

MINUTES
Danvers Board of Appeals

#19-4845
February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

NEWBURY CONIFER INVESTMENT LLC, (19-4845) Requesting a variance to add a second sign to the front façade in accordance with Section 37.4 a & b of the Danvers Zoning Bylaws at **311-313 NEWBURY STREET, HIGHWAY CORRIDOR**

Kenneth Scholes read the case mentioned above.

Gary McCoy from Poyant Sign addressed the board that they are looking to add a sign to the building for Minute Clinic within CVS. Last month they came before the board and were not sure if they were allowed a sign by right or had to come before the board.

Richard Maloney, Building Inspector explained that sign regulations have changed and the existing sign that is on the property is there by variance, so he believes this is the route to go.

Mr. McCoy said moving forward the hardship for the variance is the topography of the lot, they are screened from the street. Literal enforcement of the bylaw would be a hardship to the applicant. The new sign will not be more detrimental.

John Boughner asked if anyone was present from CVS.

Michael Young, CVS store manager was present.

Corinne Doherty had no questions.
Kenneth Jarvinen had no questions.
Jeffrey Sauer had no questions.
Rebecca Kilborn had no questions.

Kenneth Scholes asked Mr. Maloney if Minute Clinic is a separate entity aren't, they allowed a sign by right.

Mr. Maloney explained the original sign is there by variance, so it goes back to the original variance.

Robert Cignetti asked if the new sign will face Route 1 and if the lettering will be smaller than the CVS letters.

Mr. McCoy stated the sign will face Route 1 and the letter will be smaller, approximately 16" each letter.

John Boughner asked how long has Minute Clinic been in CVS? He also wanted to know if the sign will be lit.

Michael Young the manager at CVS, said he wasn't sure of exact date. However, it has been there since he started six years ago.

Mr. McCoy said that the new sign will be illuminated.

Mr. Boughner then turned questions and comments over to the audience.

There were no questions or comments. Back to the board.

Corinne Doherty said she would vote yes.

Kenneth Jarvinen said he would vote yes.

Jeffrey Sauer said he would vote yes.

Kenneth Scholes said he would vote yes.

Rebecca Kilborn said she would vote yes.

Robert Cignetti said he would vote yes.

John Boughner said he would vote yes.

Robert Cignetti motioned the board to grant the Variance from section 37.5.4 of the Danvers Zoning Bylaw for additional wall signage of 15.28 square feet per the plans submitted. The hardship is stated on the application (topography, applicant hardship and it will not be more detrimental).

Rebecca Kilborn seconded.

All in favor.

MINUTES
Danvers Board of Appeals

#20-4847

February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

SUSAN M PRENTISS TRUST 20-4847) Requesting a Finding to replace commercial buildings with one multi-family residential building in accordance with Section 3.10.3 and Table 2 of the Danvers Zoning Bylaws at **141 PINE STREET, R-I**

Kenneth Scholes read the case mentioned above.

Robert Cignetti recused himself from the case.

John Boughner appointed Corinne Doherty as the alternate.

Attorney Nancy McCann, representing the applicant 141 Pine Street, LLC addressed the board. They appeared before the board at the last meeting in January and made a full presentation for one building consisting of 29 one-bedroom units. The residential site is being used as commercial right now and they looking to eliminate the commercial use. They received many comments from the board and audience members. Since then, the owners have worked with their design team and tried to address those comments. They have specifically addressed the density, massing, height and parking issues and believe the revised plans are in keeping with the neighborhood. They are now looking for twelve units within four buildings. They are townhouse style, they are lower in size, mass and height. Residential One zone requires 1,000 square feet of usable open space. They are offering 2,000 square feet of open space. The old plan had 1.4 parking spaces per unit, now they have 2 parking spaces per unit. The current site is mostly paved or hardpack and very disturbed. The new proposal allows the site to be cleaned up and green space. The revised design shows the duplex which has one garage per unit, this takes the place of the existing garage on the property, this has a height of 21'. The two triplex nits also have garages and has a height of 21' as well. The fourplex

unit will take the place of the existing commercial building that is closest to Pine Street, does not have garages and has a height of 24'. The permitted height in Residential One zone is 30', so they are all below that maximum height. They have created different types of housing to create a variety of price points and styles.

