

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

**#17-4700**  
**June 26, 2017**

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

Also Present: Building Inspector, Richard Maloney  
Secretary, Marybeth Burak-Condon

**BRIAN FARMER AND ANNE FARMER, TRUSTEES OF 25 LOCUST ST., UNIT 5 REALTY TRUST (#17-4700)** Requesting a finding to allow the expansion of existing nonconforming use to permit brewing and serving of nonalcoholic beverages and prepackaged food items to be consumed on or off the premises in accordance with Section 3.10.2 and 3.10.3 of the Danvers Zoning Bylaws at **25 LOCUST STREET**

Board member Sauer read a letter from Attorney Nancy McCann requesting to withdraw without prejudice.

Robert Cignetti motioned to allow the applicant to withdraw without prejudice. Kenneth Scholes seconded. All in favor.

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

**#17-4611**  
**June 26, 2017**

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

Also Present: Building Inspector, Richard Maloney  
Secretary, Marybeth Burak-Condon

**MCDONALD'S USA, LLC (#17-4611)** Requesting a variance and a finding for restaurant improvements, to allow for more than two signs on a lot, to allow for more than one menu board per drive-thru lane, for upgrades to building façade and minor site improvements, in accordance with Sections 37.5(a), 37.7(f), 3.10.2(b) and Table 1 of the Danvers Zoning Bylaws at **135 ANDOVER STREET**

A representative from Bohler Engineering said I am here with the Regional Construction Manager from McDonald's, I am covering for John Kucich who was here at the last hearing. We are asking for a variance and a finding for wall signage and menu boards. We are here to speak about some of the concerns you had with temporary unpermitted signs on sites throughout Danvers, also concerns about what was permitted in 2001 in terms of the number of menu boards, we've got the decision and it doesn't give the number of menu boards. However we did find planning board site plan that was subsequently submitted it did show two menu boards in the configurations. Just to be conservative we have asked for the three menu boards rather than just two. John Boughner said I am pretty sure the planning board would not be the board that would dictate whether or not this signage was approved, so if the plan shows it or the minutes reflect it this was an unpermitted sign that currently exists right now. Right now that second board that is already there was never permitted. The representative said I would just like to speak to the unpermitted temporary signage that was on site and how it got to the point where it was and how it is going to be fixed and why it won't happen in the future.

Adam Gullmette, McDonalds Corporation, said I am in charge of development for the New England area. I have provided my contact information to the building inspector. The three

restaurants in town have had some turnovers, two franchisees are operating three of the restaurants in town, Andover St. and Endicott St.. We received the feedback and we reached out to Mr. Maloney just to get some information on the tear drop signs and the inside signage on the windows, we immediately upon receiving that information from the building department sent out an email to our operations leads. I went out to the Endicott franchisee and provided them with the variance for the reader board sign, and they were not privy to the knowledge that they could only change the board once per day. I also informed them of the fines that were not paid, so I have been told they are now current. Mr. Boughner said to our knowledge I don't think so. Mr. Gullmette said I was told that a week and a half ago. Two of the restaurants and have taken down the tear drop signs, and taken down the window signage, one of the sites has too many window signs and I will address that with them tomorrow. Mr. Boughner said these are all great steps in the right direction, however my input at this point is the location on Endicott Street is still flashing as we speak right now so I guess they didn't get the memo. I kind of understand how your corporation works a little bit the new egg sandwich comes out and everyone get a certain amount of signage to advertise it, but I think it needs to be clear at the corporate level with McDonalds that okay but Danvers doesn't allow this type of stuff to go on. And it shouldn't matter to the Town or the building inspector who is running that franchise it should just come from the corporate level. Mr. Gullmette said this is not something that I deal with very often, but this was brought to me and I am taking it very seriously. This is something now that several people within the corporation are completely aware of, and the pictures that I took tonight will be shared with all of those people so that we can get this rectified. Mr. Boughner said clearly this is a good spot for McDonalds because there wouldn't be three of them in the Town of Danvers. I think that it is a matter of understanding our local bylaws and I know with the building inspector too what bothers us the most is that the sign that we allowed on Endicott Street by variance, they got up here and swore up and down that the sign would not blink, would not flash or do anything, that it would change once a day. Mr. Gullmette said I was here and I remember it that way and what was lost in translation is that we did not translate that to the franchise.

