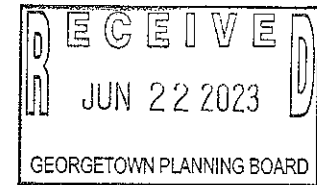


McCann

MCCANN & MCCANN, P.C.

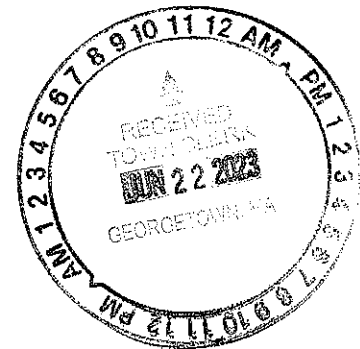
ATTORNEYS AT LAW
89 NEWBURY STREET - SUITE 302
DANVERS, MASSACHUSETTS 01923
TELEPHONE: 978-739-8484
FACSIMILE: 978-739-8455
E-MAIL: NMCCANN@MCCANNLAW.COM



June 22, 2023

Georgetown Planning Board
1 Library Street
Georgetown, MA 01833

RE: 206 W. Main Street Redevelopment
Site Plan Approval Application



Dear Board Members:

On behalf of Rock Pond Development, LLC, owner of the property located at 206 W. Main Street (Property), enclosed please find a Site Plan Approval Application Package relative to the redevelopment of the Property for residential purposes consisting of nine (9) residential townhouse style units. You will note that the Applicant took very much to heart the comments heard at last summer's Site Plan review initial hearing and has modified the building layout, provided garages, reduced impervious surface area and importantly is proposing a new fully compliant septic system.

Enclosed herewith please find 16 application package sets as required consisting of:

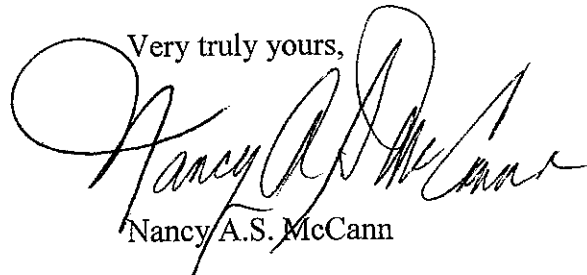
1. Site Plan Application Form
2. Exhibit A - Project Narrative
3. Filing Fee \$ 2,272.50
4. Site Plan Set (Sheets 1-6)
5. Building Elevation Drawings
6. Stormwater Management Letter from Project Engineer Williams and Sparages
7. Traffic Analysis - Transportation Impact Report
8. Georgetown Board of Appeals Decisions File #22-01
9. Board of Health comment letter dated May 1, 2023
10. Current Deed
11. Abutters' List
12. An electronic plan set will be submitted via email.

Georgetown Planning Board
June 22, 2023
Page 2 of 2

I understand that the planning office will forward the site plan application packages to the Town departments under Section 165-83.D.2.

This is an exciting opportunity to redevelop a long derelict commercial property for residential purposes. I request that this matter be placed on the agenda of the July 26, 2023 Planning Board meeting. Thank you for your consideration and please contact me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nancy A.S. McCann". The signature is fluid and cursive, with a large initial "N" and "M".

Nancy A.S. McCann

NASM/kjl
Enclosures

THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

ROCK POND DEVELOPMENT LLC

499 E. BROADWAY
HAVERHILL, MA 01830

LOWELL FIVE

53-7139/21

1086

PAY TO THE
ORDER OF Town of Georgetown

Two Thousand Two Hundred Seventy-Two and 50/100*****

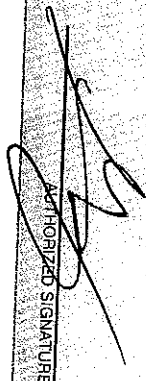
\$ **2,272.50

DOLLARS

Town of Georgetown
1 Library St
Georgetown, MA 01833

MEMO
filing permit

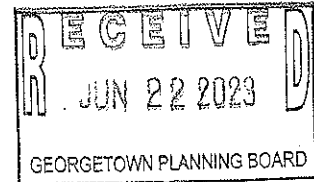



AUTHORIZED SIGNATURE

⑈001086⑈ ⑆211371337⑆ 4616342⑈

Town of Georgetown

Planning Office
1 Library Street
Georgetown, MA 01833



Phone: (978) 352-5713

Fax: (978) 352-5725

Site Plan Approval Application

Please type or print clearly:

In accordance with Section 165-83 of the Georgetown Zoning Bylaw, Site Plan Approval is required for the following:

- ☒ Construction, exterior alteration, relocation, occupancy, or change in use of any building for commercial, industrial, office, multi-family, municipal, institutional, utility, fraternal or recreational purposes.
- ☐ Resumption of any use discontinued or not used for more than two (2) years or for the expansion of any existing use.

