



Town of Danvers
Planning Board

Danvers Town Hall
One Sylvan Street
Danvers, MA 01923
www.danvers.govoffice.com

Margaret Zilinsky, Chair
Kristine Cheetham
William Prentiss
Aaron Henry
James Sears
John Farmer, Associate

Daniel J. Toomey Hearing Room
January 12, 2016
7:00 p.m.
MINUTES

Chairman Margaret Zilinsky called the meeting to order at 7:00 p.m. Planning Board members Kristine Cheetham, Aaron Henry, William Prentiss, James Sears and Associate Member John Farmer were present. Planner Kate Day was also present.

OTHER BUSINESS

Election of Chair for two year term, execution of Certificate of Vote authorizing signature of plans and documents.

Day passed out the Certificate of Vote for signature.

MOTION: Henry moved to appoint Margaret Zilinsky as Chair and Kristine Cheetham as Clerk of the Planning Board. Prentiss seconded the motion. The motion passed by unanimous vote.

STAFF BRIEFING

Day told the Board that they have the application from St. John's Prep for an 80,000 square foot Wellness Center. They have come before the Technical Review Committee (TRC). She said that this is the only item on the next meeting's agenda, provided nothing is continued from tonight's meeting, along with the discussion about Chapter 40R.

Day told the Board that the Department and Community Development would come and visit on January 26th. They will be coming in the afternoon for a site walk. The Lees will give a tour of their campus. She suggested starting the meeting at 6:00 p.m. with the DHCD, and everyone agreed. Day said it would be constructive to have as many people alerted to the Chapter 40R discussion such as the Selectmen, Downtown Committee and ZBA.

FORM A

105 Ash Street. Request by Michael Crowe for endorsement of Form A plan to divide the property located at 105 Ash Street into two lots. (Assessor's Map 58, Lot 19A). (*Approval Not Required Action Date: January 13, 2016*)

Michael Crowe appeared before the Board. He told the Board that he built a new house on the lot he purchased at 105 Ash Street. There was a small piece of land abutting the neighbors where the stairs encroach into his property. He approached the neighbor to do an ANR so that this will not become an issue with the buyer of the property due to the encroachment. The new lots meet all zoning requirements.

Prentiss, Sears and Farmer had no comments.

Prentiss asked if the property at 107 Ash Street was non-conforming due to the stairs. Crowe said no. Day explained they were fully conforming, other than the encroachment issue.

MOTION: Cheetham read the Certificate of Action and moved to find that Planning Board approval is not required for the ANR for 105 Ash Street. Prentiss seconded the motion. The motion passed by unanimous vote.

OTHER BUSINESS

18 Electronics Avenue. Request for a Minor Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by 18 Electronics Avenue LLC for property located in the Industrial II District for the expansion of the truck dock area to accommodate one new dumpster and one new trash compactor. (Assessor's Map 32, Lot 49) (*SPA action date: January 22, 2016*)

Roy Tiano, Sr. Project Manager at Hancock Associates, appeared before the Board. He said that the site was functioning as a fish production facility by Old Neighborhood. They will now convert this to a meat processing facility for hotdogs and sausages. They need to create a larger area to accommodate trucks coming to their facility. A truck dock and two trash compactors are needed. He explained that the existing lawn area with trees needed to be replaced with a concrete driveway. They removed three (3) parking spaces, lawn area, curbing, relocated the hydrant with bollards and put a trench drain in front of the trash compactors. This trench drain will drain into an existing catchbasin. He met with Engineering and they are in agreement that this will handle the runoff. To make up for the removal of the landscaping, he took three parking spaces in another area and replaced it with lawn. They had a 2,000 square foot lawn area that was replaced with a concrete area.

Sears asked what the landscape percentage was prior to and after the change. Tiano said that less than 1% of landscaping would be omitted. Sears asked how much of the site was landscaped and Tiano said 35%. Sears confirmed that this landscaping was only being affected by 1%.

