

MCCANN & MCCANN, P.C.

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April 29, 2020

Danvers Planning Board
Town Hall
One Sylvan Street
Danvers, MA 01923
Attn: Josh Morris

Re: 6 Cherry Street – Site Plan Approval

Dear Josh:

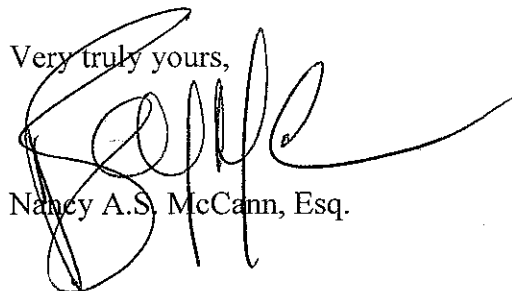
Pursuant to the Planning Department instructions for filing, enclosed please find an Application Package requesting Site Plan Approval relative to the change of use of the residential structure located at 6 Cherry Street from 3 units with a total of 6 bedrooms to 4 units with a total of 5 bedrooms. No exterior changes to the property are proposed. The Applicant has worked with the Preservation Commission relative to the removal last year of a dilapidated garage, and has proposed the preservation of the exterior of the exiting 1889 residential structure and streetscape.

The Application Package consists of:

1. Application form
2. Filing Fee of \$500
3. Project Narrative
4. Project Engineer's Memorandum
5. Site Plan
6. ZBA Decision (18-4760)
7. Preservation Commission determination

I will mail today a hard copy to your attention. Please contact me with any questions regarding this application and I would appreciate this matter being placed on the agenda of the first available Planning Board meeting.

Very truly yours,



Nancy A.S. McCann, Esq.

NASM/kjl

APPLICATION for SITE PLAN APPROVAL

APPLICANT/ CONTACT: Name: ANFM Realty, LLC
Address: c/o Nancy A.S. McCann, Esq., 89 Newbury Street, Ste 302, Danvers, MA 01923
Phone Number: 978-739-8484
E-mail: nmccann@mccannlaw.com

OWNER: Name: Applicant
Address: _____
Phone Number: _____

* If applicant is different than owner(s), a letter of authorization from the owner must accompany this form.

PROJECT LOCATION: Street Address: 6 Cherry Street
Assessors' Map: 43 Lot(s): 358
Zoning District(s): C-1A/DTC Live/Work Lot Size: 7,187 s.f.

PROJECT TYPE:

For projects with an existing previous site plan:

Change in Use from: 3 residential units to 4 residential units

For projects without an existing previous site plan:

Change in Use from _____ to _____

New construction _____ sq. ft.

Over 500 sq. ft. increase in structure(s): _____ sq. ft.

Increase of impervious surface other than parking or buildings _____ sq. ft.

Increase in number of parking spaces: _____ new spaces

PERMITS/APPROVALS:

Attach any previous or pending decision documentation regarding the site plan to (such as special permit, variance, finding, etc.) received from the Planning Board, Zoning Board of Appeals, Conservation Commission, Preservation Commission, and/or Historic District Commission.

SUBMITTAL REQUIREMENTS:

Application fee made payable by check to the Town of Danvers. (see fee schedule)

1 Completed application and all supporting documentation. (any previous Board or Commission decisions)

1 Completed Site Plan Approval checklist.

1 Letter providing owner(s) authorization. (if the owner is not the applicant)

1 Project narrative describing the proposal and listing all requested waivers.

6 FOLDED and STAPLED copies of all plan and elevation sets.

1 Completed Application for Commercial/Industrial Electric Service if applicable. (available online)

3 Copies of Stormwater Management/Sedimentation Control Plan (if disturbing more than one (1) acre of land)

3 Copies of Community Impact Assessment (if project is over 20,000 GSF and/or project includes a drive-thru)

Electronic PDF format of all plans, elevations, and applicable reports/studies.

(Can be submitted on CD or emailed to dfields@danversma.gov).

Signature of Applicant/Agent:  Date: 4-28-20

For Department Use Only:

Date Comments Due _____

Date of Planning Board Hearing: _____

* Must be submitted at least 30 days prior to Planning Board hearing.