Mr. Boughner asked the building inspector how many times have they been sent violation tickets for the signs. Mr. Maloney said about four times at least and we were ignored so we went to

the property owner Mccisz Trust and we got them involved, I find it hard to believe that the new franchisee does not know our sign regulations. Mr. Boughner said so you can see our frustration. Mr. Gullmette said yes. Mr. Boughner said when McDonalds starts something in town then we got the next guy saying we want to do that, so it becomes an impossible task for the building inspector to enforce this. So what are we doing about the fact that we all know now that the second menu board installed there is unpermitted? Mr. Gullmette said I have to do some back tracking on my side.

Robert Cignetti said prior to coming here I did visit McDonalds and we already know and agree that the Endicott Street sign is still blinking as of an hour ago. I went to the High Street store, they have a big lobster roll sign still outside. They also have a McCafe Sign Welcome at the entrance, it is not a directional sign when there is advertising on it. Mr. Gullmette said I venture a guess that they are inserts and at one time it was just a directional but I will get that rectified. Mr. Cignetti said how long has the store on Route 114 been 24 hours? Mr. Gullmette said I couldn't say. Mr. Cignetti said on their entrance sign it says open 24 hours and I don't believe that sign was permitted. This is the frustration we have, we are the board that permits these signs and people don't even bother to ask they just do whatever they want when they want to do it. Frankly it creates a mistrust with us, now what do we have we have three different McDonalds each one violating some of the bylaws, we have outstanding fines that have not been paid, promises are great but we like to see results. Now this gentlemen here is asking for more signs and you want to do something on the roof too? Mr. Gullmette said if you could send me copies of any outstanding invoices I can tell you that if I have to I will have corporate pay them and get reimbursed.

Kenneth Scholes said with the Endicott Street location why do the signs even have the capability to flash? Mr. Gullmette said the signs are made by one company and it is just the system it is included, it is on a loop and it shouldn't be. Mr. Scholes said we know that the management changes with these franchises how do we ensure that the next man knows what they can and cannot do? Mr. Gullmette said it is on me and I can figure that out by involving more people specifically in operations because they see the restaurants more often than I do.

John Boughner said I know our building inspector asked for a summary chart with the signage showing you were going from X number of signs to Y and we never got that so again I am glad you are here speaking on behalf of McDonalds and saying everything we need to hear to get this to go but quite frankly there is not much trust here anymore. Can someone summarize this for us now? The representative from Bohler said so basically we were looking for the decision from 2001 which I could not get my hands on. Mr. Boughner asked the building inspector what can be done to clean this up now. Mr. Maloney said we have two or three standing signs out there, wall signage, plus menu boards now. So the whole idea is that we had this discussion way back in the TRC meeting, you want to show everything that you have and then everything that you want so the board can compare A versus B. Mr. Boughner said it is hard for us to make an informed decision when we cannot compare A to B.

Mr. Cignetti said you want the extra menu boards because you want to have two lines? The representative said yes. Mr. Cignetti said they have two lines on the Endicott Street location and they only have two menu boards there, why do you need four? The representative from Bohler said the point of the two in addition to the menu boards are the pre-browse boards so if you are stuck in line you can browse and when you get to the order point you can order more quickly.

They discussed the applicant supplying the board with a comparison of signage and the entrance signs that are now advertising.

Kenneth Scholes said I would like to get into full compliance, the fines as well and then let's re-visit this.

There were no questions or comments from the audience.

Robert Cignetti said if I voted on this right now I vote no because I agree with Ken let's get everything into compliance, let's get what was approved and what you want and then we will look at it.

Jeffrey Sauer said I agree with Bob I would like to get everything into compliance and continue this until the next meeting and go from there.

Kenneth Scholes said I agree.

John Boughner said are you clear on what we are looking for at this point? We would like to see all three sites in compliance with all signage that is there illegally right now, as well as the flashing, we want the fines paid and current and we need a before and after plan that is more detailed than the site plan because what the site plan is showing us is illegal signs. There are three sites in town and each of them are in different states of disarray. Mr. Gullmette said just so you are aware I will not personally be here I am going out on a short leave but someone from McDonalds will be here and I will be 100% certain that they are in line with everything that I have agreed to, she will be from my team.

