the 6 house lots will comply with the bulk frontage and area requirements of the S-20 Zoning District. It is anticipated that each of the proposed homes will comply with the yard requirements of the S-20 Zoning District.
4. **Upland Area:** ZBL Section 6.2.8 requires that any lot in the S-20 Zoning District must contain at least 12,000 SF of upland area outside of a Wetland Resource Area; a Lot Upland chart has been provided on the Lot Plan that indicates compliance with this requirement.
5. **Wetlands:** Two areas of Bordering Vegetated Wetlands (BVW) are present at the southern end of the property. Two of the proposed homes are within the 100' wetlands buffer. A Notice of Intent was filed with the Conservation Commission on August 9, 2017 and the hearing opened on August 23, 2017.
6. **Proposed Right-of-Way:** The proposed right-of-way layout will be 60' wide which will include a pavement width of 26', and along the western side: a 6" vertical granite curb with openings every 20', 2'-6" of dense graded stone at a depth of 4", and a 21'-6" wide drainage swale; and along the eastern side: a 6" vertical granite curb, 4' of loam and seed at a depth of 4", and a 5' wide sidewalk that wraps around 2/3 of the cul-de-sac bulb. The road will be approximately 300' long and will end in a cul-de-sac bulb with a radius of 45' to accommodate a fire truck. The pavement will be offset from the centerline of the layout and shifted toward the eastern side to allow room for the swale, and for two infiltration chambers within the layout on the western side. [This offset also shifts the pavement more directly across from the Wood End Cemetery entrance.] A third infiltration chamber is proposed outside of the layout and two catch basins are proposed at the end of the cul-de-sac bulb. The road will be offered to the Town for acceptance as a public way after it is constructed.
7. **Traffic:** A waiver has been requested from providing a full Traffic Study. Instead, the Applicant has provided a limited Traffic Study of the sight distances and trip generation.
8. **Trees/Landscaping/Screening:** a Tree Planting Plan was submitted showing all trees 6" dbh or greater on the entire site, including trees to be removed and trees to be planted. All trees removed from within the 100' wetland buffer will have to be approved by the Conservation Commission. All plantings / tree removal will have to be approved by the Tree Warden.
9. **Lighting:** Street lights are proposed but are not shown on the plan; locations TBD with RMLD.
10. **Utilities:** The Applicant is proposing to tap into the existing water main in Franklin Street with a 8" cement line ductile iron (CLDI) that reduces to a 6" CLDI and culminates in a new hydrant at the end of the proposed cul-de-sac bulb. The Applicant is also proposing to tie into the existing 8" asbestos concrete (AC) sewer main in Franklin Street. A hydrant is proposed at the end of the cul-de-sac. Gas and electric service will be extended underground from Franklin Street.
11. **Drainage:** The existing site drains south toward the wetlands. The soil is very sandy with a high rate of infiltration (~120" per hour), and as a result, there is very little runoff in the pre-condition. The Applicant is proposing a hybrid drainage system, with some traditional elements and some low impact development features. The eastern side of the subdivision road will have continuous

vertical granite curbing, and the western side of the subdivision road will have breaks every 20' in the curbing to allow runoff to flow into swales and infiltration chambers. A third infiltration chamber and two catch basins are proposed at the end of the cul-de-sac. The system is designed so that runoff from the road flows to the west and into the swales, while runoff from the cul-de-sac bulb flows into the infiltration chamber and catch basins at the southern end of the site. No runoff will flow to Franklin Street. Roof runoff will recharge on-site.

12. **Access to Bare Meadow / Conveyance of Land to Town:** The property nearly spans the entire distance from Franklin Street to Eastway, and thus is uniquely positioned to offer the Eastway neighborhood pedestrian access to Bare Meadow. Though there is one private property on Eastway that prevents a full connection out to Eastway at this time, the Applicant has determined that conveying a portion of the rear of the tract to the Town – under the control of Conservation – as well as providing a trail easement across one of the new lots, is one way to ensure the potential for trail continuity with regards to Bare Meadow, the Conservation-owned land on Haverhill Street, and even potentially the Cedar Swamp across Haverhill Street.
13. **Easements / Conveyance:** Easements will be needed for the infiltration chamber, and the trail. A conveyance will be needed for the portion of land proposed to be gifted to the Town.
14. **Rooftop Solar:** The Applicant shall consider orienting the homes so that future owners can benefit from potential rooftop solar installations and/or passive heating.
15. **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. The Interim Health Agent submitted a memo with recommendations and requirements to the Community Development Director dated 7/31/17.

