

MINUTES
Danvers Board of Appeals

#20-4886

January 25, 2021

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

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

DILIP REALTY LLC (20-4886) Requesting a Use and Dimensional Variance to redevelop the property into a five story multifamily building with 208 residential units and five story accessory parking garage in accordance with Section 6.1 and Table 2 of the Town of Danvers Zoning By Laws at **152 ENDICOTT STREET, C-III**

Kenneth Scholes read the case mentioned above.

Mr. Scholes then read a letter from Attorney Timothy Sullivan from Goulston & Storrs requesting a continuance to the February 8, 2021 meeting.

Rebecca Kilborn motioned the board to continue the case to the February 08, 2021 meeting.

Jeffrey Sauer seconded.

All in favor.

MINUTES
Danvers Board of Appeals

#20-4889

January 25, 2021

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

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

TODD WILSON (20-4889) Request to change the floor plan of the previously approved Special Permit to create an Extended Family Living Area on a non-conforming lot that is undersized. The E.F.L.A. will comply with all requirements in accordance with Section 9.3.2 of the Danvers Zoning Bylaws at **2 BROWN ROAD, R-III**

Kenneth Scholes read the case mentioned above.

Todd Wilson addressed the board. He explained that they are looking to make the addition that was previously approved smaller due to budget restrictions.

John Boughner asked Mr. Wilson if the addition was still going to be 662 sq.ft.?

Mr. Wilson said no, it will be smaller. Mr. Carullo would know.

Franco Carullo, Builder, said they decreased the square footage by 150-200 square feet.

Rebecca Kilborn asked if there was still going to be a courtyard? The old plan was 750 sq. ft and the new plan is 662 sq. ft.?

Mr. Carullo said there is no courtyard on the new plan. Yes, the new square footage is 662 sq.ft. The EFLA has not changed, only the addition and the courtyard.

Kenneth Scholes had no questions.

Jeffrey Sauer had no questions.

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Kenneth Jarvinen had no questions.

Corinne Doherty had no questions.

John Boughner asked what the shared area is? Has it changed and what is the shared area?

Mr. Carullo said that has not changed and the shared area is laundry and sitting room area.

Mr. Boughner turned questions to audience.

There were no questions or comments.

Mr. Boughner asked Richard Maloney Building Inspector, for a little clarification on what they were voting on. The EFLA has not changed, is it just that ne floor plan and decreased square footage of the addition.

Mr. Maloney stated that they are just voting on the new plan to accept the changes, so they reflect in the original decision for future records.

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.

Rebecca Kilborn motioned the board to approve the revised plan A-1 dated December 8,2020.

Kenneth Scholes seconded.

All in favor.

MINUTES
Danvers Board of Appeals

#21-4902
January 25, 2021

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

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

NILS A. WEEKS (21-4902) Requesting a Special Permit for a barn at rear of property (24' X 40'). Currently have an existing Barn/Garage at front of property in accordance with Section 6, Table 1 of the Danvers Zoning Bylaws at **101 CENTRE STREET, R-II**

Kenneth Scholes read the case mentioned above.

Rebecca Kilborn+ read a letter from Aaron Henry, Director of Land Use and Community Services. The letter of non-applicability dated 7/23/2020 stated that the horse-run style barn that Mr. Weeks is looking to build does not require Historic District Commission approval where it is not visible from a public way.

Nils Weeks addressed the board he said is looking to be a 24' x 40' Horse-Run In/Pole barn. There will be a gravel floor and will be used to house farm equipment and tractor. He has a small gas generator and no electricity. He looking to start a small farm. The barn is 100' from each property line and not visible from the street.

Corinne Doherty said that they were in receipt of a letter from an opposing abutter stating that there were Conservation Commission issues. Have you gone before Conservation to address any issues?

Mr. Weeks said that Mr. Henry approved the barn historically and that there are no water issues on his property. He has not gone before Conservation Commission.

Kenneth Jarvinen asked what the highest point on the sloped roof is?

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Mr. Weeks said 16' on the front and slopes down toward the back to 7'.

Jeffrey Sauer asked what the plans are for the existing carriage barn? The new barn is for farm equipment only?

Mr. Weeks said that he would like to restore it someday, the foundation needs to be repaired. Yes, the new barn would be for the farming.