At the last meeting they discussed that they met with the Affordable Housing Committee before they had come in and since they had made such a substantial revision with the plans they did have an opportunity to meet with the Affordable Housing Committee at their meeting last Thursday. She has a letter from them to read in. Initially they suggested a monetary donation towards the Affordable Housing fund. However, the request was rather than a monetary donation to the trust. The Affordable Housing Committee requested an off-site unit be located, that will be made available for affordable rent at 70% of the area median income with a term of 15 years as a donation to the Danvers Affordable Housing, although this project does not require them to provide affordable housing.

Kenneth Scholes read in the letter from the Danvers Affordable Housing Committee (copy located in docket file).

John Boughner noted that there were a number of letters of opposition that were to be read. Copies of all letters are located in docket file). The letters read in where from the following residents.

1. The Bartlett family 8 Bow Street Danvers, MA
2. William Hickey 160 Pine Street Danvers, MA
3. Paul McNulty 20 Holten Street Danvers, MA
4. The Hammond family 5 Buker Road Danvers, MA
5. Lisa Sweeney 21 Abington Road Danvers, MA
6. Michelle Maurice 3 Scarlet Lane Danvers, MA

Attorney McCann responded to the letters stating they are seeking a Finding, not a variance. They are no longer seeking 29 units. They are going to create greenspace and they will be keeping in tradition with the residential buildings.

Rebecca Kilborn asked for clarification on the heights of the buildings, to confirm they went from 29 bedrooms to 24 bedrooms and if site plan was the decision maker regarding a retaining wall if they were to cut into the hillside of the property.

Attorney McCann answered that the duplex and triplexes were 21' high at midpoint. The fourplex is 24' high at midpoint and 29' at peak. Yes, the original plan was 29 bedrooms, now there will be 24 bedrooms and site plan will be involved regarding the retaining wall. Scott Cameron knows more about the retaining wall so she will let him address the board.

Scott Cameron of the Morin-Cameron group addressed the board. He explained that the retaining wall is at about a 37-40 elevation, a 6' to 7' retaining wall would be built. They would most likely build a block wall for longevity.

Ms. Kilborn asked how they came upon the decision as to where the building would be placed on the site. She likes to see at least half the distance of the setback being met.

Mr. Cameron said that they liked to keep the existing non-conforming setbacks because of the elevation change. This helps keep the visible height of the buildings down.

Kenneth Scholes stated that in Residential One, seven units need 52,500 square feet. He then asked Attorney McCann how many square feet do they have currently.

Attorney McCann said that they have 49,500.

Jeffrey Sauer had no questions.

Kenneth Jarvinen asked what was the total square footage of the one building on the original plans and what is it now with the four buildings total? So, will you be cutting into the hill where the trees are and what about the root systems.

Scott Cameron said that the original building was 9800 square feet footprint x 3 stories totaling 30,000 gross square area. The revised plans are 10,800 square feet footprint x 2 stories totaling 21,600 gross square area. There are some areas they will be cutting into. They are going to work with site plan and a landscape architect. They intent is to not impact any trees.

Corinne Doherty asked to have the parking design clarified, the units that have garages is the parking in front of the garage? If these units will be rental or for sale? The original were rental units, correct?

Attorney McCann said that they are anticipating that these will be "for sale" units. The original 29 units were going to be rental. The parking spaces are 2 spaces per unit in the fourplex and the other three building have garages and room for a car in the driveway. The driveways are wide enough to not block the garage.

Ms. Doherty then asked if affordable housing is not required for this project, why did you meet with the committee?

Attorney McCann explained that the board likes to see that they do this to work with Danvers Affordable Housing. The developer did want to participate in affordable housing even though it is not required under the bylaw.

