



Town of Danvers
Planning Board

Danvers Town Hall
One Sylvan Street
Danvers, MA 01923
www.danvers.govoffice.com

Planning Board Members:

Aaron Henry, Chairman
Kristine Cheetham
Margaret Zilinsky
William Prentiss
James Sears

Danvers Senior Center
April 10, 2012
MINUTES

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

PUBLIC HEARING

Proposed Zoning Amendments/Flood Plain District and Floodways. Amend Section 31 of the Zoning Bylaw of the Town of Danvers by deleting Section 31 in its entirety and adopting a new Section 31. FEMA Flood Maps: Adopt the 2012 Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency.

Henry read the legal notice and opened the public hearing. Rick Rodgers, Town Engineer, appeared before the Board to explain the proposed zoning amendments regarding the Flood Plain Districts and Floodways and the FEMA Flood Maps. He stated that a letter came to the town indicating they would be required to make a zoning change to Section 31 of the Bylaws.

Rodgers stated that the original flood hazard maps go back to 1980. He indicated these maps were crude. The town was notified in the fall of 2010 with a preliminary notice that the flood maps were being updated and would be made available at the beginning of the year. He feels they are a significant improvement and, according to FEMA, these maps must be adopted before July 3, 2012.

Rodgers stated that he worked with Richard Zingarelli and Colleen Bailey from the state. He submitted the proposed bylaw to Bailey, which she edited. Subsequently, it was submitted to Town Counsel for his edits.

Rodgers explained that the mapping went from 3 panels to 11 panels with 2 index plans. He feels it is a much improved mapping system. A failure to adopt these plans would mean the following:

- No resident would be able to purchase a flood insurance policy;
- Existing flood insurance policies would not be renewed;
- No federal grants or loans for development may be available;
- No federal disaster assistance.

Rodgers indicated that updating the maps would conform to federal standards.

Cheetham inquired if the definitions in the bylaw only relate to Section 31. She asked if the definitions match the definitions in the back of the Danvers Zoning Bylaw. Rogers replied that this section is a “stand alone” segment of the Bylaw.

Rodgers stated that acceptance of these maps will allow the homeowners to continue to obtain flood insurance if they are in a flood zone.

MOTION: Prentiss moved to close the public hearing. Sears seconded the motion. The motion passed by unanimous vote.

MOTION: Prentiss moved to recommend adoption of the proposed zoning changes to the Board of Selectmen and the Finance Committee. Sears seconded the motion. The motion passed by unanimous vote.

FORM A

14 Hussey Avenue. Request by James and Laurie Vontzalides for endorsement of Form A plan to combine the ownership interest of the adjacent paper street portion of Choate Avenue to form one contiguous lot containing 10,473± square feet. (Assessor’s Map 60, Lot 15A). (*Approval Not Required Action Date: April 17, 2012*).

James Vontzalides appeared before the Board regarding the application submitted for an Endorsement of Approval Not Required Plan for his property located at 14 Hussey Avenue. He informed the Board that his property abuts a paper street known as Choate Avenue. He indicated that his neighbor had already claimed his portion of the paper street and he would like to claim his portion.

Henry asked the applicant if he was aware that someone that may have a right of ownership in Choate Avenue could challenge this in the future. Vontzalides confirmed that he was aware of this possibility.

MOTION: Sears read the Certificate of Action and moved to approve the ANR plan for 14 Hussey Avenue. Prentiss seconded the motion. The motion passed by unanimous vote.

OTHER BUSINESS

100 Independence Way. Request by Lucky 7 Arcade LLC to modify a Special Permit to allow a change of location for an amusement arcade. (Assessor’s Map 63, Lot 4) (*Action Date: July 2, 2012*).

Rosalie Parisi appeared before the Board to request approval for a change of location for an amusement arcade known as Lucky 7. She indicated they did not get the space they were originally hoping to get.

Prentiss asked where the location was moving.

