

**CITY OF BEVERLY
PUBLIC MEETING MINUTES**

BOARD OR COMMISSION: City of Beverly Planning Board
DATE: April 28, 2026
LOCATION: Beverly City Hall, 191 Cabot Street, 3rd Floor Council Chambers
MEMBERS PRESENT: Chair Derek Beckwith; Ellen Flannery; Vice Chair George Gomes; Sarah Bartley; Judy Ashkenaz; Wayne Miller
STAFF PRESENT: Assistant Director of Planning, Kenneth Clawson
RECORDER: Kristan Patenaude

Call to Order

Chair Beckwith called the meeting to order at 7:00 p.m.

1. Subdivision Approval Not Required Plans – None at this time.

2. Recess for Public Hearings

Flannery: Motion to recess for Public Hearings. Gomes seconds. Motion carries unanimously (6-0).

- a. **Site Plan Review #170-26 and Special Permit #205-26 – 46 Federal Street – 46 Federal Street LLC c/o Alexander & Femino, One School Street, Beverly, MA**
 - i. **Project consists of the demolition of the existing dwelling and garage on site and replacing them with 5 new townhouse style residential units having 2 parking spaces on the lower level for 4 of the units and 2 surface parking spaces for the 5th unit. The Zoning Board of Appeals granted a variance for this project on January 28, 2026. Special Permit is for deviation of a portion of the requirements for off street parking; 300-64B.(1) aisle width for 2-way traffic. Proposed aisle width for this application is 20 feet where 24 feet is required.**

Clawson read the Public Notice and opened the hearing.

Attorney Tom Alexander, from Alexander and Femino, representing the applicant, stated that the Zoning Board of Appeals unanimously granted a variance after review of the application. The Parking & Traffic Commission voted unanimously to recommend this to the Board, with some proposed conditions. The Design Review Board also recommended approval with a number of proposed conditions. This property is located in the Residential High Density District and so the area is well zoned for this project. Based on the MBTA Communities Act, there could be up to nine units on this parcel, though this number is not possible dimensionally. The applicant is seeking five units on the property with relief from the aisle width requested. He explained that, in

46 Beverly, any area with more than three parking spaces is defined as a parking lot and required to
47 have 24' of aisle width. This is a small area with five units and ten parking spaces. The request is
48 for 20', widening out moving into the lot. 20' is required by the Fire Department for access.
49 Many roadways in Beverly, with two way traffic, have 20' in width. This is an 8,000 s.f. lot with
50 a 2,500 s.f. footprint for five units. Four of the units will have two car garages underneath and
51 the fifth unit will have a different configuration with parking on grade. The grade will be
52 lowered at the driveway area. There is common space and snow storage shown on the plan. The
53 back of the parking spaces will be utilized for trash removal for unit 5. Other units will have their
54 trash inside the garages.

56 George Zambouras, P.E., representing the applicant, explained that the walkways on the project
57 are shown to be pervious pavers. All roof runoff will be directed toward subsurface infiltration
58 chambers. $\frac{3}{4}$ of the driveway will also be directed to the subsurface infiltration chambers. The
59 proposed stormwater system will mitigate 100% of the runoff from the site. The pervious pavers
60 added to the exterior parking spaces and the entrance, and the rain gardens under the decks will
61 be added bonuses to capture additional runoff. The grades will be similar to the existing grades
62 of the site.

64 Alexander noted that there was some question regarding if the building proposed alongside the
65 abutter is a three or four story. A three story requires a 10' setback and there is currently 11'
66 proposed. He believes most would agree this is proposed as a three story building, with a
67 walkout on one side. This would be subject to a 10' setback on the left hand side, which it
68 complies with.

70 Beckwith asked the height of the existing building's peak. Alexander stated that the height of the
71 existing house is not known, but the new structure will be approximately 37' tall. This will be in
72 keeping with other nearby houses.

74 Gomes noted that the Fire Department memo mentions that the driveway proposal would
75 disallow fire apparatuses. Zambouras stated that the chambers under the driveway meet H-20
76 loading when buried by 18" of earth and these will be buried deeper than that. The driveway will
77 meet the H-20 loading requirements.

79 Gomes stated that the Zoning Code Section 300-14 has exceptions for stories on a sloping lot
80 erected on the downhill side of a building. This seems to validate the story counting as proposed
81 by the applicant.

