



Town of Danvers
Planning Board

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

James Sears, Chairman
Margaret Zilinsky
Kristine Cheetham
William Prentiss
Aaron Henry
John Farmer, Associate
Member

Danvers Senior Center
September 23, 2014
7:00 p.m.
MINUTES

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

STAFF BRIEFING

Day informed the Board that they are starting work on the downtown rezoning analysis. She complimented the Planning Board on their willingness to tackle another zoning discussion. She told them that the community is responsive to plunging in and taking a look at the downtown zoning. She met with the Downtown Improvement Committee and the Danvers Affordable Housing Trust to let them know that they had received this grant and that they will be working with the Metropolitan Area Planning Council (MAPC). She told them that they would be welcomed in the process. She told the Board that they need to be done by the end of the fiscal year (June 30th). She told the Board that they will be working with Sam Cleaves and Chris Kuschel, both of whom came to our meetings concerning the Tapleyville rezoning. Kuschel has a speciality in design and is good at transportation networks. He is working with the Town on a Bike-Ped plan for Danvers. She told the Board that Henry had offered to sit in on the five-person committee.

In other news, Day told the Board that she had been informed by the DAHT that their Housing Production Plan was just approved by the State.

Sears asked Day to reiterate the size of the grant. Day said that the grant was for \$15,000 and came from the Priority Development Fund under the DHCD. The Town wrote the grant and was awarded the funds; MAPC will be hired as a consultant to the project.

Sears asked about the deadline of June 30th, and Day responded that the DHCD would like their study wrapped up as a condition of the grant by then.

Day stated that at the next Planning Board meeting they will have an application for the Sozio property on Endicott Street, which was acquired by Peter Pantezelos. The concept is a healthier choice for foods like salads and wraps. It was originally proposed with a drive-through component, but the site is too tight to accommodate this.

She told the Board that they had received and approved an Administrative Modification to add a pergola to go over the outdoor terrace at 78 Holten Street.

Day said that they had received an invitation to the grand opening of the addition at Danvers Indoor Sports on October 16th, and encouraged Planning Board members to join her for the event.

Henry said that he had gone by the site, and the bike path is blocked in this area. Day stated that they knew this would happen during construction. Danvers Indoor Sports has promised to provide access to the trail once construction is complete.

Prentiss told the Board that Skyzone is close to opening at the mall.

Day reminded the Board of the upcoming farewell party for the Town Manager.

She noted that the next Planning Board meeting is scheduled for October 14th.

PUBLIC HEARINGS

140 Commonwealth Avenue. Request for Site Plan Approval pursuant to Section 4 of the Zoning Bylaw submitted by MountainOne Bank for property located in the Commercial III Zone District. The applicant proposes to construct an ATM (automated teller machine) and dedicated queue lane within the southerly parking lot of the existing office building, as accessory to the MountainOne Bank branch office to be located within the existing building. (Assessor's Map 62, Lot 176) (*SPA action date: October 7, 2014*)

Sears read the legal notice and opened the public hearing.

Attorney Nancy McCann appeared before the Board on behalf of MountainOne Bank. This bank has been in existence for 165 years in the western part of the state and on the South Shore. They have decided to expand into the North Shore where they will be operating a bank office. They are requesting site plan approval for an Automated Teller Machine (ATM) within the southern parking lot; the site has a northerly and southerly parking lot. The ATM will be in the larger parking lot. It will be unmanned, and it will have an adequate queue. The design and drive-through queue meet the zoning requirements for ATM. McCann stated that there was a waiver requested for stormwater management. Engineering is satisfied with the plans. Comments from the Building Department and Fire Department indicate that they too have no objections to the plan.

Engineer Scott Cameron, of The Morin-Cameron Group, Inc., addressed the Board and described the plans. He said that the premises are approximately 3.5 acres with the building in the center. There is a larger area of open space. The site is surrounded by developed commercial properties. The drainage system goes through the sporting goods (Dicks) property. The ATM is in the south portion of the property. He stated that there is some parking being added behind the building to make up for the parking being lost with the installation of the ATM. Cameron stated that they have put in a lot of landscaping already. There have been improvements to the handicapped access to the building. Curb ramps have been added, and they may re-do the sidewalks and curbing, depending on the budget. Cameron also described the lighting, and stated that the signs have been approved by the ZBA.

Cameron described the drive-through. He stated that the flow will be counter-clockwise. There will not be a lot of pedestrian traffic near the ATM.

Cheetham asked if the “bubbles” shown on the plan were the snow storage areas, and Cameron confirmed they were.