Henry asked Tiano why he chose those particular three spaces to replace with landscaping. Tiano responded that it was very small and tight to get into so he suggested to the applicant to remove the spaces and replace them with landscaping. Tiano said that the only reason he picked the spaces was that they were not functional.

Cheetham asked if the landscaping would be grass or landscaped elements. Tiano said that it would be grass to blend with what is currently there.

Cheetham asked Tiano to explain the drainage. Tiano said that the additional runoff would be handled with the trench drain flowing into the existing catchbasin.

Prentiss asked if this was a change of business or expansion. Tiano said it was a fish processing facility going to a meat processing facility. There would be no building addition.

Farmer had no comments.

MOTION: Sears moved to find that the requested modification represents a Minor Modification an Approved Site Plan. Cheetham seconded the motion. The motion passed by unanimous vote.

MOTION: Prentiss read the Certificate of Action and moved to approve the Minor Modification to the Approved Site Plan for 18 Electronics Avenue. Henry seconded the motion. The motion passed by unanimous vote

PUBLIC HEARING

11 & 20 Locust Street. Request for a Major Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by Thomas Carnevale, Trustee for property located in the Industrial 1 District for the rehabilitation of the industrial building located at 20 Locust Street into a mixed-use building providing first floor commercial space together with 24 residential units. The applicant proposes to construct a 3,775 square foot addition to a portion of the building. The combined 20 Locust Street and 11 Locust Street parcels provide a one acre project. (Assessor's Map 43, Lots 162 and 147) (*SPA action date: February 9, 2016*)

Nancy McCann appeared before the Board on behalf of the applicant, Thomas Carnevale. Also with her this evening was the project civil engineer, Scott Cameron, and the architect, Peter Pitman. McCann reminded the Board that they presented this project informally in the late spring for the redevelopment of 20 Locust Street in conjunction with accessory parking across the street at 11 Locust Street for a mixed commercial and residential use. There would be a mix of commercial and residential on the first floor and all residential units on the second and third floors. McCann said the plan presented in the spring was being presented tonight. It has been refined with comments that they had received. They appeared before the Board of Appeals for a use variance, dimensional variance for the addition and a finding due to the non-conformities to the site. They received unanimous approval.

McCann said that the property was located at 20 Locust Street. She showed the site on the plan. The parking lot across the street has historically been approved for an accessory use. The combined parcels total close to one acre. The building was built in the mid-1800's and had an industrial use for many years, but it is antiquated and dated for industrial uses today. The neighborhood has changed. They have a large industrial building in a primarily residential area.

McCann said that they are proposing a complete renovation of the site. They will renovate the exterior of the building along with an addition to the building. The first floor will have a mix of store-front uses along with four residential uses. There will be ten residential uses on the second floor and ten residential units on the third floor for a total of 24 units. Sixteen units will be two-bedroom units. Eight units will be one-bedroom units, and three units will be affordable in perpetuity. The affordable component was discussed and agreed to by the applicant during the zoning process.

There will be renovations to the parking areas for stormwater management. The landscaping plan is beautiful. Perpendicular parking will be eliminated at the site. They will have a sidewalk and sitting area with some landscaping. They will be providing pedestrian access to the Rail Trail from the parking lot.

McCann said that comments from various departments were favorable. Comments from the Technical Review Committee (TRC) were also incorporated.

Scott Cameron addressed the Board and described the site plans. He said that the property is almost all pavement. The rear of the property is overgrown. Parking across the street is a paved sheet of asphalt. There is some open area around that lot, but it is degraded and tired. There are existing utilities servicing the property. Engineering wanted them to locate the sewer service, and they will make sure that this is on the final as-built plans.

Cameron said that only a few things needed to be demolished, and there will be a full redevelopment of the site. The parking area will be reconstructed, and he described the changes to the parking. All surface runoff will go underground. There will be a lot more green space around the building. There is a 12-foot pinch point with the driveway leading to the back of the site. There is additional parking at the rear of the building which will include handicapped parking. Cameron said that Electric wanted a transformer in a certain location, and they did this.

Cameron said that new closed drainage will be added. The parking area will be tied into the town's drainage system. There will be a new catchbasin out to the town system. The existing services will remain.