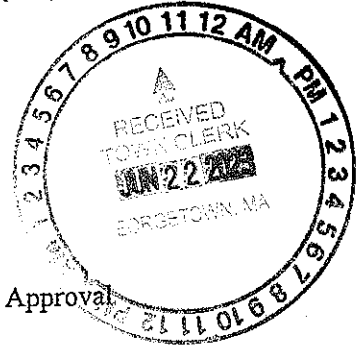
Petitioner: Rock Pond Development LLC
Address: c/o Nancy A.S. McCann, Esq. 89 Newbury St. Ste. 302, Danvers, MA 01923
Telephone Number: 978-739-8484

Owners of Land: Rock Pond Development LLC
Address: c/o Nancy A.S. McCann, Esq. 89 Newbury St. Ste. 302, Danvers, MA 01923
Telephone Number: 978-739-8484
Number of Years of Ownership: 1 year

Location of Property (address): 206 W. Main Street
Zoning District: R-A
Assessors: Map: 6B Lot # 53
Registry of Deeds: Book #: 40212 Page # 311

Description of Project and Proposed Use: Remove existing commercial building and construct a new fully conforming residential building containing 9 townhouse style units; impervious surface will be reduced; new landscaping and stormwater measures will be provided. See Exhibit A.

Proposed Building:
Ground Floor (Sq. Ft.): 15,150 s.f. **# Floors:** 2
Total Sq. Ft.: 30,300 s.f. **Height:** <35'
Use: Apartment House **Type of Construction:** See Plans
9 Townhouse Units



Petitioner and Landowner signatures:

Every application for Site plan Review shall be made on this form which is the official form of the Planning Board. Every application shall be filed with the Town Clerk's Office. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the Town Clerk or Planning Office does not absolve the applicant from this responsibility. The petitioner shall be responsible for all expenses for filing and legal notification. Failure to comply with application requirements, as cited herein and in the Planning Board Rules and Regulations may result in a dismissal by the Planning Board of this application as incomplete.

The Petitioner hereby agrees to permit inspection to confirm construction as per plan during ordinary business hours by the Planning Board or its agent. The Petitioner shall compensate agent, where applicable.

The Planning Board reserves the right to hire a consultant at the Petitioner's expense if deemed necessary to further review plans or supporting data (M.G.L. Ch. 44. Sec. 53G)

Petitioner's Signature:
Print or type name here:

Nancy A. McLean
Nancy A. McLean Atty for owner/applicant

Owner's Signature:
Print or type name here:

Nancy A. McLean

Project Narrative – Site Plan Approval

Village at Rock Pond

206 W. Main Street, Georgetown, MA

The Applicant, Rock Pond Development, LLC, requests Site Plan Approval under Section 165-83 of the Zoning Bylaw to allow the redevelopment of the commercial site located at 206 W. Main Street for an “Apartment House”, as defined under the Georgetown Zoning Bylaw, with nine (9) townhouse-style residential units. The Property is located in the Central Residential (RA) Zoning District, and the Water Resource District.

Existing Non-conforming Commercial Conditions

The Applicant acquired the Property in August, 2021, and has worked with its consultants, architects and project engineer to design a redevelopment plan for residential purposes that will greatly improve the appearance and environmental impact of the existing site. The existing vacant, non-conforming, derelict commercial site and large commercial parking lot within this RA neighborhood is not only an eyesore but is a detriment to the neighborhood. The site contains 2.1 acres and 252’ of frontage with direct access onto W. Main Street via existing 3 curb cuts.

Proposed Residential Development

The proposed nine townhouse unit building is in the approximate location of the existing commercial building which will be removed. Site utilities to meet the needs of the proposed residential units are shown on the Site Plan. The existing septic system will be replaced with a new fully compliant septic system that will meet the regulations and needs of the proposed residential units.

Taking comments received during the initial Site Plan hearing held last summer on the previously proposed site layout, the applicant and the project design team have revised the plan to address those comments and suggestions. The building has been rotated 90 degrees such that the building façade is parallel to W. Main Street, rather than the previously proposed perpendicular layout. Garages are provided for the residents as well as surface visitor spaces, a view corridor is provided that lines up with the curb cut and provide a view to Rock Pond. The impervious surface area has been significantly reduced; all units have been pulled out of the resource area buffer zones. The project is fully conforming to the Georgetown Stormwater Bylaw and as noted above, a new septic system for the project will be installed. (see comment letter provided by the Board of Health agent dated May 1, 2023).

The residential building as proposed complies with all density and dimensional requirements under the Zoning Bylaw. A Zoning Table is provided demonstrating compliance on the Site Plan.

Each of the residential units will contain four-bedrooms and 2 1/2 baths. Parking on-site is provided as required under the Zoning Bylaw Section 165-61, with additional guest parking spaces available. A Parking Compliance Table s provided on the Site Plan. Importantly, the three existing curb cuts will be reduced to one curb cut serving the site.

Board of Appeals Decision

On March 8, 2022, the Georgetown Board of Appeals granted zoning relief necessary for the project as defined herein consisting of a Special Permit for the proposed townhouse building, defined as an “apartment house” under the Zoning Bylaw. On May 1, 2023, the Board of Appeals following a public hearing voted to Modify the 2022 Special Permit to reference the site layout as shown on the Site Plan submitted with this application package. A copy of the Board of Appeals decision has been included with this Application.

Design, Landscaping, Visual Impact and Town Character

The Premises consists of an existing commercial structure, as well as wetlands and a large commercial parking lot, in excess of 55% impervious cover. The Applicant proposes a 21% reduction in the impervious coverage by removing much of the existing commercial parking lot. The total proposed impervious surface will be 34% in compliance with the Zoning Bylaw. Green space is being increased and enhanced providing aesthetic improvement to the *entire* site. The pond frontage will be improved by debris removal, and other improvements as permitted by the Conservation Commission which will enhance the pond\ . A substantial landscaping plan has been prepared by the Applicant's landscape architect and is submitted as part of the Site Plan. The proposed landscaping will beautify the existing streetscape, enhance the architectural design of the townhouse building, and will add color and interest to the site.