83 Miller stated that this is a transit-oriented development and will increase housing stock in the
84 City. The project complies with the Specialized Stretch Code. There are extensive comments
85 from the Board of Health, Design Review Board, and Parking & Traffic Commission. He asked
86 about a Design Review Board recommendation regarding incorporating LID (low impact design)
87 stormwater techniques, such as rain gardens, to further mitigate stormwater runoff on the site.
88 Zambouras stated that this was done in the form of rain gardens under the decks.

90 Miller asked about the idea of a canopy/car port. Clawson noted that this would be an issue for
91 zoning, as it would be considered an accessory structure.

92
93 Miller stated that projects with five townhouses will not likely be converted to having a solar
94 arrangement in the future. He suggested a consideration to including solar at this junction.

95
96 In response to a question from Beckwith, Clawson explained that the RHD Zoning requires a 15'
97 setback if the building is four stories, or 10' if fewer. As the story count for this building is three,
98 a 10' setback is required, which the applicant complies with.

99
100 Beckwith asked about several retaining walls on the property. Alexander noted that one will
101 remain in place and the one near the driveway is not owned by the applicant.

102
103 Beckwith asked about the turning radius from the driveway and the traffic flow. Zambouras
104 stated that drivers can either back out of the driveway, or back into it and then drive out. There is
105 enough space to swing a vehicle in the driveway.

106
107 Beckwith stated that a neighbor expressed concern regarding the demolition of the existing
108 historically significant structure on the property. Effective September 2, 2026, the applicant will
109 be able to move forward with razing this structure. The demolition will lead to noise and
110 vibration, and the neighbor expressed concern with mitigation to protect her home. He would
111 like the applicant to ensure that impact will be minimal. There was discussion regarding specific
112 contractors to mitigate for potential asbestos from the demolition. This demolition will occur
113 using one excavator in short time. It should not include excessive amounts of noise/vibration.

114
115 Beckwith stated that the Board has previously approved a 20' width, as needed, as long as the
116 proposal is otherwise adequate for access.

117
118 Clawson stated that Condition #4 of the Parking & Traffic Commission memo states that the
119 applicant shall show the turning radius for entering and exiting the site with cars parked on
120 Federal Street including public safety vehicles and delivery vehicles. The turning radius
121 drawings submitted show cars entering the site but not a public safety vehicle with cars parked
122 next to the driveway. Alexander stated that these could be submitted, but this will not be an
123 issue.

124
125 Miller stated that the applicant has indicated that they agree with all conditions recommended by
126 the Parking & Traffic Commission, Board of Health, and Design Review Board.

127
128 Beckwith asked for public comment.

129
130 Tammy Harrington of 48 Federal Street expressed support for the project and noted that a fire
131 truck would be able to access the site. This project will add value to the surrounding properties,
132 as there is currently a vacant home on the site.

133
134 Clawson noted that there will be ownership units and not rental units.

There was no additional public comment at this time.

Flannery: Motion to close the public hearing. Gomes seconds. Motion carries unanimously (6-0).

Miller this proposal follows the spirit of the Master Plan and also the Climate Action Plan in part. He can think of no objections to the project.

The Board reviewed the following Special Permit findings:

1. That the specific site is an appropriate location for the proposed use, and that the character of adjoining uses will not be adversely affected.

Gomes noted that this property is located in the MBTA Overlay District and the Residential High Density District. The Special Permit is for parking, and the request appears to be an appropriate accommodation.

2. That no factual evidence is found that property values in the district will be adversely affected by such use.

Beckwith stated that an abutter expressed support that this project would raise values in the neighborhood.

3. That no undue traffic and no nuisance or unreasonable hazard will result.

Gomes stated that the proposal is for a net of four units. Beckwith noted that the project will allow for off street parking, with a safe entry egress onto a one-way street. Miller stated that the Parking & Traffic Commission has expressed support for the project with certain recommended conditions. Flannery noted that the Board of Health also expressed support with conditions.

4. That adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.

Gomes stated that all departments have weighed in on this proposal and no objections were expressed.

5. That there are no valid objections from abutting property owners based on demonstrable fact.

Gomes stated that there were some negative comments from abutting property owners during the Zoning Board process, but none were heard by the Planning Board.

6. That adequate and appropriate City services are or will be available for the proposed use.

Gomes stated that all departments have weighed in on this proposal and reviewed the application.