Cameron said that there would be trees and screening at the parking lot. There will be grasses that grow tall. Snow storage will be pushed to the end of the lot, and arborvitaes will be planted in the back corner to screen a neighboring house.

Cameron said that two trees will be preserved behind the building. He described the landscaping in the front of the building. He said there would be five parallel spaces in the street layout. The

Building Inspector suggested making one a handicapped spot. He also suggested putting a sign that additional parking is located in the rear.

Peter Pitman described the site. He talked about the addition to the third floor. He showed the pedestrian crossing. There is a handicapped ramp at the front of the building along with additional stair access. He showed the brick feature at the corner near Lyons Ambulance, and it is a softer façade near the residential area. He said that the brick feature is on the front and side of the front corner of the building. He said that several loading docks were removed and accessible access was introduced to the rear of the building. There were not a lot of balconies. Some units will get balconies in the area where a shaft was removed.

Pitman said that you enter the building at two different levels on the first floor. The design is flexible for a number of configurations. There are additional office spaces in the back. There is a separate entrance in the back for the residential units, which are both one and two-bedroom units. There is a separate handicapped access in the back. They have made allowances for common area spaces.

Pitman said that most residents would take the elevator up to the second floor. He described the units. He said that the third floor was almost identical to the second floor, but they are not cookie-cutter units.

McCann said that an alternative parking plan was submitted.

Sears asked if the site would become condos or apartments. McCann responded condos. Sears said he was concerned with the 12-foot driveway, and asked if there was room to pass on the neighboring property. McCann said this was not possible due to the bollards that are there for Lyons Ambulance. McCann said that this was an industrial site with tractor trailers. A majority of coming and going to the site will be from across the street.

Sears said he was concerned with handicapped accessibility and circulation.

Cameron said that the entrance to the site was pushed over and widened to 24 feet to avoid problems with a car coming into the site.

Sears asked what the landscaping percentage was. Cameron said there was an increase in the open space by removing pavement and building. They will be going from 17% to 28%. There will be about 2,500 square feet of landscaping overall.

Henry asked if the back slope at the parking lot at 11 Locust Street could be made to look better down to the trail. McCann said that this is MBTA property. She said it could be done, but it needed to go through an approval process. She said that they have committed to a connection to the Rail Trail. She said they would take the request under advisement.

Henry asked what was happening to existing businesses. McCann said some people may wish to remain and others may not. There is a high vacancy rate now. Some tenants may be able to be accommodated and may want to stay.

Henry said that the lighting sounded good for 11 Locust Street. McCann said that the lights were colonial fixtures with 80 watts. Henry said he does not want the lighting too bright.

Day explained that the fixtures were faux fixtures. The light is downcast by design.

Cameron said the concern was safety to be sure the lot is lit, and it is a safe condition.

Henry asked why they would want signage directing people behind the building. McCann responded that they were not directing parking to the back of the site.

Henry asked the ceiling height of the first floor. Pitman said it was approximately ten feet. It may drop down for mechanicals.

Henry asked the square footage for the units. Pitman said there was a range from 1,200 square feet with the three-bedroom units to 750 square feet for a one bedroom unit.

Cheetham asked if the applicant was proposing 24 units with one acre of land. Is that what was being proposed with the downtown study?

Cheetham was concerned with the overlap with commercial businesses. The idea is that people are at businesses and gone during the weekday. Residents are home on the weekends. They need to manage overlaps with businesses, residents and visitors.

Cheetham questioned the two catchbasins near the street near the parking lot. Cameron showed Cheetham the plan and said the catchbasin will catch all the runoff from the parking lot.

Cheetham said she was curious about the runoff from the roof. Pitman said that all roof drainage will be handled internally. There will be awnings to address any sheet rain.

Cameron said that where they have the ability to connect downspouts, they will be tied into the drainage system.

Cheetham suggested a “go slow” sign in the narrow corridor. Cameron said that they were not inviting the public to that area. They may have “additional parking in rear”.

