



# TOWN OF SWAMPSCOTT

## PLANNING BOARD

ELIHU THOMSON ADMINISTRATION BUILDING  
22 MONUMENT AVENUE, SWAMPSCOTT, MA 01907

**MEMBERS**  
ANGELA IPPOLITO, CHAIR  
GEORGE POTTS, VICE CHAIR  
BETH ISLER  
BILL QUINN  
JR YOUNG

**STAFF**  
S. PETER KANE, DIR. OF COMM. DEV.  
ANDREW LEVIN, ASSISTANT TOWN PLANNER

# OCTOBER 16, 2017 MEETING MINUTES

**Time:** 7:01pm– 8:25 pm  
**Location:** Swampscott High School, 200 Essex Street  
**Members Present:** G. Potts, B. Quinn, J.R. Young  
**Members Absent:** A. Ippolito, B. Isler  
**Others Present:** Kenneth Shutzer (Attorney), Brigitte Fortin (Architect), James Emmanuel (Landscape Architect), Eric Lomas (Attorney), Ryan McShera (Architect), Mark Delisle (Petitioner)

B. Quinn explained that he had recused himself from a discussion and vote at the previous meeting (9/11/2017), and stated that due to the current attendance of Board members, that he thought it correct to hold off on voting on the previous meeting minutes.

**MOTION :** by J.R. Young to hold off on voting on the September 11<sup>th</sup>, 2017 meeting minutes until the next meeting, seconded by G. Potts, unanimously approved.

## DISCUSSION – ZONING WARRANT ARTICLE HEARING AMENDMENT TO HUMPHREY STREET OVERLAY DISTRICT

This article proposes to change the “Table of Additional Uses within the Humphrey Street Overlay District” to include Hotels, Inns, Motels, and Bed and Breakfast establishments and identify the applicable permit requirements. This is the formal hearing on the proposed article before the November Special Town Meeting.

Peter Kane, Director of Community Development explained to the Board the formal hearing process and details of the proposed warrant article, clarifying the special permit process for each Zoning district.

The Board briefly discussed the article with P. Kane. G. Potts asked if there was anyone present who wished to comment on the proposal, there was no one.

**MOTION :** by J.R. Young for favorable action to suggest the proposed warrant article for Town Meeting, seconded by B. Quinn, unanimously approved.

## SUBDIVISION 21-01 – MORTON HILL

Applicant Gino Cresta was present.

There was a brief discussion regarding the subdivision, Mr. Cresta explained that of the original \$113,000 cash bond paid in 2001, only \$13,561 remained. Mr. Cresta explained that there was two stone bounds that had been set and that this had completed the project.

Mr. Cresta, who is the Town Director of Public Works, stated that Assistant Town Engineer Sean Lannon had visited the site, and verified that the work was complete, Mr. Cresta also mentioned that other Town employees had visited the site too.

P. Kane explained the next steps in the Subdivision process for the Board, and Mr. Crest briefly explained the details of the cash bond further.

G. Potts asked for any public comment, there was none.

MOTION : by B. Quinn to approved the Certificate of Completion for Morton Hill Sub-division, seconded by J.R. Young, unanimously approved.

## **SITE PLAN REVIEW PETITION 17-19**

## **50 GALLOUPES POINT ROAD**

This is an application by Eric and Ximena Talcofsky for a Site Plan Special Permit, Use Special Permit, and a Dimensional Special Permit, to demolish an existing shed to be replaced by a conforming unattached garage (carriage house) adjacent to a single-family residence, located to accommodate additional motor vehicle and miscellaneous pool and tennis court equipment. The Planning Board to perform site plan review to provide comments to the ZBA.

Attorney Kenneth Shutzer was present and stated he is representing the petitioner. Attorney Shutzer mentioned that on the Zoning application, for the petitioners, he had checked off the Site Plan Review box, but also added “if required” in the summary section. Attorney Shutzer explained that he was unsure if the project needed to have a site plan review (due to differing interpretation of Zoning Bylaw) and checked the box out of caution.

Attorney Shutzer stated the plan is to build an adjacent structure/garage that is over 1,000 sf in the same location as an existing small shed, Attorney Shutzer handed the presentation off to the projects Architect, Brigitte Fortin.

Ms. Fortin stated the owners want to use the proposed space for their vehicles. Attorney Shutzer explained the confusion in his interpretation of the Bylaw and how many vehicles are allowed in garages, P. Kane explained that this inquiry would be for the Zoning Board, and not the Planning Boards jurisdiction.

Ms. Fortin continued, stating the existing shed meets all dimensional requirements, and that the proposed garage will be in the same location, adjacent the tennis court. Ms. Fortin added, that in addition to housing vehicles, the space will also be used to store pool and tennis equipment. Ms. Fortin described the grading on the property, explaining that the garage roof will slighting overhang the existing slope, and that the setback from the property line is going from 15 ½ ft to 7 ½ feet. Ms. Fortin explained the garage will have a shingle roof, cedar shingle sides, and a stone base to help match the existing home.

A brief discussion was had about the orientation of the vehicles being kept within the garage, Ms. Fortin stated they will be front to back.

