



Town of Danvers Zoning Board of Appeals

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

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Zoning Board of Appeals

Members:

John Boughner, Chair
Corinne Doherty, Clerk
Kenneth Jarvinen
Jeffery Sauer
Kenneth Scholes

January 8, 2024 7:00 p.m. ZBA MEETING MINUTES

Board members present: John Boughner (Chair), Kenneth Scholes (Clerk), Jeff Sauer, Kenneth Jarvinen, Corinne Doherty.

Staff present: Brian Szekely, Planning Director

John Boughner called the meeting to order at 7:00 p.m.

Zoning Board of Appeals Reorganization

Motion to nominate Corinne Doherty to Clerk made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Unanimously approved.

Minutes

Motion to accept minutes from December 11, 2023, made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Unanimously approved.

CONTINUED ITEMS

55 Brooksby Village Way; Walmart (Route 114A): Request a Variance under Section 9.3.B.2 of the Danvers Zoning Bylaw to allow at most 21 storage containers to be on site each year between September and January. Request made by WS Asset Mngmnt Inc, c/o Jennifer Hodes (23-5051)

Corinne Doherty read aloud application for 55 Brooksby Village Way docket 23-5051

Corinne Doherty read aloud email from office of attorney representing applicant noting illness and a request to continue to January 22, 2024.

Motion to continue 55 Brooksby Village Way docket 23-5051 to January 22, 2024 made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Motion unanimously approved.

1 Prentiss Road (R-3): Request a Special Permit under Section 9.2 to create an Extended Family Living Area (EFLA) on an undersized lot of 18,000 square ft where 30,000 square ft is required. Additional relief is necessary as the proposed EFLA will be 944 square ft where 750 square ft is allowed by-right and internal shared living space is required. Request made by Valerie Lagonakis Gerontis (23-5055)

Corinne Doherty read aloud application for 1 Prentiss Road docket 23-5055.

Valerie Gerontis (1 Prentiss Road)-Square footage of EFLA is 899. Reviewed revised plans that were submitted to the board. Laundry room added as shared space between two units on second floor. Second door on front of home has been closed off.

Mr. Sauer-no questions.

Ms. Doherty-no questions.

Mr. Jarvinen-no questions.

Mr. Scholes-common area and laundry room on plan?

Valerie Gerontis-as noted.

Mr. Boughner-square footage has not changed? Internal set of stairs on left of garage? Side door access.

Valerie Gerontis-still 899 sf. All correct.

Mr. Sauer-better plan. Will vote for this.

Ms. Doherty-better plan; shared laundry. Will vote for this.

Mr. Jarvinen-will vote for this. Design better.

Mr. Scholes-will vote for this.

Mr. Boughner-EFLA bylaw states if existing second front door is already there, that is okay. Noted existing doors on home and changes made. Will vote for this.

Motion to grant special permit for 1 Prentiss Road docket 23-5055 made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Motion unanimously approved.

REGULAR ITEMS

4 Abbott Street (R-2): Request a Finding under Section 3.11 to build a deck that will be located closer to the side and rear property lines than permitted as of right on an undersized lot where 20,000 sf is required and 3,858 is provided. ***Request made by Jeannie Cashman (23-5057)***

Corinne Doherty read aloud application for 4 Abbott Street docket 23-5057.

Jeannie Cashman (4 Abbott Street)-reviewed plan to put deck on rear of house that goes into setbacks.

Mr. Scholes-no questions.

Mr. Jarvinen-fence to remain?

Jeannie Cashman-yes.

Ms. Doherty-no questions.

Mr. Sauer-no rear or side setback. Small lot.

Mr. Boughner-to staff-already non-conforming? Relief from rear and side setbacks? Finding for side setback and variance for rear?

Staff-correct.

Mr. Boughner-rail trail off back and fenced?

Jeannie Cashman-correct.

Ms. Doherty-to staff-agenda mentions finding?

Staff-agenda incorrect; legal ad and notifications have finding and variance.

Mr. Scholes-will vote for this.

Mr. Jarvinen-will vote for this.

Ms. Doherty-will vote for this.

Mr. Sauer-will vote for this.

Mr. Boughner-will vote for this.

Motion to issue a variance for 4 Abbott Street docket 23-5057 made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Motion unanimously approved.

Motion to issue a finding for 4 Abbott Street docket 23-5057 made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Motion unanimously approved.

22 Princeton Street (R-3): *Request a Dimensional Variance under Table 2 of the Danvers Zoning Bylaw to encroach on the front and side setbacks to accommodate a new 2-car garage with associated storage space. The lot is undersized 30,000 sf is required and 25,379 is provided. Request made by Robert Russo (23-5058)*

Corinne Doherty read aloud application for 22 Princeton Street docket 23-5058.

Robert Russo (22 Princeton Street)-reviewed existing conditions and plans to add two car garage. Front and side setback relief needed. Neighbors at 24 Princeton Street approve of design. Letter of approval submitted.