Robert Cignetti moved the board to allow the applicant to continue to July 17, 2017. Kenneth Scholes seconded. All in favor.

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

**#17-4712**  
**June 26, 2017**

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

Also Present: Building Inspector, Richard Maloney  
Secretary, Marybeth Burak-Condon

**CLYDE AND SARAH DUGAS (#17-4712)** Requesting a special permit for deviation from size requirements to construct an Extended Family Living Area (EFLA) in accordance with Section 9.3.3.3 and 9.4.C of the Danvers Zoning Bylaws at **68 WENHAM STREET**

Jeff Horne, Contractor said we are looking to do an in-law, it is a little small and part of the extra square footage is in the second floor, it will have the same roof line it is a one story cape with a dormer in the back. Mr. Horne displayed photos of the property. The total square footage will be 932 square feet because it is two floors.

Jeffrey Sauer said are they here just because they are over the 750? Mr. Maloney said correct.

Robert Cignetti said you meet all the setbacks you just want a bigger EFLA. Mr. Horne said just a little bit.

John Boughner said so this is not a lot issue? Mr. Maloney said the house meets all of the RIII requirements.

There were no questions or comments from the audience.

Kenneth Scholes said I have no problem with this it meets all of the setbacks, I will vote for this.

Jeffrey Sauer said yes I agree it complies well with the RIII dimensions.

Robert Cignetti said I would want a bigger EFLA if it were my house.

John Boughner said I too I think it is a situation where if you were looking at it from the outside it is actually smaller, I see it as a minimal impact to the neighborhood, so I too would vote for it.

Robert Cignetti moved the board to grant the special permit for the increased EFLA as shown on the plans submitted, dated May 31, 2017;

- The municipal water and sewer systems shall not become overloaded by the proposed use.
- The public streets shall not become overloaded by proposed use.
- The value of other land and buildings will not be depreciated by the proposed use.
- The specific site is an appropriate location for this use or structures.
- The use developed will not adversely affect the neighborhood.
- There will not be an undue nuisance or serious hazard to vehicles or pedestrians, and adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use.
- The proposed use or structure will be in harmony with the general purpose of this bylaw.

Kenneth Scholes seconded. All in favor.



# TOWN OF DANVERS

BOARD OF APPEALS  
DANVERS, MASSACHUSETTS 01923

Office at  
TOWN HALL  
Telephone 777-0001

## DECISION

DOCKET NO.17-4712

TYPE SPEC PERMIT/EFLA

APPLICANT'S NAME Clyde and Sarah Dugas

SUBJECT ADDRESS 68 Wenham Street

MAP 15 LOT 97 ZONE RIII  
DATE

APPLICATION FILED	5-31-17
BOARD OF APPEALS HEARING(S)	6-26-17
DECISION FILED	7-3-17

**PRESENT/VOTING MEMBERS:** ROBERT CIGNETTI, JOHN BOUGHNER,  
JEFFREY SAUER, KENNETH SCHOLES

**DECISION:** Robert Cignetti moved the board to grant the special permit for the increased EFLA as shown on the plans submitted, dated May 31, 2017;

- The municipal water and sewer systems shall not become overloaded by the proposed use.
- The public streets shall not become overloaded by proposed use.
- The value of other land and buildings will not be depreciated by the proposed use.
- The specific site is an appropriate location for this use or structures.
- The use developed will not adversely affect the neighborhood.
- There will not be an undue nuisance or serious hazard to vehicles or pedestrians, and adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use.
- The proposed use or structure will be in harmony with the general purpose of this bylaw.

Kenneth Scholes seconded. All in favor.

**MOTION(S) MADE BY** Robert Cignetti **SECONDED** Kenneth Scholes  
**ALL IN FAVOR**

**CLYDE AND SARAH DUGAS (#17-4712)** Requesting a special permit for deviation from size requirements to construct an Extended Family Living Area (EFLA) in accordance with Section 9.3.3.3 and 9.4.C of the Danvers Zoning Bylaws at **68 WENHAM STREET**

Representation for the applicant discussed the plans to add an Extended Family Living Area, the total square footage will be 932 and the extra square footage is in the second floor. The board members asked if they would meet all the setbacks. After brief deliberation the board voted unanimously in favor of this application.