* Incomplete filings will not be accepted.

SITE PLAN APPROVAL CHECKLIST

General

- Plans shall be 24" x 36" in size. The scale shall be a minimum scale of 1" = 40', except for elevation views which shall be at a scale of 1/8" = 1' or 1/4" = 1'. The plans shall be legible and include legends. For projects over 30,000 GSF, the proposed layout, planting, utility, and grading for the site shall be separated into their own respective drawings.
- Each individual sheet shall include: Title Block, North Arrow, Scale, and Legend.
- Each individual sheet shall include original and revision dates with descriptions.
- Each individual plan sheet shall be *signed and stamped by a registered Civil Engineer*.
- A Community Impact Assessment if project is over 20,000 GSF.
- The site plan shall contain the following sheets (if applicable):
 - Cover/Title Sheet
 - Existing Conditions Plan
 - Proposed Layout Plan
 - Landscape Plan
 - Utility Plan
 - Grading Plan
 - Details
 - Building Elevations
 - Lighting/Photometric Plan

Cover/Title Sheet

- Locus map and legend.
- Required and Proposed dimensional requirements (setbacks, height, area, impervious surfaces, open space)
- Signature block with five (5) signature lines for Planning Board approval.
- List of requested waivers from submittal and design requirements.

Existing Conditions Plan

- Location and name of all streets and indicate if public or private.
- On-site and abutting lot lines.
- Zoning and Historic District lines and labels.
- Existing surveyed contour lines at one or two foot intervals. (If over 20,000 GSF, see 4.9.3)
- Location of all natural and man-made features such as waterways or ledge, outcroppings, stonewalls, fences, trees of a 12" caliper or greater, significant stands of trees, vegetation cover and the like.
- Location of wetlands as defined by the Wetlands Protection Act and the Danvers Wetlands Bylaw.
- Location, size, and capacity of existing on-site and abutting utilities. (water, sewer, drainage, electrical)
- Location and dimensions of all existing buildings and uses on site and on abutting properties.

Proposed Layout Plan

- Location and name of all streets and indicate whether the street is a public or private way.
- On-site and abutting lot lines.
- Zoning and Historic District lines and labels.
- Limit of Work delineation.

- ___ Location and dimensions of all existing buildings and uses on-site and on abutting properties.
- ___ Location, size and type of parking, loading, storage and service areas – *include table of parking calcs.*
- ___ Location of all proposed site amenities including, but not limited to fences, walls, lighting and special paving materials. (provide construction details)
- ___ Location and identification of proposed directional signage, including pavement markings.

Landscape Plan *(Prepared by a Landscape Architect for projects over 20,000 GSF)*

- ___ Location of all proposed landscape features in accordance with Section 4 of the Zoning Bylaws.
- ___ Identification of all existing landscape features to be preserved.
- ___ A proposed Landscape Planting List, itemizing the species (common name) and size at planting.
Quantity of all landscape features shall be included. Table format is recommended.
- ___ Identification of proposed snow storage areas. *(Snow storage is prohibited on landscaped areas, with the exception of lawn or grassed areas.)*

Utility Plan

- ___ Location, elevation, and specifications (size and capacity) of all proposed on-site and adjacent utilities.
(water, sewer, electrical, drainage, cable, etc.)

Grading & Drainage (Stormwater) Plan

- ___ Existing & Proposed contours lines at 1 or 2 ft. intervals with spot elevations as to clearly show drainage patterns.
- ___ Location of wetlands as defined by the Wetlands Protection Act and the Danvers Wetlands Bylaw.
- ___ Size, location, and elevation of all proposed stormwater management facilities, including storm drainage pipes, catch basins, manholes, headwalls, outfalls, detention/retention basins, any other structure or appurtenances.
- ___ The drainage plan (stormwater management plan) shall be designed to handle peak stormwater runoff for the twenty-five (25) year storm and in accordance with the Stormwater Management Policy of the Dept. of Environmental Management and with the requirements of the Environmental Protection Agency's Phase II National Pollutant Discharge Elimination System (NPDES) regulations.
- ___ The drainage (stormwater management) plan shall contain sufficient information to evaluate the hydrological and hydrological-dependent characteristics of the land to be developed, the potential and predicated impacts of land development on the local hydrology, and the effectiveness and acceptability of all measures proposed for reducing adverse impacts. Summary calculations shall be provided.

