

MINUTES
Danvers Board of Appeals

#17-4718
August 14, 2017

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

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

ESTATE OF DONNA CAHILL, JENNIFER CHURCHILL, ADMINISTRATOR (#17-4718)
Requesting a variance to allow the construction of one single family home on a lot with less area than required but meeting all other dimensional and density requirements in accordance with Table 2 of the Danvers Zoning Bylaws at **21 SCHOOL STREET**

Clerk Sauer read a letter from Attorney Nancy McCann requesting a continuance to the next Zoning Board Meeting on September 11, 2017.

Robert Pariseau moved to allow the applicant to continue to September 11, 2017. Jeffrey Sauer seconded. All in favor.

MINUTES
Danvers Board of Appeals

#17-4611
August 14, 2017

Present: Robert Pariseau, 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**

John Kucich said this is the fourth hearing before this board and in speaking with Mr. Maloney I heard the comments, I believe that all of the issues that were raised with the existing McDonalds in Town have all been addressed. We were requested to put together a signage package showing what is existing and what we are proposing. John Boughner said I think that I will ask the building inspector for an update. Mr. Maloney said we went through all of the permitting on this property and I thought the signs were presented in 2001 when they remodeled but they just approved the reconfiguration of the building and the signage was permitted by right. Back then we did not have any regulations on the drive thru, and the whole drive thru package would be covered under a finding. Mr. Boughner said it wasn't a finding requested back then because we didn't require it. Mr. Maloney said right, so the signs were permitted by right at that point after the Zoning Board granted the tear down and re-building of the restaurant. Some of the stuff was added on that they cleaned up, so one thing I want to make clear is that the package on the drive thru is going to be covered under a finding not a variance. Mr. Boughner said otherwise you are satisfied with the other sites? Mr. Maloney said yes.

Robert Pariseau said can you tell me the variance for the signs on the lot? Mr. Kucich said there was a variance issued for the two pylon signs and I believe that was the only variance. Mr.

Maloney said the sign right in front of the store was re-built with a variance and the one on the corner of Garden Street was issued by right with a building permit. Mr. Pariseau said the one that is out in front of the building it would appear to me that that sign does nothing, it is obstructed by the bridge and you don't see it until you are right up on it. I don't know why from an engineering standpoint that you don't change that sign to give you greater visibility. Mr. Kucich said essentially what is proposed are two menu boards and also two pre-sell boards. There are directional signs at the driveway they are existing and we are not proposing to change them. Mr. Pariseau said did you consider moving the menu board back a little bit? Also I went there today and sat beside a car that was at the window, I wanted to see if a car could get around me and it is very tight there. Mr. Kucich discussed the location of the menu board and explained in detail the logistics of its location, he also discussed the re-location of the trash.

Jeffrey Sauer said I am looking at the sign exhibit, the thing labeled A is pre-existing is that the by-right sign? Mr. Maloney said A & B are the two free-standing signs. The A was built by-right as a structure pre-dated our sign from zoning. The B was issued by a permit, it is a corner lot with one tenant so you are allowed two signs but now we don't allow two free standing signs. Mr. Sauer said so it is pre-existing but now it is no longer conforming, and the H signs the directional in and out are allowed. Mr. Maloney said they are allowed but just cannot be branded. Mr. Sauer said the G signs they are proposed wall signs that do not exist. Again would you consider E or F in this drawing signage? Mr. Maloney said previous to 2010 we had no drive thru regulations so you could get a drive thru but we had no sign regs, so we came up with them in the 2010 bylaw. Mr. Kucich said your ordinance allows one sign up to 32 square feet, what we were looking to do with the wall signs were to do two signs.

Kenneth Scholes said Endicott Street has the same two lane drive thru? Mr. Maloney said yes. Mr. Scholes said they did not need a finding because that was new construction? Mr. Maloney said you negotiated a sign package with them it was a variance. That building was from scratch.

John Boughner said I get the pre-board and I get the two lanes are you saying from the delivery window that allows you to queue

five cars. Mr. Kucich said you have two windows, at the pickup window you have a car located at that window and you have four cars between pick up window and the pay window. Mr. Boughner said so that will change. Mr. Kucich discussed the queuing and stacking of cars in further detail. Mr. Boughner said you say that the dumpster is moving to create this extra space. So what you are looking for is the 2 G signs which are 14 square foot building signs and you are looking for these pre-menu boards which would be known as D, and this is all a finding, and everything else is pre-existing.

