



# TOWN OF SWAMPSCOTT

## PLANNING BOARD

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

**MEMBERS**  
ANGELA IPPOLITO, CHAIR  
GEORGE POTTS, VICE CHAIR  
NEW GUY  
BILL QUINN  
DAVID ZUCKER

**STAFF**  
MARZIE GALAZKA, DIR. OF COMM. DEV.  
MOLLY O'CONNELL, SENIOR PLANNER

# JUNE 10, 2019 MEETING MINUTES

**Time:** 7:05 P.M. – 10:15 P.M.  
**Location:** Swampscott High School, Room B129, 200 Essex Street  
**Members Present:** A. Ippolito (Chair), D. Zucker, B. Quinn, M. Proscia  
**Members Absent:** G. Potts  
**Others Present:** Ken Shutzer (Attorney), Grant Story (Petitioner), Joan Ferraro (resident), Bob McCann (Attorney), Keirnan McCallen (Petitioner), Peter Pittman (Architect), Dorothy Foley (Petitioner), Steve Holt (Architect), Jim Pitts (Petitioner), Aaron Reames (Property Owner), Joseph Burke (Builder), Kris Krishnamurthi (Petitioner), Molly O'Connell (Senior Planner)

A. Ippolito called the meeting to order at 7:05 P.M.

**1. Review and approve minutes – May 13 minutes.**

Motion: B. Quinn to approve meeting minutes from May 13<sup>th</sup>, 2019. Seconded by A. Ippolito; unanimously approved.

**2. ERAC Appointment**

The Earth Removal Advisory Committee (ERAC) is looking for a new appointment from Planning Board; G. Potts had previously serviced. The decision was tabled until next month and A. Ippolito will send out additional information about the committee.

**3. Vote of Planning Board to adopt climate change language into subdivision control regulations**

The Planning Board has the authority to adopt changes to the subdivision control regulations. These changes reflect the zoning regulation changes that were adopted at Town Meeting in May. The Board clarified that the zoning regulation changes only affects properties within the Coastal Flood Area Overlay District (CFAOD).

MOTION: M. Proscia to adopt proposed climate change language into the subdivision control regulations. Seconded by D. Zucker; unanimously approved.

## PUBLIC HEARING

SITE PLAN 19SPR-01

0 GRANDVIEW PLACE

This is a request by GRANT STORY C/O KENNETH B. SHUTZER for a site plan special permit to construct a new single-family structure with an attached garage (approx. 3,775 sf of living space) (Map 7, Lot 4A). Mr. Shutzer, representing the petitioner, made a brief presentation on the project. The lot as subdivided is conforming, but due to the size of the structure the project requires site plan approval by the Planning Board. The location is unique as all other homes on the

street are located in Lynn and hooked up to Lynn's water and sewer, as this property will be. The petitioner has built other homes in the neighborhood.

In regards to public safety, the petitioner confirmed with the Town of Swampscott Fire Department that Swampscott and Lynn have a reciprocal arrangement for many properties along the border. So while water and sewer services will be in Lynn, this property will most likely be served by fire/police of both communities.

A. Ippolito clarified that the applicant has received permission to hook up to Lynn's water and sewer lines; Mr. Shutzer replied yet.

Mr. Shutzer also address the stormwater runoff and drainage on the property. Currently, water primarily sheds down the slope to homes below. The development is not anticipated to create any new runoff, but instead redirect water into a catch basin and some of it towards the existing gutters along Grand View.

The Planning Board and petitioner discussed the proposed setbacks for the house. Mr. Story thought he could go further back, if needed.

A. Ippolito asked if any blasting or chipping would take place during construction. Mr. Story replied that no blasting would be needed, but chipping might take place for the water/sewer connections if required.

A. Ippolito asked if there were plans to remove any trees, especially on the down slope of the property. Mr. Story replied that there are no plans to remove them.

The Planning Board is primarily concerned with the development displacing water, as its currently a greenfield site. Mr. Shutzer replied that they plan to funnel most of the runoff into a catch basin and create channels through gutters and pipes to direct water away in multiple directions.

M. Proscia asked if gutters would be placed in the direction of the downslope. The petitioner replied that water would be drained in multiple directions; it currently all drains down the slope.

Mr. Story provided additional explanation of the proposed drainage – the gutters will direct water into pipes (approximately 4 inches) underground and some of the water will be directed towards the storm drain on Grand View.

B. Quinn asked about the height of the structure; the petitioner responded that it is a hip roof which conforms to zoning requirements. There is no chimney proposed.

A. Ippolito asked about a/c units. Mr. Story stated he will place them here they are not visible.

M. Proscia asked if there would be any site regrading. Mr. Story said yes, some material that will be displaced by the structure will be regraded around it.