P. Kane inquired about a boat on the property and if it will be stored in the garage, it was clarified the boat is stored elsewhere during the winter and will remain in the front.

Ms. Fortin continued, stating there will be two points of egress, one towards the driveway and one towards the tennis courts.

G. Potts asked if the garage will be heated, it was stated that it will.

The projects landscape architect, James Emmanuel introduced himself to the Board and explained the plan is to provide screening on the property line, using three different types of arborvitaes. Mr. Emmanuel explained to the Board the different types and showed on a map where they would go, adding that the plantings will eventually grow higher than the roofline and help obscure it.

Mr. Emmanuel stated the driveway will consist of pavers, and they will extend around the garage to the tennis court side.

Mr. Emmanuel mentioned that a retaining wall will be built on the backside of the garage, and the plan to backfill the wall with soil to support larger plants, and ornamental plantings will be added in front of the wall. There was a brief discussion with the Board regarding the landscape plan, Attorney Shutzer stated that the grade on the side slopes up.

Mr. Emmanuel explained the retaining wall will be a terraced design, 2-3 ft below the property line, with the max height of the wall 4 feet, adding that the top of the wall will be below the base of the fence on the property line.

The Board asked if the garage will be plumbed, Attorney Shutzer and Ms. Fortin stated that it will not be.

P. Kane inquired about the slope on the side of the garage, closest to the property line, Mr. Emmanuel explained that the grade in this area naturally slopes downward, and that the plan is to maintain the current plantings there. Ms. Fortin explained the back wall of the garage and foundation will be constructed in such a way that it will act as a retaining wall, adding that the retaining wall will be concrete.

P. Kane asked if the ceiling of the garage will be open to the rafters, Ms. Fortin explained it will be, and the ceiling is measured at 12'6.

Ms. Fortin explained that they have a list of abutters signatures stating they have seen the plans.

B. Quinn asked if the pavers for the driveway are impervious, Mr. Emmanuel explained they will not specifically be impervious, but will probably be sand based and have some permeability, and reiterated the pavers location.

The calculation of open space on the property was discussed briefly, Attorney Shutzer stated the owners are currently over the amount of coverage required, going from 56% open space to 47%.

G. Potts and Mr. Emmanuel briefly discussed the proposed run-off from the new garage.

G. Potts mentioned the design and use of space in the garage is clever and briefly discussed the garage further with Ms. Fortin. Ms. Fortin stated the garage will have heat and electricity, the projects contractor stated it will be gas radiant heat. It was clarified that the utilities will be coming from the main house, as the gas line goes by the proposed garage location.

B. Quinn asked about new curb cuts, Ms. Fortin and Attorney Shutzer stated there will be none. B. Quinn mentioned that the Zoning Board will want a full locus plan for the hearing. P. Kane and Attorney Shutzer briefly discussed the type of plan that will be needed.

G. Potts and Attorney Shutzer briefly discussed potential future uses of the garage due to the proposed design and size, P. Kane and G. Potts discussed potential recommendations to make regarding plumbing and other uses. Attorney Shutzer stated that plumbing should be allowed, if wanted in the future, and that the Board should not recommend to the Zoning Board to condition the ability to plumb. B. Quinn mentioned that he sees this proposed project as just being a garage, and mentioned some possible uses of it.

B. Quinn asked about exterior lighting, it was mentioned there would be none, but mentioned lighting from the main house will point towards that area. G. Potts mentioned the owners should be cautious of light intruding on neighbors.

G. Potts, P. Kane and Ms. Fortin briefly discussed why the setup of the vehicles is front to back.

G. Potts asked if there was any public comments, there was none.

MOTION : by J.R. Young to recommend favorable action to remove an existing shed and add a garage, with the recommendation of a condition for no habitable use, seconded by B. Quinn, unanimously approved.

## PETITION 17- 22

## 25 GLEN ROAD

Attorney Eric Lomas explained that he is representing the property owner and petitioner Mark Delisle (who was present) and that Ryan McShera of the RedBarn Architecture was also present.

Mr. McShera stated that the petitioner is seeking to convert an existing single-family home into a two-family home as well as constructing a second principal structure on the property with two more units, for a total of four units on the property.

Mr. McShera mentioned that he had met with P. Kane and discussed different development options, but decided on this one. Mr. McShera stated this will be the best use for the property.

Mr. McShera described the topography of the lot, explaining that the rear of the lot is much lower than the front (Glen Road side), the elevation changes from 20 feet on the Glen Road side and rises to 40+ feet on the Cardillo Terrace side. P. Kane clarified to the Board that the lot has two frontages and no rears.

G. Potts asked if the plan is to change the grading on the lot, Mr. McShera stated the plan is to use as much of the grade as possible, but added that the project will probably run into ledge, as there is some currently showing near the corner of the property. Mr. McShera briefly discussed the dimensional requirements with the Board, stating that the second principal structure being built on the property will conform to all requirements, including height and parking.

Mr. McShera handed the Board revised plans and stated that these more clearly articulate building height and gross floor area.