Kenneth Scholes asked if there would be vehicles stored in this new barn? Or are there already vehicles in this new barn?

Mr. Weeks said there will be no vehicles back there.

Rebecca Kilborn asked what the barn is going to look like. She sees the sketches that were submitted, but there are no real drawings of what it will look like. What exactly are you going to use it for?

Mr. Weeks said it is an old-style Salt box, board and baton on the sides. He is going to get a farming status and he is going to use it store a tractor and equipment.

Ms. Kilborn said that she wants to see something from the Conservation Commission moving forward. Will there be horses?

Mr. weeks said that there are no horses, the style of the barn is called "Horse Run-In". He also stated there are no wetlands on his property.

John Boughner asked Mr. Maloney about Conservation.

Richard Maloney, building Inspector explained that if the Board approves this tonight you can put the condition that Conservation Commission approval is required, if necessary.

Mr. Boughner said that he saw work had been started.

Mr. Maloney said that no Building Permits have been issued.

Mr. Boughner asked Mr. Weeks what prompted him to come to the Zoning Board of Appeals?

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Mr. Weeks said that he was trying to get in contact with someone since March/April and no one would return his phone calls or emails. Time is money. His supply costs are going up as he waits. Nobody helped him out at all. He is a Danvers employee and figured he'd get a little help from somebody. Nothing was done.

Mr. Maloney stated that the Building Department has been open every day through the pandemic.

Rebecca Kilborn asked that the letter from the abutter be read in.

Mr. Scholes read the letter from Cathy Rogge, 105 Centre Street. She asked that the application be denied. She has several issues with the project including conservation, unregistered vehicles, quality of life due to proximity of barn on property and work started without permits. She is not in favor of this project.

Mr. Boughner then asked if there were questions or comments from the audience.

Steve Mullaney, 3 Briarwood Drive asked what type of farming will be done?

Mr. Weeks answered vegetables and flowers, no animals.

Mr. Mullaney said that there is wetland back there because 113 Centre street has wet area. He asked if the barn will be where the trailer/trampoline is parked right now? Because he can see it. He would like the request denied if that is the location of the barn, he is not in favor.

Mr. weeks said yes, the barn will be where the trailer/trampoline is parked right now. He stated he is not paying property taxes for everybody else's views.

Frank Arsenault, 113 Centre street, called in to say that he has water concerns and had foundation concerns, that if there are wetlands the foundation of the structure may be compromised.

There were no more questions. Back to the Board.

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Mr. Boughner asked Mr. Maloney if he would make sure there were no Conservation issues before issuing a permit.

Mr. Maloney said yes, he would reach out to the Conservation Commission. With a Special permit you can make it a condition.

Mr. Boughner then explained to Mr. Nils that there are 7 criteria for a Special Permit and wanted to make sure he understood that.

Mr. Weeks brought up a garage built by his father in 2005 and a 30' x 40' garage a friend built on Hobart Street. He said a lawyer told him no Special Permit was needed. He was registering his property as a farm.

Mr. Maloney explained that there is a 2.5 acre minimum to be considered a farm.

Mr. Nils said he is going the farming route and taking the Zoning Board of Appeals out of it. He then disconnected from the meeting.

Mr. Boughner said the applicant has left the meeting. Should he move forward with vote.

Richard Maloney said do what you like.

Corinne Doherty said due to disconnect and Conservation issues, she will vote no.

Kenneth Jarvinen said he would vote yes, as long as Conservation Commission approved.

Jeffery Sauer said that he wanted to continue to get input from Conservation Commission, but with the disconnect he will now vote no.

Kenneth Scholes said that just because you don't see water, does not mean there are not wetlands. He would like Conservation approval. He understands the frustration with the pandemic. However, starting the project without permits, he will vote no.

Rebecca Kilborn said she would like to see approval from the Conservation Commission. There is an unregistered vehicle at the barn location now. Special Permit criteria states the barn will not adversely affect the neighborhood. Three abutters are not in favor. She will vote no.

John Boughner said that he is confused by Mr. Weeks leaving the meeting early. This meeting was for a Special Permit, not to approve farming issues. He is not against the project, but really wants the input from the Conservation Commission.

Mrs. Amy Weeks then joined the meeting and asked if she could address the board.

