



*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

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**Daniel J. Toomey Hearing Room  
December 10, 2013**

**7:00 p.m.**

**MINUTES**

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

**STAFF BRIEFING**

Day noted that this was the last meeting of the year. She reminded the Board that the start of 2014 will mark the end of Henry's term as Chair. She asked the group to consider discussing whether Henry should remain chairman until the Town Meeting in February. She stated that the last time there was a zoning change, Cheetham remained chair until the Town Meeting.

Day stated that she would prepare a Powerpoint presentation to walk through the zoning articles with Fin Com, and she could have this ready for the January 12<sup>th</sup> meeting. The draft Powerpoint presentation will have visuals on the Tapleyville Overlay District, the Marijuana Overlay Districts and some FAQ's.

**OTHER MATTERS**

**Wadsworth Farm (Saratoga Lane).** Request by Wadsworth Farm LLC for reduction of performance guarantee for incomplete site improvements for the Definitive Subdivision known as Wadsworth Farm (Saratoga Lane), Acceptance of As-Built Roadway Plan & Profile and Street Acceptance Plan (Assessors Map 24, Lots 9 & 10)

Attorney McCann appeared before the Board with her client, Ralph Meola, from Artisan Development LLC. She stated that they had submitted a request to reduce the bond to \$8,500.00, but since the time of filing, as built plans were submitted and reviewed by engineering, and they came up with a figure of \$1,300.00. They are requesting to post a cash bond in the amount of \$1,300.00, and that the Tripartite be released.

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

**MOTION:** Cheetham moved to reduce the amount of the bond to \$1,300.00. Cheetham seconded the motion. The motion passed by unanimous vote.

Day stated that it had been a pleasure to work with the applicant on this subdivision. They had kept staff informed of all changes, and the project was completed in a smooth and timely manner.

## **PUBLIC HEARING**

Proposed zoning amendment for February 3, 2014, Special Town Meeting: Article 6, Amendment to Section 30.2.16, “Multi-Family Affordability Provision.”

### **Article 6 – Multi-Family Affordability Provision**

Henry stated that he was fine with the language provided by Trask.

Prentiss stated that he did not have a problem; he is fine with the language provided by Trask. He stated that he remembered when they were crafting the language for the EFLAs, they questioned how specific they wanted the language. He felt if they allowed some latitude, it allowed the building inspector room when rendering decisions. He felt keeping it loose would be fine.

Day thought Trask’s language had merit, so she crafted new language and passed it out to the Board for their review.

Prentiss was fine with the change and thought it made sense.

Henry asked if they might get into trouble with the first sentence which states, “Affordable units shall be deemed “comparable” only when the number of bedrooms is the same in both the market-rate and the affordable unit(s).” He wanted to confirm that it is meant the total number of bedrooms that is being looked at. He did not want this to be misinterpreted that if there are a total of 13 bedrooms in the development, they would be looking for three bedrooms in the affordable unit.

Cheetham felt this paragraph made sense if you did not take this sentence out of context. She questioned the language, “Where the mix of units/bedroom is of equal proportion in the market rate units (e.g. 50% two-bedroom and 50% one-bedroom) the higher number shall be considered as required . . . , “ should the higher number be defined. She questioned the higher number of what?

Day responded that it would mean proportion.

Henry stated in the case of a tie, you would take the largest bedroom in the development.

Day stated it is calculated by putting the numerator over the denominator. Whichever is larger will govern.

Prentiss stated having an example made it easier for Town Meeting and Fin Com to look at this.

Day stated that they need this explanation in the bylaw.

Henry felt it explained what happened if more than one affordable unit was owed, and it would determine the size (number of bedrooms) that is owed.

Henry is happy with the language crafted by Trask.

Cheetham and Prentiss stated they were fine with the language.

**MOTION:** Prentiss moved to close the public hearing on Article 6 – Amendment to Section 30.2.16, “Multi-Family Affordability Provision.” Cheetham seconded the motion. The motion passed by unanimous vote.

**MOTION:** Prentiss moved to accept Article 6 - Amendment to Section 30.2.16, “Multi-Family Affordability Provision” as amended on the Certificate of Action. Cheetham seconded the motion. The motion passed by unanimous vote.

Cheetham stated that in thinking ahead towards the presentation, grouping some of the articles together might be a good idea. Some of the articles tend to be housekeeping articles, such as items that got lost in the bylaws. Other articles, such as Article 9, is fueling stations while Article 12 is adding research and development to help business respond to needs. She felt the Tapleyville article and the Medical Marijuana article should stand alone.

Day asked the Board if they took direct questions through the moderator at previous meetings. Cheetham said on the Town Meeting floor she took direct questions. She stated at Town Meeting, Nelson or staff presents the article because when it came to interpreting and administration of the bylaw, there is the need to have a consistent answer to the applicant. Cheetham stated that to facilitate the process on the Town Meeting floor, she did answer questions; however, if it was a zoning question, she would direct it to Nelson.

Prentiss stated that very few questions were directed to the Board.

Henry stated that he assumed that the chair and staff go to Fin Com together.

Prentiss felt it would be better for Cheetham not to present since she was a Town Meeting member.

Bill Bradstreet, 18 Essex Street. Bradstreet felt that when they talk about fueling stations on Route 114, most people think of gasoline. He asked if fueling stations included electric stations.

Day stated that the building inspector is taking the position that as long as they are non-commercial and are an accessory use to the principal use, they are allowed. She stated that OSRAM Sylvania on Endicott Street has a plug in station.

Henry stated that ten years down the road this zoning change would allow for other fuels such as compressed natural gas.

Prentiss asked if the final draft of the warrant articles going to Fin Com could be e-mailed to the Board.

## **MINUTES**

November 26, 2013

**MOTION:** Prentiss moved to accept the minutes of November 26, 2013. Cheetham seconded the motion. The motion passed by unanimous vote.

## **ADJOURNMENT:**

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

The meeting adjourned at 7:35 p.m.

Respectfully submitted: Francine T. Butler

The Planning Board approved these minutes on January 14, 2014.