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



OCT 2 4 2017 -3:50 PM

October 24, 2017

Georgetown Planning Board Georgetown Town Hall 1 Library Street Georgetown, MA 01833 Attn: John Cashell, Planner

Re: 66 Parish Road - OSRD Concept Plan Special Permit

Dear Board Members:

On behalf of Livingstone Development Corp., and pursuant to Article VII of the Georgetown Zoning Bylaw, enclosed please find an Application package requesting an OSRD Special Permit for a detached single family residential development on the property located at 66 Parish Road. The Application Package consists of:

- Application Form
- OSRD Project Narrative
- OSRD Design Process Narrative
- OSRD Concept Plan (7 Sheets) with yield plan
- Dwelling design rendering
- Letter from Building Inspector dated July 25, 2017
- Owners' Authorization
- Current Deed

Also submitted please find a Certified Abutter's List and the filing fee payable to the Town of Georgetown. I would appreciate this matter being placed on the agenda of your next available Planning Board meeting. Thank you for your consideration.

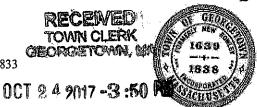
Very truly yours.

Nancy A.S. McCanr

NASM/kjl Enclosure

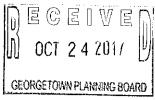
Town of Georgetown

Planning Office 1 Library Street Georgetown, MA 01833



Phone: (978) 352-5713

Fax: (978) 352-5725



Special Permit Application

Type of Special Permit Applied for:	GEURGE TOWN PLANNING
OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD) Composed open SPACE RESIDENTIAL DEVELOPMENT (OSRD) Site COMMON DRIVEWAY (Chapter 165-7) GROUNDWATER PROTECTION DISTRICT (Chapter 165-39) EARTH REMOVAL PERMIT (Chapter 49) RAPID DEVELOPMENT - RATE OF DEVELOPMENT BY-ACCESS ACROSS LOT FRONTAGE (Chapter 165-73.1) OTHER (Explain)	e Plan (Chapter 165-47)
Check the appropriate category above and outline basis for request for See Project Narrative Attached	Special Permit:
Submit 16 copies of application and corresponding plan/data to George accordance with posted procedures. M.G.L. Ch. 40 Sec. 9 requires that with the Town Clerk. Application shall include a Certified List of Abu required by M.G.L. Ch. 40A, Sec. 11. The Planning Board shall adver Owner/Applicant's expense. The applicant shall notify abutters via certain Road Realty Trust, Estates of John Delorenzo and Joseph Delorenzo	t petition shall be filed utters within 300 ft. as tise the Public Hearing, at
Owner's Name	Business Name
161 Elliott Street, Danyers, MA 01923	
Owner's Address (Street, City, State, and Zip Code)	Telephone
Livingstone Development Corp. c/o Nancy A.S. McC Applicant's Name (If acting as agent, attach authorization signed by owner.)	ann, Esq. Business Name
**	
89 Newbury Street - Suite 302. Danvers. MA 01923 Applicant's Address (Street, City, Sate, and Zip Code)	978-739-8484 Telephone
Philip Christiansen, P.C. Christ Applicant's Engineer / Representative Name 160 Summer Street, Haverhill, MA 01830	iansen & Sergi, Inc. Business Name 978-373-0310
Applicant's Engineer / Representative Address (Street, City, State, and Zip	

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Special Permit Application Georgetown Planning Board

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Page 2 of 2

Addre	ss of Site 66 Parish Road
Assess	sor's Map 20 Lot 1 Zoning District RB
Regist	ry of Deeds Book # Page # 186
Signat	ure of Owner See Attached Date
Signat	ure of Applicant Date 10/24/17 Attornsor applicant
	Application for Special Permit General Information
1.	Filing fee as per current fee schedule to be submitted with application to Planning Board, payable to "Town of Georgetown."
2.	Copy of deed of current owner to be included with submittal.
3.	Plan is to be stamped by a Registered Professional Civil Engineer, or Registered Land Surveyor, as necessary.
4.	Applicant hereby agrees to permit inspection to confirm construction as per plan during ordinary business hours by reviewing board or its agent. The applicant shall compensate agent, where applicable.
5.	The Planning Board reserves the right to hire a consultant, at Applicant's expense, if deemed necessary to further review plans or supporting data, as per M.G.L. Ch. 44, Section 53G.
_	are of Owner See Attached Date Date of Applicant Date Date Date Date Date Date Date Dat



