



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

Daniel J. Toomey Hearing Room

August 14, 2012

7:00 p.m.

MINUTES

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

STAFF BRIEFING

Day informed the Board the engineer for McDonald's requested that the hearing for the Minor Modification for 77 High Street be continued without discussion. She reminded the Board that the next meeting would be September 11th.

Day noted that a new project coming before the Board on the 11th of September is a Site Plan Major Modification from DiLuigi's to take down a building on their site and construct a new building. They are planning to permanently discontinue retail operations and only conduct manufacturing at the site.

Henry told the Board that he met with Wayne Marquis recently at the Town Manager's request. They discussed potential technical changes to the Zoning Bylaw regarding use variances. Henry told Marquis that updating subdivision rules and regulations is a priority. Marquis did not express any serious concerns that require the immediate attention of the Planning Board.

PUBLIC HEARINGS

15 Kirkbride Drive. Request for a Major Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by Hathorne Hill Development, LLC for property located in the Hathorne West Zoning District. The applicant proposes to modify the previously approved Site Plan with the addition of a 675 square foot building to be used for storage of equipment used in the operation of the nursing home. (Assessor's Map 18, Lots 863) (*SPA action date: September 4, 2012*).

Michael Gerhardt appeared before the Board on behalf of the applicant, Hathorne Hill Development, LLC. He indicated that both a major and minor modification are on the agenda, and he would address them individually, if acceptable to the Board.

He stated that they were looking to add a storage building to the site and showed the Board where it would be located on the plan. The shed would be 24' X 28' (672 s.f.) and be located at the far end of the staff parking lot. It would be similar to the main building with a gabled roof and vinyl sided exterior to match the main building and, it would have a rolling door and personnel access door.

The shed falls into Accessory Use which is allowed in this zoning district. The original site plan had an approved square footage of 72,000 square feet, which was an estimate at the early design of the project. The main building is 71,299 square feet, so adding the shed, which contains 672 square feet, still keeps the square footage under 72,000 square feet. The shed meets setback requirements.

Prentiss inquired what the shed was going to be used for, and Gerhardt responded that the building will be for the breakdown and assembly of equipment.

Prentiss asked if the location of the shed interferes with planned snow storage areas. Gerhardt stated they reconfigured the snow storage, and they have plenty of areas to put the snow.

Sears asked what the color of the shed would be, and Gerhardt responded it would be blue.

OTHER BUSINESS

15 Kirkbride Drive. Request for Minor Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by Hathorne Hill Development, LLC for property located in the Hathorne West Zoning District for approval of a signage system and removal of an approved chain link fence from the area surrounding the detention pond and forebay. (Assessor's Map 18, Lots 863) (*SPA action date: September 4, 2012*).

Michael Gerhardt appeared before the Board on behalf of the applicant, Hathorne Hill Development, LLC. Gerhardt reminded the Board that information on signage was not presented at the time of site plan approval, and they indicated they would come back before the Board when the project was near completion. He told the Board that the entrance sign was shrunk down vertically, and there was a slight color change from the plan presented with the application. Gerhardt passed a copy of the plan to the Board members noting Revision C-1 was to replace Revision C.

Henry asked about directional signs, and Gerhardt presented them to the Board for review.

Gerhardt showed where the sign would be situated at the main entrance. Gerhardt stated they were looking to keep the sign simple and elegant. It would have just the name of the facility, and it is compatible with the sign for Beverly Hospital. The sign meets the height and size limitations within the zoning bylaw. It is set back approximately 30 feet from the street and 12 feet from the lot line.

Cheetham asked what type of lighting would be on the sign, and Gerhardt responded it would be shielded ground lighting on a timer.

Henry addressed the Board regarding the engineer's comments concerning the applicant's request to remove the chain link fence.

Day apologized for not forwarding these comments to the Board members to review earlier. Henry read the comments out loud to the Board.

Gerhardt showed the Board pictures of the system which looked like a grassy meadow along with a picture of the land prior to the development.

Gerhardt stated that Engineering's concerns for potential all-terrain vehicle use of the site are overstated. He showed an aerial view of the site, noting that there is a building adjacent to the site staffed 24 hours a day, and the State Police station is directly across the street. Bob Hyde from the Hogan Center told him that they have never seen dirt bikes in the area. He feels fencing it in takes away from the aesthetics of the site. Gerhardt addressed the issue of the berms and stated it would take significant wear and tear to cause erosion. He asked the Board to think about this and stated he is willing to put up no trespassing signs.

Sears stated he was concerned with the rainfall and feels this could be a safety concern since there is a high school down the road. There is also a safety concern if residents should fall into the water. He noted that if a black fence is put up, it would not look unattractive because you can see through it. Sears was concerned that engineering recommended against the modification, but agreed with Gerhardt that dirt bikes and all-terrain vehicles are not going to be an issue. He would like to be convinced there is no issue regarding erosion.