John Boughner just wanted to make sure all of his notes were correct. He asked if the original plan was 30,000 square feet and the revised plan is now 21,000 square feet. He asked for a breakdown of the square footage per unit.

Attorney McCann said that his notes were correct. The duplex units are 1950 square feet, the triplex units are 1841 square feet and the fourplex units are 960 square feet.

Mr. Boughner asked if there is currently a retaining wall on the site.

Scott Cameron answered yes there is.

Mr. Boughner asked what the side setback is in Residential One zone or does that not apply when dealing with multi-family.

Richard Maloney, Building Inspector, said that one and two families have the 8' side and rear setback and 20' from the front. Multi family Special Permit projects are 30' and 40' between structures. However, they are here for a Finding, not a Special Permit. They are trading a non-conforming use for something the board has to determine is more detrimental.

Kenneth Jarvinen wanted to clarify that the existing railroad tie wall will not be preserved.

Scott Cameron said that a wood wall would not be used, most likely a block wall will be looked at in the planning phase. They will try to preserve the trees and the roots.

Mr. Boughner then turned the questions and comments over to the audience.

Ann Rose, 159 Locust Street: Her concerns are that this property is used for baseball parking. Traffic will be an issue and the impact it will have on the Rebecca Nurse property. She is not in favor.

David McKenna, 383 Andover Street: He asked if this case require a simple majority or a or super majority? His concerns are that there is too much density for the site and that the retaining wall will impact the trees and the root system on the property causing damage. He is not in favor.

Mr. Boughner answered that it would require a simple majority.

Andrea Daley, 36 North Shore Avenue: She thinks that this is too dense for what is proposed. She wanted clarification is these units have bedrooms, could the lofts be changed to bedrooms? How much of a monetary donation was given to the Affordable Housing Trust? She has traffic concerns, sewerage concerns and thinks that it's all too much. She is not in favor.

Richard Maloney said that a condition can be put into the decision to make the project 24 bedrooms only and that it would be on the deed.

Attorney McCann stated that all utilities will be reviewed extensively with the town engineer during site review.

Dan Gagnon, Burley Farm Road: He had concerns about the retaining wall and damage to the trees which are very important to the Rebecca Nurse Homestead. He doesn't like that there have been no setback improvements and that all changes that have been made are negative. He is concerned about the light poles because they are close to the property line. He believes this project will hinder future filming at the site. is not in favor.

Attorney McCann said that the utility poles will be reviewed by the town engineer and the planning board. She also asked Mr. Gagnon how many movies are filmed per year at the Rebecca nurse Homestead.

Mr. Gagnon replied that several television projects have happened and that approximately three or four movies were filmed last summer.

Attorney McCann also said that the retaining wall will be looked at by the planning board and a landscape architect.

Richard Bolduc, 222 Maple Street: He was very concerned about the sewerage system being able to keep up with the addition of this project.

John Boughner reiterated that the town engineer will approve that before breaking ground.

Matthew Duggan, Town Meeting Member, Precinct One, Member of the Rail Trail Committee: He stated that six units are allowed per right and they are asking to double that. Is there a hardship that would justified what's allowed?

Attorney McCann answered that a hardship is not required. This is not a Variance; they are seeking a Finding. It is up to the board to make the decision of viability.

Mr. Duggan then asked whether this is detrimental or not is based on the opinion of the board? He feels it is a lopsided give and take. The increased density and the profit are a win for the developer only. He feels they should be held to the six units allowed by right. He is not in favor.

Josh Loman, 29 Putnam Lane: Asked who owned the rail trail? How will this effect the future if the rail use was put back into use. He had concerns regarding guest parking and the effects it was have on the Crane Brook. What will the town get from this project? He is not in favor.

Mr. Boughner stated it was leased by the town from the MBTA. The town has a 99-year lease which is revocable.

Attorney McCann said because this site is adjacent to railroad land and was once utilized by the railroad, they have to submit an application to the MBTA with the help of Building Inspector, Richard Maloney.

Mr. Boughner asked at what step do they apply to the MBTA?

Attorney McCann said very early on. Once the plan is accepted.