John Boughner told her to continue.

Mrs. Weeks said that she would like to calmly speak to the board. The unregistered car in the yard is hers and her husband is going to restore it for her. They are looking to start a Hydrangea farm. The new barn will be for the storage of the tractor and farming equipment only. It was started prematurely in error, then they stopped when they were told they needed a permit. She said that they tried to get information and eventually got the approval from the Historic Commission and then waited for this meeting. Nils is just frustrated because the building costs have increased waiting for approval.

Rebecca Kilborn suggested a continuance.

Mr. Boughner asked the applicant if they would like to continue the case to 2/8/21 with input from conservation and work with the building inspector.

Mr. Maloney stated that the Building Department has been open during the pandemic. He had spoken with Mr. Weeks on more than one occasion and told him what he needed.

Mr. Boughner told Mrs. Weeks that we need improved drawings in hand by Tuesday 2/2/21 before noon. Mr. Maloney will reach out to the Conservation commission.

Mrs. Weeks agreed to continue to the February 8, 2021 meeting.

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Rebecca Kilborn motioned the board to continue to February 8, 2021.

Jeffrey Sauer seconded.

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Kenneth Scholes opposed.

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

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

200 COMMONWEALTH AVENUE, LLC (21-4903) Requesting a Variance to allow the use of the property for self-storage; to construct a new building 24.8' from the rear lot line, to allow the building to be 23' from the front lot line and to the extent necessary to allow two parking spaces closer than 20' to the front lot line. Requesting a Finding to allow the alteration of the existing non-conforming parking area with 5 non-conforming spaces within 20' of the front lot line by providing 2 parking spaces to be located within the front setback in accordance with Table 1 & 3; Section 2.9 & 2.11 and Table 2, Section 3 of the Danvers Zoning Bylaws at **200 COMMONWEALTH AVENUE, C-III**

Kenneth Scholes read the case mentioned above.

Attorney Nancy McCann addressed the Board, she stated that Joe Latozas, Scott Cameron, and Mick Lafata were also present. The applicant is looking to turn the old Lydon Aquatic center into a self-storage business. The building has sat in disrepair for about six years. Mr. Lafata purchased the building in 2018 and has actively been looking at ideas how the property could be used, the site is very challenging due to the shape of the lot and the proximity to the wetlands. The hardships of this parcel were recognized by the Board back in 1985, where a Use Variance had been granted as well as setback relief. It is a good location for this use. There is a current need for self-storage here in Danvers. The design of the building is very attractive, it looks more like an upscale office building than a self-storage business. They feel this is a good location. They have stayed within the footprint, with the addition of the front addition. They are requesting the use variance because self-storage is not allowed in the C-III zone and are asking for a very small rear setback variance, they need 25' and are requesting 24.8' and requesting the front setback of 23.3' and

23' had been previously granted for the aquatic Center. They are also asking for two of the parking spaces to be in the front setback, where the current conditions have five parking spaces in the front setback. So, they will be decreasing that non-conformity. They anticipate only two employees on site at a time. The office hours of operation will be Monday through Saturday 9:30am to 6:00pm and 7:00am to 9:30pm for self-access with a security code for customers.

Scott Cameron, Morin-Cameron Group, Project Civil Engineer, addressed the board. He explained that he did the survey of the property, the building is very close to the wetland resources on the property and that did cause some design constraints. They contacted LEC Environment who did the wetland delineation of the wetland resources on the site. He had included these on the plan, and they are the green highlighted areas. There is 450' of frontage on Commonwealth Avenue and it is a 45,000 square foot lot. The building footprint will remain the same with a 70' x 42' addition to the front of the structure. They kept the existing foundation in line with what is existing, aside from the new addition to protect those wetlands. Now the building is about 3" too close to the rear lot line. There will be thirteen parking spaces total. There is one way in and one way out. There are eleven outside parking spaces and two inside for unloading and loading purposes. The impervious surface has been reduced by 1,000 square feet. Regarding the parking, they went to the Institute of traffic Engineering and had an ITE parking generation done. This calculates the volume of traffic that may be generated by this particular use. In this case, they looked at parking studies and it was calculated the maximum parking demand was only seven spaces were required. They are providing thirteen spaces total.