Project Narrative

66 Parish Road - OSRD Concept Plan

The Applicant, Livingstone Development Corp., proposes to develop a parcel of land located at 66 Parish Road for residential purposes in the form of ten (10) detached residential condominium units. The single family detached condominium design concept allows residents to, in many cases, downsize into a modest size home, with the security and convenience of common area maintenance, but still have a single-family detached home.

The property consists of 40.23 acres of land with a derelict existing dwelling which will be removed. The applicant proposes to develop just 10.05 acres, shown as Lot 1 on the OSRD concept plan submitted with this application; the remainder of the property, 30.18 acres will be dedicated Open Space. The proposed OSRD has been designed to preserve **75**% of the existing land in permanent open space. Further, of the developed Lot 1, only 3.25 acres will be disturbed for site development. The project results in the permanent preservation of over 30 acres of open space and the construction of 10 single family homes in a well-designed, low impact development.

The OSRD concept plan has met the goals of creating a residential project in keeping with the quality and character of the neighborhood while minimizing impacts to the environmental resources on the property.

The detached single family dwelling layout, access pattern and utilities have been designed to be logical, orderly and contribute to the protection of public health, safety and welfare. The development of ten dwelling units on over 40 acres will not overload any public water, or other municipal system. A Yield Plan has been submitted as required demonstrating an 8 lot conventional single family development. The proposed OSRD Plan with 10 single family dwelling units includes in its calculation as shown on the Concept Plan a bonus of 2 units based on 75% open space. The Concept plan and yield plan demonstrate that the concept plan facilitates the construction and maintenance of ways, utilities and public service in a more economical and efficient manner than a conventional subdivision. The access drive is a private drive, rather than a subdivision street with public maintenance costs.

The disturbed area under the OSRD plan of 3.25 acres, is significantly less than the disturbed area under a conventional subdivision plan. The OSRD concept plan promotes permanent preservation of open space, and less sprawling, less land consumption and more efficient and compact development, while meeting a housing need.

Upon issuance of the OSRD Special Permit, the Applicant will proceed forward with submission of an OSRD Site Plan in compliance with the Concept Plan.

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Design Process Narrative 66 Parish Road – OSRD Concept Plan

The following information is provided to demonstrate compliance with Georgetown Zoning Bylaw OSRD design process regulations. The requirements of the Zoning Bylaw concerning design standards are shown below in italics while the design approach is listed in standard type.

165-51. Design process.

A. At the time of the application for a special permit for OSRD in conformance with § 165-52 of this bylaw, applicants are required to demonstrate to the Planning Board that the following design process was performed by a certified landscape architect or a qualified land planner and considered in determining the layout of proposed streets, house lots, and open space.

(1) Step One: Identifying Conservation Areas. The applicant shall identify preservation land by two steps. (1) Primary conservation areas: Primary conservation areas are site features that are protected by federal, state or local laws such as wetlands, wetland buffer zones, riverfront areas, areas of critical environmental concern, outstanding resource waters, rare species habitat, vernal pools, flood hazard areas, and floodplains. (2) Secondary conservation areas: Secondary conservation areas include unprotected elements of the natural landscape such as steep slopes (typically greater than 25%), mature woodlands (trees with caliper of 20 inches or greater), associated vernal pool upland habitat, prime farmland, large open meadows, critical wildlife habitats and important cultural features such as historic and archeological sites and scenic views shall be identified and delineated. The areas that do not qualify as primary or secondary conservation areas as agreed to by the discretion of the Planning Board define the potentially developable area. The potentially developable area shall be identified and delineated and to the maximum extent feasible, the potentially developable area shall consist of land outside identified primary and secondary conservation areas.