AUDIENCE COMMENTS

Matthew Duggin said I just heard a mention of moving the trash compactor where will it be moved. Mr. Kucich said it will be in the same location but we plan on turning it to create more access. Mr. Duggin said I am a member of the rail trail committee and this property is one of the worst with trash, you will see shopping carts and a large amount of trash. I would like you to set a condition to have them move this compactor and maintain the area and keep it clean. Mr. Kucich said the rail trail is probably 15 feet higher than this property. Mr. Boughner said is there any kind of catch that keeps the debris on the lot? Is there any opportunity to add an additional barrel or anything to help with this issue? The engineer representing McDonalds said yes, and that she will bring it up with the operator.

Robert Pariseau said I can understand the additional length of the driveway, I would vote for that, the additional signage pre-menu signage let the customer be responsible to know what they want so I would not be in favor of the additional signage there. As far as the two small signs on the building I am not in favor of that either. John Boughner said so you are not in favor of this at all.

Jeffrey Sauer said I am a lot happier with the plan since a lot of this stuff was put in pre-existing without any zoning. I don't have a problem with a pre-menu board and a menu board and two lanes of drive thru, I do have an issue with the wall signs they have so many now they do not need anymore. I am not going to be in favor of the items G but I would be in favor of everything else.

Kenneth Scholes said I agree with Jeff I do not think that the wall signs are necessary, as it is right now they have two free standing signs, the double drive-thru I think it is overkill I think there should be some contingency so that emergency vehicles can get by that area, I have no problem with it if we took away the wall signs.

John Boughner said it seems to me that this is McDonalds new blue print for some sites, if it streamlines things and it helps your business, I think that if this site were to go to planning these days it would not be planned like this, I find it a kind of chaotic parking lot now I'm thinking that maybe with this new lane maybe it will help that. I am fine with the pre-order signs, I agree with the other board members I don't think putting a big M on the side of the building will help. I do appreciate that you worked with the building inspector and also with the other sites in town.

Robert Pariseau said the finding application for the part of this only needs three votes. Mr. Maloney said yes.

Mr. Maloney said we had a TRC meeting on this and the Fire Department was present and they are going to site plan after this.

Jeffrey Sauer moved to grant the finding for the restaurant improvements to allow more than two signs on the lot, to allow more than one menu board for the drive thru lane, this proposed addition as shown on the plans does not increase the nonconformity and therefore a permit can be issued, a condition that we will strike sign "G" from the plans submitted. Kenneth Scholes seconded. Robert Pariseau opposed. Vote: 3-1.

MINUTES
Danvers Board of Appeals

#17-4719
August 14, 2017

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

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

CHRISTOS ZAMAKIS (#17-4719) Requesting a variance from front setback to erect an addition in accordance with Table 2 of the Danvers Zoning Bylaws at **94 NORTH STREET**

We would like to add on to our property, we need more room my daughters are sharing a room, as they get older it is becoming more complicated and the room would be very beneficial to the family and we simply do not want to leave the area. It is not going to be any higher than what is existing, it is just going to be a 20 foot extension off of the existing home, I have spoken to a few of my neighbors and they seemed to be behind the idea.

Kenneth Scholes said so basically you are just going out into the driveway and it is going to be a two car garage, you are moving the shed? Mr. Zamakis said yes.

Jeffrey Sauer said I just want to make sure I understand this page 3, so this section here you are saying that you are cutting back four feet into the existing house? Mr. Zamakis said not upstairs just the garage space.

Robert Pariseau said I went out to the site it is very nicely done, it is very nice back there, I don't necessarily like the idea that it is 10 feet where it is supposed to be 20 it is on the corner and it is away from the neighbors and I don't think that the impact would be negative.

John Boughner said the setback is 30 just to be clear. Did you consider going back? Mr. Zamakis said we did but just the entire layout I would have lost a lot of the yard, and if I went back 20 feet I would have lost a lot of things. I want my

children to be safe in the back yard, North Street traffic is very fast.

There were no questions or comments from the audience.

Kenneth Scholes said I have no problem with this, it is kind of the way the building is positioned on the lot at a little angle. I would vote for it.