Joe Latozas, Architect, said that they started working on this project September of 2020. The building 4 stories, approximately 63,000 square feet and has 450 storage units. The Building is 45' in height to the top of the roof deck, which is similar to neighboring buildings. There will be a sales office, large corridors, heated/cooled unloading and loading area, elevators to access each floor and 13 parking spaces is sufficient for the demand for self-storage in Danvers. The site has its difficulties, but they believed they designed it to its best use. The exterior of the building is modern and aesthetically

pleasing. He has designed many storage centers and thinks this would be a successful product in this area.

Attorney McCann stated that that was the presentation in its whole.

John Boughner asked if she could expand on the Finding.

Attorney McCann said that the new C-III zoning district now has a 20' parking setback that wasn't in place in 1985. Currently 5 parking spaces that do not meet the current setback, they are grandfathered.

Mr. Boughner asked what is the current setback of these spaces?

Attorney McCann said probably approximately 16'. The new design will only have 2 parking spaces non-conforming.

Mr. Boughner also asked that if this project passes before Zoning, it will still have to go before the Planning Board for approval.

Attorney McCann stated that is correct.

Rebecca Kilborn asked about setbacks, front side, and rear. Could they clarify for C-III zoning, what are the allowed setbacks since you are tearing down the building. She also asked if there were any other four stories building in that area.

Attorney McCann replied that the front setback in that zoning district is 50', the old building was granted 23'. Side and rear setbacks are 25', which one side is met and asking for 24.8' on the other side.

Scott Cameron answered that there are not necessarily any other 4 story buildings in the area, however Dick's Sporting Goods is about the same height. The building next door is only about 9' shorter but sitd up a little. The Liberty Tree Mall is 36' but set at a lower grade.

Ms. Kilborn stated that they are adding 3,000 square feet to the front of this building, why is that necessary? She also asked why the use variance was needed.

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Mr. Latozas answered that per the market value study and demand, that is where they would need to be for rental income. Without the addition, they are not where they need to be.

Scott Cameron added that the addition also allows them to work in the indoor garage unloading area.

Attorney McCann said the Use Variance was needed because self-storage is not allowed in C-III.

Kenneth Scholes asked if all units were internal, will they be climate controlled?

Attorney McCann said all units are internal and yes it will be climate controlled.

Mr. Scholes asked where the climate control equipment will be located.

Mr. Latozas stated there will be roof condensers and 2 or 3 furnaces will be located on each floor.

Mr. Scholes said so now you adding to the height of the building.

Mr. Latozas said that the roof condensers will be screened by the roof parapet.

Jeffrey Sauer asked Richard Maloney, Building Inspector, if the building height of 45', but they are asking for an additional 8' is too high for that area?

Mr. Maloney stated that they have provisions for that in the bylaw that allows for certain structures above the roof line.

Mr. Latozas said that the 8' height is coming from the center massing of the building. The total height is 53'.

Attorney McCann interjected that this does comply with the bylaw.

Kenneth Jarvinen asked once inside how is the product moved to each floor?

Mr. Latozas answered tat there will loading carts and elevators. Access cards only allow you access to you designated floor.

Corinne Doherty asked if tenants would have access to the garage when the office is closed? What about lighting?

Mr. Latozas said that the garage is accessible until closing to tenants. There will be emergency lighting on 24 hours a day. But most lighting will be motion sensored.

Scott Cameron explained exterior lighting will all go through Site Plan.

Mr. Boughner asked what happens to access after 9:30pm? Is there security on site?

Mr. Latozas said that access is denied, the cards wont work. There is no security staff on site, but the property is monitored by video surveillance.

Mr. Boughner asked if the parking could be increased if the Planning Department asked for more parking?

Scott Cameron said that there is a balance, but they are trying to create a more vegetated buffer. However, they could add more if they are asked to.

Attorney McCann said that Extra Space storage on Pope's Lane has almost 2 times the square footage; 120,000 square feet of storage space and the Planning department decided they only need 13 parking spaces. This is a 63,000 square foot building and we are providing 13 parking spaces.

Mr. Boughner then asked for the number of storage units and if the land was being leased or is it owned.

Attorney McCann said they are proposing 450 storage units and the property is owned by the applicant.