WAIVERS:

The Applicant has requested, and the Commission has granted the following waivers from the Town of Reading Subdivision Regulations:

1. *Section 6.1.1.b.10 Topography – to show topography on Franklin Street and the property locus only, where topography for all lands within 100' of the subdivision is required.*
2. *Section 6.1.1.b.23 Wetlands – to show wetland boundaries on the property locus only, where wetland delineations are required for all lands within 200' of the subdivision.*
3. *Section 6.1.1.d.3 Traffic Study – to allow an analysis of sight distances and trip generation in lieu of providing a full Traffic Study.*
4. *Section 7.1.3.a Travel Way – to allow a 26' paved and graded travel way where a 30' paved and graded travel way is required.*
5. *Section 7.1.3.b Cross-Section – to allow a 4' grass strip where a 10' grass strip is required.*
6. *Section 7.1.3.b Cross-Section – to allow the pavement to be offset from the centerline of the roadway layout to allow for stormwater management features along one side of the road.*
7. *Section 7.1.5.c Cul-de-Sac Island – to waive the requirement for a cul-de-sac island in compliance with the request of the Fire Department.*
8. *Section 7.2.a Sidewalks – to provide a sidewalk along one side of the subdivision road, where sidewalks on both sides is required.*

Pursuant to Section 3.8 Waivers, the CPDC voted 3-0-0 to approve all of the requested waivers.

CONDITIONS:

General:

1. **No Further Subdivision:** This Decision of Approval is limited to the number of lots shown on the endorsed plans.
2. **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.
3. **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.
4. **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.
5. **Property Maintenance:** The Applicant shall maintain the property in a neat and orderly fashion while the development is pending, and during construction.

Prior to Plan Endorsement:

1. **Engineering Comments:** The Applicant shall coordinate with the Town Engineer to resolve any necessary outstanding comments listed in the memo dated 9/19/17.
2. **Fire Truck Maneuverability:** The roadway width and turnaround dimensions shall be added to the plans and reviewed by the Fire Chief.
3. **Stop Sign:** The Applicant shall coordinate with the Police Department and Town Engineer regarding the provision of a Stop Sign where the proposed road meets Franklin Street. The Stop Sign shall be depicted on the plans.
4. **Snow Storage / Signage:** The Applicant shall coordinate with the Town Engineer and DPW Director to determine the most appropriate location on-site for snow storage, and to verify whether signage is an effective method to prevent snow from being stored in locations that block sight lines.
5. **Electric Utility:** The electric utility plan shall be approved by the Reading Municipal Light Department (RMLD). Locations of light poles, transformers, etc. shall be added to the plans.
6. **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.
7. **Owner of Record:** The Applicant shall have become the owner of record of the subject land to be subdivided, and shall provide acceptable documentation of such to the Community Development Director.
8. **Trees/Landscaping/Screening:** All trees proposed to be removed from within the 100' wetland buffer shall be approved by the Conservation Commission. All plantings / tree removal shall be approved by the Tree Warden.

