



# Town of Danvers Planning Board

1 Sylvan Street, Danvers, Massachusetts 01923 | p: 978-777-0001

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## Planning Board Members:

John Farmer, Chair  
James Sears, Clerk  
Margaret Zilinsky  
Louis George  
Torey Adler

## **Location: Conducted by Remote Participation September 22, 2020 7:00 p.m. MINUTES**

John Farmer called the meeting to order at 7:00 p.m.

Board members present by roll call: John Farmer; James Sears; Margaret Zilinsky; Louis George; and Torey Adler.

Staff present: David Fields, Aaron Henry, and Joshua Morris.

John Farmer read an opening statement pertaining to the Executive Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A, sec. 20 by Governor Charles Baker signed on March 12, 2020 on Remote Participation and Remote Conduct for Open Meetings.

### **188 Elliott major modification to a previously approved site plan:**

Chris Broyles, engineer, walked the board through revisions to the plan from the last meeting. Outstanding items included various items from a comment letter from the Town's engineering division. The Town's engineering division was fine with the plan amendments with the condition that the sewer invert in Elliott Street be verified when a sewer/water permit is applied for.

Member Zilinsky asked whether an agreement with Danversport Yacht Club has been reached. Broyles noted not as yet. Zilinsky is concerned about parking overflow. Broyles explained that an isolator row was added to deal with total suspended solids during a rain event. This necessitated moving a manhole in the parking lot.

Member Adler inquired about the stormwater system. He noted his concerns were satisfied after correspondence from Town Staff.

Member George noted correspondence from abutters, and asked for clarification on dates from the engineer. George also noted he was satisfied with the drainage changes on site. He also inquired as to a meeting with an abutter, which did occur on August 31<sup>st</sup>, 2020. Two residents met with the applicant team and Broyles noted the residents were satisfied with the response.

John Almeida, of 4 Eden Glen Avenue, reiterated his comment from the last meeting noting the building being used for something more than fulfilling the needs for the church. He is also concerned with a use change. Town staff noted the protections for this use and others on site.

Peg Zilinsky moved to close the public hearing. Torey Adler seconded. The motion carried by unanimous roll call vote.

The Planning Board voted unanimously via roll call to approve the plan on a motion from James Sears and seconded by Louis George.

### **13 Essex Street special permit with site plan approval:**

Larry Graham, engineer discussed the revised plans bringing the project from a five-unit project to a three-unit project. The plans have been revised to reflect this change as well as other site changes to parking and stormwater treatment. This change also necessitated a re-visitation in the type of structure presented for this zone from a multi-family project to a paired house.

Mr. Graham noted the applicant is still asking for a special permit for the density of the three-unit plan, as well as a special permit for tandem parking and special permits for design waivers.

Mr. Graham noted the existing garage is proposed to be removed, but maintain the footprint of the existing dwelling with the garage. A story will be added to the rear of the building on the existing footprint. There is an increase in impervious surface of 650 square feet overall. Mr. Graham also discussed the site's proposed landscaping, grading, as well as overall changes to the proposed drainage system.

Mr. Graham noted that he drafted a letter and sent to the Planning Division outlining conditions required if the project is approved.

Bill Nolan, architect, discussed architectural plan changes to the structure. He noted that an additional level is not, in fact, being added it is a change in roofline. There is a small covered structure for housing trash and recycling with open sides being proposed. Mr. Nolan noted the existing mean roof elevation is 28.5 feet and the proposal would go to 34'. The difference between existing ridge and proposed is 4 feet. As a paired house the proposal would comply with the design standards in section 18 of the zoning bylaw. Nolan showed photos of the existing structure to explain the need for additional volume in the current attic space. Due to low knee walls the space is not usable in certain areas of the attic. Code requires natural light/ventilation to be in the attic unit, necessitating the roof height increase as well as the need for additional insulation.

Nolan noted the existing landscaping will be either maintained or improved in the front, streetside of the project.

Member George questioned the parking proposed. The parking is no longer covered parking. He asked about the runoff and drainage to any increase in impervious surface. What is the difference in impervious material?

Larry Graham stated that all stormwater will be treated on site and is able to infiltrate, and will not run off site to affect the neighbors or in to the Town's system.

Member George noted that the applicant has decreased impervious surface on site and heard that the stormwater treatment is sufficient. George asked about the proposed trash/recycling area – is it just barrels, or a dumpster? Nolan explained there will be no dumpster, just barrels. George asked about building height and what the height difference would be from the previously submitted plan. Nolan noted



that it was lower than the previous five unit proposal. George asked if similar architectural materials will be used to the historic building. Nolan noted that it would be historically accurate.

George asked about the previously granted special permit from the ZBA and what the rationale would be for the applicant to ask for an additional special permit for density from the Planning Board. Town staff noted that the additional special permit was not necessary.

Member Adler noted that the new design responds to the previous concerns of the Board. He questioned if there was still a catch basin at the edge of the property. Mr. Graham noted that due to new grades there will be two catch basins at the rear of the property. Adler stated he is still concerned with the exterior decks for the units. They are close to the neighbors back yards and seem intrusive. He asked how essential the decks were to the design. Nolan explained that it would be for the benefit of future tenants, but they are not absolutely necessary.

