

## Danvers Select Board Minutes

June 20, 2023

The regular meeting of the Danvers Select Board was held on Tuesday, June 20, 2023, at 6:30 P.M. in the Daniel J. Toomey Hearing Room, Town Hall, 1 Sylvan Street, Danvers. Present: Daniel C. Bennett; Maureen A. Bernard; and Gardner S. Trask III [DSB Chair David Mills and Select Board member Matthew Duggan were not in attendance]. The **Pledge of Allegiance** was recited by all in attendance.

Select Board member Trask motioned the Board to approve the **Minutes of June 6, 2023**, as presented, seconded by Select Board member Bernard, and voted 3-0.

**New Public Business:** TMM Pct. 1 Bill Bradstreet called attention to Elm Street parking lot weeds which need to be removed and road work (Poplar to Hobart) patching not properly compacting. Both items will be referred to DPW.

Land Use Director Aaron Henry addressed efforts to “curb” student parking in neighborhoods around the School, using “Resident Only” placards/stickers. At a later point in the meeting, Select Board member Bennett addressed the issue (Agenda item No.4) concerning amending Parking Rules & Regulations. Select Board member Bernard motioned to amend the Parking Rules & Regulations (“Traffic Rules & Orders”) as presented, seconded by Select Board member Trask, and voted 3-0.

**Representative Sally Kerans** spoke of Legislative actions which have taken place in the past few months, and discussion followed regarding opportunities for State funding and how it’s impacted by communities who, of necessity, sought Prop 2½ overrides; the time may be coming for Danvers to consider this option, despite the likelihood that you will not see a groundswell of support for it. Agreement in the State House is widespread that the housing crisis is real, and communities need to be creating housing that people can afford. There’s a lot of programs to encourage “own versus rent.” Grant money is out there promoting home ownership and first time homeowner assistance. She urged people to reach out to legislators for information or help. Also, look to banks and credit unions. Select Board members thanked Rep. Kerans for her presentation and thoughtful suggestions.

A public hearing was held on **Danvers Electric Division (DED) Conduit Petition No. 20230424-1** dated April 24, 2023, requesting permission to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public ways: Charter, Hobart, Locust, and Maple Streets -placing approximately seven hundred and fifty feet (750’) of underground conduit. DED Systems Engineer Jay Gomes described the project as necessary to provide primary service to 120 Maple Street (Maple Square project), for which the developer pays all costs for excavation, trenching, wire & equipment, and restoration of the site. Project anticipated to start late July/early August in coordination with other utility work in order to minimize disruption to public. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 3-0. Select Board member Trask motioned the Board to approve the project as presented, seconded by Select Board member Bernard, and voted 3-0.

A public hearing was held on **Danvers Electric Division (DED) & Verizon Joint Pole Petition No. 20230424-2** dated April 24, 2023, requesting permission to locate poles, wires, cable and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, also, permission to lay and maintain underground laterals, cables and wires or intersecting public way for purpose of making connections with poles and buildings along and across the following public way: North Putnam Street for the relocation of three (3) Danvers Electric/ Verizon joint owned utility poles p100-11, p100-10, and p100-9. Jay Gomes addressed this request (work to be completed by DED crews and paid for by the developer) in order to avoid wires closer than allowed to building at 120 Maple Street. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 3-0. Select Board member Trask motioned to approve the project as presented, seconded by Select Board member Bernard, and voted 3-0.

The Board was requested to consider the application of Jillian Scioli for a **One Day Wine & Malt Beverage License** at Endicott Park, 57 Forrest Street, on August 20, 2023 from 12:30-5:30P.M., for a birthday celebration. Ms. Scioli

reserved space in the pavilion and hired a mobile, TIPS-certified bar service. Any minors in attendance will be monitored by parents and bar personnel. Select Board member Trask motioned to approve the application as presented, seconded by Select Board member Bernard, and voted 3-0.

A public hearing was held under Chapter 138 of the General Laws on the application of **TGI Friday's, Inc., d/b/a TGI Friday's**, 49 Newbury Street, Stephen Carter, Manager, for a Change of Manager of an All Alcoholic License at that location. Atty. Albert DeNapoli, representing TGI Friday's, and Mr. Carter, 16<sup>+</sup> year TGI employee, attended and provided an alternate manager listing sheet, the presumption being that an employee named on the license is the manager of record when Mr. Carter is not on site; there was agreement on this point. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 3-0. Select Board member Trask motioned to approve the application as presented, seconded by Select Board member Bernard, and voted 3-0.

A public hearing was held on the application of **Pub49**, 49 Maple Street, Melissa Byrne, Manager, to modify the current Entertainment License to add 3 (three) coin operated amusement devices (COADs). Ms. Byrne explained that they anticipate adding three video/arcade games (Big Buck; Golden Tee; and PacMan/Frogger/Donkey Kong combo) in place of a couple tables in a generally under-used area, to increase revenue over the summer months. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 3-0. Select Board member Trask motioned to approve the request as presented, seconded by Select Board member Bernard, and voted 3-0.

A public hearing was held for properties requiring **permanent and temporary easement takings** [7 and 9 College Pond Dr.; 6 Greenleaf Dr.; and 40 and 44 Summer St.]. Town Engineer Stephen King and owners of the affected properties were on hand for the discussion. Mr. King described the project as the installation of a new sewer main, eliminating the Greenleaf Drive ejector pump station constructed in 1970, necessitating temporary and permanent easements on the five (5) properties listed for compensation totaling \$182,465. Installation of a gravity sewer main up Greenleaf to College Pond was deemed the most appropriate, cost effective of three options (a fourth determined to be invalid). Annual Town Meeting of 2020 approved the project; appraisals were conducted [11/21], based on comps in the area, submitted to TOD based on Fair Market Value [2/22], ATM 2023 approved eminent domain takings for the project.