The project architect has surveyed the Georgetown community and has incorporated architectural elements from structures found throughout the town into the architectural elements of the new residential townhouse-style building ensuring that the building as designed will complement the community. The result will be a very attractive residential property located on a visible site that has been blighted for many years which will be a benefit to the neighborhood. The project is designed to be in visual and functional character with the town and will harmonize with the mixed-use neighborhood.

The proposed building materials will consist of the following:

Townhouse building will be finished with horizontal clapboards as manufactured by JP Hardy Company (a.k.a. "Hardy Planks"); and composite trim boards. Roofing shall consist of Architectural grade asphalt shingles.

Traffic Analysis and Parking

The existing three curb cuts serving the property from W. Main Street will be reduced to one curb cut as shown on the Site Plan. Submitted with this Application package is a Transportation Impact Report which finds that the proposed nine residential units will neither negatively nor significantly impact the traffic flow on W. Main Street. Adequate site distances are provided for entering and exiting the site. Supporting data is provided in the traffic report. As noted, the existing three curb cuts will be reduced to one curb cut.

Thirty-five (35) parking spaces are provided on-site: 27 parking spaces are provided for the 9 townhomes (3 parking spaces for each residential unit) and 8 guest parking spaces. The project provides adequate parking for the proposed residential use and exceeds the parking requirements under Section 165-61 of the Zoning Bylaw.

Drainage/Stormwater Management

Submitted with this application is a letter from Williams and Sparages, project civil engineers, regarding stormwater management. The stormwater management measures currently on-site together with the significant reduction in impervious surface and increase in landscaping, will result in substantial environmental improvements to the site over existing conditions.

Inclusionary Housing Bylaw

The project will comply with Section 165-71 of the Zoning Bylaw by providing one unit of affordable housing as defined under the Zoning Bylaw.

Summary:

The Village at Rock Pond has been designed to properly provide for utility service, traffic flow and parking needs of this nine (9) unit residential development. The Project will convert the property from an existing non-conforming commercial use to a fully conforming residential use significantly more in

compliance with the Georgetown Zoning Bylaw than existing conditions. The opportunity to improve a degraded site and enhance pond and site features is a benefit to the townscape as well as a very significant improvement to the natural landscape of the area. The Village at Rock Pond will be a very attractive addition to the Georgetown community and the West Main Street corridor.

RECEIVED
TOWN CLERKS OFFICE
GEORGETOWN, MA



TOWN OF GEORGETOWN
Georgetown Zoning Board of Appeals
Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833
Phone (978) 352-5742 ♦ Fax (978) 352-5725

Zoning Decision
Owner/Applicant – Rock Pond Development, LLC
ZBA File #22-01
206 West Main Street
Special Permit Apartment House/Density Variance Withdrawn

The Georgetown Zoning Board of Appeals met remotely via Zoom Webinar on January 4, 2022, February 1, 2022 (for continuance only), and March 1, 2022, relative to an application filed by Owner/Applicant/Petitioner: Rock Pond Development LLC, 499 East Broadway, Haverhill, MA, 01830, for the property located at 206 West Main St, Georgetown, MA in the RA District and identified on Assessor's Map 6B Lot 53. The Applicant requested a residential redevelopment for 22 units on the property which is currently a legally pre-existing non-conforming restaurant. The Owner/Applicant requires Special Permits for an Apartment House and alteration of a non-conforming commercial structure, as well as a Variance for Density exceeding 10,000 Square Feet per Dwelling Unit as per the Intensity of Use Schedule, from the Zoning Board of Appeals, all pursuant to M.G.L. 40A, Sections 6, 9 & 10, and Georgetown Zoning Bylaw Chapter 165, Sections, 8, 9, 68, 74-79 and 84 & 94.

The Hearing was held via Zoom Webinar pursuant to Chapter 20 of the Acts of 2021, the above-cited remote meetings connection information was included on the January 4, 2022 and February 1, 2022 meeting agenda, which will be posted on the Town of Georgetown website no less than 48 hours prior to the meeting. Further, the meeting was broadcast live on the Georgetown Local Access Cable TV Comcast Ch. 9 and Verizon Ch. 42.

Notice of public hearing on this application was:

- 1) Published in the Georgetown Record on November 26, 2021, and December 3, 2021;
- 2) Posted on a bulletin board in a conspicuous place in the Georgetown Town Hall on November 16, 2021; and
- 3) Made by first class mail postage prepaid to all interested individuals, Boards and agencies on November 30, 2021.

Attorney Nancy McCann, of McCann & McCann of Danvers, MA, represented the Applicant at the public hearing. The Applicant submitted an application which included plans, documents relative to the history of the property and a memorandum in support.

Overview

The applicant proposed on January 4, 2022, to reuse and redevelop the existing non-conforming commercial restaurant building for a permitted residential use being "Apartment House." The proposed project within the existing building and a total of 22 units, 26 bedrooms are proposed. At the end of the January 4, 2022 hearing, the board voiced concerns that they could not reach a decision because of the state code variance and bylaw density requirements, and the applicant asked to continue to February 1, 2022, to consider options and to continue to March 1, 2022, and submitted 2 sheets of revised plans on 2-22-22, a site plan and an elevation plan.