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

Andrea Daley, PIII, TMM, called in to say that she liked the concept and the building design, the building is a little tall and you will see it from Ash Street. She is not in favor of the project.

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

Rebecca Kilborn said that the building is attractive, but she is concerned with the height and the addition. She would prefer is smaller or no addition at all. She is a no vote.

Kenneth Scholes doesn't like the height, but he will vote yes.

Jeffrey Sauer isn't happy with the height and wants to wait to hear from other members.

Kenneth Jarvinen said the building is too high. He will vote no.

Corinne Doherty said she thinks the building is attractive, she would vote yes.

John Boughner said at first, he thought it would look like a commercial self-storage facility, but it is attractive. It is a little high, but he could live with it. He would vote yes.

Attorney McCann and Scott Cameron both addressed the height and gave examples again of what is neighboring; Dick's Sporting Goods has a very similar design to this building. They feel it would fit in nicely.

Rebecca Kilborn said she will vote yes, due to the fact that the Planning Department will have the final say.

Jeffrey Sauer agreed. He would vote yes.

Rebecca Kilborn motioned the board to grant the Use Variance from Section 6, Table 1 of the Danvers Zoning Bylaw to allow construction of a self-storage facility as shown on the plans submitted.

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The hardship is the size and shape of the lot specifically the irregular shape and abutting wetlands.

Jeffrey Sauer seconded.

4 to 1

Kenneth Jarvinen was opposed.

Rebecca Kilborn motioned the board to granted the Dimensional variance from section 7, Table 2 of the Danvers Zoning Bylaw to allow the building to be 2408' from the rear property line and 23' from the front property line as shown on the plans submitted, and to allow 2 parking spaces to be closer than 20' to the front property line also shown on the plans submitted.

The hardship is the size and shape of the lot specifically the irregular shape and abutting wetlands.

Kenneth Scholes seconded.

4 to 1

Kenneth Jarvinen was opposed.

MINUTES
Danvers Board of Appeals

#21-4904

January 25, 2021

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

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

CHRISTOPHER RIDEOUT (21-4904) Requesting a Variance to erect a 20' above ground pool, required front setback is 30', requesting 18'8" for the pool in accordance with Section 7, Table 2 of the Danvers Zoning Bylaws at **1 BRADLEY ROAD, R-II**

Kenneth Scholes read the case mentioned above.

Christopher Rideout addressed the board and explained that he is looking to install an above ground pool. He is located on a corner lot and cannot meet the 2 front setbacks. He is looking for relief to 18.8' on the one frontages. His frontages on Elliott Street and Bradley Road.

Corinne Doherty asked what the height of the pool was and if the entire property was fenced in.

Mr. Rideout said that the pool is about 4' and there is a 6' fence enclosing the property.

Kenneth Jarvinen had no questions.

Jeffrey Sauer had no questions.

Kenneth Scholes had no questions.

Rebecca Kilborn asked if the stake that she saw on the Elliott Street frontage was the lot line marker.

Mr. Rideout answered yes.

John Boughner said that he did a site visit and wanted to make mention that the existing fence is actually inside the lot line.

Mr. Rideout said yes, he owns further out than the fence line.

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.
John Boughner said he would vote yes.

Kenneth Scholes motioned the board to grant the Dimensional Variance from Section 7, Table 2 of the Danvers Zoning Bylaw to allow the installation of an above ground pool 18.8' from the front property line as shown on the plans submitted.

This condition does not affect other properties or structures in the same zoning district. A literal enforcement of the zoning bylaw 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 substantially derogate from the intent or purpose of the zoning bylaw.

The hardship is the size and shape of the lot, it is undersized and had 2 frontages.

Jeffrey Sauer seconded.

All in favor.

MINUTES
Danvers Board of Appeals

#21-4905

January 25, 2021

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

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

SARA & CHRISTIAN DEMATO (21-4905) Requesting to alter condition of previous Variance (Docket# 02-3589) to convert garage to bedroom/living space in accordance with Section 7, Table 2 of the Danvers Zoning Bylaws at **6 DONEGAL CIRCLE, R-II**

Kenneth Scholes read the case mentioned above.

Chris and Sara DeMato addressed the board that they want to turn a portion of an existing garage into a master bedroom and bathroom. The previous owner got a Variance to build the garage.