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

- i. **Plan Set:** the entire plan set shall be updated to show the new lot configuration resulting from the proposed conveyance of a portion of the property to the Town, and the revised layout that enables the proposed trail easement.
- ii. **Lot Upland Chart:** the lot upland chart shall be revised to reflect the new lot sizes resulting from the reconfiguration and creation of a parcel to donate to Conservation.
- iii. **Easements:** the Lot Plan shall be modified to show an easement over the infiltration chamber, the trail easement, and any other easements that may be required.
- iv. **Sidewalk:** The proposed sidewalk along the eastern side of the subdivision road shall be modified to wrap around the roadway apron so pedestrians are not funneled onto Franklin Street in the same location as traffic exiting the subdivision. In addition, this will decrease the likelihood of plantings that block sight lines.
- v. **Crosswalk:** The proposed crosswalk shall be eliminated from the plans. The potential for a crosswalk connecting the end of the sidewalk to the cemetery entrance will be reviewed by the Parking Traffic Transportation Task Force (PTTTF), and will require Board of Selectmen approval.
- vi. **Cut/Fill:** a note shall be added to the plans specifying the quantification of earth material to be taken into and/or away from the site. The Applicant has indicated that approximately 790 cubic yards of fill will be brought into the site, of which 680 will be for the road.
- vii. **Zoning Table:** a table shall be added to the plans that includes specific measurements for each proposed lot demonstrating compliance with the dimensional requirements of the S-20 Zoning District (as outlined in ZBL Section 6.3 Table of Dimensional Controls). This table shall also include a calculation of impervious area for each lot.
- viii. **Curb Cuts:** the width and location of each proposed curb-cut and driveway relative to each proposed lot and for each lot within 100 feet of the proposed subdivision shall be added to the plans.
- ix. **Soils:** a note shall be added to the plans indicating soil conditions and types present on the property, as provided within the Soils Report.
- x. **Variations or Special Permits:** a note shall be added to the plans clarifying that there are no existing variations or special permits associated with the site.
- xi. **Waivers:** the list of waivers on the Cover Sheet shall be corrected to accurately reference the pertinent sections of the Subdivision Rules and Regulations from which relief is sought.
- xii. **Lot Plan:** the Lot Plan shall be corrected - the proposed roadway layout is 60' wide and is proposed to be public.
- xiii. **Utilities:** the proposed gas and electric utilities, including locations for light poles, shall be added to the plans.

Prior to the Release of Any Lot:

1. **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.”

2. **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).
3. **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.

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

1. **Engineering Comments:** The Applicant shall coordinate with the Town Engineer to resolve any necessary outstanding comments listed in the memo dated 9/19/17.
2. **Pre-Construction Meeting:** The Applicant shall contact the Community Development Director to set up a pre-construction meeting with Town staff.
3. **Recorded Plans:** The Applicant shall provide one (1) copy of the recorded plan and two (2) duplicate certified copies of all other recorded documents to the Community Development Director.
4. **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.
5. **Notification:** The Engineering Division shall be notified 72 hours in advance of excavation work to mark out Town-owned utilities.
6. **Trees:** Any trees requiring removal need to be identified and approved by the Tree Warden.

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

1. **Engineering Comments:** The Applicant shall coordinate with the Town Engineer to resolve any necessary outstanding comments listed in the memo dated 9/19/17.
2. **Driveway Permits:** The Applicant shall receive approvals for the proposed driveways from the Engineering Division.

3. **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.
4. **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. **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.
2. **Utilities:** All utilities, structures, frames and covers shall meet Town of Reading standards.
3. **Materials:** All project materials shall be stockpiled safely.
4. **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.
5. **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.
6. **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 shall have been constructed properly and approved by the Town Engineer.
4. **Drainage:** The stormwater infiltration system shall be properly constructed, operational, and inspected by the Town Engineer and Conservation Administrator.
5. **Transformer:** The transformer shall be screened, yet accessible, as is acceptable to RMLD.
6. **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.

7. Closing Documents for Homeowners:

- i. An O&M Plan shall be prepared for the sewer grinder pumps and force mains, which shall include language specifying that the Town will NOT be able to service these systems in case of emergency or power outage. A copy of the O&M Plan shall be provided to the Community Development Director, and to homeowners as part of the closing materials.

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

1. **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.
2. **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.
3. **Conveyance of Land to the Town:** The conveyance of a portion of the rear of the lot to the Town – under the control of Conservation – shall be finalized via the appropriate process as determined by Town Counsel – which may require acceptance by a vote of Town Meeting. The language for the proper conveyance of the land shall be drafted by the Applicant's attorney in a form acceptable to Town Counsel.
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

9/26/17
Date

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

2011 SEP 26 P 1:42
TOWN CLERK
READER, TOWN