Mr. McShera mentioned that the existing single-family home has an on-grade basement and garage, and reiterated that behind this home the grade rises significantly. Mr. McShera stated the plan is to take the existing roof off and add another story-and-a-half, with the units being one over the other. The newly constructed structure on the other side of the property will be set up with the units side-by-side, and meet all the dimensional requirements as well as lot coverage and open space.

Mr. McShera explained that lots of existing vegetation will be kept on each side, and added that there is a decent row of trees currently, separating Humphrey Plaza from the site, along with a steep change in terrain. Mr. McShera stated that the sides opposite of Humphrey Street Plaza will possibly have to be stepped to allow backyard access, due to the grade.

Mr. McShera explained there is a large swath of pavement currently on the site that will be removed, and that the plan is to capture all storm water on site.

Mr. McShera showed the Board the existing structures redevelopment plan which include keeping the garage on the structure, adding three exterior spaces, and making three exterior spaces for the new construction on the Cardillo Terrace side, but no garage.

P. Kane and Mr. McShera briefly discussed the how the front and back of the property are designated, Mr. McShera stated that Glen Road was considered the front.

P. Kane clarified to the Board that the petitioner is seeking a variance because this property is residentially zoned, stating the lots grade is the hardship, because the lot is under the amount of square-footage needed to be able to subdivide.

Mr. McShera explained there is a retaining wall on the Humphrey Plaza property line, but that it is on the Humphrey Plaza property, and the plan is to work around it.

J.R. Young asked about if a storm-water report was done, Mr. McShera stated they did not, P. Kane mentioned because the project is residential they did not need one, but the ZBA could potentially ask for one.

J.R. Young asked what type of material the driveway will be, Mr. McShera responded asphalt, and clarified the impervious materials on the site. Mr. McShera stated the run-off will be directed between the two structures, and captured on site.

Mr. McShera explained that there are no plans for a retaining wall to be used to flatten the property.

Mr. McShera clarified the parking, stating there will be three exterior spaces on each side and on the Glen Road side in addition to the three exterior, one garage space. Asked if the project will require any curb cuts, Mr. McShera explained there are no existing curbs on either the Cardillo Terrace or Glen Road side. Attorney Lomas and Mr. McShera, when asked, explained the units will begin as rentals but with the intent to change into condos.

Mr. McShera explained the utilities will be coming from the Glen Road side. Mr. Delisle the owner and petitioner mentioned that water comes from Kensington Lane and gas and sewer come from Glen Road, and electric from Glen Road as well, with the plan to dig lines to get utilities to Cardillo Terrace side.

The Board asked if the Department of Public Works and Fire Department had commented on the project, P. Kane explained that both departments will provide comments for the ZBA meeting. Mr. Delisle mentioned that the Fire Department had briefly looked the plans over and mentioned no issues.

Mr. McShera explained that existing foliage on the Humphrey Street Plaza side will stay, and that screening and foundation plantings will be added on the Cardillo Terrace side, and a new lawn will be added to the backyard.

P. Kane asked Mr. McShera to clarify the correct square-footage numbers for the structures. Mr. McShera responded that the number on the front of the plans has the gross total floor area, and then within the plans is the unit calculation to understand the size of the units. Mr. McShera stated that the gross calculations have included some common areas. P. Kane stated the difference is 200+ sf, Mr. McShera stated he will look into it for the Zoning Board of Appeals meeting. Mr. McShera added that the third floor being added on the structures will be less than 50% the height of the floor below it, so they will not count, clarified that the calculation was done to the 7'2 line on the third floor.

P. Kane and B. Quinn discussed different items that the petitioner and architect should and might need for the Zoning hearing, Mr. McShera mentioned that he will have a locus plan for the hearing. B. Quinn and Mr. McShera briefly discussed the buildings height, P. Kane helped clarify.

G. Potts inquired about the abutters, Mr. McShera stated that Mr. Delisle has been going around the neighborhood introducing the plans to the neighbors.

B. Quinn briefly went through the site plan review requirements, stating that the two-structure design is a less impactful one and asked about trees being removed on the property, Mr. McShera responded that no trees over 6-inch caliper are being removed, only some scrub brush. B. Quinn mentioned that a landscape plan will be needed for the Zoning Board hearing.

Asked about lighting, Mr. McShera explained there will be lighting at all the exterior doors and at the front and back door of the units, and minimal driveway lighting.

G. Potts asked if there was any public comment, there was none.

G. Potts and B. Quinn discussed some possible recommendations for the Zoning Board, including density and proximity to Humphrey Street.

MOTION : by B. Quinn for favorable action to renovate the existing single-family home into a two-family home and the construction of a second principal structure, with no conditions, seconded by J.R. Young, unanimously approved.

## **DISCUSSION – RESIDENTIAL REZONING OF POTENTIAL AREAS**

The Board briefly discussed this topic, deciding to hold off on further discussion till more members were present.

MOTION : by J.R. Young to adjourn, seconded by B. Quinn, unanimously approved, meeting adjourned at 8:24pm.

Andrew Levin  
Assistant Town Planner