Abutters and residents at the January 4th and March 1st hearings voiced concerns over the proposed 22 units being too much for the lot, land and pond area – as well as concerns around access to the boat ramp. Abutters also raised environmental concerns relative to the construction. The applicant proposed new plans at the March 1, 2022 hearing, and abutters mostly had concerns that fall under the jurisdiction of Conservation and Planning Board.

The applicant revised its initial proposal to provide for the Apartment House redevelopment project, which now consists of nine (9) units, rather than the previously proposed 22 units originally. The applicant resubmitted plans that addressed the comments and present a revised and attractive proposal. The main substantive changes involve addressing the density issues under the bylaw and revised the proposal to 9 units on property which is permitted under the Intensity of Use Schedule Footnote #1 of the Zoning Bylaw. The Applicant withdrew its request for the Density Variance. The proposed 9 units of an apartment house (4 units or more of a residence) under the definition of same under bylaw, are of a townhouse style in the approximate location of the existing building footprint. The existing building will be removed. The Apartment house as proposed continues to meet all of the criteria under Section 165-68 of the Zoning Bylaw. It will be in the same location, not using the existing building, so will no longer require special permit for alteration of nonconforming structure.

The applicant requested to withdraw the Variance for Density as it no longer applies, and the board voted unanimously to allow the applicant to withdraw for that original requirement.

Revised plans presented at the March 1, 2022 Hearing

- Site Plan dated 2-22-2022 by Williams & Sparages Engineers
- Elevation Plans dated 2-16-22 drawn by Dario Designs Village at Rock Pond proposed 9 units.

Density Variance withdrawal request by the Applicant

The Board voted to allow the applicant to withdraw the requirement for Density Variance as it no longer applied with the revised plans/project by unanimous vote 4-0.

Special Permit Granted with the following Conditions

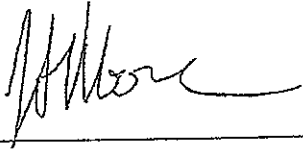
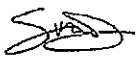
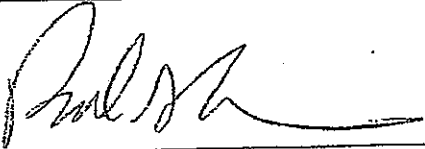
The Board, by unanimous vote 4-0, to Grant a Special Permit for and "Apartment House" to Owner/Applicant Rock Pond Development LLC, 499 East Broadway, Haverhill MA 01830 for property located at 206 West Main Street, in the RA District and identified on Assessor's Map 6B Lot 53 in Georgetown MA 01833 under M.G.L. c. 40A, s. 9 and Zoning Bylaw 165-68 (apartment house).

It was further moved the application met the criteria of Georgetown Bylaw Chapter 165-79 (a-d); being the application is desirable to the public convenience or welfare; will not overload any public water or other municipal services so as to unduly subject any area to hazards affecting health, safety or the general welfare; will not impair the integrity or character of the district or adjoining districts; and, will not cause an excess of that particular use which could be detrimental to the character of the neighborhood.

See next page

With the following conditions:

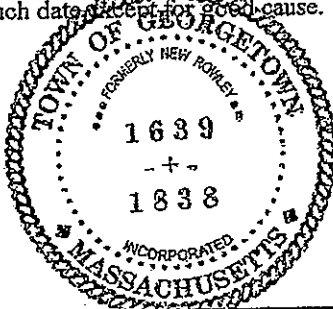
1. Site Plan Approval/Review is required
2. The construction shall not impede access to Rock Pond
3. The requirement of the Inclusionary Housing Bylaw Chapter 165-71 shall apply

Name	Signature	Vote	Date
Jeff Moore, Chairman		Yes	3/7/2022
Shawn Deane		Yes	3/4/2022
Paul Shilhan		Yes	3/8/22
David Kapnis		Yes	


20 Day Appeal: This decision is on file with the Town Clerk and Planning Board. Any appeal of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after the date the notice of decision was filed with the Town Clerk. An applicant may file this decision before the 20 days, but does so at their own risk.

Recording: Any applicant who receives a special permit or variance is required by Massachusetts General Law 40A to have the decision recorded/ registered at the Essex South District Registry of Deeds after the 20 day appeal period. A copy of the recorded document shall be forwarded to the Georgetown Zoning Board of Appeals Office.

Lapse of Permit - Per M.G.L. 40A §9, Special Permits granted shall lapse within a specified period of time, not more than 3 years, which shall not include such time required to pursue or await the determination of an appeal referred to in Section 17, if a substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun by such date except for good cause.

