



Town of Danvers
Planning Board

Danvers Town Hall
One Sylvan Street
Danvers, MA 01923
www.danversma.gov

Planning Board Members:
William Prentiss, Chair
John Farmer
James J. Sears
Margaret Zilinsky
Charles Smith
Nathaniel J. Sears, Associate

Senior Center / 25 Stone Street
January 22, 2019
7:00 p.m.
MINUTES

William Prentiss called the meeting to order at 7:00 p.m. Planning Board members Margaret Zilinsky, Charles Smith and Associate Member Nathaniel J. Sears were present. Director of Planning and Economic Development, David Fields, was also in attendance.

Prentiss told the audience that one Board member is stuck in Florida. Another Board member is recusing himself due to a conflict of what is on the agenda today.

FORM A

Approval Not Required under the Subdivision Control Law
M.G.L. Ch. 41, Section 81K to Section 81GG.

25 & 27 Cherry Street. Request by Cherry Street 27 Enterprises, LLC and Ropes Cherry St, LLC for endorsement of Form A plan to convey Parcel A from Cherry Street 27 Enterprises, LLC to Ropes Cherry St, LLC. These lots are in the Commercial-1 (C1) zoning district. (Assessor's Map 43, Lots 428 and 429) (*Approval Not Required Action Date: January 29, 2019*)

Scott Cameron, from The Morin-Cameron Group, Inc., appeared before the Board on behalf of the owners of 25 and 27 Cherry Street; Ropes Cherry St, LLC and Cherry Street 27 Enterprises, LLC. This is an application for an Approval Not Required (ANR), and they are asking for a determination that this is not a subdivision. They are taking 797 square feet of land from 27 Cherry Street and adding it to 25 Cherry Street. This is a three-foot wide strip that runs between the two properties. Both properties have sufficient frontage on Cherry Street. Cameron said that all comments from Town departments recommend approval of this plan.

Zilinsky did not have any issues with this plan and felt it was an ANR.

Smith had no comments.

N. Sears asked what purpose this served?

Cameron explained that a fire service was in this area. The property at 25 Cherry Street was originally owned by 27 Cherry Street. They did this to preserve the fire service. There will be a landscape strip on the edge of the pavement.

Prentiss asked if the lot was conforming prior to this change.

Cameron said that an irregularity calculation would not apply in this area.

MOTION: Smith read the Certificate of Action and moved to approve the application for ANR plan for 25 Cherry Street and 27 Cherry Street. Zilinsky seconded the motion. The motion passed by unanimous vote.

OTHER BUSINESS

33 Princeton Street (Woodland Road Subdivision). Request by John M. Thomson, Trustee of New England Land Trust to provide an alternate method of securing performance for the construction of the ways and installation of municipal services. (Assessor's Map 16, Lots 32 and 39).

Fields told the Board that the developer of this project, John Thomson, Trustee of New England Land Trust, would like to release his interest in the Tripartite Agreement in favor of a \$7,000.00 cash bond. There will need to be two motions; one to release the Tripartite Agreement and another to approve the cash bond.

None of the Board members had any questions.

MOTION: Zilinsky motioned to accept the Release of Municipal Interest in Subdivision Performance Security for the project at 33 Princeton Street (Woodland Road Subdivision). Smith seconded the motion. The motion passed by unanimous vote.

MOTION: Zilinsky motion to accept the Performance Secured Deposit of Money in the amount of \$7,000.00 for the project at 33 Princeton Street (Woodland Road Subdivision). Smith seconded the motion. The motion passed by unanimous vote.

CONTINUED PUBLIC HEARING

Beaver Brook Woods. Request for a Cluster Development by Special Permit in accordance with Section 33 of the Danvers Zoning Bylaw submitted by Beaver Brook Woods, LLC for the properties located at 303 Maple Street (Assessors Map 033, Lot 023 303), 305 Maple Street (Assessors Map 033, Lot 023 305), 307 Maple Street (Assessors Map 033, Lot 023 307), 309 Maple Street Assessors Map 033, Lot 023 309), 305R Maple Street (Assessors Map 033, Lot 024), 313 Maple Street (Assessors Map 033, Lot 021) 315 Maple Street (Assessors Map 033, Lot 020), 317 Maple Street (Assessors Map 033, Lot 019), 325 Maple Street (Assessors Map 033, Lot 017), 325 Maple Street (Assessors Map 033, Lot 017), 327 Maple Street (Assessors Map 033, Lot 016), 333 Maple Street – Lot #1 (Assessors Map 025, Lot 087) and 333 Maple Street – Lot #2 (Assessors Map 025, Lot 087), containing approximately 6.34 acres of land. Said

property is located in the R-II Zoning District. The applicant proposes to construct an 8-lot Cluster Development. (*Special Permit action date: 30 days after the close of the public hearing*)

Prentiss told the audience and Board that one of the Board members had to recuse himself from this hearing and another Board member had a delayed flight due to the bad weather. This application would require the vote of a super majority.