James Sears asked about the roof runoff and if it will all be captured. Larry Graham explained that the rear of the building will run to the rear catch basins while the westerly peak will run off to the west and not captured. Sears asked if the landscaping surrounding the site would capture some run off. Sears asked about down spouts running in to drywells from the down spouts. Graham noted that would be possible in the front yard. Nolan noted that run off could be controlled with landscaping. Sears noted that the applicant agreeing to a condition would satisfy him.

Member Zilinsky was pleased with the revised plan. The height limit reduction is welcomed. Zilinsky noted that she disagreed with member Adler on the decks and that they help break up the side of the building as it is quite long on one side. It adds character detail.

The Chairman prefers the newly revised plan and the lowered height from the five-unit plan.

Daniel Tsoutsouris, of 12 Putnam noted he was still concerned with the proposed stormwater system. How will he have recourse in the future if the system changes. His concerns are flooding. He thinks the wood berm is inadequate.

Derek Whittington, of 11 Essex, still thinks the building is too large and the building functions to his side. He does not believe the drainage system is going to work. He is concerned with winter snow plowing. He doesn't think that the neighborhood thinks this project is a bad idea. He does not like the apartment style complex home.

Stephen Walsh stated that he believes that the project does not fit in the area and the proposal is encouraging speculation. He questions the bonus density of the project as well as the public benefit being provided. He noted that the applicant is under a different zoning permit tonight. The ZBA permit was granted to him on the condition that the exterior not be changed. He noted the Planning Board is encouraging overcrowding. He thinks that tandem parking is frustrating. He thinks all the green area would be paved over. He thinks that the decks are an intrusion on privacy.

The Chairman noted that the Board received a letter from Mr. Walsh.

Peg Zilinsky moved to close the public hearing. James Sears seconded. The motion passed unanimously via roll call vote.



The Planning Board voted via roll call on a motion from James Sears and seconded by Peg Zilinsky to approve the special permits requested by the applicant. Member Adler voted no.

The Planning Board voted via roll call vote on a motion from James Sears and seconded by Louis George to approve the site plan with conditions included from the Town's engineering division with member Adler voting no.

### **13 Essex Street site plan approval:**

The applicant has requested that this matter be withdrawn without prejudice.

The Planning Board voted unanimously via roll call to allow the withdrawal on a motion from James Sears and seconded by Louis George.

### **13 Putnam Street major modification to a previously approved site plan:**

Tom Wilkie walked the Board through the history of the project at 13 Putnam Street. He discussed the current construction which is wrapping up on site. He went to the ZBA to construct an additional bedroom on the second floor, which necessitates a modification to the site plan due to the increase in the square footage of the structure.

Members Zilinsky and Adler noted they were comfortable with the proposal. Member George asked what would be required next from the applicant. Town staff iterated the process for Mr. George. George asked if there was a problem with inspections. Wilkie noted that there was not.

The Chairman noted that this seems like an unusual situation and hopes that it does not occur in the future.

Louis George moved to close the public hearing, which was seconded by James Sears. The motion was approved unanimously via roll call vote.

The Planning Board voted unanimously via roll call on a motion from Louis George and seconded by Peg Zilinsky to approve the major modification.

### **123 Dayton Street site plan approval:**

Vasek Talacko, engineer, introduced the project to the Board. Due to COVID-19 space restrictions the existing building, which is a school known as Plumfield Academy, requires additional space to separate students to COVID-19 guidelines. Talacko discussed grading, drainage, and the plan layout. The project is seeking waivers on submission requirements as the project is quite minor.

Member Adler noted that the site seems to have room for the project.

Member George noted that this was in response to decrease density and asked if there was to be an increase in students. John Pension noted that the student numbers would stay the same, the distance is simply required for COVID compliance.



The Chairman asked Mr. Pension to describe what the school does. Pension described how the school functions for the benefit of the public.

The Planning Board voted unanimously via roll call on a motion from James Sears and seconded by Peg Zilinsky to close the public hearing.

The Planning Board voted unanimously via roll call on a motion from James Sears and seconded by Peg Zilinsky to approve the site plan modification with included conditions.

## **OTHER BUSINESS**

### **Proposed zoning amendments:**

The Planning Board Chairman opened public hearings for fall zoning amendments. Planning staff updated the Board on proposed zoning amendments for the two scheduled fall town meetings. These amendments include changes to: Section 2, Administration; Section 4, Site Plan Approval; Sections 18-22, Character Based Zoning Districts; Section 33, Cluster Development; Section 40, Definitions; two owner's petitions, one for a MassDOT property at the request of MassDOT and another from three property owners at 490, 492, and 500 Maple Street; and the introduction of a new zone to place municipal and institutional uses in to a new, open space zone.

The public hearings were continued to the October 13<sup>th</sup> meeting of the Danvers Planning Board.

### **Minutes:**

Louis George moved to accept the minutes of August 11<sup>th</sup>, 2020. Seconded by James Sears. The minutes were voted through unanimously via roll call vote.

Peg Zilinsky moved to accept the minutes of September 8<sup>th</sup>, 2020. Seconded by Torey Adler. The minutes were voted through unanimously via roll call vote with a modification by staff to add a list of waivers to the matter of 54 Cherry Hill Drive.

## **ADJOURNMENT**

James Sears moved to adjourn. Peg Zilinsky seconded the motion. The motion was unanimously approved.

The meeting adjourned at 10:12 p.m.

