

**MINUTES**  
**Danvers Board of Appeals**

**#17-4691**

**March 13, 2017**

Present: Robert Cignetti, Rebecca Kilborn, John Boughner,  
Jeffrey Sauer

Also Present: Asst. Building Inspector, David Harris  
Secretary, Marybeth Burak-Condon

**CHERRY STREET 25 ENTERPRISES, LLC (#17-4691)** Requesting a finding to allow the alteration and extension of the existing nonconforming residential and commercial use for multi-family purposes with six dwelling units; and to the extent necessary a finding to allow the alteration of an existing non-conforming structure in accordance with Section 3.11 of the Danvers Zoning Bylaws at **25 CHERRY STREET**

Attorney Nancy McCann requested to continue to the next boards meeting of March 27, 2017.

Robert Cignetti motioned to allow the applicant to continue to March 27, 2017. Rebecca Kilborn seconded. All in favor.

**MINUTES**  
**Danvers Board of Appeals**

**#17-4692**  
**March 13, 2017**

Present: Robert Cignetti, Rebecca Kilborn, John Boughner,  
Jeffrey Sauer

Also Present: Asst. Building Inspector, David Harris  
Secretary, Marybeth Burak-Condon

**THOMAS CARNEVALE, TRUSTEE (#17-4692)** Requesting a variance to allow the existing industrial building to be rehabilitated for a mix of commercial and multifamily residential purposes, also a finding and/or variance to allow a third story to be added to that portion of existing nonconforming building that is currently two stories, and a finding to the extent necessary to continue to use 11 Locust Street as parking to serve the 20 Locust Street building in accordance with Table 1 and Table 2, Section 3.11 and Section 3.10 of the Danvers Zoning Bylaws at **11 & 20 LOCUST STREET**

Attorney Nancy McCann requested a continuance to the next meeting on March 27, 2017.

Robert Cignetti motioned to allow the applicant to continue to March 27, 2017. Jeffrey Sauer seconded. All in favor.

**MINUTES**  
**Danvers Board of Appeals**

**#17-4681**  
**March 13, 2017**

Present: Robert Cignetti, Rebecca Kilborn, John Boughner,  
Jeffrey Sauer, Kenneth Scholes

Also Present: Asst. Building Inspector, David Harris  
Secretary, Marybeth Burak-Condon

**BEVERLY BANK (#17-4681)** Appealing the decision of the building inspectors denial of the application for a wall mounted sign on the east façade of new bank in accordance with Section 35.4.1, 37.5.3 and 2.9.1, in the alternative requesting a special permit/special exception to allow a 19.76 s.f. wall mounted sign in accordance with Section 35.4.1 and 30.2.17 of the Danvers Zoning Bylaws at **29 ELM STREET**

Attorney Nancy McCann requested to continue to the next meeting on March 27, 2017.

Robert Cignetti motioned to allow the applicant to continue to March 27, 2017. Rebecca Kilborn seconded. All in favor.

**MINUTES**  
**Danvers Board of Appeals**

**#17-4686**  
**March 13, 2017**

Present: Robert Cignetti, Rebecca Kilborn, John Boughner,  
Jeffrey Sauer

Also Present: Asst. Building Inspector, David Harris  
Secretary, Marybeth Burak-Condon

**WILLIAM R. ANNESE, TRUSTEE RIVERSIDE REALTY TRUST (#17-4686)**

Requesting a variance to allow the property to be used for all uses allowed by right, or upon issuance of a special permit for all uses permitted by special permit the lot having less area than required, and to allow a building to be constructed closer to the front and side lot lines than permitted in accordance with Table 3 of the Danvers Zoning Bylaws at **4 EAST COAST ROAD**

Attorney Nancy McCann requested to continue this case to the next Zoning Board meeting on March 27, 2017.

Robert Cignetti motioned to allow the applicant to continue to March 27, 2017. Jeffrey Sauer seconded. All in favor.

**MINUTES**  
**Danvers Board of Appeals**

**#17-4688**

**March 13, 2017**

Present: Robert Cignetti, Rebecca Kilborn, John Boughner,  
Jeffrey Sauer

Also Present: Asst. Building Inspector, David Harris  
Secretary, Marybeth Burak-Condon

**ALEXANDER JOHN HINCMAN III (#17-4688)** Requesting a variance from side setback to construct a new two car detached garage in accordance with Section 7, Table 2 of the Danvers Zoning Bylaws at **8 PRINCETON STREET**

John Boughner said I just want you to know that you are allotted a full board of five voting members which we do not have tonight. You can choose to move forward but it would be based on four votes, or ask for a continuation. Mr. Hincman said I will move forward.

Mr. Hincman said a few weeks ago when we were here there were a few suggestions from the board and we went back and looked at the plans and we decided we were going to go with the rotation that still allowed us the maximum distance off of the house and the pool and it looks the best. So we slid it off the back and made a 15 foot rear setback. Mr. Boughner said it looks like not only did you rotate it but you have 15 feet off of the back. Mr. Hincman said there were three trees on the front of the property, so we increased the garage in length from 32 to 36 feet.