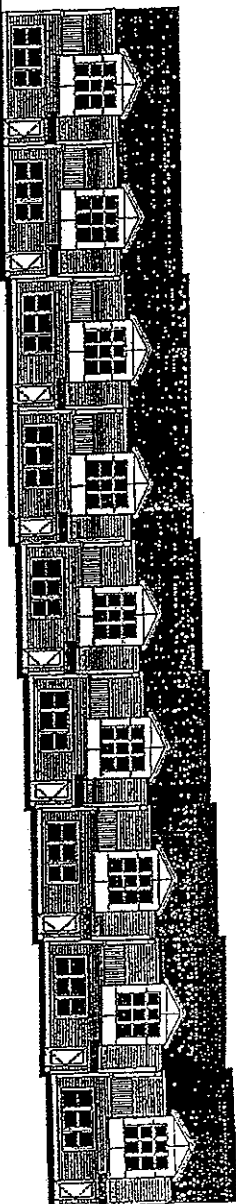


A TRUE COPY ATTEST


TOWN CLERK
GEORGETOWN, MASSACHUSETTS



VIEW FROM PARKING LOT



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GEORGETOWN, MA
2022 MAR -0 PM 1:04

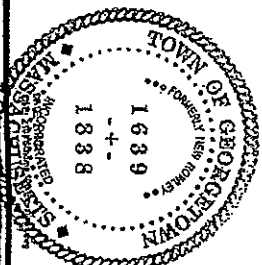
DESIGNS OF GEORGETOWN

TOTAL UNITS: 9

A TRUE COPY ATTEST

James D. McMenster
TOWN CLERK
GEORGETOWN, MASSACHUSETTS

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FEB 22 2022
GEORGETOWN
ZONING BOARD OF APPEALS



VILLAGE AT
ROCK POND
ELEVATIONS

OPTION 10C



DARIO
DESIGNS
ARCHITECTURE
DESIGN
PLANNING
CONSULTING

318 MAIN STREET
NORTHBOROUGH, MA 01532
TEL. 508-877-4444
FAX. 508-877-4474

SITE PLAN

206 WEST MAIN STREET, COOKSTOWN, N.J.

[illegible]

WEST MAIN STREET
(1917 COUNTY LAYOUT)

2.1.4

ROCK POND

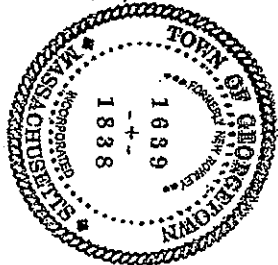
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GEORGETOWN
ZONING BOARD OF APPEALS

A TRUE COPY ATTEST

TOWN CLERK
GEORGETOWN, MASSACHUSETTS

GEORGETOWN, MASSACHUSETTS

[illegible]

Town of Georgetown



TOWN CLERK

Town Hall
1 Library Street

Georgetown, MA 01833
(978) 352-5711

I, the Town Clerk of Georgetown, Massachusetts, hereby certify that the Zoning Board of Appeals Decision on the application of:

Rockport Development, LLC

Applicant

(Owner if Different)

206 W. Main St.

Street Name & Number

Has been filed with this office on March 8, 2022

And those twenty (20) days from the date the decision was filed has elapsed and this office has received no appeal within the said twenty (20) day appeal period

July 27, 2022
Date

Kenn C. McManus
Town Clerk of Georgetown



RECEIVED
TOWN CLERKS OFFICE
GEORGETOWN, MA

Zoning Decision
Owner/Applicant – Rock Pond Development, LLC
ZBA File #22-01
206 West Main Street
Request for Modification of Special Permit

2023 MAY 17 PM 3:08

A Public hearing was held on May 2, 2023, at or after 7:00PM at Georgetown Town Hall 3rd Fl. Meeting room. A request was filed by Owner/Applicant/Petitioner: Rock Pond Development LLC, 499 East Broadway, Haverhill, MA, 01830, for the property located at 206 West Main St, Georgetown, MA in the RA District and identified on Assessor's Map 6B Lot 53 for modification of the previously granted Special Permit (#22-01) to reflect a new site layout for the 9 dwelling units.

Notice of public hearing on this application was:

- 1) Published in the Newburyport Daily News on April 17 and April 24, 2023;
- 2) Posted on a bulletin board in a conspicuous place in the Georgetown Town Hall on April 11, 2023 and
- 3) Made by first class mail postage prepaid to all interested individuals, Boards and agencies on April 12, 2023

Also found on the website for: Massachusetts Newspaper Publishers Association's (MNPA) masspublicnotices.org

Attorney Nancy McCann, of McCann & McCann of Danvers, MA, represented the Applicant at the public hearing.

Board Members voting were- Thomas Mulligan, Jon Pingree, Leo Ryan, James Ogden, Tracey Hartford. The Board voted 4-0, Jon Pingree abstained, to grant the requested modification to Special Permit #22-01.

Procedural History

The Georgetown Zoning Board of Appeals met remotely via Zoom Webinar on January 4, 2022, February 1, 2022 (for continuance only), and March 1, 2022, relative to an application filed by Owner/Applicant/Petitioner: Rock Pond Development LLC, 499 East Broadway, Haverhill, MA, 01830, for the property located at 206 West Main St, Georgetown, MA in the RA District and identified on Assessor's Map 6B Lot 53. The Applicant requested a residential redevelopment for 22 units on the property which is currently a legally pre-existing non-conforming restaurant. The Owner/Applicant requires Special Permits for an Apartment House and alteration of a non-conforming commercial structure, as well as a Variance for Density exceeding 10,000 Square Feet per Dwelling Unit as per the Intensity of Use Schedule, from the Zoning Board of Appeals, all pursuant to M.G.L. 40A, Sections 6, 9 & 10, and Georgetown Zoning Bylaw Chapter 165, Sections, 8, 9, 68, 74-79 and 84 & 94.

