



September 14, 2016

Beverly Planning Board
191 Cabot Street
Beverly, MA 01915

Via Hand Delivery

**Subject: Preliminary Subdivision Plan for Land on Porter Terrace and
Livingston Avenue – Wendgail Realty Trust
Assessor Map 9 Lots 370, 371, 372 and 378**

Dear Ladies and Gentlemen:

On behalf of the Applicant, Wendgail Realty Trust, we herewith submit this Preliminary Subdivision Plan application for development of land located adjacent to their existing single-family residence at 7 Porter Terrace. Our filing anticipates the establishment of a private way under the Beverly Subdivision Rules and Regulations.

As indicated in the attached plans, the proposed private way will create two or three new buildable parcels in the R-10 Zoning District. Two alternative development schemes are presented: Alternative A is an approximately 650-foot long roadway and utility improvement to the Livingstone Avenue right-of-way. Alternative A creates three new building lots. Alternative B is an approximately 150-foot long private way constructed off of Porter Terrace that terminates in a 100-ft diameter cul-de-sac. Alternative B creates two new building lots.

Please find enclosed the following:

- 1) Form B - Preliminary Plan Application;
- 2) Quitclaim Deeds;
- 3) Locus Plan (City GIS – 1"=200' Scale)
- 4) Twelve (12) copies of 24"x36" Preliminary Plan drawings:
 - C-1 Existing Conditions
 - C-2 Alternative A
 - C-3 Alternative B
- 5) Ten (10) 11"x17" drawing sets
- 6) Filing Fee - \$575.

Beverly Planning Board
September 14, 2016
Re: Preliminary Subdivision Plan – 7 Porter Terrace
Page 2

We look forward to meeting with the Board at its convenience to describe this submittal further and respond to questions and comments.

Very truly yours,
Griffin Engineering Group, LLC


Robert H. Griffin, P.E.

Enclosures as noted

cc: City Clerk (Copy of Application Forms Only)
G. Crosby – Wendgail Realty Trust

**CITY OF BEVERLY, MASSACHUSETTS
BEVERLY PLANNING BOARD - FORM B**

**PRELIMINARY PLAN OR MODIFICATION OF A PRELIMINARY PLAN
APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN
OR MODIFICATION OF A PRELIMINARY PLAN**

(please type or print clearly)

File one (1) completed form with the Beverly Planning Board together with the original and twelve (12) copies of the plan in question, ten (10) additional copies of plans, size 11" x 17"; and a filing fee of: Residential: <10 lots, \$500 plus \$25 per lot created; >10 lots, \$1,000, plus \$25 per lot created; Commercial: \$1,000, plus \$25 per acre; Modification: ½ of original filing fee. Also file an electronic copy (PDF preferred) of all material by application deadline. File a copy of the Form B with the City Clerk in accordance with Section III, B-1.

_____ 20 _____ 20
(Date of Filing) (Received by)

To the Beverly Planning Board:

The undersigned, being the present owner of record of all land included with a proposed subdivision shown on the accompanying plan entitled Wendgail Realty Trust Porter Terrace Beverly MA Preliminary Subdivision Plan.

by Griffin Engineering Group, LLC dated Sept. 15, 2016

Being land bounded as follows: Approximately 41,588 sf of land along Porter Terrace and unconstructed portion of Livingstone Ave.

hereby submits said plan as a **Preliminary** Subdivision Plan in accordance with the Rules & Regulations of the Beverly Planning Board and makes application to the Board for approval of said plan:

The undersign's title to said land is derived from Estate of Stella W. Crosby; Wendell H. Crosby Trust; GACPT Realty Trust

by deed dated Various.

and recorded in the Essex South District Registry of Deeds Book _____ Page _____
Bk 3150 Pg 39; Bk 7960 Pg 10; Bk 30876 Pg 510; Bk 30876 Pg 529.

registered in the Essex South District Land Court, Certificate of Title No. _____ and

shown on City of Beverly Assessor's Map Number: 9 Parcels: 370, 371, 372 & 378

Total Area of Land: 41,588 +/- SF

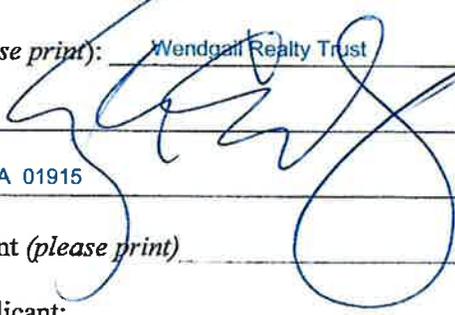
Has the person, corporation, or other legal entity making this application ever, within the ten (10) years preceding the date of this application:

1. Been convicted of a crime related to the construction or development of real property?
Yes _____ or No XX
2. Suffered the suspension or revocation of any construction or development related permit or license?
Yes _____ or No XX
3. Been subjected to a fine or other penalty for any construction or development related offense?
Yes _____ or No XX

If the answer to any of the questions above is "yes", any member of the Beverly City Council may request that the applicant explain the circumstances of any such conviction, suspension, revocation, fine, or penalty at a public hearing called for that purpose in accordance with City Council Order #14 of 1999.