Henry had noticed that there was a lot of work being done at the site.

Zilinsky asked Day if the work being done for the handicapped access triggered a modification to the site plan. McCann stated that the building predates site plan approval. The changes for handicapped access do not trigger site plan approval; the ATM does. Zilinsky stated that she did not have a problem with the application.

Prentiss stated that at first he was confused with the ATM, but he is now satisfied with the explanation.

Sears confirmed that this was a drive-up ATM, and McCann confirmed this was correct.

McCann stated this new branch will have less customer traffic than standard commercial banks since they are a service-oriented lending type of bank. There will not be a lot of walk-in business. Their location in the building is at the back right-hand corner of the building.

Cheetham felt there was plenty of area in the queue.

MOTION: Henry moved to close the public hearing for the application for a Major Modification to an Approved Site Plan for 140 Commonwealth Avenue. Cheetham seconded the motion. The motion passed by unanimous vote.

MOTION: Henry read the Certificate of Action and moved to accept the Major Modification to an Approved Site Plan for 140 Commonwealth Avenue. Zilinsky seconded the motion. The motion passed by unanimous vote.

144 Pine Street. Request for Site Plan Approval pursuant to Section 4 of the Zoning Bylaw submitted by GSC Realty LLC and Meninno Brothers Gourmet Foods for property at 144 Pine Street located in the I-1 Zoning District. The applicant proposes two additions to the existing building: (1) a second story on a portion of the rear of the building primarily for office use; and (2) a single story addition on the front of the building which will be used for production and warehousing of product and material, with associated parking and site improvements. (Assessor's Map 50, Lot 189A) *(SPA action date: September 26, 2014)*

Attorney Nancy McCann appeared before the Board on behalf of the applicant, GSC Realty LLC and Meninno Brothers Gourmet Foods. With her this evening were Rick Walters and Michael O'Neill of Reid Land Surveyors. They are requesting Site Plan Approval to allow two additions to the existing building. The property is located at 144 Pine Street, and it is an irregularly shaped lot which balloons out and consists of approximately a one-acre parcel. McCann showed the existing building and existing conditions on the plan. The building was built around 1978 and has housed several industrial businesses over the year. The food production operation has been going on for 17 years, and Meninno Brothers came into the building in 2006. There has been some concern expressed by neighbors with regard to the storage units on the property. One is for paper goods used for the production, and the other type is a refrigerated trailer that comes in every day dependent on the season. There may be two trucks that come onto the site every day that may stay for 24 hours or less because of the operation of the facility and limitations of the existing building. The food is brought out and stored in the trucks until it is full. Sometimes the refrigeration unit runs and the neighbors can hear it. Rick Walters wants to address this issue by bringing all outdoor storage inside the expanded building, also making the facility more efficient.

McCann said that they are proposing two additions to the building to make the building more efficient and eliminate the trailers. There will be a second floor addition over one end of the building to be used for offices. This would open up first floor production space. She stated that the refrigeration units could not be inside. The food is stored inside, and then the truck for delivery would come, load up and leave. The trucks will not need to remain on-site. The non-food products can be stored inside. McCann stated that they have been to the ZBA and received the relief for the two additions being proposed. They did have an audience at that meeting voicing their concerns which were addressed. This will be a significant improvement to the present conditions.

McCann stated that stairways are being added to the second floor. The owner has negotiated a lease with the MBTA for a twenty-five foot land lease for parking. This opened the area for landscaping, buffering and truck maneuvering in the parking lot. The application will create a better, more efficient building and add buffering to the site.

McCann described the landscaping plan; 70 arborvitae are proposed along the lot line where there is currently truck and car parking. A new entrance planting bed will dress up the site. McCann described the landscaping on the site. She stated that they have exceeded the required number of parking spaces. McCann stated that they have received comments from Engineering indicating they are satisfied with stormwater management capabilities on the site.

Prentiss asked where the snow storage was located, and McCann pointed out the designated areas and also said that they could move the snow off-site if needed. He liked what is being done at the site. He asked if the snow would be put on the rail trail, and McCann stated that the new landscaping would not allow this to happen. Prentiss asked if other people used the site for parking. McCann stated that there is no shared parking agreement; however, people do park there for the Petes-a-Place and the park across the street. They do not shoo people away, and they have not had a problem with the parking.

Henry asked McCann whether the applicant would be taking responsibility for maintaining the landscaping. McCann said that it was part of the site plan, and they would maintain it.