Construction Details

- ___ Construction details, as appropriate.
- ___ Retaining walls over four (4) ft.

Building Elevations

- ___ Elevation and façade treatment plans showing all sides of proposed buildings. Color renderings are appreciated. Must be prepared by a licensed architect.

Lighting/Photometric Plan

- ___ Location and height of all proposed exterior lighting, including freestanding and building-mounted.

- ___ Manufacturer's specifications sheets.
- ___ For projects over 20,000 GSF, a manufacturer's point-to-point printout indicating horizontal foot candle levels at grade with proposed property layout.
- ___ Light sources shall either be High Pressure Sodium or Metal Halide.
- ___ Luminaries should be shoebox type or decorative in nature (with interior directional shields), consistent with the architectural theme of the development. Flood and Area lighting is prohibited.
- ___ Reflectors of proper (IES) distribution shall be selected for maximum efficiency. Reflectors and shielding shall provide total cutoff of all light at the property lines of the subject parcel.
- ___ Freestanding light poles shall not exceed 25 ft. in height. Walkway lighting shall not exceed 12 ft. in height.
- ___ Wall pack luminaries shall be equipped with a prismatic lens to reduce glare. Means should be designed to a maximum cutoff of 70 degrees from vertical. The location of wall pack luminaries shall not exceed 20 ft. in height.
- ___ No light bulb may exceed of 400 watts.
- ___ Minimum ft.-candle requirement is 1.0, measured at grade level. Maximum ft.-candle requirement is 8.0, measured at grade level.

Project Narrative

6 Cherry Street

The Applicant, ANFM Realty LLC, requests Site Plan Approval relative to the conversion of the existing 3 unit dwelling into 4 unit dwelling on the property located at 6 Cherry Street. The conversion results in one less bedroom overall on the site: the existing 3 residential units containing a total of 6 bedrooms are being converted to 4 residential units containing a total of 5 bedrooms. The Board of Appeals has granted a Finding, a copy of which is included with this Application package permitting the change of use.

The existing residential building located on the property at 6 Cherry Street was constructed circa 1889. The property is a pre-existing non-conforming residential structure was located in the CIA Zoning District upon the issuance of the Finding by the ZBA and is now located in the pending Danvers Town Center Live/Work district.

The Applicant purchased the property in August of 2017, and is in the process of rehabilitating the building and improving the appearance of the property. A later vintage dilapidated garage at the rear of the property was removed earlier this year by the Applicant with the assent of the Preservation Commission. The Applicant proposes to update the interior of the residential structure to meet both current code requirements and the housing needs in the downtown area.

The property currently consists of 3 units with a total of six bedrooms. The Applicant proposes to renovate the interior of the building to provide 4 units with a total of 5 bedrooms as follows:

Three 1-bedroom units

One 2-bedroom unit

No alteration of the building footprint and no increase in the building square footage are proposed. The proposed one and two bedroom units will provide needed housing in the downtown area for small households. Adequate parking is provided on-site with 1 space per bedroom provided. The location of the parking spaces represents existing conditions; access to the spaces has been recently improved by the removal of a dilapidated barn.

In lieu of elevation drawings, the applicant is submitting photographs of the existing exterior of the building which will not be altered under the proposed renovations.

To the extent necessary, the Applicant requests a waiver of Site Plan requirements to allow this existing structure to be renovated for one additional unit but one less bedroom over existing grandfathered conditions. The Applicant is respecting the historical integrity of this site by making no changes to the exterior of the 1889 structure. The streetscape will remain unchanged.