The applicant proposed on January 4, 2022, to reuse and redevelop the existing non-conforming commercial restaurant building for a permitted residential use being "Apartment House." The proposed project within the existing building and a total of 22 units, 26 bedrooms are proposed. At the end of the January 4, 2022, hearing, the board voiced concerns that they could not reach a decision because of the state code variance and bylaw density requirements, and the applicant asked to continue to February 1, 2022, to consider options and to continue to March 1, 2022, and submitted 2 sheets of revised plans on 2-22-22, a site plan and an elevation plan.

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The applicant revised its initial proposal to provide for the Apartment House redevelopment project, which now consists of nine (9) units, rather than the previously proposed 22 units originally. The applicant resubmitted plans that addressed the comments and present a revised and attractive proposal. The main substantive changes involve addressing the density issues under the bylaw and revised the proposal to 9 units on property which is permitted under the Intensity of Use Schedule Footnote #1 of the Zoning Bylaw. The Applicant withdrew its request for the Density Variance. The proposed 9 units of an apartment house (4 units or more of a residence) under the definition of same under bylaw, are of a townhouse style in the approximate location of the existing building footprint. The existing building will be removed. The Apartment house as proposed continues to meet all the criteria under Section 165-68 of the Zoning Bylaw. It will be in the same location, not using the existing building, so will no longer require a special permit for alteration of nonconforming structure.

The applicant requested to withdraw the Variance for Density as it no longer applies, and the board voted unanimously to allow the applicant to withdraw for that original requirement.

At the March 1, 2022, hearing, The Board, by unanimous vote 4-0, granted a Special Permit for and “Apartment House” to Owner/Applicant Rock Pond Development LLC, 499 East Broadway, Haverhill MA 01830 for property located at 206 West Main Street, in the RA District and identified on Assessor’s Map 6B Lot 53 in Georgetown MA 01833 under M.G.L. c. 40A, s. 9 and Zoning Bylaw 165-68 (apartment house).

On July 8, 2022, the Applicant filed an application for Site Plan Review with the Georgetown Planning Board. During the Site Plan Review hearing, the Planning Board and public expressed several concerns regarding the site layout as proposed. The Applicant revised the Site Plan to address these concerns, resulting in this request for modification.

Hearing Summary

On May 2, 2023, Chairman Mulligan opened the hearing by reading the Legal Notice and Modification Request. Chairman Mulligan then invited the Applicants representatives, Attorney Nancy McCann, Mr. Dario Demar and Mr. Rich Williams to present the new Site Plan dated February 22, 2022.

The revised plan includes a new septic system, garaged parking w/ additional parking spaces, new landscaping, and the building oriented parallel to the street rather than perpendicular to the street. They explained that the number of units remain the same (9), all setback requirements continue to be met, the building no longer encroaches on the buffer zone of the wetlands, the building size has been marginally reduced and the impervious coverage has been reduced.


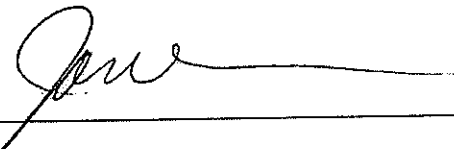
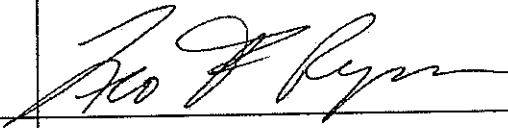
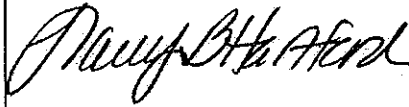
Chairman Mulligan then invited the audience to come forward with any comments or concerns. Most of the comments, concerns and discussion revolved around access to the boat ramp, location of the dumpster and protection of Rock Pond. Atty. McCann stated that these concerns would be addressed by the Planning Board and the Conservation Committee. Chairman Mulligan suggested the abutters memorialize their concerns in writing. There was some discussion relative to the restriction of the view to the pond even with the “View Corridor.” Mr. Williams stated the view is currently obscured by vegetation overgrowth and

Atty. McCann responded that no abutter has a view easement over the property and maintaining a view corridor is not required by law. It is noted that no abutter objected to the new orientation of the structure.

Findings of the Board

In accordance with MGL Chapter 40A Sec. 14 A motion was made by Board Member Hartford to approve the modification of Special Permit #22-01 containing Exhibit 1 Site Plan, Exhibit 2 Architectural Floor plans and Exhibit 3 Elevation Plan as submitted on May 2, 2023, motion second by Member Ogden previously granted to Owner/Applicant Rock Pond Development LLC, 499 East Broadway, Haverhill MA 01830 for property located at 206 West Main Street, in the RA District and identified on Assessor's Map 6B Lot 53 in Georgetown MA 01833 under M.G.L. c. 40A, s. 9 and Zoning Bylaw 165-68. The motion was seconded by Board Member Ogden. Chairman Mulligan called for a vote of the Board to approve the request for modification. The Board Members voted in the affirmative, 4-0, with one Board Member abstaining. All conditions of Special Permit #22-01 remain the same as originally imposed.

**206 W MAIN STREET
MAP 6B LOT 53
SPECIAL PERMIT**

Name	Signature	Vote	Date
Tom Mulligan, Chairman		Y	5-2-23
Jay Ogden		Yes	5-2-23
Jon Pingree			
Leo Ryan		YES	5/2/23
Tracey Hartford		Yes	5/2/23
Eric Burton			

20 Day Appeal

This decision is on file with the Town Clerk and Planning Board. Any appeal of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after the date the notice of decision was filed with the Town Clerk. An applicant may file this decision before the 20 days, but does so at their own risk.

