



Town of Danvers Zoning Board of Appeals

1 Sylvan Street, Danvers, Massachusetts 01923 | p: 978-777-0001

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March 14, 2022 7:00 p.m. ZBA MEETING MINUTES

Board members present: John Boughner; Jeffrey Sauer; Kenneth Scholes; Rebecca Kilborn; Ken Jarvinen and Corinne Doherty.

Staff present: Georgia Pendergast.

Rebecca Kilborn called the meeting to order at 7:07 p.m.

Rebecca Kilborn briefed the public on the proceedings of the evening. She further noted there were no meeting minutes for approval tonight.

121 HOLTEN STREET (R-II)

Kenneth Scholes read the docket number and pertinent details for the case of 121 Holten Street, which is a request to withdraw the finding application for the demolition of an existing non-conforming shed and the construction of a new 10' x 16' shed.

A withdraw request email submitted by the applicant was read for the audience. It was noted that the applicant has proposed a new shed location, which requires a variance application. The owner has filed a new variance application to be reviewed at the next meeting. John Boughner motioned to approve the withdraw request. Jeffrey Sauer seconded. All were in favor of the motion and the motion passed unanimously.

23 TIBBETTS AVENUE (R-II)

Kenneth Scholes read the docket number and pertinent details for the case of 23 & 16 Tibbetts Avenue, which is a request for dimensional variance(s) to allow 16 Tibbetts Avenue to have 47.59' of frontage on Tibbetts Avenue where 125' is required, and to allow 23 Tibbetts Avenue to have 46.67' of frontage on Tibbetts Avenue where 125' is required. The two lots will be created via ANR with the Planning Board.

Mr. David Ankeles spoke on behalf of his client, Cheryl Flynn, on the request for the dimensional variances. Mr. Ankeles explained the situation in that there are two single family homes on one parcel. This layout was permitted and approved by the Planning Board in 1996 under what is known as a Section IIC waiver. Mr. Ankeles noted the hardship is financial along with the upkeep for the two properties. The applicants are both retired and looking to reduce the burden of maintaining two homes.

Rebecca Kilborn opened the floor for Board questions.

Corinne Doherty asked Mr. Ankeles if the board were to grant both variances, would the owner have to go to the Planning Board for an Approval Not Required (ANR) plan. Mr. Ankeles stated they do and have prepared an ANR for submission to the Planning Board, with the assistance of staff.

Rebecca Kilborn asked Mr. Ankeles how these two lots are different from the two lots that were originally approved. Mr. Ankeles replied they are not so much different. John Boughner confirmed from the plan that Lot B is 1.3 acres and Lot A is 0.73 acres.

Ms. Kilborn asked the applicant if they had considered condoning the property. Mr. Ankeles replied to the question by stating the liability and maintenance had deterred the owners from that. They also noted it was important to continue with the single-family living in the neighborhood.

Mr. Duggan would be in favor of the request for the dimensional variance. Mr. Duggan asked if the EFLA is currently being used. The applicant replied they are the only ones using it at this time.

Stephen Guarracino of 6 Tibbetts would be in favor of the request for the dimensional variance. Echoed continuing with the single-family living in the neighborhood.

John Boughner asked for clarification about the current EFLA status. The applicant stated they are the only ones using it at this time. The owner's mother was occupying the EFLA, but she has since passed away.

John Boughner stated they try to bring properties more into compliance. Adding two homes to one lot today wouldn't pass but stated nothing is physically going to change, and the houses are going to stay the same. John Boughner in favor.

Jeffrey Sauer stated he has trouble with granting two lots with 47 feet of frontage. He noted that it is tight, but the houses exist now, and the frontage is there. Splitting it up we're not going to physically change a thing about how the neighborhood looks. Jeffrey Sauer in favor.

Kenneth Scholes would have liked to hear from the neighbors but seems like everyone's in favor of this. Mr. Scholes noted he does not like the numbering of the homes. Kenneth Scholes in favor.

Ken Jarvinen stated the frontage does not meet the requirements, but it is more than other houses on the street. Ken Jarvinen in favor.

Corinne Doherty echoed the board. Corinne stated the shape of the lots provides for more area than probably any other house on that side of the street. She agreed that having renters on a

residential street it isn't ideal for the situation and it's better just to have all homeowners. Corinne Doherty in favor.

Rebecca Kilborn noted they are just going back to what was originally created and there are maybe a few adjustments in the size of the lot. Rebecca stated that it is appropriate to have two lots if there are two homes. Rebecca Kilborn in favor.

Jeffrey Sauer motioned to approve the dimensional variance request from Table 2 for 16 Tibbetts Avenue. John Boughner seconded. All were in favor of the motion and the motion passed unanimously.

Jeffrey Sauer motioned to approve the variance request from Table 2 for 23 Tibbetts Avenue. Kenneth Scholes seconded. All were in favor of the motion and the motion passed unanimously.

ADJOURNMENT

John Boughner motioned to close the meeting. Jeffrey Sauer seconded. All were in favor and the motion passed unanimously.

The meeting adjourned at 7:40 PM