Mr. Boughner replied that site plan will address parking and guest parking issues. The ZBA does regulate parking.

Attorney McCann said that the town will get needed housing. The site will be more conforming. There is reasonable and appropriate density. Again, parking is all under site plan approval.

Susan Shalkoski, 21 Crestline Circle: She asked if this would be a street or private drive and if they would have trash pick up or a dumpster on site. She also had traffic concerns and thought this was supposed to be affordable housing and it does not look affordable to her.

John Boughner answered that is would be a private drive with private curbside trash pickup.

Attorney McCann said that affordable housing was not needed to be addressed with this revision. That they were looking to take this commercial use to residential. Regarding traffic, there is already traffic in that area.

Peter Clement, 9 Jersey Lane: What is the height of the existing buildings on the site? By right they can build six units. He is asking the board to keep it to the six units. He is not in favor.

Attorney McCann said that the building out back is a single story and the one out front is a two-story so the new building would be comparable, maybe even a little lower.

Mike Daley, 36 North Shore Avenue: Asked if the board would be willing to take a poll of the audience.

Mr. Boughner stated that he would at the end of audience questions and comments.

Ann Gagnon, 6 Burley Farm Road: She said she feels that it is not up to the opponents to declare this. It is up to the applicant to say why it is they need more than the six units that are allowed by right. She also had concerns with snow plowing affecting the wetlands and damaging fragile trees.

Bill Nickelson, Town Meeting Member, Precinct 8: He said that he sat on the board for 17 years. He said that if you analyze going from commercial to residential, twelve units is more detrimental. Twenty-four bedrooms, four buildings, two cars per unit and guests which will cause parking issues. After you analyze all that, it is more detrimental because of the impact on the surrounding neighborhood.

Jim Romeos, 5 Putnam Lane: He was concerned with parking issues and traffic issues. He has children and thinks having no parking is unsafe for children. He thinks current traffic is minimal. The new use and 24 more cars will be crazy. If it is granted it is a disservice to residents and abutters. The current use has had no complaints and could be cleaned up in a weekend if needed.

David McKenna, 383 Andover Street: How can 24 bedrooms be enforced?

Richard Maloney said that is would be on the registered deeds.

John Lomas, 29 Putnam Lane: Had a question for the Rebecca Nurse Homestead. He wanted to know what the Meeting House building on the property is used for. Would this project effect the operation?

Dan Gagnon, Rebecca Nurse Homestead Member: Answered that the building is a 1672 copy of the Meeting House in Salem, Ma. This building was built for filming purposes in 1984. That building is where they start the property tours.

Pete Bevins, 13 Wadsworth Street: He was wondering if the previous meeting had addressed archeological and historical needs of going over a site which may have ignored initially when

buildings were put up there that exist now. Now people are more interested and until we find Rebecca Nurse what efforts are going to be made to look for things such as that while excavation is going on at this historic site.

Attorney McCann answered that the development and construction on this site will follow all regulations and guidelines pertaining to it.

John Boughner then polled the audience for a show of hands who are not in favor of the project. For the record, the majority of the room.

Mr. Boughner then asked for a show of hands in favor of the project. For the record, approximately 4 people.

Attorney McCann then addressed the board and asked for a 5 minutes recess.

Mr. Boughner agreed.

John Boughner announced we were back in session.

Attorney McCann asked Mr. Boughner if he would poll the board.

Mr. Boughner said yes, he would poll the board after comments.

Rebecca Kilborn said that they have been bombarded with letters, phone calls and Facebook. She does like this plan better than the one before and the fact that it is residential. She would like to see the setbacks closer to 50% of what is required, which might mean less building on the property. She also thinks that parking is an issue and that you would need to have visitor parking, she would rather see the loss of green space to accommodate parking spots.

Kenneth Scholes said that he thinks the site is unique with the Rail Trail, Rebecca Nurse and Crane Brook all being factors. He would vote no as is and he is not sure he would vote yes even if it was seven units.