**DATE OF DECISION**      June 26, 2017

**IN FAVOR:**

**BY** \_\_\_\_\_  
\_\_\_\_\_

*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 July 3, 2017.**

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

**#17-4713**  
**June 26, 2017**

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

Also Present: Building Inspector, Richard Maloney  
Secretary, Marybeth Burak-Condon

**STEVEN ORGETTAS/194 ENDICOTT STREET, LLC (#17-4713)** Requesting a variance to install an electronic reader board on existing pylon sign in accordance with Section 37 of the Danvers Zoning Bylaws at **194 ENDICOTT STREET**

Stephen Napolitano said we opened in November and we need to make this site a little more visible to our customers so we are proposing to add a reader board to the existing sign. The original sign is 80 square feet and the additional sign will be 26 square feet. You can see the sign is oval and was refurbished from the original sign that was there for 20 years.

Robert Cignetti said it is not a change it is an addition we are making the sign larger. Mr. Maloney said there are two businesses on this lot, so typically a multi-tenant lot is only allowed one sign 100 square feet, and each tenant gets a wall sign, so right now this pre-dates the zoning. When these were built in the early 70's they were considered structures just like the Top Salad Sign, so it is a pre-existing non-conforming sign as it is. Mr. Cignetti said so he is asking for a sign that is larger than allowed? Mr. Maloney said prior to Chapter 3 in the Zoning Bylaw everything was a variance and then some court cases that got us into the nonconforming in the finding so if they got variances for those signs in the 90's and now they are asking to alter that variance. Mr. Cignetti said so you are going to only have one lunch special a day. Mr. Napolitano said we can only change the sign once a day so we understand, we will comply. Mr. Cignetti said so you are going to have a picture of the salmon, lunch special, grilled salmon and that will stay up the whole day. Mr. Napolitano said this is just a design we submitted it might say something else, but there will just be one sign per day. The manager is aware of what we are doing and he is aware that it can only change once per day. Mr. Cignetti

said how often do you change managers? Mr. Napolitano said he has been with the company for a long time.

Mr. Boughner explained that there are only four members voting tonight.

Kenneth Scholes said will this sign have the capability to flash? Mr. Napolitano said the way that they are made you just have to program it so that it doesn't go into that loop.

John Boughner said what is the height of the existing sign from the ground right now? Dan Hutchins, NH Signs said the overall height is 20 feet and the height is not changing. We are adding the sign underneath the existing so around 10 feet. Mr. Boughner said what kind of vision block will that do for any drivers? Mr. Hutchins said in terms of the height it is over 10 feet high. Mr. Napolitano said it is setback a little bit too.

There were no questions or comments from the audience.

Robert Cignetti said every time that we grant one of these types of signs the applicants promise that it will be a static sign, every single time. And you know what every single applicant has violated that at least once or twice, sometimes they do it on weekends when the building inspector is not working so I am a little skeptical.

Jeffrey Sauer said I too am hesitant there has been nothing but problems with these signs, I wish we would write them out of the bylaw, I guess I would vote for this on the word of the applicant but I have serious reservations.

Kenneth Scholes said I will say yes reluctantly.

John Boughner said unfortunately I think that you are at the vulnerability of other applicants before you. As Bob indicated we have been burned, I will ask that you take a condition that this is a static sign that will not change more than once in a 24 hour period.

Robert Cignetti said I will vote for this and I will take the man at his word, do not disappoint me. Can we put a sign in the office so that all employees know that it cannot change?

Robert Cignetti moved the board to grant the variance to install a reader board on existing pylon sign, the hardship is the location of the building on the land; 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, with the condition that the sign remain static for 24 hours. Kenneth Scholes seconded. All in favor.



# TOWN OF DANVERS

BOARD OF APPEALS  
DANVERS, MASSACHUSETTS 01923

Office at  
TOWN HALL  
Telephone 777-0001

## DECISION

DOCKET NO.17-4713

TYPE VARIANCE

APPLICANT'S NAME Steven Orgettas/194 Endicott St., LLC

SUBJECT ADDRESS 194 Endicott Street

MAP	LOT	ZONE
62	2	C3
DATE		
APPLICATION FILED	6-1-17	
BOARD OF APPEALS HEARING(S)	6-26-17	
DECISION FILED	7-3-17	

**PRESENT/VOTING MEMBERS:** ROBERT CIGNETTI, JOHN BOUGHNER,  
JEFFREY SCHOLES, KENNETH SCHOLES

**DECISION:** Robert Cignetti moved the board to grant the variance to install a reader board on existing pylon sign, the hardship is the location of the building on the land; 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, with the condition that the sign remain static for 24 hours. Kenneth Scholes seconded. All in favor.