Name of Applicant or Agent (please print): Wendgail Realty Trust

Signature of Applicant or Agent: _____



Paul Davis,
Trustee

Address: PO Box 5127 Beverly, MA 01915

Name of Owner if not the Applicant (please print): _____

Signature of Owner if not the Applicant: _____

Address: _____

.....
(FOR OFFICE USE ONLY)

Action taken: _____

(date)

named Arthur J. Hall Treasurer, and acknowledged the foregoing discharge to be the free act and deed of The Gloucester Co-operative Bank.

Before me Alexander J. Guittarr, Jr. Notary Public (Notarial seal)

My Commission Expires May 5, 1944

Essex ss. Received June 23, 1938. 30 m. past 8 A.M. Recorded and Examined.

The Beverly Trust Company, a corporation organized under the laws of Massachusetts and located in Beverly, Essex County, Massachusetts Trustee under deed given by Walter S. Flint, Mary F. Haskell, George L. Southwick and Ella C. Porter, for their benefit, dated May 31, 1935 and recorded with Essex South District Registry of Deeds, Book 3037, Page 349, by power conferred by said deed of trust and every other power for Fourteen Hundred Dollars paid, grant to Wendell H. Crosby and Dorothy E. Crosby, husband and wife, tenants by the entirety of Beverly in said County of Essex, the land in said BEVERLY and being lots numbered 338, 339, 340, 341, 342, 361, 362, 363, 364, 365 and 366 on a plan recorded in Essex South District Registry of Deeds, Book of Plans 24, Plan 16, and bounded as follows: Northwesterly by Livingstone Avenue, Three Hundred Fifty Six and 36/100 (356.36) feet; Northeasterly by lot number 336 on said plan Seventy One and 44/100 (71.44) feet; Southeasterly by lot numbered 337 on said plan Sixty-Two and 76/100 (62.76) feet; Northeasterly by said lot numbered 337 One Hundred (100.00) feet; Southeasterly by Porter Terrace Two Hundred Sixty Five (265) feet; and Southwesterly by lots numbered 343 and 360 Two Hundred (200.00) feet. Said premises are conveyed subject to sewer assessments which the grantees agree to assume and pay and subject to the restrictions that no buildings shall be erected thereon within twenty feet of any street line (piazzas and bay windows excepted) and to cost not less than \$2,000. and used for dwelling house and or private stable or garage purposes only. IN WITNESS WHEREOF the said Beverly Trust Company has caused this instrument to be signed by Percival Wildes, its Treasurer on this 22nd day of June 1938.

THE COMMONWEALTH) Beverly Trust Company, Trustee. (Corporate seal)
OF MASSACHUSETTS) By Percival Wildes Its Treasurer.

Beverly Trust
Co.
Tree.
to
Crosby
et ux
& Vote
One \$1. & One
.50 R. Stamps
Documentary
Canceled.

See
B. 7643
P. 448

Essex ss. June 22nd 1938. Then personally appeared the above named Percival Wildes and acknowledged the foregoing instrument to be the free act and deed, of the Beverly Trust Company, Trustee as aforesaid, -

Leroy C. Murch Notary Public

My commission expires June 10th 1944.

CERTIFICATE OF VOTE. At a regular meeting of the executive committee of the Beverly Trust Company, held at Beverly, Massachusetts, on June 21st, A.D.

Vote

25

We, Peter M. Crosby and Carl Pierce, Executors of the Estate of Stella W. Crosby Probate #85P0581-E1 of Wilson, Wyoming and Beverly, Massachusetts County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of EIGHTY-FIVE THOUSAND (\$85,000.00) DOLLARS

grant to Crosby Gail Davis, Trustee of Wendgall Realty Trust dated October 15, 1985 and recorded herewith of 7 Porter Ter. Beverly with quitclaim covenants

the land with the buildings thereon situate in Beverly, Essex County, Massachusetts, being shown as Lot #339 on plan entitled "Sub Division Plan of the Porter Estate Description and encumbrances, if any in Beverly, Mass. owned by Carrie O. Porter" Scale 1" = 40 feet, Dec. 1912 Thomas A. Appleton, C.E., recorded with Essex South Registry of Deeds in Book of Plans 24 Plan 16 recorded December 17, 1912. Said Lot is further bounded and described as follows:

Southeasterly: by Porter Terrace, fifty-three (53.00) feet; Northeasterly: by Lot 338, on said plan, one hundred (100.00) feet; Northwesterly: by Lot 364, on said plan, fifty-three (53.00) feet; Southwesterly: by Lot 340, on said plan, one hundred (100.00) feet.

Meaning and intending to convey and hereby conveying the same premises conveyed to Stella W. Crosby by deed of Wendell H. Crosby et ux dated February 24, 1941 and recorded with Essex South District Registry of Deeds in Book 3247 Page 482.

7 Porter Ter. Beverly



REG OCT 17 A 8 26 4 009

Witness our hands and seals this 15th day of October 1985.

Signatures of Peter M. Crosby, Executor and Carl Pierce, Executor, with printed names and 'Peter M. Crosby, Individual'.