Zilinsky told the Board that she is not going to be present at the meeting scheduled for February 26th. Prentiss asked if it was acceptable to the Board to have this hearing continued to February 12th. Prentiss reminded the Board that Ted Brovitz will be presenting information for C1/C1-A that night.

Zilinsky said she was fine having the meeting on February 12th.

MOTION: Zilinsky moved to continue the application for the Special Permit for a Cluster Subdivision for Beaver Brook Woods to the next Planning Board meeting scheduled for February 12, 2019. Smith seconded the motion. The motion passed by unanimous vote.

BRIEFING

Planning staff and chair will update the Board of various items of interest. This agenda item may include requests to set public hearing and workshop dates, sign plans, informal discussion regarding future projects and current projects under construction.

Fields told the Board that they just discussed upcoming meeting dates. Right now, they have no applications to be heard past February 26th.

Fields said that they were looking to get comments from the planning staff to Ted Brovitz. He asked that the Board come prepared to discuss this.

Prentiss asked if anyone had the chance to read in depth the information regarding special permits. It suggested they look at the application as a site instead of procedure. It asks how much more in depth would they want an applicant to come in front of them with a special permit. What if an applicant has no waivers?

Fields said that a proof plan is paramount. The level of detailed required is vague. The regulations state to submit a proof plan per the subdivision regulations, which could mean a fully compliant plan. Some communities are different. He would prefer to have tighter regulations. This would allow no surprises.

Prentiss asked if these regulations should be tightened up. Fields responded that he wanted to do this.

Zilinsky said the question is what constitutes a viable subdivision. A cluster subdivision is based on how many homes you can have in a viable subdivision.

Fields said that stormwater and road work can be shown in a general manner.

Prentiss questioned whether they should ask for a higher level from the applicant if waivers are being requested.

Fields told the Board that they are not voting on the waivers. They could let the applicant know this up front if it is known that there are waivers at the special permit.

Zilinsky felt they should start addressing some of these waivers that are always granted by the Planning Board such as the street length of 600 feet. There are so many waivers that are automatically approved. Maybe the Board needs to speak with the Fire Department and Engineering Department regarding this.

Prentiss felt the language needed to be spelled out better. Previous applicants have gone above and beyond what was being requested.

Fields told the Board that they could work on updates to the subdivision regulations. Any changes to the zoning bylaw would have to wait for a Town Meeting vote.

Prentiss felt they should look at general, easy changes. They do not want huge zoning changes at Town Meeting.

Zilinsky told Fields that she found the case study he forwarded to the Planning Board members interesting.

Prentiss asked if everyone attended the site walk, and everyone confirmed. He said that he had a different perspective after doing the site walk.

Zilinsky thought the site walk with the group was beneficial since people look at things in a different way.

Smith said that he has been going through the bylaws and looking for history. He remembers his first Planning Board meeting where there was a reduction in the 50-foot right of way requirement. What is the logic behind the width of the way? Is it for emergency vehicles?

Prentiss felt it was due to the size of the fire trucks.

Zilinsky asked about the waiver on the 50-foot right of way. Prentiss said this is due to a 100-foot fire truck instead of a 75-foot truck. They have heard that the 100-foot fire trucks cannot make the turns. The roadways are associated with this. The 50-foot roadway is for the 100-foot hook and ladder truck.

Fields pointed out that the 50-foot way is used up quickly with street trees, on-street parking, sidewalks, the grass strip and utility areas.

Smith asked if traffic calming elements can be incorporated into that 50-foot way. They say that a wider roadway in residential areas increase speed and more impervious surface.

Fields reminded the Board about the ability to bring in people from the Citizen's Training Collaborative. It might be good to go over the subdivision law and other questions. He will look into the training schedule.

MINUTES

January 8, 2019

MOTION: Smith moved to approve the minutes of January 8, 2019. Zilinsky seconded the motion. The motion passed by unanimous vote.

ADJOURNMENT

MOTION: Smith moved to adjourn. Zilinsky seconded the motion. The motion passed by unanimous vote.

The meeting adjourned at 7:40 p.m.

Respectfully submitted: Francine T. Butler

The Planning Board approved these minutes on February 12, 2019.