Several homeowners were present: Maureen & James Larivee (7 College Pond Dr.), [Charles Hannigan & Gail Eaton (40 Summer St.), Doug Deroscher (6 Greenleaf Dr.) and posed questions and concerns, while noting that Mr. King has been helping to keep them informed. [Responses in [blue print](#).]

- A better timeline, denoting start date / finish date. **Start date right after Labor Day, 2023; project duration likely one year.**
- Compensatory payments: How was the figure determined for each parcel involved? Numbers discussed are almost two years old and unacceptable. Can they be adjusted to reflect current values? **Appraisals by comps in the area and throughout the Town and based on what TOD will disturb during the process. It was noted that residents are free to seek their own appraisals, but there may be leverage under MGL Ch. 79. This question would require input from Town Counsel.**
- Maintenance: After the fact, once properties returned to original conditions, who is responsible for maintenance? **Once the project is complete and property restored, homeowner bears responsibility.**
- Multiple iterations including GIS drawing, actual survey plan showing exact locations. **The easement drawing is the same as the plan originally discussed and what is recorded with Registry of Deeds. Town made every effort to move as much of the project as possible off private property.**
- Concerns about driveway access; ability for emergency vehicles to access homes. **Lots of provisions with contractor to ensure access points for people to get into and out of driveways and access by emergency vehicles if necessary.**

- This is a big disruption for all of us and we need to know What? When? How compensation figures were arrived at. **Mr. King is more than willing to meet with residents to discuss their concerns. “Confident that this is the best, least impactful way to serve the public good.**

Given that the Select Board does not meet again until August 15, if a vote were not taken this evening, there would not be insufficient time for the project to get underway in early September. Select Board member Trask motioned to close the public hearing, seconded by Select Board member Bernard, and voted 3-0.

Before a vote on the Eminent Domain takings, Select Board member Bennett noted that he is a member of the Danvers Historical Society with Gail Eaton and a member of Kiwanis with Doug Deroscher, both of whom offered comments at this meeting; Select Board member Trask disclosed that he knows each of the participants who offered comments at this meeting; and Select Board member Bernard disclosed that she also is a member of Kiwanis.

Select Board member Trask motioned to approve Order **Eminent Domain Taking of Temporary and Permanent Utility Easements** on property located at 40 Summer Street, Danvers, 44 Summer Street, Danvers, 9 College Pond Drive, Danvers, 7 College Pond Drive, Danvers, 6 Greenleaf Drive, Danvers and the Town of Danvers, for the amounts of consideration shown payable to the respective owners of each parcel shown on Exhibit A to the Order of Taking, all as authorized by Article 24 of the May 15, 2023 Danvers Annual Town Meeting, seconded by Select Board member Bernard, and voted 3-0.

The Board discussed the vacancy on the **Beverly Airport Commission**, which elicited interest from five (5) qualified candidates, all of whom had been interviewed during meetings on May 16 (3 applicants) and June 6 (2 applicants). Select Board member Trask motioned to recommend Bill Kossowan, no second, voted 1-2 (Bennett and Bernard opposed). Select Board member Bernard motioned to appoint Vincent Meoli, seconded by Select Board member Trask, no final vote, as Select Board member Bernard withdrew her motion for the present time. It was unanimously agreed that the discussion would be tabled until the five-member Board convened on August 15.

A proclamation in recognition of **Rotary International’s 100<sup>th</sup> anniversary** was read and motioned for acceptance by Select Board member Bernard, seconded by Select Board member Bennett, and voted 3-0. The proclamation will be presented to the Club by Select Board member Bennett on June 27.

**Asst. Town Manager update**

- In concert with the Anniversary of Rotary, it should be noted that the group will participate, along with FalconFest, in the downtown Danvers celebration on June 27 (rain date June 29) during which DPW will block off streets for safety, and the Town will have departmental representation from 5-8 P.M.
- The third annual Juneteenth celebration took place yesterday (June 19) with representation by North Shore Juneteenth Association, Rep. Kerans, and members of the public. Thanks go out to HRIC and Jasmine Ramón for help in organizing the event.

Select Board member Trask motioned to approve the Consent Calendar items as they appear below, seconded by Select Board member Bernard, and voted 3-0.

*Parade:* Highlands Horribles Parade, July 4 2023, 9:00 A.M. start time beginning at Seaboard Distributions and ending at Center Street Training Field

*Block Party:* Eric Picard, 10-17 Greenleaf Drive Block Party, July 15, 2023 1-10:00 P.M. [rain date July 22, 2023]

*Gas Storage:* 75 Lindall Street OPCO, LLC 75 Lindall Street

*Banner:* Holiday Festival and Tree Lighting, over Maple Street, November 27-December 3, 2023

Correspondence, Select Board “*New Business*,” previous “*New Public Business*” updates, and **Select Board closing comments.**

**Select Board member Bernard:** “All set.”

**Select Board member Trask:** “Only e-mail was one sent to all members of the Board regarding trash and particularly the size of the barrels.”

The Asst. Town Manager noted that the website will be displaying a page of FAQs which will be updated as new, different questions are received by either the Town Manager’s office or DPW.

**Select Board member Bennett**

- “Once the information is released, you’ll get more questions and DPW will respond to the citizen who reached out via e-mail. Stay tuned for changes in trash.”
- If you meet a vet, thank him or her for their service.
- Happy Fourth of July on behalf of the Board!

The meeting adjourned at 8:15 P.M.

Written | prepared by Ann Freitas

Attest: Catherine S. Ellsworth, Town Clerk