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**CITY of BEVERLY
PLANNING BOARD**

*191 Cabot Street
Beverly, Massachusetts 01915
Phone (978) 921-6000
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2014 SEP 30 P 1:55

Mayor

Michael P. Cahill

Planning Director

Aaron Clausen

Chairperson

John Thomson

Vice-Chair

Ellen Hutchinson

Members

Catherine Barrett

Edwin Barrett, III

Ellen Flannery

David Mack

James Matz

Wayne Miller

John Mullady

September 30, 2014

Ms. Kathleen Connolly, City Clerk
Beverly City Hall
191 Cabot Street
Beverly, Massachusetts 01915

RE: SPECIAL PERMIT APPLICATION #137-14 – 232 ESSEX STREET – DUC
RESIDENTIAL LLC

Dear Ms. Connolly:

On June 23, 2014, the Beverly Planning Board (the "Board") received the above-referenced application for approval of a special permit to allow payment of a fee in lieu of providing affordable units on-site pursuant to Section 38-34.G.2.b.

The Board conducted public hearings on July 15, 2014 and September 16, 2014. The public hearing on the special permit was concluded on September 16, 2014 and the Board voted on the matter the same night. The following Members of the Board voted on the matter: John Thomson, Ellen Hutchinson, Catherine Barrett, Edwin Barrett, Ellen Flannery, David Mack, James Matz, Wayne Miller and John Mullady.

After due deliberation, Members of the Planning Board considered whether the project meets the criteria for granting special permits. The Board found that the site is an appropriate location for the proposed use and that the character of adjoining uses, will not be adversely affected; that no factual evidence has been presented or found that property values in the district will be adversely affected by such use; that no undue traffic and no nuisance or unreasonable hazard would result; that adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use; and that there are no valid objections from abutting property owners based on demonstrable fact, and that adequate and appropriate City services are or will be available for the proposed use.

In making its decision, the Board also considered the following factors, which combined justify the granting of the requested special permit: 1. The approved Basic Maximum Number for the project is 19 house lots. The developer has committed to reduce the proposal to 16 house lots to address concerns raised about density in the neighborhood. Providing affordable units on-site would require the higher yield of lots to make the project work; 2. There are 104 existing affordable housing units across the street from the subject property, therefore alleviating any concerns this project may have over even distribution of affordable units throughout the City; 3. A fee payment could be utilized to leverage more affordable housing units in the City or to help the City maintain its current stock of affordable housing units, therefore furthering the goals of the Inclusionary Housing Ordinance.

Accordingly, the Board voted (7-2-0) (Thomson, C. Barrett, N. Barrett, Flannery, Mack, Matz and Miller in favor) (Hutchinson and Mullady in opposition) to approve the special permit to allow payment of a fee in lieu of providing affordable units. The cash payment shall be 35% of the average of the lowest 50% of single family sale prices in the Montserrat Neighborhood as determined by the City of Beverly Assessor for the three fiscal years immediately prior to the date of application. The fee in lieu of providing two affordable units on-site is therefore \$208,652 (\$104,326 per unit). Timing of payments is prescribed by Section 38-34.M.4. of the Zoning Ordinance.

Appeals from the Board's decision on this special permit may be filed in accordance with the provisions of M.G.L. Chapter 40A, Section 17, within twenty (20) days of the filing of this decision with the City Clerk.

Sincerely,

John Thomson/lz

John Thomson
Chairperson

JT/lz

cc: Brian D. McGrail, Esq.
DUC Residentials LLC
File

Twenty days elapsed since this decision has been
filed with the City Clerk and no appeal has been taken.
A True Copy
Attest:

Twenty days elapsed since this decision has been
filed with the City Clerk and no appeal has been taken.
A True Copy
Attest:

A TRUE COPY
ATTEST: *Kathleen P. Connolly*
City Clerk *J*