A. Ippolito opened the hearing for public comment.

Joan Ferraro, resident of 24 Eureka Ave, expressed concerns about the impact of additional runoff and drainage issues, as the neighbors behind Grand View currently experience poor drainage.

A. Ippolito echoed those concerns and reiterated that while the project may not solve the existing problems along the entire street, the goal should be to not make the situation worse. The Planning Board and the petitioner discussed how

the proposed drainage is intended the work. The petitioner stated he can get two kinds of pipe – one that is solid pipe or one that allows water to percolate back into the ground as it travels. While the water will have a different pattern, he believes that redirecting some of it will ensure that additional runoff will not travel down the slope the way it currently does.

A. Ippolito asked whether the back of the house also serves as the retaining wall. Mr. Story responded yes.

A. Ippolito closed the public hearing.

The Planning Board went through the site plan review considerations in summary. Additional comments included pervious paving materials for driveway and dark sky lighting.

MOTION: A. Ippolito to approve the site plan special permit for 0 Grandview Place with a condition that drainage is executed as depicted on the plan and that any changes will be filed with the Building Inspector; and recommendation to incorporate pervious paving materials, where possible, and use dark sky lighting for exterior lights. Seconded by B. Quinn; unanimously approved.

## DISCUSSION: SITE PLAN REVIEW

### PETITION 19-10

### 8 LITTLES POINT LANE

This is a request by KIERAN F. MCALLEN AND JODI L. FARRIN seeking a dimensional special permit, special permit (nonconforming use/structure) and site plan special permit for an approx. 1,344 sf addition to an existing single-family structure. Bob McCann, representing the applicant, and Peter Pitman, architect, gave a brief presentation on the project. The lot is undersized, does not have the required frontage, and the present building is non-conforming. They are seeking dimensional relief for the front and rear setback of the proposed addition. Addition will include a new garage with living space above. Drainage will be located in a subsurface system on site and no trees will be affected by construction. The applicant also submitted a page of signatures from neighbors in support of the project and a map showing the location of said neighbors.

The petitioner clarified the topography – the area behind the house is a ridge that goes up dramatically, so views from the rear will be minimally affected. The maximum height will be at 22.5 feet. Drainage accommodated on site.

M. Proscia asked what the most adjacent building form was. The petitioner replied that it is a neighbor's garage.

M. Proscia asked if there will be an a/c unit installed. The petitioner replied yes, but location to be determined.

A.I. mentioned the narrowness of the street; recommended petitioner work with neighbors to ensure that construction vehicle parking doesn't block roadway.

MOTION: D. Zucker to recommend favorable action on Petition 19-10 with recommendations related to: an expanded LOCUS plan; dark sky lighting for exterior lights; pervious paving materials, where possible; updated drainage plan; and ensuring construction vehicles can be kept off the road to the extent possible. Seconded by M. Proscia. Unanimously approved.

### PETITION 19-12

### 2 SMITH LANE

This is a request by DOROTHY FOLEY seeking a dimensional special permit, special permit (nonconforming use/structure) and site plan special permit to permit the construction of a new single-family structure. The petitioner and their architect (Steve Holt) were available and made a brief presentation on the project. The existing structure has sustained serious water damage and so the petitioner (and owner) has made the decision to demolish and rebuild. The lot is non-conforming due to lot size, however the new footprint meets the setback requirements of the zoning district (with the possible exception of the stairs on Smith Lane). The house will also be engineered accordingly as it is located within a floodplain.

A. Ippolito advised the petitioner to meet with the Building Inspector throughout the process to ensure that plans are consistent with the requirements for the floodplain area. The applicant has already had one meeting with the Building Inspector.

D. Zucker asked about 2<sup>nd</sup> floor entry; D. Foley responded that the building is a split level at the garage.

B. Quinn pointed out that the 2<sup>nd</sup> floor plan was mislabeled and the kitchen should be on the first floor; petitioner agreed to update.

D. Zucker questions the building coverage percentage, which is currently at 31%. The petitioner responded that it was due to the design of the deck; D. Zucker clarified that the deck does not need to be included as it is not a part of the gross floor area. The petitioner will redo their calculations before the Zoning Board hearing and will most likely be under the requirement.

A. Ippolito asked whether the petitioner plans on removing the existing stone wall at the perimeter. D. Foley said no.

A. Ippolito noted the Health Department's instructions about pool fencing; the petitioner is aware and the pool will be fenced according to Building Code requirements.

A. Ippolito advised the applicant to consider the free board height and work with the Building Inspector on best practices, including elevation and utility needs.

B. Quinn noted that if the decks should have lighting, it should be dark sky lighting. He also advised the applicant to speak with the neighbors prior to the Zoning Board hearing.

