



*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**

**March 8, 2016**

**7:00 p.m.**

**MINUTES**

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

**STAFF BRIEFING**

Day said that they will not be hearing the Whipple Hill matter this evening since the applicant has requested it to be continued without discussion. Merrimack Valley Distributors is being deferred as well. There will be a number of items heard at the next meeting on March 22<sup>nd</sup>. There is another request for a modification at 18 Electronics Avenue; a site plan/special permit for 142 Holten Street which is two duplexes behind one of the older buildings; and a site plan/special permit application for 172 & 176 Pine Street for two duplexes on Pine Street adjacent to the Walnut Grove cemetery. There is also a modification for 8 Southside Road.

**FORM A**

**15 Cherry Street and 4 Charter Street.** Request by PPRCD Realty Group, LLC for endorsement of Form A to modify the existing lot line between 15 Cherry Street and 4 Charter Street. (Assessor's Map 43, Lot 380 & 393) (*Approval Not Required Action Date: March 16, 2016*)

Attorney Nancy McCann appeared before the Board on behalf of the applicant PPRCD Realty Group, LLC. She said that this Form A application goes hand in hand with Item 3 on tonight's agenda for a minor modification to the site plan for this property. McCann said that the applicant had come before the Board for Site Plan Approval to renovate the properties at 15 Cherry Street and 4 Charter Street which was used in combination for the Jones Boys Insulation Company. What has become apparent is that part of this development was the renovation of an antique former dwelling back into a residential use at 4 Charter Street. The home is accessed from Charter Street. The utilities come in from Charter Street as well, and the home functions as a separate single family dwelling. It does not function as part of the condominium development. All the other units have access and utilities from Cherry Street. McCann said that the applicant went back to the ZBA and received a variance to allow 4 Charter Street to be divided off to

function as a single-family home. A variance was received due to the area since it is an undersized lot. The other item is the minor modification of the Site Plan for the addition of the lot line being approved for the ANR. She told the Board that the porch was slightly changed.

Prentiss asked what the distance was between the lot line and the set-back requirement. McCann responded it was 7.6 feet. She said it should be 8 feet, and this is why the variance was received.

**MOTION:** Cheetham read the Certificate of Action and moved to find that Planning Board approval is not required for the ANR for 15 Cherry Street and 4 Charter Street. Prentiss seconded the motion. The motion passed by unanimous vote.

## **OTHER BUSINESS**

**15 Cherry Street and 4 Charter Street.** Request by PPRCD Realty Group, LLC, for a Minor Modification to an Approved Site Plan to modify the plan to exclude the newly created lot at 4 Charter Street (Assessor's Map 43, Lot 380 and 393) (*Site Plan action date: May 3, 2016*)

**MOTION:** Prentiss moved to find that the requested modification represents a Minor Modification an Approved Site Plan. Sears 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 15 Cherry Street and 4 Charter Street. Cheetham seconded the motion. The motion passed by unanimous vote

## **MINUTES**

February 23, 2016

**MOTION:** Sears moved to approve the minutes of February 23, 2016. Prentiss seconded the motion. The motion passed by unanimous vote.

## **OTHER BUSINESS**

**Twin Echo Lane.** Request by Twin Echo Development, LLC for release of Tripartite Agreement and establishment of a cash bond for remaining improvements in the amount of \$4,000 for the Definitive Subdivision known as Twin Echo Lane (Assessors Map 39, Lots 50, 50A and 51).

Sears recused himself from the meeting.

John Thompson appeared before the Board and said he was requesting an extension to June 30<sup>th</sup> for the Tripartite Agreement. He said that three minor items needed to be completed.

Prentiss said he wanted to ask a procedural question. If they went to a cash bond, is there any loss of control.

Day said that it is an acceptable form of surety. The disadvantage with a cash bond, which could be held as a check, is that in some instances it may be hard to go after a developer. It is safer to deposit the check into the Town account, but it may be complicated in a municipal context to retrieve the surety from the general fund.

A discussion ensued regarding the different types of surety.

Day asked Thompson if there was an executed Tripartite from the Bank. Thompson said that he did not have one. Day prepared the signature page and gave to Thompson to have executed by the Bank and returned to the Town.

**MOTION:** Cheetham read the Certificate of Action and moved to approve the extension of the Tripartite Agreement to June 30, 2016. Prentiss seconded the motion. The motion passed by unanimous vote

## **PUBLIC HEARINGS**

**Whipple Hill.** Request for a Definitive Subdivision Plan submitted by Whipple Hill, LLC for a portion of 155 Hobart Street containing approximately 13.5 acres of land as shown on Assessors Map 42, Lot 8A pursuant to the Rules and Regulations Governing the Subdivision of Land, Town of Danvers Planning Board. Said property is located in the R-II Zoning District. The applicant proposes to construct a 20-lot single family residential subdivision. (Assessor's Map 42, Lot 8A) (*Definitive Subdivision action date: May 9, 2016*) (**Continued without discussion at the applicant's request to March 22, 2016**)

**50 Prince Street.** Request for a Special Permit and Major Modification to an approved Site Plan pursuant to Section 6 and Section 4 of the Zoning Bylaw submitted by Merrimack Valley Distributing Company, Inc. for property located in the 114-B District for the construction of a 10,000 square foot warehouse addition to the existing distributing warehouse. (Assessor's Map 56, Lot 17B) (*Site Plan action date: March 28, 2016; Special Permit action date 04/27/16*) (**Continued without discussion at the applicant's request to March 22, 2016.**)

## **ADJOURNMENT**

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

The meeting adjourned at 7:20 p.m.

Respectfully submitted: Francine T. Butler

The Planning Board approved these minutes on March 22, 2016.