The Commonwealth of Massachusetts

Middlesex ss. October 15 1985

Then personally appeared the above named Peter M. Crosby and Carl Pierce and acknowledged the foregoing instrument to be their free act and deed before me

Notary Public signature and 'My commission expires August 15 1990'.

(*Individual — Joint Tenants — Tenants in Common.)

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Box 80

AK-4

2011113000008 Bk:30876 Pg:510
11/30/2011 08:21 DEED Pg 1/1

QUITCLAIM DEED

Gail Crosby Davis, Trustee of GACPT Realty Trust u/d/t dated October 15, 1985 and recorded with Essex South Registry of Deeds Book 7960, Page 011 and recorded anew in Book 13319, Page 401,

for consideration paid in the amount of \$ 1.00 grant to **Gail Crosby Davis, Trustee of Wendgail Realty Trust u/d/t dated October 15, 1985 and recorded with Essex South Registry of Deeds Book 7960, Page 001 of 30 Preston Place, Beverly, MA, with quitclaim covenants:**

The land in Beverly, Essex County, Massachusetts, being shown as Lot #340 on plan entitled "Sub Division Plan of the Porter Estate in Beverly, Mass., owned by Carrie C. Porter" Scale 1"=40 feet, December 1912, Thomas A. Appleton, C.E., recorded with Essex South Registry of Deeds in Book of Plans No. 24, Plan 16 on December 17, 1912 to which plan reference may be made for a more particular description.

Also the land in said Beverly and being shown as Lot 364 on plan recorded with Essex South Registry of Deeds in Book of Plans No. 24, Plan No. 16.

All of said premises are conveyed subject to and together with the benefit of easements and restrictions of record, if any, insofar as the same may now be in force and applicable to said premises.

Meaning and intending to convey and hereby conveying the same premises conveyed to grantor by deed recorded in 7960, Page 20.

Witness my hands and seals this 29th day of September, 2009.

Gail Crosby Davis, Trustee
Gail Crosby Davis, Trustee

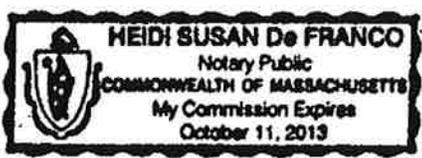
COMMONWEALTH OF MASSACHUSETTS

Essex, ss

September 28, 2009

On this 28 day of September, 2009, before me, the undersigned notary public, personally appeared the above named Gail Crosby Davis, Trustee as aforesaid, proved to me through satisfactory evidence of identification, which were CA Driver's License, to be the person(s) whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose

Heidi S DeFranco
Notary Public:
My Commission Expires:



Porter Terrace Beverly

Box 80

AK-4

2011113000012 Bk:30876 Pg:529
11/30/2011 08:21 DEED Pg 1/1

QUITCLAIM DEED

W. David Crosby, Trustee of the Wendell H. Crosby Trust u/d/t dated and described in a Trustee Certificate recorded herewith of 67 Ocean Boulevard, Ormond Beach, Florida in consideration paid in the amount of \$ 1.00 grant to Gail Crosby Davis, Trustee of Wendgail Realty Trust u/d/t dated October 15, 1985 and recorded with Essex South Registry of Deeds Book 7960, Page 001 of 30 Preston Place, Beverly, MA, with quitclaim covenants:

The land in Beverly, Essex County, Massachusetts, being shown as Lot #363 on plan entitled "Sub Division Plan of the Porter Estate in Beverly, Mass., owned by Carrie C. Porter" Scale 1"=40 feet, December 1912, Thomas A. Appleton, C.E., recorded with Essex South Registry of Deeds in Book of Plans No. 24, Plan 16 on December 17, 1912 to which plan reference may be made for a more particular description.

Also the land in said Beverly and being shown as Lot 365 on plan recorded with Essex South Registry of Deeds in Book of Plans No. 24, Plan No. 16.

All of said premises are conveyed subject to and together with the benefit of easements and restrictions of record, if any, insofar as the same may now be in force and applicable to said premises.

Meaning and intending to convey and hereby conveying the same premises conveyed to grantor by deed recorded in 11067, Page 501.

Witness my hands and seals this 29th day of September, 2009

W. David Crosby
W. David Crosby, Trustee

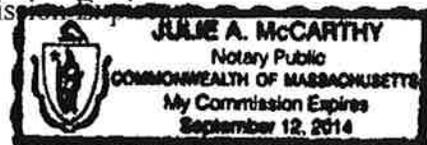
COMMONWEALTH OF MASSACHUSETTS

Essex, ss

September 29th, 2009

On this 29th day of September, 2009, before me, the undersigned notary public, personally appeared the above named W. David Crosby, Trustee as aforesaid, proved to me through satisfactory evidence of identification, which were Florida DL, to be the person(s) whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose

Julie A. McCarthy
Notary Public:
My Commission Expires



Lot 363
Lot 365
Livingstone Ave, Beverly

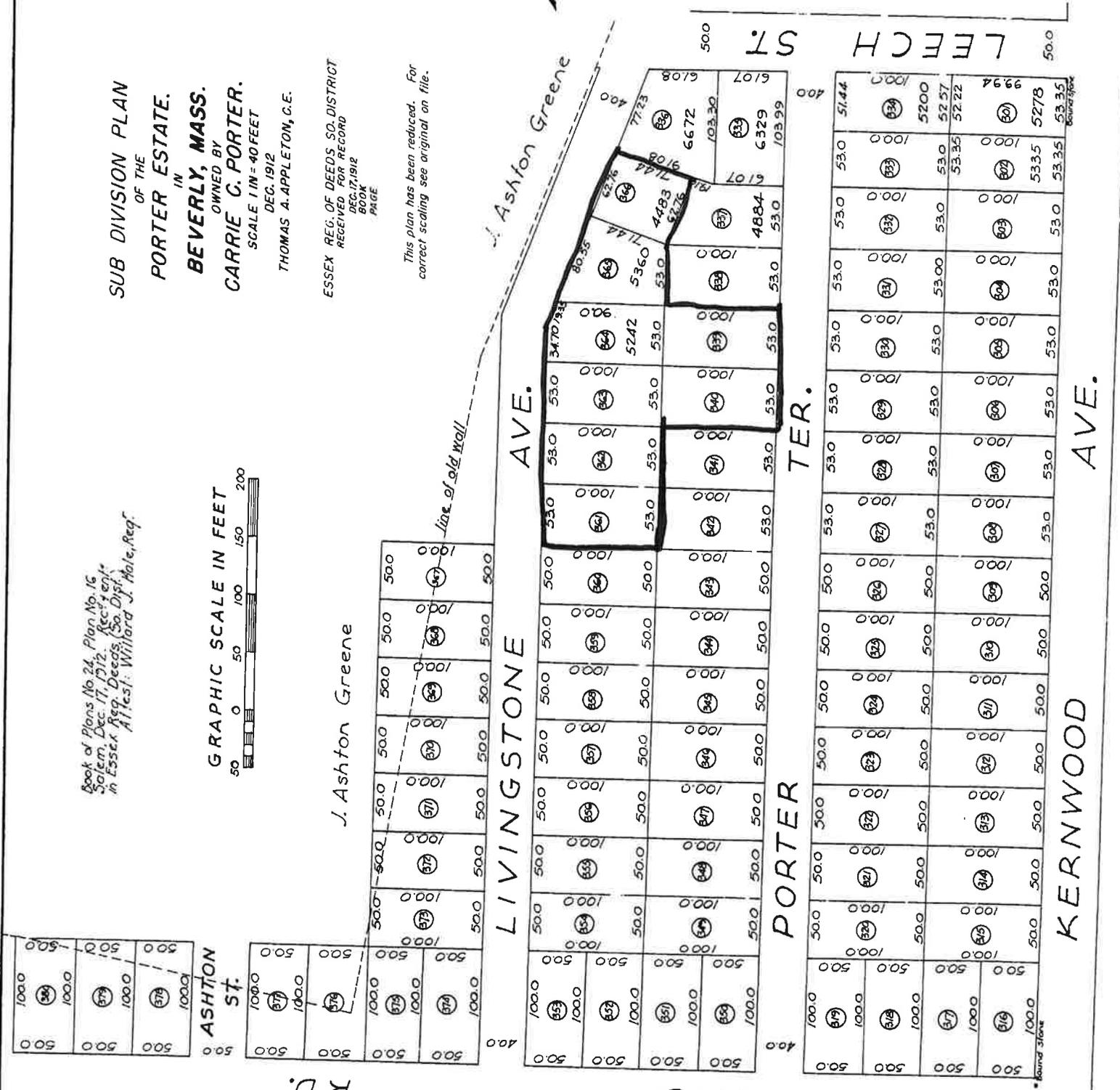
Book of Plans No. 24, Plan No. 16
Salem, Dec. 17, 1912. Rec'd ent.
in Essex Reg. Deeds (So. Dist.)
Attest: Willard J. Hale, Reg.