Jeffrey Sauer said that he appreciates all the comments from the audience. The fourplex unit is 6' from the property line where

30' is required. That is more detrimental. The historic aspect needs to be preserved. He would vote no.

Kenneth Jarvinen said that he agrees with Mr. Scholes and Mr. Sauer. He would vote no. It is approved for six, the new roof heights are higher than what exist and cutting into that hill where the retaining wall will be is a concern.

Corinne Doherty said that she would vote no. The developer went from 29 bedrooms to 24 bedrooms which is almost an identical number of people who could live there. The buildings are stacked too close to the Rebecca Nurse Homestead.

John Boughner said that he appreciates all the work that went into the revision of the plans. He thinks that it is still too dense, and he hears the concerns. He is not opposed for the change from commercial to residential and may be alright with more than what is allowed by right, but not this quantity. He also agrees with the parking issues that have been addressed.

Mr. Boughner asked Attorney McCann what she would like to do, due to that fact she did not have the votes to approve the Finding.

Attorney McCann said she would like to request a continuance to the March 16, 2020 meeting.

Rebecca Kilborn motioned the board to grant the continuance to the March 16, 2020.

Kenneth Scholes seconded.
All in favor.

MINUTES
Danvers Board of Appeals

#20-4849
February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

ANTHONY ANALORO (20-4849) Requesting a Variance to tear down a non-conforming garage and rebuild a single-family structure and a Finding to add a single-family unit to a pre-existing non-conforming two-family unit in accordance with Section 7, Table 2 and Section 3.10.3 of the Danvers Zoning Bylaws at **5 LUMMUS AVENUE, C-I**

Kenneth Scholes read the case mentioned above.

Anthony Analoro property owner was present before the board.

John Boughner stated that Richard Maloney, Building Inspector explained that there has been a change with the new zoning since you had applied. He then asked Mr. Maloney to clarify.

Richard Maloney explained that the new zoning took effect February 10, 2020 and the warrant was advertised back in the beginning of December. Technically, he may fall under the new zoning or what he's proposing to do, may be by right. We need to figure this out before we move forward.

Mr. Boughner said that the recommendation from this board is that we continue this case to the March 16, 2020 meeting. He advised that Mr. Analoro set up a meeting with Mr. Maloney and the Planning Department to determine if he needs to be before the Zoning Board of Appeals.

Mr. Analoro agreed.

Robert Cignetti motioned the board to continue the case to March 16, 2020.

Rebecca Kilborn seconded.

All in favor

MINUTES
Danvers Board of Appeals

#20-4850
February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

JAMES & TINA GHIKAS (20-4850) Requesting a Finding to raise the roof approximately 2 feet in the front set back on an existing non-conforming house in accordance with Section 3.11.1(a & b) of the Danvers Zoning Bylaws at **22 MOUNT CARMEL ROAD, R-II**

Kenneth Scholes read the case mentioned above.

James Ghikas owner of the property addressed the board. He explained that they are making improvements on the house and they would like to raise the roof two feet.

John Boughner asked if there was a current building permit open on the property.

Mr. Ghikas replied yes, there is an active permit for vinyl siding.

Robert Cignetti asked if the raising of the roof would keep the house in the same footprint.

Mr. Ghikas replied yes.

Rebecca Kilborn had no questions.
Kenneth Scholes had no questions.
Jeffrey Sauer had no questions.
Kenneth Jarvinen had no questions.
Corinne Doherty had no questions.
John Boughner had no questions.

Kenneth Scholes then read a letter written by Andrea Daley of 36 North Shore Avenue Danvers, MA. The letter stated she and her husband are in favor of the project.

Mr. Boughner then turned questions and comments over to the audience.

Andrea Daley, of 36 North Shore Avenue Danvers, stated that she is in favor and took the opportunity to welcome the Ghikas family to the neighborhood.

There were no more questions or comments. Back to the Board.

Robert Cignetti said he would vote yes.
Rebecca Kilborn said she would vote yes.
Kenneth Scholes said he would vote yes.
Jeffrey Sauer said he would vote yes.
Kenneth Jarvinen said he would vote yes.
Corinne Doherty said she would vote yes.
John Boughner said he would vote yes.