Cheetham stated that she is a parent who has parked on the site. She stated that the two existing trees and the storage truck keep people from going deep into the site. She asked about the licensed area, and McCann stated this area was for trucks to be able to maneuver on the site.

Cheetham stated that they might want to put up signs to stop people from going deep into the site. McCann stated that if a problem arises, they will take action.

Cheetham asked if there was runoff at the back of the building, and McCann responded that it was all pervious.

O'Neill stated that a new catch-basin was being installed.

Cheetham asked about lighting, and McCann stated that there were only building-mounted lights.

Zilinsky liked the landscaping plan. She did have a question about trucks maneuvering around the building, but she saw the area was striped. She had another question regarding the Building Inspector's comments concerning the dumpster.

McCann said that she met with the Building Inspector, and they would fully enclose the dumpster area. There was also a question concerning the concrete pad shown on the plan. She explained that this was missed when the engineer drew the plan because it was covered with pallets. At the ZBA meeting, the Board was concerned about this outdoor pallet storage, and they were asked to immediately enclose or screen the pallets. This was taken as a condition of the approval.

McCann said that Walters moved the pallets back and put a screen around them, so they could not be seen. McCann went back to the ZBA and confirmed that they had done what was requested. Now the Building Inspector is taking the position that this was only temporary. McCann stated that the pallets cannot be stored in the dumpster area; they need to be stored elsewhere. The Building Inspector disagrees. There seems to be a miscommunication with the Building Inspector.

Zilinsky asked if this area was screened all around. McCann responded that just the front was screened. She stated that when you are in the parking lot and rail trail you do not see the pallets.

Zilinsky confirmed that if the application is approved tonight and Maloney has an issue, the applicant will go back to the ZBA. McCann stated that if zoning relief was necessary or not granted, she felt the ZBA would work with the applicant. She said that they would take a condition that should the Building Inspector feel they need to go back to the ZBA, they would go back for approval. If this area cannot stay, it would then be a modification to the site plan, and they would be forced to come back to the Planning Board.

Zilinsky inquired if the dumpster would be fully enclosed, and McCann confirmed this.

Sears pointed out that some of the items on their plans were not shown on the ZBA plan. McCann stated that the stairs that needed ZBA approval were put on the plan. They did not need relief for the 3rd staircase because it is fully conforming and needed for access. She explained that the concrete pad was missed in the ZBA plan. It was a pad covered with pallets that they are trying to clean up.

Sears asked if there was any evidence of the lease presented to the Town. McCann stated that the lease has not been executed because once it is signed, the applicant needs to start paying. Sears asked for how long the lease was, and McCann responded that it was a license renewed every year by the MBTA. It is annual, but automatically renewed unless notice is given of termination.

Sears asked the hours of operation, and Walters responded 6:00 a.m. to 10:00 p.m. Sears asked how many employees, and Walter stated there were presently 45 employees. There may be an additional 15. Sears asked how the landscaping would be watered, and McCann stated that most of the landscaping was drought resistant. The cherry tree would need to be watered manually. Walters would make sure the landscaping holds. Sears asked if the arborvitaes would be 4 to 5 foot plants, and Walters confirmed.

Day stated that she had some concerns initially with the encroachment of snow storage and drainage on the rail trail. She felt it was a significant improvement aesthetically. She was happy with the answer given regarding the dumpster and concrete pad. She confirmed that the dumpster enclosure was not on the ZBA plan. She thanked the owners being amenable to the possibility for a pedestrian way for a connection to the Rail Trail. They found that they could not get people safely through the parking lot and 78 Holten Street. Day felt the MBTA is short on money, and she cannot see them not renewing the lease to generate revenue. She felt the MBTA would continue this lease in the future.

Sears stated that the snow storage was not shown on the plan. He felt it should be referenced in the record or shown on the plan. McCann showed the areas on the plan, and stated there was limited snow storage. Some of the parking spaces could be used for snow storage. McCann stated that if the trucks cannot be maneuvered, the snow will be removed.

Henry stated that if the ZBA is not happy with the plan, he doesn't want the applicant saying that the Planning Board accepted the plan. He said that if the ZBA has an issue with it, the plan will be dealt with after you appear before the ZBA. McCann felt it would be a clarifying discussion.

Day asked if it would be possible to screen the back of the concrete pad area. She felt it would be worthwhile in their discussion with the ZBA. She felt the 78 Holten Street property had been cleaned up, and it might be nice to close up this area.

