

**CITY OF BEVERLY  
PUBLIC MEETING MINUTES**

BOARD OR COMMISSION: City of Beverly Planning Board  
DATE: September 15, 2026  
LOCATION: City of Beverly Police Department Community Room, 175  
Elliott Street  
MEMBERS PRESENT: Chair George Gomes; Ellen Flannery; Grace Lee (remote);  
Sarah Bartley; Judy Ashkenaz (remote); Michael Vigorito;  
Wayne Miller  
STAFF PRESENT: Assistant Director of Planning, Kenneth Clawson  
RECORDER: Kristan Patenaude

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**Call to Order**

Chair Gomes called the meeting to order at 7:00 p.m.

**1. Subdivision Approval Not Required Plans** – None at this time.

**2. Recess for Public Hearings**

Flannery: Motion to recess for Public Hearings. Bartley seconds. Motion carries  
unanimously by roll call (6-0).

**a. Special Permit #206-26 – 4 Linden Ave – Bruce D. & April K. MacPhail c/o  
Alexander & Femino, One School Street, Beverly, MA 01915**

- i.** Applicant requests a Special Permit for deviations Article X Parking and  
Loading Requirements of the City of Beverly Zoning Ordinance.  
Specifically, from Section 300-59E requesting a reduction in the required  
number of off-street parking spaces from four (4) to three (3), Section  
300-63D.(1) allowing motor vehicle parking within five feet of any side or  
rear lot line, and Section 300-64B.(5) allowing two driveways from a  
street to a single lot to be within 30 feet of each other.

Tom Alexander, representing the applicant, explained that the Zoning Board of Appeals (ZBA) voted unanimously at their July meeting to grant a variance to allow the applicant to build a new dwelling on the site. As the dwelling is very small, the maximum size allowed for an accessory dwelling unit (ADU) would be approximately 360 s.f. The existing dwelling was built in 1835 and is in rough shape. The proposal to demolish the building and rebuild it includes making the footprint just slightly larger and the building slightly taller. There will be one unit on the first floor, and one on the second floor. This location is less than half a mile from the train depot, and so parking relief makes sense. The applicant is seeking a waiver for the requirement that parking spaces be removed from the lot line by at least 5'. There are already two parking spaces that are near the lot line, and the applicant is requesting room for an additional single parking space. A petition was signed by the neighbors in favor of the proposal. The abutters that would be most

46 impacted by the Special Permit request both signed in favor. The applicant is also seeking relief  
47 because the zoning ordinance states that two driveways from a street to a single lot cannot be  
48 closer than 30', as is being requested. A final request is for there to only be three parking spaces  
49 on the lot, where four are required. The Parking & Traffic Commission reviewed this at their  
50 September 8<sup>th</sup> meeting and made a unanimous recommendation to the Planning Board to grant  
51 the Special Permit.

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53 There was some discussion by Board members, but no concerns or objections raised regarding  
54 the proposal.

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56 Flannery: Motion to close the Public Hearing for Special Permit #206-26. Vigorito seconds.  
57 Motion carries unanimously by roll call (6-0).

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59 The Board reviewed the draft Findings of Fact.

- 60  
61 1. That the specific site is an appropriate location for the proposed use, and that the  
62 character of adjoining uses will not be adversely affected.  
63 2. That no factual evidence is found that property values in the district will be adversely  
64 affected by such use.  
65 3. That no undue traffic and no nuisance or unreasonable hazard will result.  
66 4. That adequate and appropriate facilities will be provided for the proper operation and  
67 maintenance of the proposed use.  
68 5. That there are no valid objections from abutting property owners based on demonstrable  
69 fact.  
70 6. That adequate and appropriate City services are or will be available for the proposed use.

71  
72 Flannery stated that, with regard to the first Finding, this will be new housing for the City, and  
73 the character of the area will be maintained. Gomes stated that this is a dense residential  
74 neighborhood and the proposal is only a small increase to this density. Clawson explained that  
75 there is another two-family unit in the nearby area.

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77 Flannery stated that there was no evidence submitted that the proposal would impact the  
78 neighboring property values. There was also no evidence submitted that the proposal would  
79 result in undue traffic or hazards. Gomes stated that many abutting properties do not allow for  
80 any off-street parking, and so the proposal will be a benefit overall.

81  
82 Gomes stated that there have not been any valid objections received from abutting property  
83 owners. Also, there are adequate and appropriate City services available for the proposed use.

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85 Flannery: Motion to adopt the Findings of Fact, as presented and discussed. Bartley  
86 seconds. Motion carries unanimously by roll call (6-0).

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88 Flannery: Motion to grant the Special Permit #206-26 at 4 Linden Street, as presented, with  
89 the information indicated on the memo from the Parking & Traffic Commission

dated September 11, 2026. Bartley seconds. Motion carries unanimously by roll call (6-0).

### 3. Reconvene Meeting

Flannery: Motion to reconvene the meeting. Vigorito seconds. Motion carries unanimously by roll call (6-0).

### 4. Modification request for Site Plan Review #38-98 – 230 Elliott Street - Lindsay Wallin, King & Wallin Restaurant Group

- a. Applicant seeks to modify the 1998 Planning Board decision to change the operating hours of the McDonald's restaurant at this location from 6:00 AM through 12:00 AM to 24 hours a day, 7 days a week, 365 days a year.

Lindsay Wallin, applicant, explained that the request is to extend the hours to 24 hours a day, 7 days a week, 365 days a year. This will help the overall operations of the site become safer. Only the drive through will be open overnight.

Clawson explained that the original condition of approval from 1998 stated that the hours were 6:00 AM through 12:00 AM. The Board must decide if this is a minor or major request and if it will grant a modification to the original decision. The building is approximately 250' from the nearest building. There are no structural changes proposed for the site. The timing for the delivery hours and trash pick-up will not change from the existing. The Health Department stated that it has the authority to increase the number of dumpsters on the site or the frequency of pick-ups, if any issues are found.

Bartley noted that the Board does not typically regulate hours. Flannery stated that she believes the hours of operation condition was originally placed on this location based on potential safety concerns.

Flannery: Motion to deem the modification request for Site Plan Review #38-98 at 230 Elliott Street, to be Minor. Bartley seconds. Motion carries unanimously by roll call (6-0).

Flannery: Motion to grant the modification request for Site Plan Review #38-98 at 230 Elliott Street. Bartley seconds. Motion carries unanimously by roll call (6-0).

*Miller remotely joined the meeting at 7:25pm.*

### 5. Set Public Hearings

None at this time.

### 6. Approval of Minutes (as available):

- a. July 21, 2026

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Flannery: Motion to approve the meeting minutes of July 21, 2026, as amended. Bartley seconds. Motion carries unanimously by roll call (7-0).

**b. August 18, 2026**

Flannery: Motion to approve the meeting minutes of August 18, 2026, as amended. Bartley seconds. Motion carries unanimously by roll call (7-0).

**7. Adjourn**

Vigorito: Motion to adjourn. Bartley seconds. Motion carries unanimously by roll call (7-0).

Meeting adjourns at 7:30 p.m.