Lapse of Special Permit - Per M.G.L. 40A §9, Special Permits granted shall lapse within a specified period of time, not more than 3 years, which shall not include such time required to pursue or await the determination of an appeal referred to in Section 17, if a substantial use thereof or construction has not commenced, unless upon timely application this Board finds good cause to extend such period.

Recording: Any applicant who receives a special permit or variance is required by Massachusetts General Law 40A to have the decision recorded/ registered at the Essex South District Registry of Deeds after the 20-day appeal period. A copy of the recorded document shall be forwarded to the Georgetown Zoning Board of Appeals Office.



Georgetown Board of Health

1 Library Street Georgetown, MA 01833- Tel. 978-352-5720
Fax. 978-352-5714

May 1, 2023 Board of Health Site Plan Review

Property Location: Village at Rock Pond
206 West Main Street (Map 6B Lot 53)

Owner/Applicant: Rock Pond Development, LLC
499 East Broadway
Haverhill, MA 01830

Plan Reference: ZBA Application package
for the Village at Rock Pond Development, LLC;
Dated: February 28 2023, Received: March 1, 2023

Dear Board Members:

Inspection of the Board of Health file records indicates that the existing non-conforming use of the property is currently a restaurant, with 120+ seats which equates to a septic capacity of 4,200 GPD (35 gpd/seat), prior to 2005 it was a restaurant/lounge with a seating capacity of 285 for a flow of 5,700 GPD (20 gpd/seat), and prior to 2001 a lounge with a seating capacity of 400 for a septic capacity of 8,000 GPD (20 gpd/seat). The proposed use is a multifamily development with 9 residential units (4 bedroom each per architectural plans dated (1-10-23) for a total of 36 bedrooms.

The Board of Health expressed its concern with respect to the use of the existing system, as it has not been in use for over 2 years; which would require a Title 5 inspection and a reinspection after a minimum of two months of fully occupied use.

The Board of Health recommended that the applicant consider performing new soil testing to demonstrate the viability of installing a new primary and future reserve system, in full compliance with Title 5 of the State Sanitary Code and local BOH septic regulations.

The applicant agreed and testing was completed and witnessed by the Board of Health. Acceptable testing results were obtained, and it appears that the applicant has depicted a proposed new system leach area on the revised plans.

The Health Department anticipates receiving design plans that are in full compliance with all State and Local regulations. The Board reserves further comment until such time as the complete system design plans are filed with the Health Department for review.

William G. Holt, PLS, RS, SE

A handwritten signature in black ink, appearing to read 'William G. Holt', with a long horizontal stroke extending to the right.

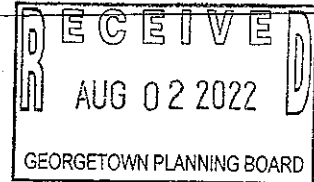
Health Director
Town of Georgetown

Property Address: 206 West Main Street, Georgetown, MA 01833



SO.ESSEX #116 Bk:40212 Pg:311
08/26/2021 09:33 AM DEED Pg 1/3
eRecorded

MASSACHUSETTS EXCISE TAX
Southern Essex District RDP
Date: 08/26/2021 09:33 AM
ID: 1475651 Doc# 20210826001160
Fee: \$2,964.00 Cons: \$650,000.00



QUITCLAIM DEED

I, **Jeffrey M. Snyder**, Married, of Woburn, Massachusetts for consideration paid and in full consideration of SIX HUNDRED FIFTY THOUSAND AND 00/100 AND 00/100 Dollars (\$650,000.00)

Grant to **Rock Pond Development, LLC** a Massachusetts Limited Liability Company having its principal place of business located at 499 East Broadway, Haverhill, Essex County, Massachusetts

With QUITCLAIM COVENANTS

The following property in Georgetown, Essex County, Massachusetts

Beginning at the most Northerly corner of said parcel by said West Main Street and by land formerly of Josephine P. Hardy, now or formerly Andrews;

Thence running Southeasterly by said West Main Street 300 feet to land now or formerly of Morse;

Thence running Southwesterly by said Morse land 350 feet more or less to Rock Pond;

Thence running Northwesterly by said Rock Pond to a swamp;

Thence running Northerly or Northeasterly through said swamp to a clump of trees at Andrews land;

Thence running Northeasterly by said Andrews land 200 feet more or less to said West Main Street and the first mentioned bound.

Containing two acres more or less.

Subject to a taking by the State of Massachusetts dated July 21, 1966 and recorded at the Essex County (Southern District) Registry of Deeds at Book 5379, Page 116.

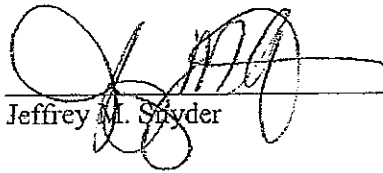
Subject to an Order of Conditions recorded with said Registry of Deeds at Book 17950, Page 458.

This is not homestead property of the Grantor and there is no other person who can claim the benefit of the Massachusetts Homestead Act, M.G.L. c. 188.