Gerhardt understands the concern and addressed the frequency of standing water. He presented a picture of the April and June rain storms which showed no standing water. He stated they were at the site during the spring and stated that the water does not accumulate. They had a study done from hydrographic models for the detention basin which confirmed that there was not a lot of water that accumulated there. Any standing water would be a very infrequent problem.

With respect to concerns for the facility's residents, Gerhardt told the Board that there was a very sophisticated elopement system designed to keep people in the nursing home. There would be cameras and locking systems that would notify the nursing stations.

Cheetham stated that she would like to see the forebay fenced. She was concerned that it must function properly to channel the water runoff from the parking facility. She stated it is a small area to be fenced in, and she wants to make sure the integrity of the system is kept. She was willing to offer relief on the field since she feels that it functions well without the fence.

Zilinsky felt there does not need to be a fence around the field. She agreed with Cheetham about fencing the forebay area. She too expressed a concern with disregarding comments issued by Engineering.

Gerhardt stated that they have been on the site for six to seven years and they have not seen any dirt bikes.

Prentiss inquired if people walk along the railroad bed along the back of the site, and Gerhardt responded that no one walks the railroad bed since it is so overgrown.

Prentiss agreed with Cheetham's suggestion of fencing the forebay.

MOTION: Prentiss moved to close the hearing for the Major Modification for 15 Kirkbride Drive. Zilinsky seconded the motion. The motion passed by unanimous vote.

Cheetham inquired about the landscaping around the shed, and Gerhardt responded that the landscaping presented was predicated on an irrigation system. They drilled two wells on the site that came up dry. They even brought in a douser which did not locate any water, so they are giving up on an irrigation system. They need to adjust the planting plan to accommodate the lack of the irrigation system by replacing some plants with others that are hardier. In the process of revising the planting plan, they are going to work in the storage shed. He asked to work with the Planning Department staff for that approval. Gerhardt stated they are looking to complete the facility at the end of September.

Henry was comfortable with allowing this, and he confirmed with Day that she would alert the Board if something was askew. The landscaping has not been included in any of the applications, and he asked if the Board would consider this issue as an Administrative Modification, which the Board found acceptable.

MOTION: Sears read the Certificate of Action and moved to approve the Major Modification to Site Plan for 15 Kirkbride Drive. Prentiss seconded the motion. The motion passed by unanimous vote.

MOTION: Sears moved to find the hearing was a Minor Modification for 15 Kirkbride Drive. Cheetham seconded the motion. The motion passed by unanimous vote.

MOTION: Sears read the Certificate of Action and moved to approve the Minor Modification to Site Plan for 15 Kirkbride Drive. Prentiss seconded the motion. The motion passed by unanimous vote.

77 High Street. Request for Minor Modification to an approved Site Plan pursuant to Section 4 of the Zoning Bylaw submitted by Bohler Engineering on behalf of McDonald's USA, LLC for property located in the Industrial I Zoning District. The applicant proposes to construct an on-site sidewalk that will provide pedestrian access between the restaurant and the public sidewalk along High Street. (Assessor's Map 51, Lots 307 & 308) (*SPA action date: September 21, 2012*).

Henry asked the Board for a motion to continue the matter without discussion at the applicant's request to September 11, 2012.

MOTION: Sears moved to continue the request for a Minor Modification for 77 High Street without discussion at the applicant's request to September 11, 2012. Cheetham seconded the motion. The motion passed by unanimous vote.

Day recommended that the Board schedule a site visit for this project; members preferred to visit the site individually.

Saratoga Lane (Wadsworth Farm). Request by Artisan Development, LLC for establishment of surety for remaining improvements for the Definitive Subdivision known as Saratoga Lane (also known as Wadsworth Farm) in an amount to be determined by the Engineering Division. The applicant also requests release of Planning Board Covenants for Lots 1 – 11. (Assessors Map 24, Lots 9 & 10).

Nancy McCann appeared before the Board on behalf of the applicant, Artisan Development, LLC, requesting release of the Planning Board Covenant and establishment of surety for the site. McCann stated the developer has worked closely with Town departments, and the bond estimate was reviewed by Engineering which determined that the amount of work left to be completed totals \$142,317.54. McCann is requesting the Covenant be released, and the Tripartite Agreement be put in place for the amount of \$142,317.54. Both forms were provided to the her by Day.

None of the members of the Board had questions; however, they requested the Tripartite Agreement be amended to round the amount to \$143,000.00, which is the amount Engineering recommended.

MOTION: Sears read the Certificate of Action and moved to accept the Tripartite Agreement, and to release the Planning Board Covenant for Wadsworth Farm Village/Saratoga Lane. Prentiss seconded the motion. The motion passed by unanimous vote.

MINUTES

July 24, 2012

MOTION: Cheetham moved to approve the draft minutes of July 24, 2012. Zilinsky seconded the motion. The motion passed with a vote of 4-0, with Sears abstaining.

ADJOURNMENT

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

The meeting adjourned at 7:45 p.m.

Respectfully submitted:

Francine T. Butler

The Planning Board approved these minutes on September 11, 2012.