**MOTION(S) MADE BY** Robert Cignetti **SECONDED** Kenneth Scholes  
**ALL IN FAVOR**

**STEVEN ORGETTAS/194 ENDICOTT STREET, LLC (#17-4713)**

Requesting a variance to install an electronic reader board on existing pylon sign in accordance with Section 37 of the Danvers Zoning Bylaws at **194 ENDICOTT STREET**

The applicant explained that the site needs to be a little more visible to their customers and would like to add a reader board to the existing sign. The existing sign is 80 square feet and the addition to the sign will be 26 square feet.

The board discussed with the applicant that the message can only change once per day, they asked if the sign will have the capability to flash, the height of the existing sign and if the added sign will block the vision of drivers. After brief deliberations the board voted in favor of this application stating absolutely that the sign stay static and only change once in a 24 hour period.

**DATE OF DECISION**      June 26, 2017

**IN FAVOR:**

**BY**

_____	_____
_____	_____
_____	

*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 July 3, 2017.**

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

**#17-4714**  
**June 26, 2017**

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

Also Present: Building Inspector, Richard Maloney  
Secretary, Marybeth Burak-Condon

**JACQUI AND GALEN LIGHT (#17-4714)** Requesting a special permit and a variance to convert single family dwelling into a multi-family dwelling in accordance with Sections 30.2.4.c, 30.2.4.d and 30.2.4 of the Danvers Zoning Bylaws at **32 CHASE STREET**

Jacqui Brauer, Gienapp Design Assoc., said we are asking for a special permit for a dwelling conversion. We are adding to the back of the house and trying to make it look like part of the existing house, the existing house is on average four feet high off the grade and this is for an elderly couple. The other variance is for parking, right now we are showing three parking spots existing and we are showing a potential fourth spot so that we could comply however we do not want this to be part of our design which would require removing a tree.

Kenneth Scholes said so I noticed there is a small dormer on the back of the house now, that is coming down? Ms. Brauer said nothing on the existing part of the house is being taken off, they did add a family room on the back which used to be a porch. Mr. Scholes said we need four parking spaces for a two family? Mr. Maloney said yes minimum of two per unit.

Jeffrey Sauer said they could have proposed this as an EFLA? Mr. Maloney said they came in and talked to me and they were trying to accommodate a family member, so one they could have done it as special permit EFLA, in Res. I we do allow multi-families, they could have asked for the lot size provision for a two family, or they could seek the special permit conversion that none of the work is done outside the existing structure, and this is the one they chose. Mr. Sauer said staying within the structure does not give them any space. Ms. Brauer said they want to be able to rent this out once they are gone to make it easier for their family. Mr. Sauer said so you really need

an apartment. Ms. Brauer said the addition is only 575 square feet. Mr. Sauer said so the only reason they are here is because the lot is undersized for a two family and they are asking for three spaces for parking. Mr. Maloney said no matter what they were going to do they were going to be before the board.

Robert Cignetti said you are asking for a variance, what is your hardship? Ms. Brauer said the hardship is that the footprint is too small and it is about four feet above grade so it is hard for them to get up those stairs every day. Mr. Cignetti said you are talking one more parking space and you can't find it? The representative for Gienapp said there are some lovely trees there and we would have to remove them. Mr. Cignetti said you've got an undersized lot and is this garage new? You want to put a two family on an undersized lot with only three parking spaces.

John Boughner said what is the existing square footage of the house? Ms. Brauer said about 750 per floor. Mr. Boughner said it seems like a lot of house on a little lot in a tight neighborhood already. Ms. Bauer said they have a large lot in the back and there are a lot of multi families in the area.

#### AUDIENCE COMMENTS

Matthew Duggin said I live in the Back Bay area, this is a very small house on a small lot in a very congested neighborhood. The garage is typically used for storage, so that just leaves the two spots. This type of conversion will leave cars out on the street, we have seen more properties with parking on the street which affects the quality of life in this area. I think there should be a condition that there are four parking spaces, to minimize the impact in the surrounding area.