Parisi stated they would be located between the old Brighams and Little Shop of Treasures.

MOTION: Prentiss read the Certificate of Action and moved to approve the Modification to an Approved Special Permit for Lucky 7 Arcade LLC. Cheetham seconded the motion. The motion passed by unanimous vote.

PUBLIC HEARING

167 Maple Street. Request for Site Plan Approval pursuant to Section 4 of the Zoning Bylaw submitted by Peterson-O'Donnell Funeral Home for property located in the Residential II District. The applicant is requesting approval for an addition to the existing building and expansion of the existing parking lot with associated utility and landscaping improvements. (Assessor's Map 35, Lot 80) (*SPA action date: April 13, 2012*). **(TO BE CONTINUED WITHOUT DISCUSSION AT THE APPLICANT'S REQUEST TO APRIL 24, 2012.)**

MOTION: Cheetham moved to continue the hearing to the Board's next meeting on April 24, 2012. Prentiss seconded the motion. The motion passed by unanimous vote.

97, 99, 99R and 101 Andover Street. Request for Site Plan Approval pursuant to Section 4 of the Zoning Bylaw submitted by Group 1 Automotive, Inc. for property located in the Route 114A Zoning District. The applicant proposes to combine 97, 99, 99R and 101 Andover Street into one parcel to allow the redesign of the entire dealership "campus" with the construction of a new 9,000 s.f. dealership building along the two additions to the existing Lexus building. (Assessor's Map 56, Lots 13, 14, 27 & 28) (*SPA action date: April 30, 2012*). **(TO BE CONTINUED WITHOUT DISCUSSION AT THE APPLICANT'S REQUEST TO APRIL 24, 2012, when the hearing will be formally opened.)**

CONTINUED PUBLIC HEARINGS

Hilltop Estates-Folly Hill Subdivision [Lot 19 (Hilltop Road) and Lots 29, 30 & 31 (Ardmore Drive)]. Request for Modification to Previously Approved Definitive Subdivision Plan Approval submitted by Folly Hill Danvers, LLC for property located in the R-II Zoning District. The applicant proposes to eliminate retaining walls shown on the endorsed Subdivision Plan, with associated modifications to grading and topography in the areas of Lot 19 (Hilltop Road) and Lots 29, 30 & 31 (Ardmore Drive). (Assessor's Map 45, Lots 191, 201, 202 & 203) (*Subdivision Modification action date: July 10, 2012*)

Day informed the Board that the applicant would be appearing before the Board at the next meeting scheduled for April 24, 2012 with the design calculations and details showing that the proposed walls and slopes will be stable, and how stormwater runoff will be controlled. Day indicated that the applicant was going to work to provide all these calculations for the next meeting so eliminating the need for a subsequent discussion with the Board to review and approve calculation.

MOTION: Sears moved to continue the hearing to the Board's next meeting on April 24, 2012. Prentiss seconded the motion. The motion passed by unanimous vote.

OTHER BUSINESS

MOTION: Prentiss moved to endorse the street plans for Tanager Drive, Truche Way, Reservoir Drive and Jacob's Landing. Sears seconded the motion. The motion passed by unanimous vote.

MINUTES

March 27, 2012

MOTION: Sears moved to approve the draft minutes of March 27, 2012. Cheetham seconded the motion. The motion passed by a vote of 3-0. Henry chose to abstain since he had not reviewed said minutes.

STAFF BRIEFING

Day addressed the Board with updates regarding the Essex North Shore Agricultural and Technical School. Town Counsel, David DeLuca, has taken the position that since this is a State project the Town of Danvers does not have any jurisdiction over this Site Plan Application. Discussion ensued whether the Planning Board they should comment on this project.

Henry asked Day whether the project had gone through MEPA. She indicated that she would look into this matter.

ADJOURNMENT

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

The meeting adjourned at 8:05 p.m.

Respectfully submitted:

Francine T. Butler

The Planning Board approved these minutes on April 24, 2012.