DR/4
TOWN OF DANVERS

**Zoning Board of Appeals
Danvers, MA 01923**



Town Hall
978-777-0001

DECISION

DOCKET NO.18-4760

TYPE FINDING

APPLICANT'S NAME ANFM Realty, LLC

SUBJECT ADDRESS 6 Cherry Street

MAP 43 LOT 358 ZONE C-1A

DATE

APPLICATION FILED	4-26-18
BOARD OF APPEALS HEARING(S)	6-4-18
DECISION FILED	6-12-18

PRESENT/VOTING MEMBERS: ROBERT CIGNETTI, JOHN BOUGHNER, JEFFREY SAUER, KENNETH JARVINEN, ANTHONY PODESTA

DECISION: John Boughner motioned to grant the finding for the alteration and the extension of the existing nonconforming multi-family residential unit from three residential units to four residential units, the total number of bedrooms will also be reduced from six to five, a condition that Unit Number 2 remain a one bedroom, as it will not be substantially more detrimental than what presently exists. Jeffrey Sauer seconded. All in favor.

MOTION(S) MADE BY John Boughner **SECONDED** Jeffrey Sauer
ALL IN FAVOR

ANFM REALTY, LLC (#18-4760) Requesting a finding to allow the alteration and extension of the existing nonconforming multifamily residential use be converted from 3 residential units to 4 residential units in accordance with Section 3.10 of the Danvers Zoning Bylaws at **6 CHERRY STREET**

Representative for the applicant discussed the plans to change the existing multifamily from three units and six bedrooms to four units and five bedrooms. The footprint will not change it will be all interior renovations. The board members asked about parking, they discussed the floor plan and layout of each unit, one member stated concern regarding one of units where the bedroom was too small to be considered

an appropriate bedroom. After brief deliberation the board voted in favor of this application.

DATE OF DECISION June 4, 2018

IN FAVOR:

BY

Robert A. Cynette

John P. Boughner

Jeffrey Sam

[Signature]

Cynthia Ricketts

Appeals of this decision, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 17 and must be filed with the Court within twenty (20) days after this decision is filed with the Town Clerk. No decision shall take effect until a copy of this decision, certified by the Town Clerk as to the lapse of the appeal period, has been recorded in the Registry of Deeds.

Filed with the Town Clerk and Planning Board, Danvers, MA on June 12, 2018.

POSTED

JUN 12 2018

TOWN CLERK DANVERS

ATTEST: A TRUE COPY
TOWN CLERK DANVERS

[Signature]

CERTIFICATE

I, Catherine Ellsworth, Asst. Town Clerk of the Town of Danvers, Essex County, Massachusetts, hereby certify that no appeal pursuant to Massachusetts General Laws, Chapter 40A, Section 11 or in the case of a comprehensive permit, Chapter 40B, Sections 21 or 22, has been received by me with respect to the **Decision on Finding** on Docket No.18-4760 granted on June 4, 2018 and filed on June 12, 2018.

Signed under the pains and penalties of perjury this 2nd day of July, 2018.

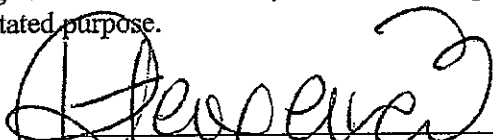
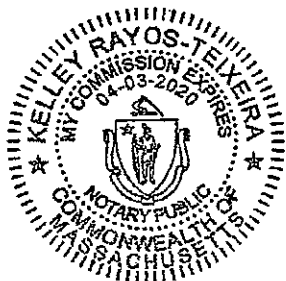


Asst. Town Clerk

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 2nd day of July, 2018, before me, the undersigned notary public personally appeared Catherine Ellsworth proved to me through satisfactory evidence of identification, which was Known to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Notary Public
My commission expires:



TOWN OF DANVERS

TOWN HALL, DANVERS, MASSACHUSETTS 01923
TELEPHONE (978) 777-0001 EXTENSION 3023 FAX (978) 762-0215

PRESERVATION COMMISSION

September 27, 2017

Richard Maloney, Director of Code Administration
Town Hall
1 Sylvan Street
Danvers, MA 01923

RE: Garage at 6 Cherry Street

Dear Mr. Maloney:

As required by Section XXIX of the Town of Danvers General Bylaws, the Preservation Commission, at a meeting held on September 26, 2017, considered the demolition of a garage/barn located at 6 Cherry Street.

At their meeting the Preservation Commission voted to find that the structure is not historically significant nor worthy of preservation. Accordingly, the Commission has no objection to the demolition of this structure.

Sincerely,

Ellen Graham
Chairperson

cc: property owner
Town Clerk