John Boughner asked Richard Maloney, Building Inspector, the previous Variance was specific for a garage and we are here for the record to show that the living space is approved.

Mr. Maloney said yes.

Mr. Boughner asked if there will still be a garage?

Mrs. DeMato said yes, the back portion of the garage will be used for the living space.

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.

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

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

Rebecca Kilborn said she would vote yes.
Kenneth Scholes said he would vote yes.
Jeffrey Sauer said that 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.

Rebecca Kilborn motioned the board to grant the Variance to allow the previously granted garage structure to be used as a bedroom living space.

The hardship is the size and shape of the lot and the location of the existing structure on the lot.

Jeffrey Sauer seconded.

All in favor.

MINUTES
Danvers Board of Appeals

#21-4906

January 25, 2021

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

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

DAVID & CATHERINE WOLNIEWICZ (21-4906) Requesting a Variance and Special Permit to construct an oversize Extended Family Living Area (947 sq.ft.) closer to right-side setback than required 15' to 8'10¼" in accordance with Section 7, Table 2 and Section 9.3.3 and Section 9.8 of the Danvers Zoning Bylaws at **12 WEEKS ROAD, R-II**

Kenneth Scholes read the case mentioned above.

Richard Boccelli, jr., Architect, addressed the board. He is representing the applicants who were also present. He explained that they were looking for a right-side setback because they need to build a larger barrier free Extended Family Living Area due to medical conditions.

Mr. Scholes then read in five letters from abutters all in support of the project.

Mr. & Mrs. Stephen Hansen 14 Weeks Road Danvers
Mr. James Milne 10 Weeks Road Danvers
Mr. Bernie & Mrs. Nancy LeDuc 13 Weeks Road Danvers
Mr. George Karelak 9 Weeks Road Danvers
Mr. & Mrs. Mark Pellicio 101 Forrest Street Danvers

Corinne Doherty had no questions.

Kenneth Jarvinen asked if the EFLA size was going to be 947 square feet?

Mr. Boccelli answered yes.

Jeffery Sauer had no questions.

Kenneth Scholes had no questions.
Rebecca Kilborn had no questions.

John Boughner said that he noticed a structure on site and asked if it was permitted?

Mrs. Wolniewicz stated about four years ago she got a call regarding that structure in the backyard. She called the building department and was told it was fine due to the length of time it had been there.

Mr. Boughner then asked if the EFLA addition could be moved not to encroach on the setback>

Mr. Boccelli explained the need for using the space to create the larger EFLA to be able to get around furniture, beds etc. with a wheelchair. They explored many options, and this was the best.

Mr. Boughner then asked Richard Maloney, Building Inspector, if the existing outdoor structure could be permitted along with this one?

Mr. Wolniewicz explained that it is a tree house that was built 15-16 years ago,

Mr. Maloney stated that it is now there legally non-conforming.

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

Andrea Daley, PIII, TMM, called in to say that she thinks this is a good plan and she is in favor of the project.

There were no more questions or comments from the audience.
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.
John Boughner said he would vote yes.

Rebecca Kilborn motioned the board to grant the **Special Permit** in accordance with section 9.3.3.2 of the Danvers Zoning Bylaw to create and Extended Family Living Area (E.F.L.A.) on a non-conforming lot (less frontage) and 9.3.8 to accommodate mobility and access per the plans submitted.

1. The municipal water and sewer shall not be overloaded by the EFLA.
2. The public streets shall not become overloaded by the EFLA.
3. The value of other buildings and properties shall not be depreciated by the EFLA.
4. The specific site is an appropriate location for the EFLA.
5. The EFLA will not adversely affect the neighborhood.
6. There will not be undue nuisance to vehicles or pedestrians and adequate and proper facilities will be provided to ensure the proper operation of the proposed EFLA.
7. The proposed EFLA will be in harmony with the general purpose of the bylaw.

Jeffrey Sauer seconded.

All in favor.

Rebecca Kilborn motioned the board to grant the **Dimensional Variance** from Section 7, Table 2 of the Danvers Zoning Bylaw to allow for the EFLA/Garage addition to be 8'-10.25" from the right-side property line as shown on the plans submitted.

The hardship is the size and shape of the lot and the location of the existing dwelling on the lot.

Jeffrey Sauer seconded.

All in favor.