Jeffrey Sauer said I am struggling with this a little bit, the setback that is required is 30 feet, at this corner you are asking for 10.5, we try to preserve half of the setback and when we grant the variance what we are saying is that the applicant has no other possible means to satisfy what he wants to do without this exception. I understand the most economical thing is to continue the building envelope, I am on the fence about it.

Robert Pariseau said I went out to the site and there really aren't a great deal of options, I think you are on the corner and you have a wide street there and the impact is really not a great deal so I would vote favorably upon this as presented.

John Boughner said that is why I asked did they think of going back, I think that the house would be a better flow and not having to have a jog addition to it, so I would vote for it as presented.

Jeffrey Sauer said the other issue with this lot is that he is on a corner and we all know that in Danvers when you are on a corner you have two front setbacks which makes it extra difficult so I guess I would vote for this.

Robert Pariseau moved to grant the requested variance for an addition as shown on the plans submitted, the hardship is the location of the existing structure on 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. Kenneth Scholes seconded. All in favor.

MINUTES
Danvers Board of Appeals

#17-4720
August 14, 2017

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

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

MJP PROPERTIES, INC. (#17-4720) Requesting a variance and a finding to demolish and reconstruct a single-family dwelling in accordance with Section 3.17 and Section 7 of the Danvers Zoning Bylaws at **46 LIBERTY STREET**

Bob Griffin, Griffin Engineering said my client has renovated a lot of properties in town unfortunately this is beyond renovation. The property is about 100 years old it has not been lived in for 11 years there is nothing that works inside the building, there is all sorts of structural problems. He did go to the historic commission last September and they did ask that the house be preserved, but it was just too much damage. He is proposing to tear down the house and replace it with a two story colonial. The lot is nonconforming, it has about 11,000 square feet of area in a zone that requires 20,000 it is not a conforming structure because it is about 3 feet to the property line. My client is proposing to make the new house conforming by pushing it 32 feet back from the street, it will have a conforming side yard on Liberty Street but he is going to need some relief on the Gauthier side. Mr. Gauthier has provided a letter indicating that he has seen the plans and is satisfied with them.

Robert Pariseau said the garage is 22 X 22? Why do you need something that big? Mr. Griffin said that is just barely enough for two cars.

Jeffrey Sauer said I have the same question as Bob you are starting with a clean slate. Mr. Griffin said not completely, we had a nonconforming lot with a nonconforming structure, we are going to make this more conforming because we've got about 600 square feet of building footprint that is in that front yard right now. Mr. Sauer said so it's better you are demoing the

old building and starting with a flat lot. Mr. Griffin said we have a narrow lot only 80 feet wide at the front, so it's an existing nonconforming.

Kenneth Scholes said I guess I am in the same boat, you are starting with a clean slate here, I don't understand why you can't bump that garage down and to the back of the house? Mr. Griffin said we are lining up the house with the other houses. Mr. Scholes said my question is just moving the garage and existing the driveway a little bit.

John Boughner said what is the overall square footage of this house? Mr. Griffin said it is 2128 so that is about a 12% increase as compared to the existing building, the footprint of the building is smaller.

There were no questions or comments from the audience.

Robert Pariseau said I am happy to see this go, but again as Jeff said you are starting with a clean lot and you come to us for a variance and I am saying why can't we make this fit? Mr. Griffin said in light of the attendance here and hearing some of the comments from the board members perhaps it would be helpful if I come back next month with additional architectural information and try to increase that 7.5.

Jeffrey Sauer said I have an issue with a clean slate and a variance it is hard to justify a hardship. We are all in agreement that we want to see the existing structure go, we are all in agreement that you are presenting something that is way more conforming than what is there.

Kenneth Scholes said I would love to see other options.

John Boughner said I agree with my fellow board members, we have known to go 50% of a setback, I would be inclined to be okay with this.

Robert Pariseau motioned to allow the applicant to continue to September 11, 2017. Kenneth Scholes seconded. All in favor.

