



Town of Danvers Planning Board

1 Sylvan Street, Danvers, Massachusetts 01923 | p: 978-777-0001

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Planning Board Members:

James Sears, Chair
Louis George, Clerk
Torey Adler
Jean Hartnett
Tim Spittle

Location: Danvers Senior Center and Remote Participation

April 25, 2023

7:00 p.m.

MINUTES

Louis George (serving as acting Chair for the meeting) called the meeting to order at 7:00PM.
Jean Hartnett serving as acting Clerk.

Board members present: Louis George, Tim Spittle, Jean Hartnett

Board members absent: Jim Sears and Torey Adler

Staff present: Joshua Morris

Beaver Brook Woods Definitive Subdivision (303-333 Maple Street) – Request by Beaver Brook Woods, LLC for extension of completion date for Beaver Brook Woods Definitive Subdivision to April 30, 2024, and for reduction of performance guarantee for completed site improvements for Beaver Brook Woods Definitive Subdivision from \$255,984.07 to \$240,932.85.

John Colantoni (applicant)-reason for meeting is one year extension though expect to be done prior to one year. Prior reduction in front of Planning Board was May, 2022. This will be third reduction. Difficult to have one year pass and reduction to go down only \$15,000-creates challenge to finish project with having money tied up. Planning Board often votes with what Engineering Department says – would ask to vote in favor of us instead. Over \$58,000 left in loam department - loam is on site so cost should be lower. Work will be done but looming cost remaining is not \$58,000. Would like reduction down to \$225,000. Enough will be left for loam. Will adhere to other recommendations.

Board (Spittle)-what is not making sense on table with regards to costs? Loam cost review? Engineering formula sheet is clear. Application accounts for expenses made but we cannot see that.

John Colantoni-loam on site will need to go to some other locations on the subdivision site. Four families living there; two more moving in; starting lots 6 and 7 soon. Town may increase what we estimate to finish project. Seeking compromise on loam as it seems too high on Town side.

Board (Hartnett)-need 2,140 square yards to complete project-portion still on site? Will not need additional? So it should be zero? Take \$15,000 off seems reasonable if you have what you need on site.

John Colantoni-all loam on site. Should be zero.

Board (George)-application - % complete matches what Engineer has for loom at 48%. Application and Engineer say 48% complete. The remaining cost on initial application was blank. Concern with having a smaller number. Provided recommendation of remaining cost-we rely on expertise of Engineering. If this is amendment to Tripartite Agreement and the dollar amount is to come down, can the applicant come back?

John Colantoni-Zero because we have all loam and feel it's complete. 48% is incorrect. Board to review what Engineering has sent. Staff to review.

Staff-request for reduction can come in at anytime from applicant. Engineering review saw inconsistencies in document submitted; reviewed and tried to make spreadsheet accurate.

John Colantoni-spoke with Stephen King and Henry Clarke – noted math on excel sheet was not matching. Was told by Engineering that Stephen King and Henry Clarke would handle it.

Staff-application involves extension of time and reduction. Would recommend that we move forward with extension to prevent expiration on April 30, 2023. Reduction cost-if agreement cannot be reached, could be determined at future meeting.

John Colantoni-costs \$1,000 for us to be here for extension and \$300 for reduction to present tonight. In agreement to not want multiple meetings for reductions. Asking instead of \$240,000 put the bond to \$225,000 – one category change and still protecting Town with regards to loam.

Board (George)-Engineering not present tonight to offer feedback. Do not see the reason to stray from Town Engineer recommendation.

John Colantoni-I have 3 engineers on the project. Asking to consider \$225,000 instead of \$240,000. Worked on subdivision for almost year and reduction of only \$15,000 is not right. Bringing it down will help us finish the project.

Board (Spittle)-two different changes in application and version-increase in quantities; correction of manual overriding of costs. Math is correct in Engineering memo. Potential to approve reduction conditioned upon receipt that loom has been purchased and is true? How can two inconsistent documents be presented and we have to make a decision? Application and Engineering say 48%.

Staff-5 member board and 3 present tonight. Would have to be unanimous decision on anything done tonight. Applicant provided documentation; Town Staff provided documentation.

John Colantoni-my documentation means nothing until Engineering goes through it. Voting on what comes from Engineering. My application starts the process. The 48% is a mistake. We have all the loam but is not spread at each spot yet. The cost to spread is not \$58,000.



Board (Spittle)-application says 48% so we can only take your word that it's 100% complete.

Board (George)-loom not spread means work not complete.

Staff-concern with having condition different from a regular decision since this is tripartite agreement. Documentation of purchase versus percentage complete – there is a disconnect.

John Colantoni-No disconnect on our end. Insulting to go down \$15,000. Can board be polled?

Board (Spittle)-established what we see as problematic. If cutting \$15,000 would be in favor. Would like to have Engineering help with confusion like this in the future.

Board (Jean Hartnett)-does applicant see Engineering review? Did applicant have time to talk to Engineering?

Staff-document from Engineering sent to applicant last Thursday.

John Colantoni-emailed and called Engineering and they said they are staying at \$58,000. Spending lots of time to only be given \$15,000 reduction.

Board (Hartnett) - \$15,000 off is fine but Engineering knows more than we do.

Board (George)-Town Engineer aware of applicant concerns with numbers. Response from Engineering was standing firm with their number. Will not question their number.

John Colantoni-could vote on extension and continue reduction but does not want to waste time. Vote on what Stephen King wants, but I do not want to hear complaint that we are back here for a reduction sooner than we should be in the future. When you vote on this, I am leaving with \$240,000 tied up that I cannot use to finish the project. If I am back soon it is because I need to free up money to use. Do not want to be penalized.

Board (George)-reason for this is to protect the Town and people who are there.

Bill Bradstreet (Town Meeting Member Precinct 1)-Town's interest paramount to anything else.

Motion to grant extension of time to April 30, 2024, and remaining balance on tripartite agreement to \$240,932.85 reduced from \$255,984.07 (draft decision read) made by Jean Hartnett, seconded by Tim Spittle, and unanimously approved.

Minutes

Board – minutes from April 11, 2023.



Motion to approve minutes from April 11, 2023, made by Jean Hartnett, seconded by Tim Spittle, and unanimously approved.

Staff-Zoning Amendment Kickoff Meeting – date will be Tuesday, May 30th at the Senior Center. Will email the group. Will present overview of Zoning Amendments for Fall Town Meeting. Other items could be on the meeting agenda as well. Currently no items for other May meeting dates. On the May 30th meeting, will be discussing MBTA Community, housekeeping items.

Motion to adjourn made by Jean Hartnett, seconded by Tim Spittle, and unanimously approved.

Meeting adjourned at 7:55PM.