The primary Conservation areas were identified by the ANRAD process as administered by the Conservation Commission. The wetland areas were marked in the field including streams and bordering vegetated wetlands. The wetlands, and rivers and associated setbacks are shown on the attached plans. Large areas which had potential for open space were identified as well as that portion of the site that was previously farmed.

The project was designed to avoid all primary conservation areas and the buffer zones to them. The development is in an area that had been previously farmed. The open space includes a large contiguous area (approximately 30 acres) that can provide a mixed habitat for wildlife including upland woodland, brush, wetlands and streams.

preserve and enhance views and vistas on or off the subject parcel.

As can clearly be seen in the profile view of the drive and by reviewing the grading sheet the driveway is designed in "such a manner as to maintain and preserve the natural topography". The drive as designed follows the natural topography of the land thus requiring minimal change in the surrounding topography and minimal soil rearrangement.

(c) All open space (landscaped and usable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

The open space as well as a large portion of Lot 1 will remain in its present condition. By keeping the open space as it is without landscaping, the rural character of the area will be maintained.

(d) The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

The house on the property is condemned and will be demolished.

(e) Garages are strongly encouraged to be recessed at least five feet from the front building wall of the house.

One house style has a garage recessed five feet from the main house line; another has a side entrance garage, the third type for variety has a garage that is one and one-half feet in front of the main line of the house.

- C. Site specific design standards.
- (1) Mix of housing types. The OSRD may consist of any combination of single-family, two-family and multifamily residential structures. A multifamily structure shall not contain more than three dwelling units. Multifamily residential structures shall be in scale with surrounding residential structures. No further special permits are required from the Town of Georgetown for construction of multifamily residential structures.

The project will consist of only detached single-family homes in a condominium format.

(2) Parking. Each dwelling unit shall be served by two off-street parking spaces. Parking spaces in front of garages may count in this computation. All parking areas with greater than four spaces shall be screened from public view.

Each garage has two spaces for parking and there is additional parking space in the driveways.

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TOWN CLERK GEORGETOWN MAN (3) Buffer areas. A minimum buffer area of 25 feet in width shall be provided at the perimeter of the property where it abuts residentially zoned and occupied properties and a buffer area of 100 feet in width shall be provided from natural resource areas such as wetlands, intermittent streams, agricultural or recreational fields, and land held for conservation purposes except as noted below. In all cases a two-hundred-foot wide buffer must be maintained from perennial streams unless otherwise permitted by the Conservation Commission. Driveways necessary for access and egress to and from the tract may cross such buffer areas. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project. The Planning Board may waive the buffer requirement in these locations when it determines that a smaller buffer (or no buffer) will suffice to accomplish the objectives set forth herein, decisions will be made in conjunction with the Conservation Commission where the Commission's jurisdiction is applicable.

As designed the project provides the required buffers and the access drive runs through the buffer as allowed for access and egress.

(4) Drainage. The Planning Board shall encourage the use of "soft" (non-structural) natural stormwater management techniques (such as rain gardens open grass swales and bioretention swales) and other drainage techniques that reduce impervious surface and enable infiltration where appropriate. Stormwater should be treated at the source to limit nonpoint source pollution. In order to promote water conservation, rainwater retention systems such as rain barrels and cisterns are also strongly encouraged for irrigation purposes.

All drainage will flow naturally through the surrounding vegetation. There won't be any point source discharges within 100 feet of wetlands or within 200 feet of perennial streams. The project will be a low impact design.

(5) Screening and landscaping. All structural surface stormwater management facilities shall be accompanied by a landscape plan. The landscape plan shall not include invasive plant species and shall include species that are drought tolerant and provide habitat value. Native plant species are strongly encouraged and in ground sprinkler systems are strongly discouraged.

