

TOWN OF WENHAM
Planning Board
Meeting of May 11, 2017
Wenham Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Planning Board was held on Thursday May 11, 2017 at 7:30 PM in the Selectmen's Meeting Room.

With a quorum present, Mr. Geikie called the meeting to order at 7:30 pm.

Board Members Present: David Geikie, Chair; Stephen Kavanagh; Don Killam; Virginia Rogers

Also present: Margaret Hoffman, Planning Coordinator; Catherine Tinsley, Recording Secretary

Town Counsel, Attorney Ilana Quirk, K & P was present to participate in the Wenham Pines agenda item.

Mr. Geikie announced that Board member Minot Frye, Vice Chair, passed away and expressed the Boards' condolences.

Mr. Frye was recognized for his years of dedication to the Town. Mr. Frye would be remembered fondly.

As the appointing authority, the Board of Selectmen have been notified of the vacancy.

Old Business

- Continued Public Hearing – Request for Modification to previously approved “Special Permit Under Zoning Bylaw Section XVIII – Residential Open Space Communities” dated September 10, 1992

Location - 213R Larch Row

Mr. Geikie declared the hearing re-opened. He gave a brief overview of the initial application submitted September 10, 1992.

The request is to modify a previously approved plan under the 1992 ROSC (Residential Open Space Committee) Bylaw and; the ROSC is no longer used but this plan is grandfathered as allowed by law.

Mr. Geikie disclosed that he was a direct abutter as he lives across the street. Mr. Griffin had no objection to Mr. Geikie continuing to hear this application as a minor modification but Town Council recommended that as an abutter, Mr. Geikie file a disclosure with the Town Clerk.

Engineer Bob Griffin was present for the applicant.

Mr. Griffin referenced plot plan and summarized the request to make a minor modification to no. 4 of the 1992 Special Permit regarding the common driveway to increase the width from 20 feet to 24 feet to provide easier emergency access and slightly change the alignment of the driveway by removing the sharp turn and creating a gentle turn to minimize wetland impact, preserve mature sugar maple trees, and improve the sightlines. The new driveway is approximately 800 feet long. The original (current) driveway will be closed and restored.

According to the Special Permit, changes must be reviewed/determined by the Planning Board to be consistent with the bylaw and Special Permit. Lot A is an adjoining property that is not part of the original special permit. All current wetland bylaws were met as required.

The Conservation Commission process has been completed, including the wetland crossing, gravel driveway, storm water plan, and dry wells (improved). A peer review was done on the calculations and the Salem Beverly Water Board also hired a consultant. All reviews were satisfactory.

Greenbelt holds the Conservation Restriction and has reviewed / approved the plan.

There is a recorded easement for a bridal path crossing the property from Walnut Road maintained by Essex County Trail Association.

Mr. Geikie provided photos from 2006 “Mother’s Day Storm” which flood the four corners (nearest intersection to the property) and reiterated his concern with flooding/ drainage.

Ms. Hoffman drafted Special Condition for the Boards' review, observing the Fire Department has required sprinkled buildings and that the Driveway Utility Agreement is included in the review.

Approved 6.8.17

Vote: Ms. Rogers moved, and it was seconded, to continue the hearing to a date certain, June 8, 2017 at 7 :30 pm in Town Hall. The motion carried unanimously.

New Business

Review Wenham Pines Legal Documents

Attorney Michael Dissette, Glovsky & Glovsky was present for Attorney Miranda Gooding. Attorney Quirk participated in this agenda item.

- Conservation Restriction (CR) – Final Version of the CR was approved by Town Counsel and provided to the Board members for review and approval of the CR form to be submitted to the state. Once approved by the State, the CR will be returned for town board/ committee signatures. In summary, the intent is that the CR together with the convenient are intended to go on entire property at the start of the project to protect the town interest during all phases of the build out of the project.
Vote: Mr. Killam moved, and it was seconded, to approve the Conservation Restriction subject to approval by the state. The motion carried unanimously.

The other bullet items as listed on the agenda were not ready for discussion.

- Master Deed
- Planning Board Covenant
- Condominium Rules and Regulations
- LIP New Unit Deed Rider
- LIP Regulatory Agreement
- Schedule I to Declaration of Trust

Approval Not Required (ANR) Endorsement Requests

- 56 -60 Main Street Assessor's Map 27, Lot 36

The Board was provided with the Phasing Plan dated 7.27.16

A new lot is being created as lot 1 to accommodate the need of the developer to phase the project/ acquisition of the land in sections. There is a potential owner for one of the units; the developer would like to have this unit in the first phase.

- There will be an ANR for each Phases
- Up to four phases are planned with 4 to 6 units per phase
- The sequencing of the proposed phasing may change.
- Universal easement will be issued by the land owner for the developer as needed; this is a recorded agreement
- Occupancy Permits will be issued only after all infrastructure is done.

Vote: Mr. Killam moved and it was seconded, to grant the ANR endorsement for lot 1 for 56-60 Main Street. The motion carried unanimously.

8 Danes Way Assessor's Map 32, Lot 4

The Special Permit for a hammerhead lot at 8 Danes Way was granted but the appeal period for abutters to appeal the Planning Board decision is up at May 17, 2017. This agenda item was held.

Administrative

- Minutes from the meeting of April 12, 2017

Vote: Ms. Rogers moved to approve the meeting minutes of April 12, 2017 and it was unanimous to do so.

The Planning Board unanimously adjourned at 8:36 pm.

Respectfully Submitted By
Catherine Tinsley
5.23.17