Cheetham asked if there were any balconies facing the single-family home. He showed where the first open window would be on the plan.

Prentiss said he concurs with a sign of “resident parking only” in the narrow way or whatever is needed to slow traffic down. He liked the change of the scenery of the building. He liked the parallel parking. He liked the traffic calming methods. He asked how far away is the entrance to

the back lot to where Locust Street turns into a two lane street. Cameron showed this on the plan and said the projection of the island will cause traffic to slow down.

Farmer said he liked the concept. He asked what type of tenant they thought would be a perfect fit for the commercial unit.

Pitman explained that there were two basic commercial pads. One is for an office and one for a retail environment. The front unit is 4,000 square feet and the back is 1,800 square feet.

Farmer asked if the space would be shared or individual. Pitman said that the market would drive that. Pitman pointed out that the commercial space can't exceed 20% of the residential space.

Farmer suggested the applicant look into tax credits.

McCann said that the potential uses of the commercial space would be a real estate office, small baker, gift shop or personal service. They would be looking for low generators of traffic. They would want to provide services that people living there would want to frequent.

Farmer said he likes the project.

Zilinsky said she was enthusiastic about this project. She said she likes the façade, and asked if they had any ideas for the façade color. Pitman said the colors would be what is shown on the plan.

Henry asked about signs. Pitman said the signs could be on the awnings. There is an area above the awnings that would be enough area for a sign band. Signs could also be in the windows.

Zilinsky asked how the office space in the back would be accessed. Pitman said the front door. The commercial areas have access from the front and back. He showed the door for security and fire separation.

Sears asked if there was going to be some sort of indication on the building or signage to direct people where to park. Was there going to be any allocation of parking for the residents? He asked how the parking for residents would be protected.

McCann said they have proposed an alternative parking plan. With 24 residential units, there are 48 parking spaces that are needed. The 8,000 square feet of commercial space requires additional parking. She said they think requirements exceed what the building needs. She said that the traffic study that was done confirms this. The ITE standards would say that 33 parking spaces are required. The parking study done by the Town of Danvers says that the ITE numbers are higher than what is recommended. They are providing 52 parking spaces, so they meet the requirement for 48 parking spaces for residential. The excess 19 parking spaces could be used for tenants, customers or guests. The main goal of the Danvers Parking Study is to recognize shared parking and encourage share parking opportunities. McCann said that they have the

opportunity to share parking. The residential demands will be nights and weekends. The commercial demands will be daytime and some part of the weekend. She said that they met the ITE requirements for the residential and have an additional 19 parking spaces that meet the commercial requirements. On top of that, there is a public parking lot within 500 feet of this site that is underutilized. This is an acceptable walking distance from the site. There is parking permitted along Maple Street, and along Locust Street. Plus, there is a parking lot within 500 feet of this site. McCann felt there is sufficient parking for the site for the uses and what is being proposed. The parking will be managed because the parking lot and building parking are private. The building will be able to control the parking since they are not open public parking lots. There will be a small directional sign permitted under the bylaw that says "parking for the residents and commercial uses of 20 Locust Street". She said that they could go to permit parking if there is a problem. She said whether the site becomes condos or apartments, the parking will be controlled.

McCann told the Board that if there is a commercial use that generates a lot of traffic, the prospective tenant won't lease the space if customers cannot find parking. The type of business that goes into that building will be self-selecting. This is the perfect example of shared parking where they have enough parking to meet the residential demands as well as commercial demands going forward.

Day told the Board that the traffic consultant from Nelson-Nygaard came to the initial site visit of the site and said that he thought the parking would work well. He made the extreme suggestion that it would be so much parking that it would be a waste not to use the front of the lot at 11 Locust Street for some other building.

Cheetham asked where the delivery trucks would load and unload for businesses. Cameron said that small trucks could use the area in the back.

Pitman pointed out that this is small office/business type use. Most deliveries could be done with the front door. Retail would be through the main front entrance or through their front doors. Someone that needs a loading dock will not rent here.

McCann said that this building will be a typical urban type of environment. Cameron said that deliveries can be in the front of the building.