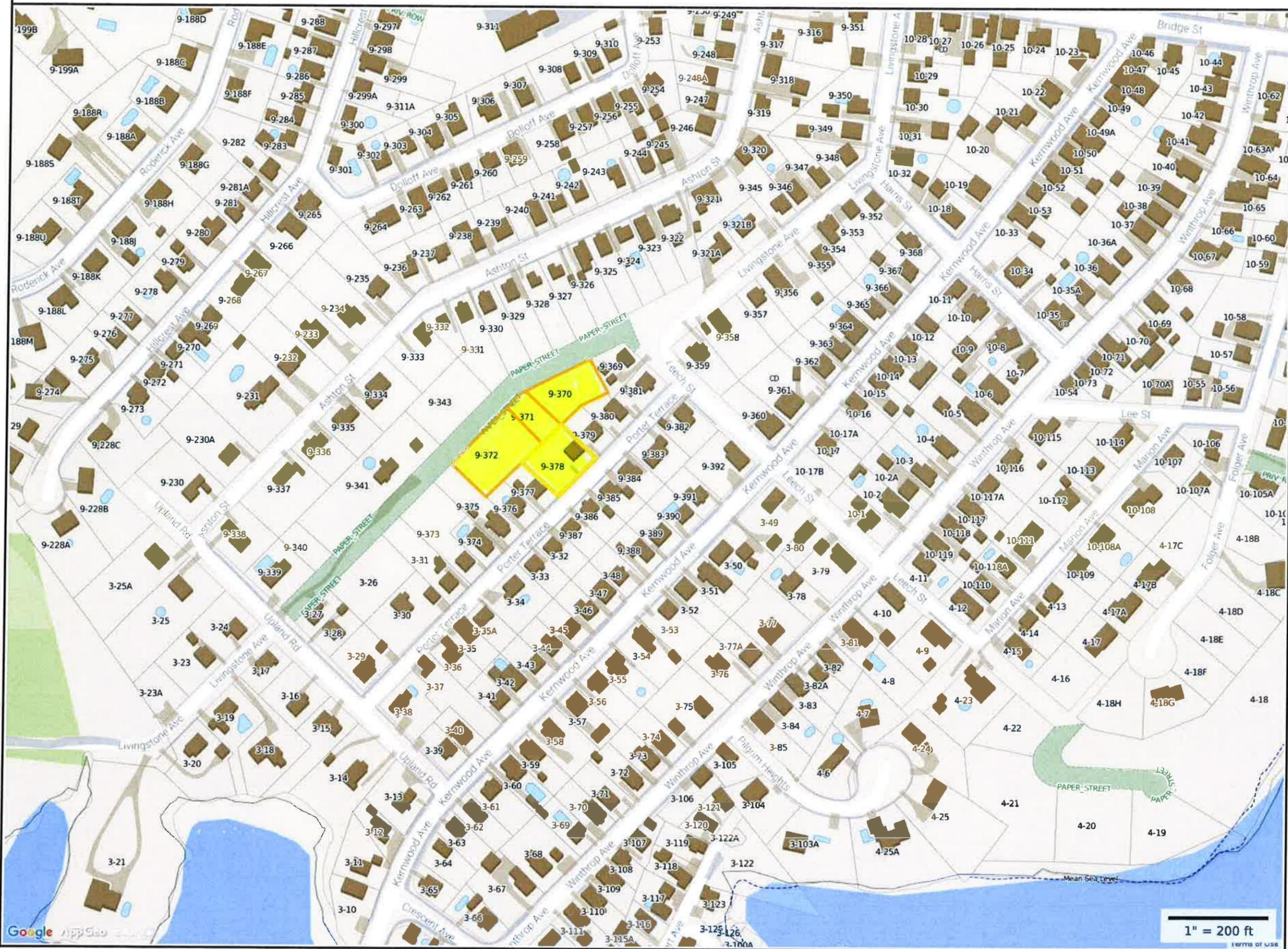
SUB DIVISION PLAN
OF THE
PORTER ESTATE.
IN
BEVERLY, MASS.
OWNED BY
CARRIE C. PORTER.
SCALE 1 IN = 40 FEET
DEC. 1912
THOMAS A. APPLETON, C.E.

ESSEX REG. OF DEEDS, SO. DISTRICT
RECEIVED FOR RECORD
DEC. 17, 1912
BOOK
PAGE

This plan has been reduced. For
correct scaling see original on file.