Robert Cignetti said can you show me on the map where it says 15 feet. Mr. Hincman said at the top of the map in the shaded area.

Rebecca Kilborn said so the size of the building was 26 X 32. Mr. Hincman said that was the original proposal and we would like to extend it to 36. They discussed the plans submitted.

John Boughner said so just to be clear you have moved the setback to 15 feet, it is also 15 feet at the other corner? Mr. Hincman said we lined it up with the fence and will ultimately be lined up with the curb. Mr. Boughner said you have extended

the length which was 32 and is now 36? Mr. Hincman said correct.

#### AUDIENCE COMMENTS

There were three people from the audience who voted in favor of this application.

David Harris said the plan is showing a two foot overhang. Mr. Hincman said this is a front setback it is a corner lot.

Robert Cignetti said I will vote for this.

Rebecca Kilborn said I will vote for this and I want to compliment the applicant for the plans with such detail and for making the adjustments.

Jeffrey Sauer said I will vote for this and I want to thank the applicant for being flexible and helping us out.

John Boughner said I will vote for this I know you put a lot of thought into it, we struck a happy medium.

Robert Cignetti moved the board to grant the variance for the revised plan dated March 3, 2017 to allow the construction of a garage with a 15 foot setback where 30 feet was required, the hardship is the shape of the lot; this condition does not affect other [properties or structures] in the same zoning district; a literal enforcement of the zoning bylaws would involve a substantial hardship to the applicant; and granting this variance will not create a substantial detriment to the public good and will not nullify or substantially derogate from the intent or purpose of the zoning bylaws. Rebecca Kilborn seconded. All in favor.

Robert Cignetti motioned to adjourn. Rebecca Kilborn seconded. All in favor.



# TOWN OF DANVERS

BOARD OF APPEALS  
DANVERS, MASSACHUSETTS 01923

Office at  
TOWN HALL  
Telephone 777-0001

## DECISION

DOCKET NO.17-4688

TYPE VARIANCE

APPLICANT'S NAME Alexander John Hincman III

SUBJECT ADDRESS 8 Princeton Street

MAP 22 LOT 36 ZONE RIII  
DATE

APPLICATION FILED 2-2-17  
BOARD OF APPEALS HEARING(S) 2-27-17, 3-13-17  
DECISION FILED 3-15-17

**PRESENT/VOTING MEMBERS:** ROBERT CIGNETTI, REBECCA KILBORN,  
JOHN BOUGHNER, KENNETH SCHOLDS

**DECISION:** Robert Cignetti moved the board to grant the variance for the revised plan dated March 3, 2017 to allow the construction of a garage with a 15 foot setback where 30 feet was required, the hardship is the shape of the lot; this condition does not affect other [properties or structures] in the same zoning district; a literal enforcement of the zoning bylaws would involve a substantial hardship to the applicant; and granting this variance will not create a substantial detriment to the public good and will not nullify or substantially derogate from the intent or purpose of the zoning bylaws. Rebecca Kilborn seconded. All in favor.

**MOTION(S) MADE BY** Robert Cignetti **SECONDED** Rebecca Kilborn  
**ALL IN FAVOR**

**ALEXANDER JOHN HINCMAN III (#17-4688)** Requesting a variance from side setback to construct a new two car detached garage in accordance with Section 7, Table 2 of the Danvers Zoning Bylaws at **8 PRINCETON STREET**

### February 27, 2017

The applicant discussed the plans to build a new two car garage, they are on a corner lot and they are asking for a 9.6 setback. The board asked about the propane tank, they asked about the entrance to the garage, the distance between

the garage and the house, they asked if the owner considered a smaller garage. There was an abutter in the audience who was in favor of this application. After brief deliberation the applicant asked to continue to modify the plan. The board motioned to grant the applicant a continuance to March 13, 2107.

**March 13, 2017**

The applicant submitted a revised plan that would allow a 15 foot setback and the garage dimensions would be 26' X 36'. The board members discussed the new setbacks, the new size of the garage, and will it be lined up with the curb. After brief deliberation the board voted in favor of the new plans submitted.

**DATE OF DECISION**      March 13, 2017

**IN FAVOR:**

BY Robert J. Coyne  
Robert Kimm

John P. Boughner  
Jeffrey Sam

*Appeals of this decision, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 17 and must be filed with the Court within twenty (20) days after this decision is filed with the Town Clerk. No decision shall take effect until a copy of this decision, certified by the Town Clerk as to the lapse of the appeal period, has been recorded in the Registry of Deeds.*

**Filed with the Town Clerk and Planning Board, Danvers, MA on March 15, 2017.**

**POSTED**  
MAR 15 2017  
TOWN CLERK DANVERS