Meaning and intending to convey the same premises conveyed to the Grantor by Deed of Charles, C. Hajjar, Trustee of Rock Pond Realty Trust dated January 8, 2019, and recorded January 22, 2019, in the Essex South District Registry of Deeds at Book 37285, Page 398.

[Remainder of page intentionally left blank]


Executed as a sealed instrument this 4th day of June, 2021.

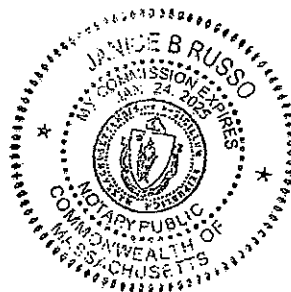

Jeffrey M. Snyder

COMMONWEALTH OF MASSACHUSETTS

County: Middlesex

On this 4th day of June, 2021 before me, the undersigned notary public, personally appeared Jeffrey M. Snyder, proved to me through satisfactory evidence of identification, which was Mass. Driver's License to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to his knowledge and belief, and acknowledged to me that this has been signed voluntarily for its stated purpose, by his free act and deed.


Notary Public
My commission expires 1-24-2025



**TOWN OF GEORGETOWN
ABUTTER LIST**

PARCEL # 6B-53 ~ 206 W MAIN STREET ~ PREPARED FOR THE ZBA and PLANNING BOARD 300'

PARCEL ID	PARCEL ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP CODE
6B-51	222 W MAIN ST	JESTER, JENNIFER TR		222 W MAIN ST	GEORGETOWN	MA	01833
6B-52	212 W MAIN ST	ANDREWS DAVID W	DEBORAH A ANDREWS	212 W MAIN ST	GEORGETOWN	MA	01833
6B-53	206 W MAIN ST	ROCK POND DEVELOPMENT LLC		499 EAST BROADWAY	HAVERHILL	MA	01830
6B-53A	204 W MAIN ST	COMMONWEALTH OF MASS	MASS HIGHWAY DEPT/DISTRICT 4	P.O. BOX 9490	BOSTON	MA	02205
6B-54	202 W MAIN ST	HORSMAN, MICHAEL TIMOTHY	MARIA T HORSMAN	202 W MAIN ST	GEORGETOWN	MA	01833
6B-56	ROCK POND AV	LERCH RYAN C	KERRY M LERCH	200 W MAIN ST	GEORGETOWN	MA	01833
6B-57	196 W MAIN ST	DESMOND, MICHAEL		196 W MAIN ST	GEORGETOWN	MA	01833
6B-57A	198 W MAIN ST	LOT 139 LLC		71 SEVEN SISTER RD	HAVERHILL	MA	01830
6B-67	189R W MAIN ST	TOWN OF GEORGETOWN	CONSERVATION COMMISSION	1 LIBRARY ST	GEORGETOWN	MA	01833
6B-67B	199 W MAIN ST	ABERMAN RICHARD M	NANCY S ABERMAN	199 W MAIN ST	GEORGETOWN	MA	01833
6B-68	201 W MAIN ST	PEART LISA MARIE		201 W MAIN ST	GEORGETOWN	MA	01833
6B-69	203 W MAIN ST	MIECZYSLAW TES	ELIZBIETA MIECZYSLAW	203 W MAIN ST	GEORGETOWN	MA	01833
6B-70	205 W MAIN ST	SULLIVAN MICHAEL J III	CHRIS ANN SULLIVAN	205 W MAIN ST	GEORGETOWN	MA	01833
6B-71	207 W MAIN ST	CASPER, MARK S	CASPER, MARJORIE E	207 W MAIN ST	GEORGETOWN	MA	01833

Town of Georgetown
ASSESSORS OFFICE
CERTIFIED COPY
Georgetown, MA 01833



JANUARY 11, 2023

JESTER, JENNIFER TR
222 W MAIN ST
GEORGETOWN, MA 01833

ANDREWS DAVID W
DEBORAH A ANDREWS
212 W MAIN ST
GEORGETOWN, MA 01833

ROCK POND DEVELOPMENT LLC
499 EAST BROADWAY
HAVERHILL, MA 01830

COMMONWEALTH OF MASS
MASS HIGHWAY DEPT/DISTRICT 4
P.O. BOX 9490
BOSTON, MA 02205

HORSMAN, MICHAEL TIMOTHY
MARIA T HORSMAN
202 W MAIN ST
GEORGETOWN, MA 01833

LERCH RYAN C
KERRY M LERCH
200 W MAIN ST
GEORGETOWN, MA 01833

DESMOND, MICHAEL
196 W MAIN ST
GEORGETOWN, MA 01833

LOT 139 LLC
71 SEVEN SISTERS RD
HAVERHILL, MA 01830

TOWN OF GEORGETOWN
CONSERVATION COMMISSION
1 LIBRARY ST
GEORGETOWN, MA 01833

ABERMAN RICHARD M
NANCY S ABERMAN
199 W MAIN ST
GEORGETOWN, MA 01833

PEART LISA MARIE
201 W MAIN ST
GEORGETOWN, MA 01833

MIECZYSLAW TES
ELIZBIETA MIECZYSLAW
203 W MAIN ST
GEORGETOWN, MA 01833

SULLIVAN MICHAEL J III
CHRIS ANN SULLIVAN
205 W MAIN ST
GEORGETOWN, MA 01833

CASPER, MARK S
CASPER, MARJORIE E
207 W MAIN ST
GEORGETOWN, MA 01833