Robert Cignetti motioned the board to grant the Finding as raising the roof two feet in the front setback increases the non-conformity in accordance with section 3.11.1 a 7 b per plans submitted.

Kenneth Scholes seconded.
All in favor.

Robert Cignetti motioned the board to grant the Finding that this is not more substantially detrimental than what currently exists.

Rebecca Kilborn seconded.
All in favor.

MINUTES
Danvers Board of Appeals

#20-4851

February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

WILLIAM MOODY (20-4851) Requesting a modification to an existing Variance Docket # 19-4832 to allow a breezeway addition in accordance with Table 2, Section 7 of the Danvers Zoning Bylaws at **39 PINE STREET, R-II**

Kenneth Scholes read the case mentioned above.

William Moody, property owner addressed the board. He stated they would like to add a breezeway to the already approved variance (Docket# 19-4832). They are looking to add the breezeway to be able to enter the home without accessing outside elements.

Corinne Doherty had no questions.
Kenneth Jarvinen had no questions.
Jeffrey Sauer had no questions.

Kenneth Scholes asked if there would be a door to the outside?
Mr. Moody said yes.

Rebecca Kilborn asked Richard Maloney, Building Inspector, if there was anything they should know about the plans.

Mr. Maloney explained that the old plans were submitted with this application and that the approved garage is 30' x 28'. A neighbor was concerned that the garages would not be aligned. He wanted to emphasize that the garage would not be in alignment.

Ms. Kilborn said that she has no questions as long as the garage was going to stay at the previously approved size of 30' x 28'.

Robert Cignetti had no questions.

John Boughner asked if there will be three doors. One to the house, one to the garage and one to the outside.

Mr. Moody replied yes, that is correct.

Mr. Boughner then turned questions and comments over to the audience.

Pete Clemens stated he is in favor of the project.

There were no more questions or comments. Back to the board.

Corinne Doherty said she would vote yes.
Kenneth Jarvinen said he would vote yes.
Jeffrey Sauer said he would vote yes.
Kenneth Scholes said he would vote yes.
Rebecca Kilborn said she would vote yes.
Robert Cignetti said he would vote yes.
John Boughner said he would vote yes.

Robert Cignetti motioned the board to grant the modification of the Variance to build garage and add a breezeway connector in accordance with Section 7, Table 2 of the Danvers Zoning Bylaw. The hardship is the same as on record as the original Variance (Docket# 19-4832).

Rebecca Kilborn seconded.
All in favor.

MINUTES
Danvers Board of Appeals

#20-4852

February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

JOHN GARDNER (20-4852) Requesting a Special Permit for an oversized Extended Family Living Area, the lot is undersized in accordance with Section 9.3.3.3 and 9.3.3.2 of the Danvers Zoning Bylaws at **10 DELAWARE AVENUE, R-III**

Kenneth Scholes read the case mentioned above.

John Gardner, property owner, addressed the board that they are looking to add an oversized Extended Family Living Area. An addition will be built, and it meets all setbacks.

Robert Cignetti asked how large is the EFLA?

Mr. Gardner answered, 1058 square feet.

Rebecca Kilborn asked what the common area was, the bathroom and laundry area? The EFLA is a kitchen, living area and one bedroom?

Mr. Gardner said that the bathroom is the common area and they would be sharing with the family because that would be the only tub in the house. Yes, the EFLA will be a kitchen, living area and one bedroom.

Kenneth Scholes had no questions.

Jeffrey Sauer referred to the plans and asked if the EFLA was 30' x 36'? The front of the addition is the house addition, not the EFLA?

Mr. Gardner said that is correct.

Kenneth Jarvinen asked if the house was all one story.

Mr. Gardner replied yes, all one floor.

Rebecca Kilborn asked Richard Maloney, Building Inspector, if they could have an EFLA without a bathroom. She finds that odd.

Mr. Maloney said that they could, the common area will be the main bath in the house.