* Bound Stone



Property Information
Property ID 9-378
Location 7 PORTER TERR
Owner



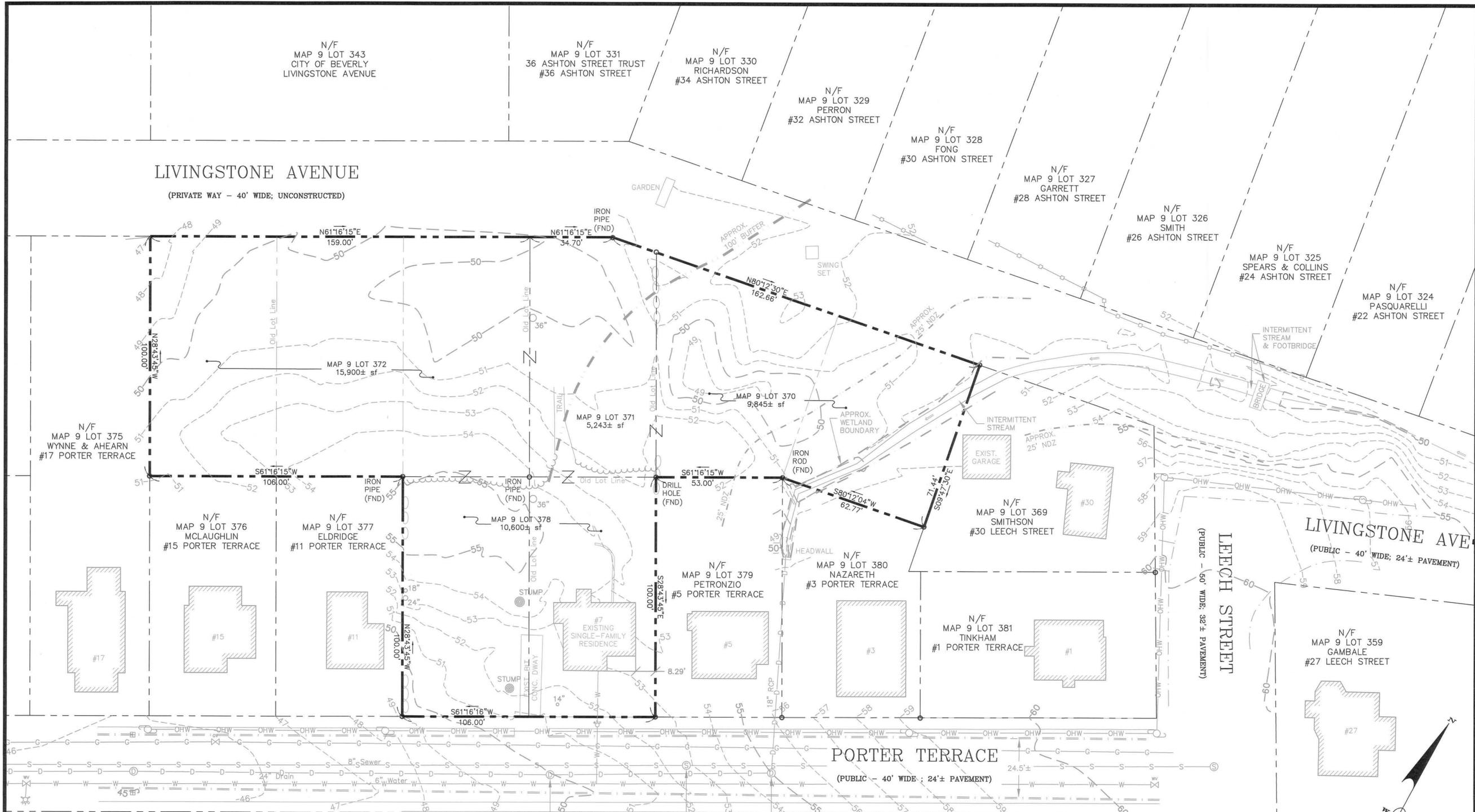
**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

City of Beverly, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 7/1/2016
 Properties updated 1/1/2016

*WENDGAIL REALTY TRUST
 PORTER TERRACE
 LOCUS PLAN*

1" = 200 ft



No.	Date	Description
Revisions		



495 Cabot Street, 2nd Floor
 Beverly, MA 01915
 Tel: 978-927-5111
 Fax: 978-927-5103

WENDGAIL REALTY TRUST
 PORTER TERRACE
 BEVERLY, MA

EXISTING CONDITIONS PLAN

Scale: 1"=20'
 Job No.: 1638
 File Name: p/p/b/c
 Date: 9/15/16

C-1

LEGEND

- Property Line
- - - - - Approx. Wetlands (Inland Bank)
- - - - - Approx. Buffer Zone
- ▨ Exist. Building
- Exist. Edge of Pavement
- Exist. Water
- Exist. Sewer
- Exist. Drain
- Exist. Gas
- OHW Exist. Overhead Wires
- - - - - 84 Exist. Contour
- 82.4 Exist. Spot Grade
- ~ ~ ~ Exist. Tree Line

REFERENCES & NOTES:

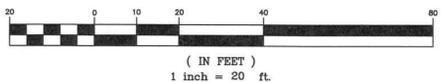
- 1) ASSESSORS MAP 9 LOTS 370, 371, 372, & 378
- 2) ZONING DISTRICT: R10
- 3) BENCHMARK: SEWER MANHOLE INVERT IN FRONT OF HOUSE #5 - EL.=45.03
- 4) LOCUS PLAN: PLAN BOOK 24, PLAN 16 LOTS 339, 340, 361, 362, 363, 364, 365, 366.
- 5) LOCUS DEEDS: BK. 30876 PG. 529 BK. 30876 PG. 510 BK. 7960 PG. 10 BK. 3150 PG. 39