MINUTES
Danvers Board of Appeals

#17-4721
August 14, 2017

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

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

STATE LLC/KEVIN J. MURPHY & LAUREN D. MCCREA (#17-4721)

Requesting a variance (dimensional) to allow the construction of four townhouse style dwellings on the lot in accordance with Table 2 of the Danvers Zoning Bylaws at **2 POND STREET**

Attorney Nancy McCann said with me tonight is John Colantoni and the architect John Duggar. The property contains almost 16,000 square feet and currently has a single family home that has not been occupied for a number of years and has fallen into considerable disrepair. On the other side of the street from this property is a very large Danvers Electric facility with transformers and a lot of activity and a lot of noise, whether that has caused some of the issues that relate to this property over the years I don't know but there is an opportunity here to make this site better. This property has gone through a recent foreclosure, there has been some vandalism on this site and we've got an opportunity to address something that has become an eyesore. We are proposing to demolish the existing building and to construct a new structure which will have four units in it but which will meet the setback requirements for a multi-family project in this area. We initially filed for four 3-bedroom units, when I spoke to the applicant and said it is very important to get out and talk to your neighbors he had already begun to do that he had talked to about 30 neighbors. In his conversations with direct abutters on Pond Street and on Holten Street what he was able to discuss were changes to the original plans. The new plans are now 2 bedroom units, in addition the fencing that has been proposed is now 8 feet and the balconies on the second floor end units have been eliminated. The applicant has submitted letters from abutters who are in favor of this project. This building will fit on this site that is going to meet the setback requirements, we will have more than double the required open space for this development and by

decreasing the number of bedrooms we have also decreased the number of parking spaces by four. We will have two parking spaces required for each unit, one inside the garage space and one outside space and we will have to go through site plan approval as well.

John Duggan, Architect explained in further detail the plans for this project, he displayed a rendering of the plans and he discussed elevations.

John Boughner said this is a 15,000 square foot lot? Attorney McCann said almost 16.

Jeffrey Sauer said what is the relief you are looking for? Attorney McCann said we are looking for a variance for the lot size and as I indicated the footprint itself meets the setback requirements with the decks on the back we would need a setback variance for the decks. Mr. Maloney said entry porches on one and two family homes are exempt from street setbacks but not multi-families.

Robert Pariseau said you are seeking a variance which is a hardship with the land, but there is no hardship from this land. Attorney McCann said a variance is related to the land or the buildings on the land and we have an existing building that has fallen into disrepair that will need to be removed and we need to construct something on that property that will be financially viable in order to do that. In addition to the proximity to the large Electrical Facility. Mr. Pariseau said how many units would you be able to put on that land without a variance? Attorney McCann said two. Mr. Pariseau said you are seeking to put four. Now the narrative said that because of the noise across the street putting four units there would be beneficial? Attorney McCann said a single family or a duplex can be 20 feet off of the lot line, the multi-family needs to be 40 feet back, so pulling it off 40 feet we pick up an extra 20 of buffer to attenuate that noise, which is where the house is now. If you allow us to put in four units we can then financially make that type of investment into this property. Mr. Pariseau said if you do a duplex why can't you put it back the same way as your proposed four units? Attorney McCann said it would not be financially viable.

John Colantoni said the neighbors that I talked to have been phenomenal, I did not find anyone that was adamantly opposed to

it but there were some that had concerns, mostly the ones next to the lot. They are here tonight, we had two separate meetings with them and they addressed their concerns with us. He discussed the hardships with the lot, what the setbacks would be if they built a duplex on the property and the numerous multi-families in the neighborhood.

John Boughner said you are asking for something that would normally require a 30,000 square foot lot. Why not a three unit? Attorney McCann said you would probably have more bedrooms. Mr. Colantoni said if we do three units it would be more bedrooms and more cars.

AUDIENCE COMMENTS

Scott Mullins, 4 Pond Street said I am not a huge favor of this development but John has gone to a lot work to try and work with us on this, if you do approve this I would like to see some large trees planted in this area. Attorney McCann said site plan will address it but if you put in the decision that's fine too.

Mark Hannon, 6 Pond Street said John presented his plan and I thought the four units and three bedrooms were ridiculous. So he said what if we make it two bedrooms. Mr. Hannon said why not take down the balconies on the two ends, and the setback for Scott if they do a duplex eight feet will be close. I support this plan.

Julie Wassermann, 28 Holten Street said I am glad that someone is going to do something with this property.

John Boughner said so we keep talking about the existing house, it doesn't look that bad to me from the outside explain why we can't just fix this up? Mr. Colantoni said it is way too close to the street, the terrain of the lot slants in the front and dips, there is no driveway cut, it is just in poor condition and the location of the house on the lot. It is not worth it to what has to be done there.