Jacqui Light, 32 Chase Street said I am not opposed to putting in a fourth spot it is just that we don't need it, my daughter and two grandchildren needed a home to move in to, we need to be the sole care givers for our grandchildren. We do use our garage for parking we never parked on the street it is full of things now because we are preparing to move out of the cellar. Most of my neighbors park regularly on the street whether or not they have a driveway. Mr. Boughner said we look at it as 500 years from now and we don't want to create a worse situation,

with regards to the parking the situation works for you as a family unit right now but down the road it may not be the case.

Kenneth Scholes said so I spoke to the neighbors and they were under the impression that this was an EFLA and I read him the application and I asked if he was okay with the two family, and he was. But I don't think that he was aware that there may be another parking spot in between the houses. I personally don't like that the parking space will be there at all, losing the tree and another curb cut, if some way you could get a fourth spot were the other two cars are I would be in favor of that.

Jeffrey Sauer said I like the building, I don't like the parking.

Robert Cignetti said when we create the variance it is forever so somewhere down the line if we allow three parking spaces the next owner or the owner after that it may not be adequate, I don't have a problem with the two family, I do have a problem with the parking. The bylaw requires four and I would like to see four I will not vote for three parking spaces.

John Boughner said I do agree with my fellow board members, I know the neighborhood well and I am glad you are looking to stay there, we have the bylaw for a reason and you heard one of your neighbors. I think that it is just a matter or re-working the plan a little bit.

Representation for the applicant agreed to re-work the plans and asked to continue to July 17, 2017.

Robert Cignetti motioned to allow the applicant to continue to July 17, 2017. Jeffrey Sauer seconded. All in favor.

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

**#17-4715**  
**June 26, 2017**

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

Also Present: Building Inspector, Richard Maloney  
Secretary, Marybeth Burak-Condon

**RICHMOND AND SHELLY SHEA (#17-4715)** Requesting a special permit to add a second egress for a two family dwelling and a variance to alter the exterior structure in accordance with Section 30.2.4, Section 30.2.4.c of the Danvers Zoning Bylaws at **71 POPLAR STREET**

John Colantoni said we were here on May 22, 2017 for a two family, it is a nonconforming house and when one of the board members mentioned about living below grade he got us thinking. So we decided to go back to the building inspector and do a townhouse style and that is why we are here. Mr. Colantoni explained the new revised plans and stated that now each unit will have basement storage. He continued to discuss the other changes in the style of the construction.

Robert Cignetti said the setbacks are going to stay the same. Mr. Colantoni said yes. Mr. Cignetti asked if they are going to be condos or rentals. Mr. Colantoni said they are going to be two separate dwellings. Mr. Cignetti said you are just changing the style of the house, side by side.

Jeffrey Sauer said so basically instead of making a basement living area you are splitting it into giving them storage to each unit.

Kenneth Scholes said and all of the parking is all on that one side where the driveway is. Mr. Colantoni said it is the same as when we were here last, we have to go 20 feet in and you have 36 feet one way and 18 feet another way in order to fit four cars.

John Boughner said so the outside configuration is not changing at all not even the decks. Mr. Colantoni said the footprint is

staying the same. Mr. Boughner said how are we dividing the basement? Mr. Colantoni said it will be divided by code.

There were no questions or comments from the audience.

Robert Cignetti said I am good with this.

Jeffrey Sauer said I am good.

Kenneth Scholes said I would vote for this.

John Boughner said I too think this is a much better move.

Robert Cignetti motioned to grant the special permit for the revised plans dated June 5, 2017;

- The municipal water and sewer systems shall not become overloaded by the proposed use.
- The public streets shall not become overloaded by proposed use.
- The value of other land and buildings will not be depreciated by the proposed use.
- The specific site is an appropriate location for this use or structures.
- The use developed will not adversely affect the neighborhood.
- There will not be an undue nuisance or serious hazard to vehicles or pedestrians, and adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use.
- The proposed use or structure will be in harmony with the general purpose of this bylaw. Kenneth Scholes seconded. All in favor.

\*Jeffrey Sauer motioned to adjourn. Robert Cignetti seconded. All in favor.