Mr. Sauer-does plan include roof eaves?

Robert Russo-yes.

Ms. Doherty-no questions.

Mr. Jarvinen-no questions.

Mr. Scholes-numbers on plot plan are setbacks? Encroachment?

Robert Russo-correct. Noted plan layout.

Mr. Boughner-how large are garage door openings? Possibly smaller garage/not as wide? Roof height taller than existing garage? Square footage? Plan for existing garage.

Robert Russo-9' each. Need space for pickup trucks. New garage 14'4". Remove garage door of existing garage; make entry way into utility/mechanical room for items that are already in there.

Ms. Doherty-consider making mechanical room smaller to make garage fit better?

Robert Russo-reviewed rationale behind decisions made on the plans.

Mr. Boughner-will curb cut change be needed?

Robert Russo-curb cut change with DPW. Noted on plans what layout will be.

Mr. Sauer-will vote for this. Would prefer garage further back.

Ms. Doherty-will vote for this but would be better further back.

Mr. Jarvinen-will vote for this.

Mr. Scholes-will vote for this.

Mr. Boughner-creating hardship. Okay with setback; too far forward. Will not vote for this.

Motion to issue a variance for 22 Princeton Street docket 23-5058 made by Jeff Sauer. Seconded by Ken Scholes. In favor: 4. Opposed: 1. John Boughner opposed. Motion carries.

1 Winthrop Street (R-2): Request a Finding under Section 3.11 of the Danvers Zoning Bylaw to construct an addition that will be located closer to the front property line than permitted as of right, and will also be closer to the front property line than the current house. The lot is nonconforming due to size, where 20,000 sf is required and 13,073 is provided. Request made by Joseph Mazzochia (23-5059)

Corinne Doherty read aloud application for 1 Winthrop Street docket 23-5059.

Joseph Mazzochia (1 Winthrop Street)-reviewed existing conditions and plans as submitted to add garage and addition.

Mr. Boughner-addition but really an EFLA?

Joseph Mazzochia-yes.

Staff-applicant notes that EFLA is compliant so they are applying to expand an existing nonconforming.

Mr. Scholes-no questions.

Mr. Jarvinen-shared area between EFLA and house? Adding a front door?

Joseph Mazzochia-shared spaces noted on plans submitted and presented. Adding door next to garage to enter into garage.

Ms. Doherty-no questions.

Mr. Sauer-no questions.

Mr. Boughner-doorway to set of stairs? Entryway to house? EFLA bylaw says no second front door. Consider different access point? Do not see this as fully complying EFLA.

Joseph Mazzochia-stair layout described as noted on plans. Removing a window to add door. Shared entry on rear. Door is access to get into garage without having to open garage door. This goes into garage only; not into addition.

Staff-would have to take out as part of finding or reapply for special permit.

Ms. Doherty-square footage of EFLA?

Staff-748 sf living area-compliant. Family room is shared space and not part of that.

Mr. Scholes-will be on record as an EFLA?

Staff-yes.

Burt Eisen (11 Winthrop Street)-in favor of addition. Only two houses on the block. Large space. In favor.

Mr. Scholes-will vote for this.

Mr. Jarvinen-door to garage looks like second front door. Different access to garage. Will not vote for this because of the door.

Ms. Doherty-challenge with door. Square footage complies but looks like a second house. Do not like plan. Vote no.

Mr. Sauer-will vote for this. Applicant is here for setbacks and is not more encroaching than what already exists.

Mr. Boughner-vote no. Do not like front door. Okay with setback.

Joseph Mazzochia-if I remove the door you'll be okay with it?

Mr. Boughner-you will get it if you remove the door. We are not here to design it for you. If you come up with another door somewhere else could do that.

Staff-condition on vote tonight or come back with new drawing?

Mr. Boughner-next meeting January 22.

Mr. Sauer-would like to see plans before voting. Provide applicant time to work with architect.

Staff-would need front elevation with door removed and first-floor floor plan with door off.

Mr. Boughner-will make motion to continue to January 22 and will need updated plans Tuesday before meeting.

Motion to continue application for 1 Winthrop Street docket 23-5059 to January 22, 2024 made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Motion unanimously approved.

Staff-January 22nd meeting-may need to be at Senior Center. Will inform as needed. February 12-keep at Toomey Room or Senior Center?

Mr. Sauer-if it works for the public, Town Hall.

Ms. Doherty-Town Hall.

Mr. Boughner-Town Hall.

Mr. Jarvinen-smaller but Town Hall.

Mr. Scholes-Town Hall.

Staff-moving forward, ZBA meeting will be at Town Hall unless conflicting meeting.

Motion to adjourn made by Jeff Sauer. Seconded by Ken Scholes. In favor: 5. Opposed: 0. Meeting adjourned at 8:00PM.