

The regular meeting of the Board of Selectmen was held Tuesday, April 18, 2017 at 7:00 P.M., in the Daniel J. Toomey Hearing Room, Town Hall, Danvers.

Present: Chair, Diane M. Langlais; Daniel C. Bennett; William H. Clark Jr; David A. Mills, Gardner S. Trask, III

The Pledge of Allegiance was recited by all in attendance.

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On a motion by Selectman Bennett and seconded by Selectman Clark, the Board voted 5-0 to approve the Minutes of April 4, 2017.

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New public business:

-Fire Department did great job minimizing damage from fire to train depot stored at Townsend Oil.

The Board was requested to accept a gift in accordance with M.G.L. Chapter 44, § 53A of a park bench in memory of W. M. "Mike" Burnham from Beverly A. Burnham to be located at Preston Street Park. On a motion by Selectman Trask and seconded by Selectman Bennett, the Board voted 5-0 to accept the gift

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A public hearing was held in accordance with Chapter 82 to lay out the following private roads in anticipation of a vote for their acceptance as public ways at the May 2017 Annual Town Meeting: Dyer Court, Edgehill Circle, Jacobs Avenue, Adams Avenue, John Street, and Orchard Lane Extension. A motion to close the public hearing was made by Selectman Trask and seconded by Selectman Clark. Town Engineer Rick Rogers presented information on the various private roads. On a motion by Selectman Trask and seconded by Selectman Bennett, the Board voted 5-0 to accept the private roads as public ways as presented.

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The Board considered a vote to abandon any rights, title and interest in the turnaround easements on Bridle Spur and Overlook Drive. Rick Rogers presented information on the turnaround locations. On a motion made by Selectman Bennett and seconded by Selectman Clark, the Board voted 5-0 to abandon any rights, title and interest in the turnaround easements as presented.

The Board considered a request presented by DPW Director David Lane from Teleport Communications America, LLC ("TAC") to attach to utility poles for the purpose of installing fiber optic cable to provide service to a cell tower for AT&T Mobility On a motion by Selectman Trask and seconded by Selectman Bennett, the Board voted 5-0 to approve the request with the following condition: When a pole needs to be replaced wires will be relocated to new pole within 30 days.

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A public hearing was held on the application of J.Y. Development LLC, d/b/a Hong Kong Café, 12 Maple Street, John Ng, Manager, for a change of ownership and change of Manager at that location. This license is currently held by Fotcch Inc., d/b/a Hong Kong Café. A motion to close the public hearing was made by Selectman Clark and seconded by Selectman Trask. On a motion made by Selectman Trask and seconded by Selectman Clark, the Board voted 5-0 to approve the application.

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A public hearing was held on the application of Danvers Indoor Sports, 150B Andover Street, Mark Mscisz, Manager, for a one-day liquor license for Wine & Malt on Friday, May 5, 2017 6-9 P.M. for a North Shore Comedy Night at that location. A motion to close the public

hearing was made by Selectman Bennett and seconded by Selectman Trask. On a motion by Selectman Clark and seconded by Selectman Bennett, the Board voted 5-0 to approve the application.

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A public hearing was held on a first-time application for a Road Race by Ashley Steeves (“Griffin’s Gift 5K run/walk”) to benefit Griffins Gift to be held on Monday, July 3, 2017 10AM starting and ending at Danvers High School. A motion to close the public hearing was made by Selectman Bennett and seconded by Selectman Clark. On a motion made by Selectman Trask and seconded by Selectman Clark, the Board voted 5-0 to approve the application.

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The Board was requested to approve the sale of \$1,260,000 in Bond Anticipation Notes for the purchase of an aerial tower fire truck. On a motion by Selectman Langlais and seconded by Selectman Trask, the Board voted 5-0 to approve the sale.

The Board began the review of a draft of various Articles for the May 15, 2017 Special & Annual Town Meeting. Articles with notations as follows:

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**Article 9 Amendment to Town By-law – Demolition Delay.** The Board heard from the Preservation Commission relative to modifying the By-Law. It was agreed after deliberation, a modification to the Article would be made, the Board supported a twelve-month delay, and that the permission to demolish be transferable and expire after two years.

**Article 39 Recreational Marijuana – “Temporary Moratorium on Marijuana Establishments”** On a motion made by Selectman Bennett and seconded by Selectman Trask, the Board voted 5-0 to refer a proposed Zoning By-law amendment to the Planning Board for a Public Hearing and recommendation to Town Meeting.

The Board will continue review of the draft Articles for the May 15, 2017 Special & Annual Town Meeting at special meeting of the Board of Selectmen on April 19, 2017 at 6:30 P.M.

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The Town Manager provided an update to the Board on items of interest, as follows:

- Train Depot
- Budget Reviews – Approved as presented

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Correspondence, Selectmen “New Business,” previous “New Public business” updates and Selectmen closing updates were provided, as follows:

- NetFlix movie – Zoning review in Fall
- Passing of James George
- Clean up done behind 144 Pine Street along Rail Trail
- Beverly Bank painted building on Easter Sunday

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## *Consent Calendar*

On a motion by Selectman Bennett and seconded by Selectman Clark, the Board voted 5-0 to approve the following calendar items:

### *Common Victualler*

- The Red Ribbon, Inc., d/b/a Goodies Ice Cream, 46 Maple Street

- Tomas Master Pie, LLC, d/b/a Domino's Pizza, 85 Maple Street
- Harbor Care' LLC, d/b/a Harbor Café, 125 Liberty Street
- Jacks Liberty Street Market, 100 Liberty Street
- A.B. Bena, Inc., d/b/a Gio's, 47 Elm Street
- Ada Tree, Inc., d/b/a Esposito Bakery, 16 Maple Street

### *Constable Re-Appointment*

- Christopher P. Chigas, d/b/a Capitol Constable Service, LLC, 80 Foster Street, Suite 101, Peabody

### *Plant Sale*

- VFW Auxiliary plant sale in front of Town Hall on Saturday, May 13, 2017, 8:00AM-2:00PM

### *Gas Storage*

- Kane's Flower World, 64 Andover Street
- Merrimack Valley Distributing Company, Inc., 50 Prince Street
- A.L. Prime Energy, Holten & Pine Streets
- Roy H. Cote, d/b/a Roy's Place, 2 Wenham Street
- Sunoco, Inc., 140 Andover Street
- Danversport Yacht Club Marina, LLC, 161 Elliott Street
- North Atlantic Airways Off Burley Street
- Global Montello Group Corp., 154-156 Endicott Street
- Global Montello Group Corp., 420 Newbury Street
- Global Montello Group Corp., 97 Maple Street
- Newbury Realty Associates, LLC 76 Newbury Street
- Nouria Energy Ventures 1, LLC 149 Endicott Street
- Nouria Energy Ventures 1, LLC 79-81 High Street
- Costco Wholesale Corp, 111 Newbury Street

The Selectmen closing comments were offered, as follows:

Remember Veterans and active servicemen and women.

The meeting was adjourned at 10:15 P.M.

Attest: Catherine S. Ellsworth, Assistant Town Clerk