Structural surface stormwater facilities will not be used in this project

(6) Common/shared driveways. A common or shared driveway may serve a maximum number of three dwelling units.

The project as constructed is a condominium project with an access drive part of the common area of the condominium.

(7) On-site pedestrian and bicycle circulation. Walkways and bicycle paths shall be provided to link residences with parking areas, recreation facilities (including parkland and open space) and adjacent land uses where appropriate.

The open space is accessed by a walking trail most of which is in place.

(8) Disturbed areas. Not more than 50% of the total tract shall be disturbed areas. A disturbed area is any land not left in its natural vegetated state.

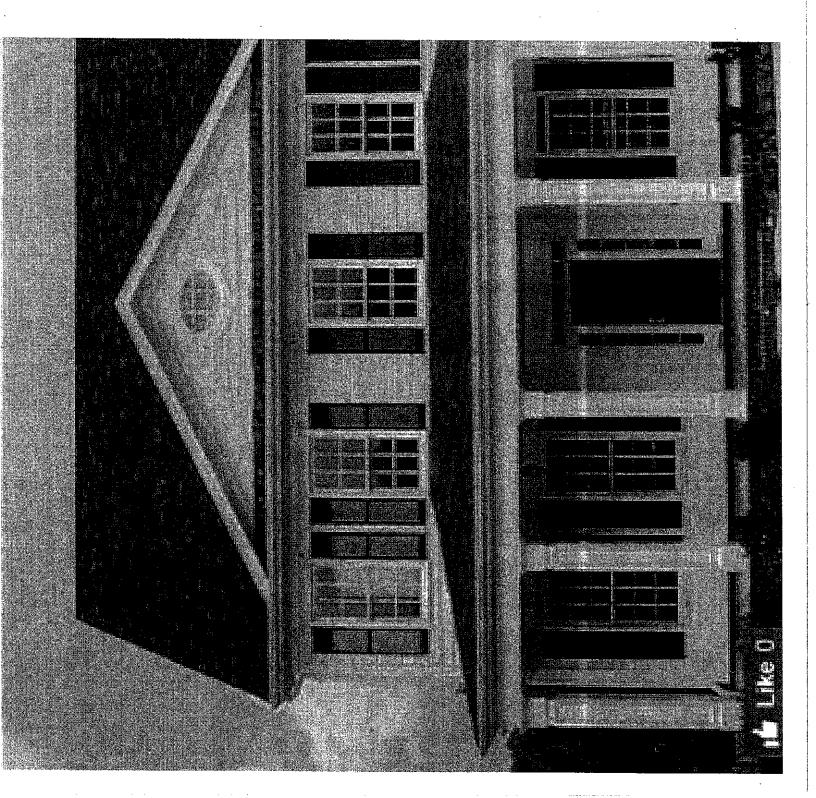
Only 8% of the property will be disturbed by construction.



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GEORGETOWN BUILDING INSPECTION DEPARTMENT

1 Library Street, George Open Massachusetts 01833 tel. (978) 352-5736 (1978) 352-5725

7/25/2017

MEMO:

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OCT 9 4 2017-3:50 PM

To: Nancy A.S. McCann – McCann & McCann P.C. From: Les Godin – Zoning Enforcement Officer

Re: Parish Road Residential Development – Zoning Determination

In response to your request memorandum dated: May 17, 2017 and office meeting in which you seek a determination on how to best proceed with permitting with regard to Georgetown Zoning Bylaw chapter 165 for the construction of a detached single family home residential development in the RB Residential District, please be advised of the following:

- Open Space Residential Development (Article VII) is a use authorized by Special Permit granted by the Planning Board in accordance with A.3 Use Regulation Schedule for a project located within the RB Zoning District. Since these are proposed as detached single family homes, I do not believe that a Special Permit is required from the Zoning Board of Appeals. Upon review of Section 165-48.D which references "condominiums", I agree that the term condominium is used in this instance to mean "multi-family". I support this determination based on A.3. Use Regulations Schedule which indicates "Single-family dwelling" as a permitted use and "Multiple-family dwelling" as an excluded or prohibited use in the RB Zone. The requirement for a ZBA Special Permit for Multi-family (or condominiums) under OSRD would be consistent with the Use Regulations Schedule which requires a ZBA Special Permit for Multi-family in the RA, CA and IA Zones.
- Given that it would not be a subdivision, I believe that Site Plan Approval from the Planning Board would be necessary in accordance with 165-83.