Gomes: Motion with regard to Special Permit #205-26 – 46 Federal Street – 46 Federal Street LLC c/o Alexander & Femino, One School Street, Beverly, MA 01915, to make the following findings:

1. That the specific site is an appropriate location for the proposed use, and that the character of adjoining uses will not be adversely affected.
2. That no factual evidence is found that property values in the district will be adversely affected by such use.
3. That no undue traffic and no nuisance or unreasonable hazard will result.
4. That adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.
5. That there are no valid objections from abutting property owners based on demonstrable fact.
6. That adequate and appropriate City services are or will be available for the proposed use.

Flannery seconds. Motion carries unanimously (6-0).

Gomes: Motion to approve Special Permit #205-26 – 46 Federal Street – 46 Federal Street LLC c/o Alexander & Femino, One School Street, Beverly, MA 01915, subject to Conditions # 1, 2, and 3, from the Parking & Traffic Commission's recommendation letter dated April 28, 2026:

1. That no parking shall be allowed in the driveway area outside of the 10 designated spaces and the property owner (if leasing) and/or condo association (if selling) shall include signage and restrict parking through rental agreement or covenants.
2. That snow removal be as shown on the plan and be required to be removed off site, should it be necessary, due to the site limitations described in the findings above. This also includes the owner or designee being responsible for removing all snow from the sidewalks, per the City's ordinance.
3. That the applicant shall verify with the Fire Department that fire safety apparatus can park and maneuver on the site prior to Planning Board approval. This condition includes verifying that fire apparatus can be on site without adversely affecting subsurface utilities.

Flannery seconds. Motion carries unanimously (6-0).

Gomes: Motion to approve Site Plan Review #170-26 – 46 Federal Street – 46 Federal Street LLC c/o Alexander & Femino, One School Street, Beverly, MA 01915, incorporating the conditions included in the Design Review Board's recommendation letter dated April 28, 2026:

1. Snow, except for minor events that can be stored behind parking spaces 9 and 10 in front of the proposed fence, will be removed from the site.
2. A gate is to be added to the fence at the rear of the site near parking spaces 9 and 10 so that the grassy area behind the fence can be maintained.
3. Replace the Green Giant Arborvitae with Smaragd Arborvitae or Holmstrup Arborvitae so that the spread of the proposed Arborvitaes does not affect the neighboring property.
4. Replace the planting mix on the western side of the site between the parking area and existing retaining wall with a mix that includes Allegheny Spurge as it is heartier and will not suffer from deicing salts.
5. Trash and recycling pickup is to occur at the curb along Federal Street for all five units.
6. The color of the asphalt shingles for the roof is to be a lighter shade of gray rather than black in order to increase the Solar Reflectance Index of the site.

Also, the conditions included in the Board of Health letter dated April 22, 2026; and the Engineering Department comments submitted March 31, 2026, as addressed by the applicant's response letter of April 15, 2026.

Project shall be completed in accordance with the plans drawn by Seger Architects, 83 North Street, Salem, MA 01970, dated April 23, 2026, 13 sheets, scale varies, prepared for 46 Federal Street, LLC; and Site Development Plan prepared by George Zambouras, P.E., 17 Noble Hill Road, Beverly, MA, 01915, prepared for 46 Federal Street, LLC, 4 sheets, scale varies. It is understood that the plan set includes all the plans that have been filed with the Planning Board, including architectural, civil, engineering, and landscaping. Applicant understands that approval of these drawings is not sufficient for a building permit. Applicant will need to supply all required drawings and documentation as required by the various City Departments and the Department of Municipal Inspections for a building permit.

Flannery seconds. Motion carries unanimously (6-0).

3. Reconvene Meeting

Gomes: Motion to reconvene the meeting. Miller seconds. Motion carries unanimously (6-0).

4. Set Public Hearings – None at this time.

Beckwith noted that the Board has a joint Public Hearing with the City Council on May 4th at 7:30pm.

5. Approval of Minutes (as available):

a. April 7, 2026

Flannery: Motion to approve the April 7, 2026, meeting minutes, as amended. Gomes seconds. Motion carries unanimously (6-0).

6. Adjourn

Flannery: Motion to adjourn. Gomes seconds. Motion carries unanimously (6-0).

Meeting adjourns at 8:13 p.m.