John Boughner asked Mr. Maloney what this Special Permit was asking for.

Mr. Maloney said they needed it for the addition for the EFLA because the lot is non-conforming and because the EFLA is oversized.

Mr. Boughner then turned questions and comments over to the audience.

There were no questions or comments. Back to the board.

Robert Cignetti said it's too big. He would vote no.

Rebecca Kilborn said that the closets are as big as a bathroom could be. She would hold her vote to wait to hear the rest of the board.

Kenneth Scholes said it is too big. He would vote no.

Jeffrey Sauer said it is too big. He would vote no.

Kenneth Jarvinen said as long as it meets rear setback, he would be ok with it.

Corinne Doherty said she is on the fence. She believes it could be reconfigured and reduced; it is too big. She would vote no.

John Boughner said that he agrees that it is too big and would vote no.

Mr. Boughner explained to Mr. Gardner that he did not have the votes needed to proceed. He explained the options to him.

Mr. Gardner chose to continue the case to March 16, 2020. He acknowledged that he has to have the revised plans to the ZBA Secretary before noon on Tuesday, March 10, 2020.

Robert Cignetti motioned the board to continue the case to the March 16, 2020 meeting.

Rebecca Kilborn seconded.
All in favor.

MINUTES
Danvers Board of Appeals

#20-4853
February 24, 2020

Present: John Boughner, Kenneth Scholes, Robert Cignetti,
Rebecca Kilborn, Jeffrey Sauer, Kenneth Jarvinen,
Corinne Doherty.

Also Present: Building Inspector, Richard Maloney
Secretary, Kathleen Archambault

194 ENDICOTT STREET, LLC (20-4853) Requesting a Variance to attached two vinyl banners to a free-standing sign with four up-lights to illuminate them in accordance with Section 37 of the Danvers Zoning Bylaws at **194 ENDICOTT STREET, C-III**

Kenneth Scholes read the case mentioned above.

Ann Lanphear-Bistany addressed the board. She is representing the owners regarding the installation of two 4' x 8' vinyl banners they would like to place on the existing sign columns at the Endicott Grill to help promote Karaoke and Brunch.

Corinne Doherty asked if the banners were double sided.

Ms. Lanphear-Bistany said they are two single sided banners one placed on each side.

Kenneth Jarvinen asked if there would be spotlights facing the banners.

Ms. Lanphear-Bistany answered yes and they would be on a timer, which would shut off at the same time as the existing sign.

Jeffrey Sauer had no questions.

Kenneth Scholes said because this is a variance, he has an issue with the banners.

Rebecca Kilborn had no questions.

Robert Cignetti said he does not like the vinyl banners, they are honky-tonk.

John Boughner asked if the same sign/banner would be on each side.

Ms. Lanphear-Bistany said yes.

Mr. Boughner then turned questions and comments over to the audience.

Matthew Duggan asked for clarification of the business name.

Rebecca Kilborn answered, "Endicott Grill".

Mr. Duggan went on to say that vinyl banners move with the wind and are not necessarily secure. He thinks they look hokey. He also asked if these banners were added will it be added as additional square footage to the sign permanently.

Richard Maloney, Building Inspector, answered that if this variance is granted it would add to the permanent square footage of the sign.

There were no more questions or comments. Back to the board.

Corinne Doherty said she would vote yes.

Kenneth Jarvinen said he would vote yes.

Jeffrey Sauer said he would vote yes.

Rebecca Kilborn said she would vote no. No to vinyl, no to changing the sign square footage forever.

Robert Cignetti said he would vote no. Too much signage in town.

John Boughner said he would vote no. It unnecessarily increases the square footage of the existing sign.

Kenneth Scholes said that the variance stays with the property, maybe if it was temporary, he would approve of it. He would vote no.

Mr. Boughner explained that she did not the have votes to move forward. 4 to 1.

Ms. Lanphear-Bistany decided to withdraw without prejudice.

Robert Cignetti motioned the board to allow the applicant to withdraw without prejudice.

Rebecca Kilborn seconded.

All in favor.