Further, should the developer choose not to develop using an OSRD plan for this project please be advised of the following:

- A.3. Use Regulation Schedule lists "Single-family dwelling" as an allowed use in the RB Zone however it does not list Single-family dwellings". Zoning 165-9 states that the Board of Appeals may authorize, by special permit, any other use not specifically listed in the Schedule of Uses. Therefore I believe that a Special Permit granted by the ZBA would be necessary.
- 165-81 Given that the Planning Board would not be the special permit granting authority for the principal use of the property, I believe that a Special Permit granted by the ZBA for more than one building on a lot would be necessary.
- 165-7 LOT definition does indicate "a dwelling group", compliance with "LOT" definition must be demonstrated.
- Again, given that it would not be a subdivision, I believe that Site Plan Approval from the Planning Board would be necessary in accordance with 165-83.

This review is provided based on correspondence and the limited information provided during our meeting with regard to Georgetown Zoning Bylaw Chapter 165. The rights, permits and required approvals are subject to change and a thorough zoning review would be required at the time any permit application is submitted. This review does not relieve the applicant's responsibility for obtaining other permits and approvals necessary as per applicable local, state and federal requirements.

Les Godin

Town of Georgetown

Building Commissioner / Zoning Enforcement Officer

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C: ZBA Pl. Bd.

EXTENSION FOR CLOSING DATE

Paul Delorenzo and Donna Delorenzo executors of the estates of John and Joseph Delorenzo (Sellers) and the LIVINGSTONE Development Co. Inc. or it's assignee (Buyers) the parties to that certain Purchase and Sale agreement (Agreement) dated June 2015 for the premises known as 66 Parish Road, Georgetown mass, recorded in Book 21462 Page 0186 at the Essex South Registry of Deeds. Hereby agree to extend the date for closing provided for in Paragraph 4 of the agreement to May 31, 2018, time still being of the essence.

The undersigned owners of the subject property 66 Parrish Road Georgetown, Mass. Hereby authorize the Livingstone Development to apply for any and all permits or approvals necessary or desirable for the development of the property for residential purposes.

Seller: Donna Delorenzo

Seller: Paul Delorenzo

Buyer: Thomas Hodgson President Livingstone Development Company

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TOWN CLERK

OCT 2 4 2017 -3 :50 NO QUITCLAIM DEED

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We, Joseph DeLorenzo, John B. DeLorenzo, and Antonio DeLorenzo, Trustees of the Rowley Realty Trust u/d/t dated December 19, 1990, and recorded with Essex County South District Registry of Deeds in Book 10688 Page 245, of Danvers, Essex County, Massachusetts, (hereinafter, "Grantor") for consideration of One and 00/100 (\$1.00) Dollars paid grant to Joseph DeLorenzo and John B. DeLorenzo, Trustees of Parish Road Realty Trust dated April 11, 2005, of Georgetown, Essex County, Massachusetts, (hereinafter, "Grantee") with QUITCLAIM COVENANTS,

Parcel 1 The Lambert lot near Riley's Bridge, containing five (5) acres more or less; bounded as follows: Beginning at the Southeasterly corner by land formerly of Todd and land now or formerly of Percy F. Purington, thence Northeasterly by said Purington Land to land of the Town of Georgetown; thence Westerly by said land of the Town of Georgetown and land formerly of Plummer and others to a stone at the corner by land formerly of Cressey: thence Southerly by land formerly of Cressey to land now or formerly of Todd; thence Easterly by said Todd; land to the bound begun at.