Attorney McCann distributed a graphic of multi-families in the neighborhood.

Kenneth Scholes said I think this lot is a focal point, I think it looks great and I think that with all the letters from the neighbors I don't have a problem with this at all.

Jeffrey Sauer said I know that John has done a lot of wonderful properties in Danvers but I just think that this is too dense I would not vote for this.

Robert Pariseau said I am still hung up about the noise across the street, I don't think that at one time that I can remember asking for a financial statement or cost or any one of those things that would tell me about a financial hardship. I can picture my colleagues saying if you made a good or bad decision that is your situation not ours, so the financial thing I will listen but I don't consider that a hardship nobody forced you to buy it you created that situation. So to come here and ask for more units than allowed I don't believe that to be my responsibility. I would not vote for this.

Attorney McCann said if you look at your own application it does iterate a financial hardship.

John Boughner said I struggle with this because I think that it is too much house or building on this size lot. If you look around town it seems to be the trend, I understand the financial part I really struggle with it, what we really look for is 30,000 square feet and we have 15,000. I don't think that you have enough votes and it doesn't sound like you are willing to go with anything smaller.

Attorney McCann said I think we will ask to continue to your next meeting on September 11, 2017.

Robert Pariseau motioned to allow the applicant to continue to September 11, 2017. Jeffrey Sauer seconded. All in favor.

MINUTES
Danvers Board of Appeals

#17-4722

August 14, 2017

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

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

ARISTON CUSTOM HOMES, INC. (#17-4722) Requesting a finding to demolish one story garage and construct a two and a half story two-family dwelling in accordance with Section 3.10.3 of the Danvers Zoning Bylaws at **39 CLARK STREET**

Attorney Jill Mann said I am here with the principal of the enterprise and also the site engineer. We went to the building inspector and were told we needed a finding for this proposal, for the structure and the use. The home and garage were built in 1945, the garage that is on the property is a five bay commercial garage and was used in a commercial manner. I have pictures of its current condition and a rendering of what is proposed. The footprint of the home that is being proposed is 2 feet less, it does have an overhang though. The garage in its current situation violates the rear setback. We provided the building inspector with a certification from the engineer measuring all of the distances up and down Clark Street to determine the average front setback, which is 13.1 and we are proposing to go 13.9. The side and rear setbacks are 8 and we are proposing to go 9 and 9.8. Attorney Mann discussed the design and floor plan of the proposed dwelling.

Robert Pariseau said can you tell me how long it's been since the garages were active? The owner said the prior owner retired about four months ago. Attorney Mann said it was a plumbing business. Mr. Pariseau said what allows us now to put two residential dwellings on the same lot? Mr. Maloney said you have a residential use that pre-dates the zoning, so you take a nonconforming use and you can ask for anything in its place and the boards charge is to find that it is not more detrimental than what currently exists. You have a residential unit and you have five commercial bays and we really don't control how they

are used. So is two residential units more detrimental than the five commercial bays?

Jeffrey Sauer said this rendering shows the existing house and this little connecting thing between the two, can you explain. Attorney McCann said it does exist now. Mr. Sauer said you said the footprint of the new structure would be about the same and it would be taking the building from a one story to one and a half.

Kenneth Scholes said you said three bedrooms per side? Attorney McCann said yes and two bathrooms. Mr. Scholes said has anyone talked to #35? The property owner said yes I spoke with them and I told them what I was planning on doing and they were in favor of what I was doing, they liked the building. Attorney Mann said we are increasing the amount of green space.

John Boughner said I visited the site today, what would be the point of having this deck connect to the new building? The property owner said they are not going to connect it I am going to cut it back about two feet.

AUDIENCE COMMENTS

Christine Morse, 110 Hobart Street said I live across the street, my thoughts are that is a lot of house for that particular lot. We have been there for 48 years, when Mr. Moore was there he had only one truck coming and going daily. Mr. Boughner said another commercial entity could go there right now without coming to this board and you could have five trucks an hour coming in and out of there. Ms. Morse said it also concerns me that they are three bedrooms that will create a lot more traffic in the area.

Attorney Mann said it is a footprint that is the same size I do understand the concern but I think that this style dwelling will fit in the neighborhood.