Pitman said that deliveries have access to the building with the front ramp. These spaces aren't catered to people that need a loading dock.

Bradstreet asked whose responsibility is it to clean out and maintain the sediment trap.

Cameron responded that the maintenance will be demand based. There will be an annual inspection. The cleaning is dependent upon how much sand goes into the trap. All of this will be outlined in the maintenance plan.

MOTION: Prentiss moved to close the public hearing for 11 & 20 Locust Street. Cheetham seconded the motion. The motion passed by unanimous vote.

MOTION: Sears read the Certificate of Action and moved to approve the Major Modification to the Site Plan for 11 & 20 Locust Street. Cheetham seconded the motion.

Henry had a question concerning the Certificate of Occupancy. Sears felt that the Certificate of Occupancy was for the whole building. Henry asked if the last unit should be held out of the Certificate of Occupancy to ensure that the affordability component was moving along.

Day asked McCann if they had had this discussion with the ZBA.

McCann said that there was no discussion. Construction will be phased, but they will not be waiting until all 24 units are completed before they request a Certificate of Occupancy. She felt they will be doing these units in blocks. She had told her client that they should not wait until the end to complete the affordable units. She does not object to the language since they are trying to make sure of the certification of the units so that the Town gets the credit.

Henry asked what would happen if you wait for the last three units to be the affordable units and not pursue the Certificate of Occupancy? At this point, the developer has completed the market rate units. He has seen this happen before.

Pitman pointed out that temporary Certificates of Occupancy can be issued. Block units can be done like this. The final Certificate of Occupancy will not be done until all the units are completed. It would not behoove the developer to do this since financing the property would be a problem.

Day said that a similar technique was used with the project at 78 Holten Street.

McCann felt the language is set out as to when the paperwork needs to be completed for the affordable units.

Sears asked how this phasing would be done in one building. McCann said she suspected that it may be done by finishing the units by floor or by some sort of utility block. She said that they might do the commercial unit separately. Sears pointed out that the project at the Home for the Deaf had to have all the units completed before they could get the Certificate of Occupancy.

Pitman pointed out that all common areas would need to be completed. He said that there is a level of completion before you can get the first blocks done. There is no way to describe how the phasing would be done, but the building cannot be occupied until all the life safety aspects are in place in the building. He explained that this would be similar to one unit being gutted in a fully occupied building.

Zilinsky said that there has been a motion that was seconded.

MOTION: The motion passed by unanimous vote.

OTHER BUSINESS

Twin Echo Lane/Duffill Drive. Request by Twin Echo Development, LLC for extension of Tri-partite Agreement for the Definitive Subdivision known as Twin Echo Lane to February 12, 2016. (Assessors Map 39, Lots 50, 50A & 51).

Sears recused himself from the meeting.

Attorney Nancy McCann appeared before the Board . She said that the applicant had been before the Board back in November for an extension to the Tripartite Agreement. They are here to ask for another extension until February 12, 2016. The as-built plan is in hand, but she is waiting for the certification from the project engineer.

MOTION: Henry moved to approve the extension of the Tripartite Agreement for Twin Echo Lane/Duffill Drive to February 12, 2016. Prentiss seconded the motion. The motion passed by unanimous vote.

Discussion: MAPC report “Danvers Maple Street I-1 Visioning Report” and the “Downtown Danvers Parking Study” by Nelson Nygaard; scheduling of potential zoning amendment workshops and hearings.

Day handed out a timeline to the Board that would anticipate zoning articles being presented at the Town Meeting scheduled for May 16th. She felt there was time to work on this and felt it was good to stick to an ambitious schedule.

Day told the Board that she felt that Chapter 40R might be an appropriate zoning opportunity to examine. The DHCD will come in the afternoon of January 26th to do a site walk and then have a meeting for their presentation. She told them that everyone was welcome to come on the site walk.

Day felt that 40R mimics that was being contemplated for the I-1 area. It is a smart growth technique that was an effort by the State for rewarding a community for affordable housing in the downtown area.