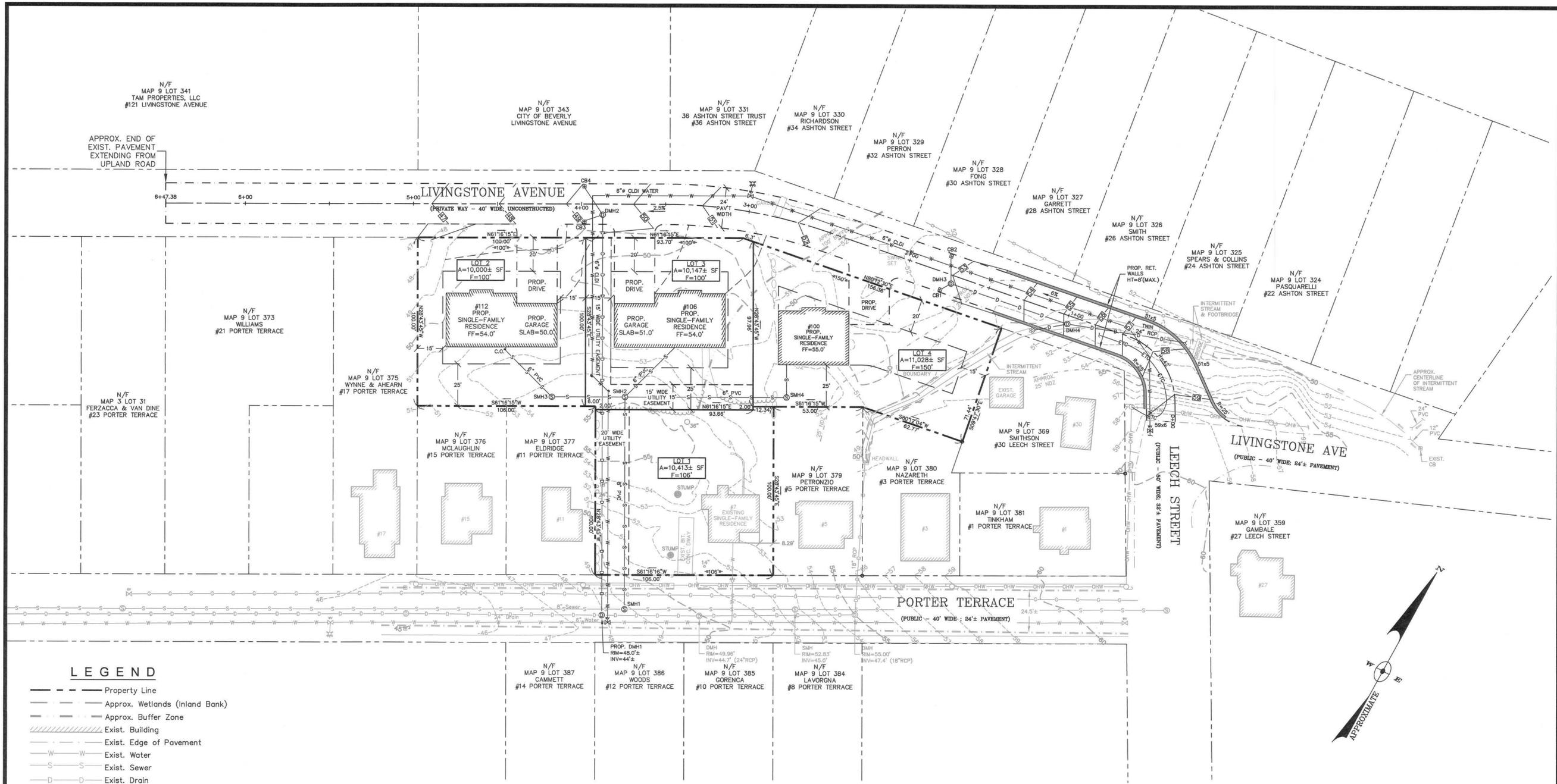
ZONING DISTRICT: R-10
 MINIMUM LOT AREA: 10,000 SF
 MINIMUM FRONTAGE: 100'
 SETBACKS:
 FRONT: 20'
 SIDE: 15'
 REAR: 25'

PLAN NOTES:

1. EXISTING CONDITIONS HEREIN WERE DEVELOPED BY INSTRUMENT FIELD SURVEY BY LEBLANC SURVEY ASSOCIATES OF DANVER MA IN 1996 AND UPDATED BY GRIFFIN ENGINEERING ON JULY 22, 2016.
2. ELEVATIONS SHOWN ARE ON THE CITY OF BEVERLY DATUM (BEVERLY DATUM - 8.34' = N.A.V.D. 1989 DATUM).
3. PROPERTY IS LOCATED WITHIN THE R-10 ZONING DISTRICT.
4. FEMA FLOOD MAP #25003C0417G (EFF. 7/16/14) INDICATES SITE IS NOT LOCATED WITHIN ANY FLOOD HAZARD AREAS.

GRAPHIC SCALE

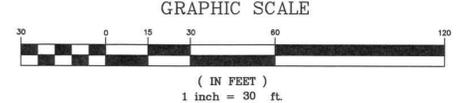




LEGEND

- Property Line
- - - - - Approx. Wetlands (Inland Bank)
- - - - - Approx. Buffer Zone
- ▨ Exist. Building
- - - - - Exist. Edge of Pavement
- W-W Exist. Water
- S-S Exist. Sewer
- D-D Exist. Drain
- G-G Exist. Gas
- OHW Exist. Overhead Wires
- - - - - 84 Exist. Contour
- 82.4 Exist. Spot Grade
- ~ ~ ~ Exist. Tree Line
- ▬ Prop. Property Line
- ▨ Prop. Concept Building
- - - - - Prop. Edge of Pavement
- W-W Prop. Water
- S-S Prop. Sewer
- D-D Prop. Drain
- ETC Prop. Electric, Telephone & Cable
- 98 Prop. Contour
- 10x46 Prop. Spot Grade