Raymond McKenney said I live at 105 Hobart Street which is behind the garage I have a problem with raising a two and a half story building, right now the garage creates a shadow on my yard, and doing this will really box me in and not having any sunlight will affect me and my property.

Attorney Mann said it is under 30 feet it is 13 feet taller than what is there now.

John Boughner said how many square footage are the units?
Attorney Mann said 1750 each.

Robert Pariseau said I look at this and here is another shoe horn building squeezed in I just don't like what is happening here, there are other options here. I think that the building is just too big for that lot and I just would not vote favorably for this.

Jeffrey Sauer said we are trying to decide whether this is more detrimental than a 5 bay commercial enterprise and we have had this come up in other mixed neighborhoods before so it's a tough decision. I think that the building is too big in of itself is a detriment because of its size. Certainly the use is more appropriate to the neighborhood, it would be much better for the neighborhood to have a residential function than commercial I just think that it needs to be scaled down a little bit I wouldn't vote for it this way.

Kenneth Scholes said I couldn't agree more with the shoe horn comment it is basically what they are doing here, it is bigger than the existing 39 Clark Street I would not vote for it as is.

John Boughner said I remember Daniella's that they built across from McKinnon's, there was a lot of push back from the neighborhood and as Jeff said they could put a machine shop in there, and I think that that project went well and I think it's been a good thing for the neighborhood. I would look upon this favorably because I think that it's a better use I would rather see a residential component there. However I do think that it's a little on the big side, can you reduce it 5 or 10 feet, I would probably be okay with it.

Attorney Mann said the property owner would like to go back and see if we can do something because he has no desire to put in a commercial use. So we would like to request a continuance to the next meeting on September 11, 2017.

Robert Pariseau motioned to allow the applicant to continue to September 11, 2017. Jeffrey Sauer seconded. All in favor.

MINUTES
Danvers Board of Appeals

#17-4723
August 14, 2017

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

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

JOSE A. VELASQUEZ AND MARLA VELASQUEZ (#17-4723) Requesting a special permit for an Extended Family Living Area (EFLA) on an undersized lot with nonconforming structure in accordance with Section 9.3.3.2 of the Danvers Zoning Bylaws at **317 MAPLE STREET**

Jose Velasquez said we are requesting to build an EFLA for my mother she has helped us and now she is reaching her golden age and she needs our help. I spoke with the building inspector and we needed relief from frontage, we are going to build behind the property it will clear the setbacks and we will have a home for her.

John Boughner said we are looking to do an EFLA at the rear of the property, this is quite an odd shaped lot. I did visit the property today and you are going to have this common area in between which will be like a mudroom/laundry room? Mr. Velasquez said it will be a common entrance for my family and her, we will share that breezeway area.

Kenneth Scholes said so we are an undersized lot and that is the hardship and the EFLA is 744 square feet, I don't have any questions.

Mr. Sauer said the relief is an undersized lot? Mr. Maloney said the lot is huge it is not undersized it is the frontage it is short and the house does not conform. Mr. Sauer said so that is it, and this lot would not exist today because of the perimeter area rule right? Mr. Maloney said probably.

Robert Pariseau said what was behind the house previously it looks like there were footings there? Mr. Velasquez said there used to be a shed there and we moved it. Mr. Pariseau said in back of the house it looks like a shed dormer but a structure

that goes down to the cellar and there looks like that is where you are going to add on. Mr. Velasquez said that will be removed and we are going to build another staircase in the mudroom/porch area to access the basement. The contractor said the stairs are in that drawing they are shown in the sunroom.

John Boughner asked about the shared utilities.

AUDIENCE COMMENTS

Lisa Ash, 315 Maple Street said we are in favor of this application they are great neighbors.

Kenneth Scholes said I have no problem with this I will vote for it.

Jeffrey Sauer said I will vote for this.

Robert Pariseau said I would also think this is exactly what EFLA was for to help out our parents, I would be in favor.

John Boughner said to be able to help your mom out, and what we approve stays with this property so when you have moved on it is still there and there is a deed restriction, so I would vote for this.

Robert Pariseau moved the board to grant the special permit for an Extended Family Living Area (EFLA) on an undersized lot with a nonconforming structure on it;

- 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. Jeffrey Sauer seconded. All in favor.

*Kenneth Scholes moved to adjourn. Robert Pariseau seconded. All in favor.