The 40R District is an overlay zone which does not change the underlying zoning. The criteria for review is that it needs to be an overlay. It needs to have adequate capacity to support density and have public transportation available. Day felt they have good MBTA service from the downtown, and the State felt that would meet their standards.

Day said that she checked with Rick Rodgers on the infrastructure and capacity question, and there is relatively new infrastructure in the Locust Street which was more than adequate to accommodate high-density housing. She questioned the DHCD if there may be a question if the Town might be facing some water supply constraints, but the DHCD said that the language reads the concern is infrastructure.

Day said there is a 40R in the Town of Reading. The way the density requirements work under 40R, you can do a district and then have different densities within a district.

Day said that you need to get the approval of the DHCD. The zoning then needs to be taken to Town meeting. If it passes Town Meeting and has already been approved by the DHCD, then there are financial incentive payments that accrue. Immediate reimbursements to the communities range from \$10,000 to \$600,000. The immediate cash payment does not have to go into the general fund. It can be earmarked to be used at the discretion of the community. Then, the community receives \$3,000 per unit as building permits are issued. They look at the increment as to what the allowable density is in the underlying zoning and what the allowable density is for a 40R. For every unit you are allowing, you get a financial reward.

Day said that there is a reimbursement for any additional costs of students. Once a year communities take an inventory of students residing within this 40R District area for funds for reimbursement.

Day said she was going to look into a 40R in Reading. The district is bigger than what has been built so far. The State felt that Reading was a very successful project and had similar parallels to what the Town of Danvers might want to think about.

Day said that there is a company called Oaktree Development that has a lot of experience with this type of project. Day felt they could reach out to them for more information as well. Day said that 20% of the units in this district have to be affordable for a period of 30 years in exchange for the enhanced density,

Day said she spoke with Sam Cleaves about this, and he thought the 40R was a good idea. He thought that 15 units at a minimum was a good threshold for density in this area. He is going to attend the meeting on the 26th.

Farmer said that it was a nice project in Reading. He asked if anything built in that district would be eligible for 40R.

Day said in Danvers, 40R would be the overlay, and the underlying zoning would be I-1.

Day asked if the Town could do less than 20 units per acre.

Prentiss confirmed that the financial incentives came from the State. He asked what that did to any incentive that came from a builder. Day said that the builder was getting the higher density.

Prentiss confirmed that this would create less of a burden to the Town, and the Town gets reimbursed at a higher rate.

Henry felt if they got close to that type of density, it would be like leaving money on the table. He asked why they would not look at a 40R district.

Prentiss felt it was good for the builder and good for the town.

Day said this is a way for the community to say how they want to see this area grow and develop. There is sensible guidance.

Henry asked if they could consider targeting a ribbon along the corridor of the district to be a 40R.

Day said that within one large 40R district, you can do sub-districts.

Prentiss asked if they were talking about multiple overlay districts.

Day explained that they would create a 40R district and within that district you can create separate sub-districts.

Cheetham asked if commercial uses would be allowed in a 40R district. Day confirmed this. Henry asked that the Selectmen be invited to the meeting on the 26th.

A discussion ensued concerning overlays and 40R sub-districts.

Henry said that there may be a grant to get graphics to have additional support.

Day said that the Town has \$10,000 that needs to be spent by June 1st.

Henry asked Day if the numbers for 2020 were known. She said that she and Rich Maloney had worked for a year on this, and affordable housing units are within 1% of the census numbers. It tells us that they have to watch every unit created between now and 2020. The Whipple Hill subdivision will add housing stock but do nothing for affordable housing.

Henry felt that the sell to Town Meeting is the affordable housing number component.

MINUTES

December 8, 2015

MOTION: Sears moved to approve the minutes of December 8, 2015. Prentiss seconded the motion. The motion passed by unanimous vote.

ADJOURNMENT

MOTION: Prentiss moved to adjourn. Cheetham seconded the motion. The motion passed by unanimous vote.

The meeting adjourned at 9:25 p.m.

Respectfully submitted: Francine T. Butler

The Planning Board approved these minutes on January 26, 2016.