SITE PLAN

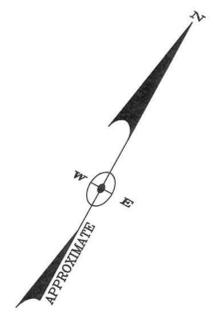
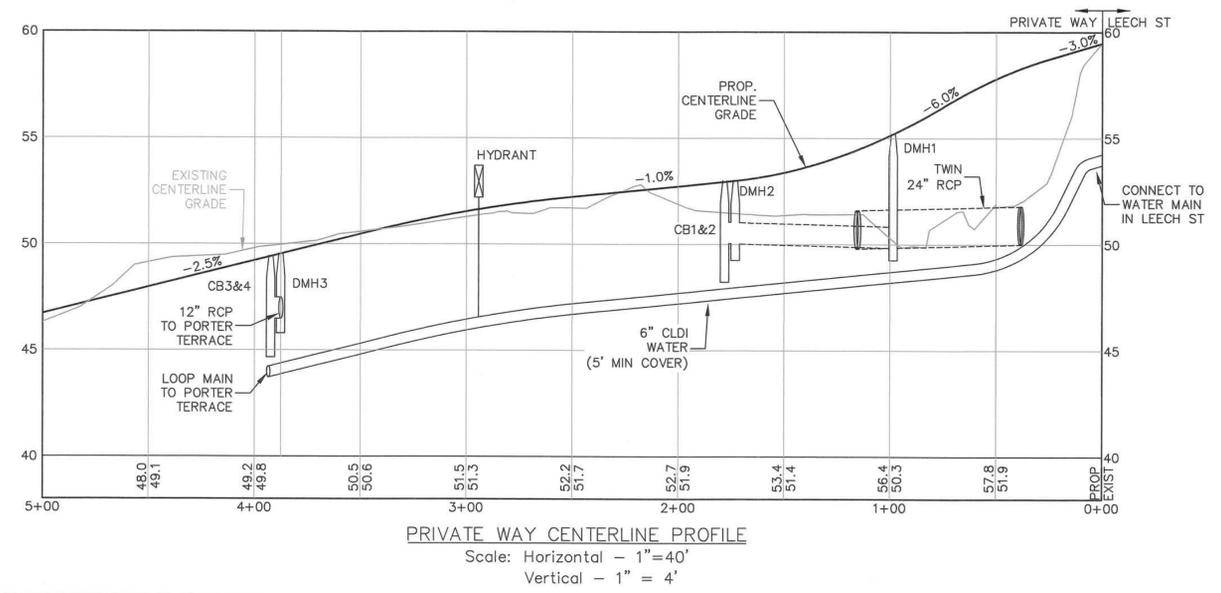


- REFERENCES & NOTES:**
- ASSESSORS MAP 9 LOTS 370, 371, 372, & 378
 - ZONING DISTRICT: R10
 - BENCHMARK: SEWER MANHOLE INVERT IN FRONT OF HOUSE #5 - EL.=45.03
 - LOCUS PLAN: PLAN BOOK 24, PLAN 16 LOTS 339, 340, 361, 362, 363, 364, 365, 366.
 - LOCUS DEEDS: BK. 30876 PG. 529 BK. 7960 PG. 10 BK. 3150 PG. 39

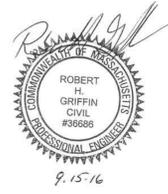
ZONING DISTRICT: R-10
 MINIMUM LOT AREA: 10,000 SF
 MINIMUM FRONTAGE: 100'
 SETBACKS:
 FRONT: 20'
 SIDE: 15'
 REAR: 25'

- PLAN NOTES:**
- EXISTING CONDITIONS HEREIN WERE DEVELOPED BY INSTRUMENT FIELD SURVEY BY LEBLANC SURVEY ASSOCIATES OF DANVERS MA IN 1996 AND UPDATED BY GRIFFIN ENGINEERING ON JULY 22, 2016.
 - ELEVATIONS SHOWN ARE ON THE CITY OF BEVERLY DATUM (BEVERLY DATUM - 6.34' = N.A.V.D. 1988 DATUM).
 - PROPERTY IS LOCATED WITHIN THE R-10 ZONING DISTRICT.
 - FEMA FLOOD MAP #25009C0417G (EFF. 7/16/14) INDICATES SITE IS NOT LOCATED WITHIN ANY FLOOD HAZARD AREAS.

- WAIVERS REQUIRED**
- SECTION IV.A.2.** - The minimum centerline radii of curved streets shall be three hundred feet (300'). Due to the existing alignment at the intersection of Livingstone Avenue and Leech Street, a centerline radius of less than 300' is required.
 - SECTION IV.A.3.** - The minimum width of right-of-way shall be 50' and minimum pavement width shall be 32'. The existing private way is 40' wide and the proposed pavement width is 24'. These dimensions meet the widths required for a minor subdivision.
 - SECTION V.D.2.** - The sidewalks shall extend the full length of each side of the street and shall be a minimum width of 5'. No sidewalks are proposed because the private way only will serve 3 lots.



No.	Date	Description
Revisions		



495 Cabot Street, 2nd Floor
 Beverly, MA 01915
 Tel: 978-927-5111
 Fax: 978-927-5103

WENDGAIL REALTY TRUST
 PORTER TERRACE
 BEVERLY, MA

PRELIMINARY SUBDIVISION PLAN
 ALTERNATIVE A

Scale: 1"=30'
 Job No.: 1638
 File Name: p/p/b/c
 Date: 9/14/16