Parcel 2 The Boynton lot near Wycom Spring, containing four (4) acres more or less; bounded as follows: Beginning at the Southwest corner by land formerly of Todd and Smith and thence Northerly by land now or formerly of Smith to land now or formerly of Percy F. Purington to the Boston and Maine Railroad; thence by railroad to land now or formerly of Todd; thence West by land now or formerly of Todd to the bound begun at.

Parcel 3 The Saunders lot situated at the Westerly side of the railroad containing five (5) acres more or less; bounded as follows: Easterly by the railroad; Southerly by land formerly of Gage and others; Westerly by land formerly of Percy F. Purington; and Northerly by marsh formerly of Saunders.

The above parcels of land are conveyed subject to any existing rights of way.

A certain parcel of land with the buildings thereon, situated on the southerly side Parcel 4 of Chute Street in said Georgetown, bounded and described as follows: Beginning at Wheeler Brook and they Northeasterly corner of the premises herein described, thence running by said Brook at land now or formerly of MacDonald to a fence; thence running Northwesterly by said MacDonald land to a corner; thence running Westerly by a wire fence and by a long stone wall which has a long bend to the south by said land of MacDonald through a high rock at the southerly end of the wall and across Wheeler Brook to a wire fence at land formerly of Jackman heirs; thence funning North-westerly on various courses in part by a stone wall recrossing and crossing said Brook in its windings by said Jackman heirs land to a stone wall at land formerly of Noyes Pearson, now or formerly of Marguerite B. and Charles W. Phelan, latterly known as the "Wild Animal Farm", now of Elizabeth D. Woodman; thence running more Northerly by said land of Woodman 687 feet, more or less, most of the distance by a stone wall, to land formerly of William P. Hill, now or formerly of Samuel V. Noyes; thence North 40'19' 27" West by land of said Noyes 256.33 feet to the Easterly line of the State Highway location; thence North 17" 25' 30" East 915.79 feet, North 44" 32' 31" East 204.92 feet, North 63" 35' 39" West 29.13 feet, North 81" 18' 27" West 65.79 feet. North 17" 25' 30" East about 475 feet, all by the Easterly line of the State Highway location to land of Senior; thence Southeasterly by land of said Senior about 300 feet to a stone wall at land of Kinsman et

A.D

BOX 31

al; thence Northeasterly by said wall about 165 feet to Chute Street; thence Southeasterly by said Chute Street about 1,158 feet to Wheeler Brook and point of beginning.

For Grantors' Title see deed dated December 19, 1990, and recorded in Book 10688 at Page 254.

WITNESS our hands and seals this \ day of April, 2005.

Joseph DeLorenzo I rustee

John B. DeLorenzo, Trustee

Antonio DeLorenzo, Trustee

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this day of April, 2005, before me, the undersigned notary public, personally appeared Joseph DeLorenzo and John B. DeLorenzo, Trustees of Rowley Realty Trust, proved to me through satisfactory evidence of identification, which was trust to be the person whose name is signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

RICHARD S. GILMORE, Jh.
Notary Public
Commonwealth of Massachuselts
My Commission Expires
January 28, 2011

Notary Public

My Commission Expires: 1-28-11

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this day of April, 2005, before me, the undersigned notary public, personally appeared Antonio DeLorenzo, Trustee of Rowley Realty Trust, proved to me through satisfactory evidence of identification, which was dress to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

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Notary Public

My Commission Expires:



Ľ	SUBJECT PROPERTY: MAP 20 LOT: 1 - 66 PARISH ROAD	JT: 1 - 66 PARI	SH ROAD					
\	OWNER: JOSEPH & JOHN B DELORENZO TRUSTEES / PARISH	DRENZO TRUS	RISH	ROAD REALTY TRUST, 161 ELLEIOTT STREET, DANVERS, MA 001923				
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