Sears asked if the retaining walls were over four feet, and if they were, had they been approved. O'Neill stated that the walls were more than four feet but will not be free-standing walls. He explained that they would be reinforced with a geogrid. O'Neill described the provisions made for drainage of the wall.

Sears asked if there were going to be any condensers on the addition that would make noise. Walters stated that all air conditioning units are already on the building.

Day stated that most of the noise came from the trailer. She has been on the site with the trailer gone, and the refrigeration on the building does not make a lot of noise.

MOTION: Prentiss moved to close the public hearing for Site Plan Approval for 144 Pine Street. Zilinsky seconded the motion. The motion passed by unanimous vote.

MOTION: Zilinsky read the Certificate of Action and moved to grant Site Plan Approval for 144 Pine Street. Prentiss seconded the motion. The motion passed by unanimous vote.

OTHER BUSINESS

Downtown Rezoning Discusion

Day passed out maps regarding the downtown zoning to the Board members to introduce the process of defining the scope of the study area. She stated that community feedback is a desire to take a big bite out of the apple. She and MACP staff spent Friday morning walking some of the access points off of High Street. There is plenty of parking to the rear of these properties. There is space to accommodate mixed-uses. This area joins up with the rail corridor that runs to the Danversport area. It would be wonderful to incorporate a future rail trail into the planning process for the High Street area.

Cheetham stated that she wanted to do both areas together. She would like to have a nice plan for the downtown.

Day said the second question was whether to do an overlay versus an underlying zoning change. People liked the Tapleyville approach, and seemed to feel this was a good solution in an existing I-1 area. Day stated that the Lees were happy with the work done in Tapleyville. Property owners along that corridor are interested and supportive in having that conversation.

Cheetham stated that there is a tremendous reluctance to transfer residential to commercial. Some homeowners might want that opportunity. She asked how they should deal with residential uses, and how would they would blend the zoning through the whole area.

Sears said that he liked the limited scope. If we get into uncharted waters and dissect the commercial area, we may confuse and aggravate Town Meeting members. He felt they should clean up the Industrial 1 zones. They may need a larger grant if they get a nice response.

Cheetham said that in setting the scope for the Industrial 1 areas for the waterfront, they had properties that a homeowner could not convert which left them stuck with being in an Industrial 1 zone. It worked for some and not for others.

Zilinsky said that she was surprised at past Town Meetings that the zoning changes passed so easily. Danversport rezoning showed that we were not trying to hurt people. The Industrial 1 zones shown on the map have issues. A discussion ensued concerning mixed-use.

Henry confirmed that the Board only wanted to concentrate on the Industrial 1 zones.

Day said that the preliminary feedback is in favor of including the entire Maple/High Street corridor from I-1 to I zone. In Commercial 1 you cannot have residential on the second and third floors of a building. A lot of people want residential uses incorporated into the mix downtown. There is the struggle with the use by variance doctrine. She asked that the Board keep their minds open on that subject, and to get public feedback.

Zilinsky stated that she would want mixed-use in the Commercial use zone. Her concern is density and parking issues.

Henry worried about limiting the scope of the study before needed.

Prentiss viewed this project as two pieces. The High Street area down by Route 128 is a drivable area rather than a walking area; Maple Street is the more walkable area. He is interested in how the MAPC is looking at this.

Henry felt they might need different zoning prescriptions. This is the area where we can make redevelopment. What is the next step for this area? The corridor between the Industrial zones is critical because you are replicating the downtown in this area.

Zilinsky said that maybe they should wait and see what happens. It would be great if people were for this, but she is also concerned about the industrial areas. She would love to see the center mixed-use. She wants to get the major Industrial 1 areas addressed.

Sears said that this was a small amount of money for a grant. He said if we can get the two Industrial 1 pieces done, they can always come back if they felt it would be accepted. They could look for other grants for the center area. He felt this is the area of the Downtown Improvement Committee. Sears felt it would be much easier to pass through Town Meeting if

the focus was on the two ends. He felt introducing the middle area would make it more complicated.

Zilinsky felt if they could keep the objective for the downtown in mind as they are looking at the two ends. It would be great if we could do it, but they need to finish the Industrial 1 areas.

Day said there was a lot of public enthusiasm. Property owners are struggling having to go to the ZBA for every mixed-use project.

MINUTES

August 26, 2014

MOTION: Prentiss moved to approve the minutes of August 26, 2014. Zilinsky seconded the motion. The motion passed by unanimous vote.

ADJOURNMENT

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

The meeting adjourned at 8:50 p.m.

Respectfully submitted: Francine T. Butler

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