MOTION: D. Zucker to recommend favorable action on Petition 19-12 with recommendations to: correct calculations on lot coverage; speak to Building Inspector about requirements to comply with climate change by-law and other preventative measures; dark sky lighting for exterior lights; incorporating pervious pavers, where possible; that a building permit be approved prior to demolition of the existing structure; and that the pool be fenced appropriately. Seconded by A. Ippolito; unanimously approved.

## PETITION 19-14

## 245 PARADISE ROAD

This is a request by JIM PITTS seeking a use special permit, special permit (nonconforming use/structure) and site plan special permit for an 891 sf, two-story addition to an existing single-family structure. The Petitioner gave a brief presentation on the plan which includes partial demo, new construction, and an accessory building (pool house). The majority of the work takes place at the rear of the property. The applicant also plans on removing two large oak trees at the front of the property and relocate an existing magnolia tree on the property. The property owner was also present.

The Board asked whether or not the Petitioner had spoken to neighbors. The Petitioner responded that when they had met with the Historic District Commission, there was one abutter who showed up who had concerns about the flooding incident that had occurred 8 years ago, but there has been no other communication. The Petitioner has spoken to DPW about the incident and to ensure that the new in-ground pool would not disturb the water table. The property owner has done extensive work on site over the years to improve the drainage.

A. Ippolito asked about the poolhouse amenities. They include an outdoor bar, bathroom, and storage equipment. The building is approximately 18x16.

The property owner has considered moving the pool equipment to the rear of the property. A. Ippolito cautioned that it would need to be well buffered and insulated to mitigate noise issues.

M. Proscia and B. Quinn asked about fencing on the property. There is a portion of new area to be fenced in and the existing rear fence is 6 ft high.

MOTION: B. Quinn to recommend favorable action on Petition 19-14, 245 Paradise Road, with recommendations related to: dark sky lighting for exterior lights; that pool fencing complies with Building Code requirements; that planned pool equipment is buffered; that pervious paving materials be incorporated, where possible; and that the applicant abide by the proposed landscape plan to remove two oak trees at the front of the property and relocate an existing magnolia tree. Seconded by D. Zucker. Motion passed unanimously.

## PETITION 19-15

## 16 CUTTING ROAD

This is a request by NARAYANSWAMY (KRIS) KRISHNAMURTHI seeking a dimensional special use permit and site plan special permit for construction of a new single-family home. The Petitioner's builder, Joseph Burke, gave a brief presentation on the project. The original plan was to renovate the existing structure, but after some analysis it was determined that they would build new instead. They are looking for relief due to lot size, however the home meets other requirements. Mr. Burke described the changes in location of the house and driveway, as well as the landscape plan.

A. Ippolito asked if the petitioner had already filled out a demolition permit; the petitioner said they plan to fill out the permit later this week to get the process started. Due to the home's age, the Historical Commission will be notified of the demolition request.

The petitioner spoke a little more to the decision to build new instead of renovate, including the need to bring the entire building up to current codes. They do not believe there will be any asbestos and current tests have come back negative.

In regards to drainage, there will be a 1,000 gallon drywell where all roof tiles will go in the front yard. This area will eventually be partly underneath the new driveway.

M. Proscia asked about the planned basement and whether or not it will be living space. The petitioner is not planning for it at this moment, but plans to install egress windows that are up to code for the future.

A. Ippolito asked about the proposed landscaping. The petitioner confirmed that they will not be touching the perimeter of the property, as proposed on the plans.

A. Ippolito asked about any outreach the petitioner has done with abutters. The petitioner stated they had spoken to 13, 15, and 25 Cutting Road and had sent letters to all about a future open house to be held on site for neighbors to be able

to ask questions. They couldn't hold the open house until taking ownership of the property, which will happen later this week.

The Planning Board received a communication from direct abutters at 164 Bradlee Road, who have concerns about the development and were not aware that the house would be rebuilt. D. Zucker read the letter into the public record (attached here). The Planning Board presented a copy of the letter to the petitioner with the instruction to reach out to the neighbors at 164 Bradlee prior to the Zoning Board hearing to try and resolve the issue.

MOTION: B. Quinn to recommend favorable action on Petition 19-15, with recommendations related to: dark sky lighting for exterior lights; pervious pavers, where possible and with proper maintenance; drainage plans; and with a condition to communicate with the abutting neighbor at 164 Bradlee Road. Seconded by D. Zucker; unanimously approved.

## **OTHER BUSINESS TO PROPERLY COME BEFORE THE BOARD**

None.

Meeting adjourned at 10:15 P.M.

Molly O'Connell  
Senior Planner