



TOWN OF SWAMPSCOTT

ZONING BOARD OF APPEALS

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

MEMBERS
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PAULA PEARCE

AUGUST 18, 2020 MEETING MINUTES

Time: 7:02 p.m. – 8:12 p.m.
Location: Swampscott High School, 200 Essex Street, Rm B129
Members Present: M. Kornitsky, D. Doherty, H. Roman, A. Rose, P. Pearce, R. Landen, B. Croft
Members Absent: A. Paprocki
Others Present: Molly O'Connell (planner), Marissa Meaney (coordinator), Kenneth Shutzer (attorney), Mark Landsberg (architect), Christine Quigley (petitioner), Scott Patrowicz (engineer), Derrick Tyler (representative), Peter DiMento (attorney), Joe Boccelli (architect)

Chairman of the Board, M. Kornitsky called the meeting to order at 7:02 PM.

MOTION: M. Kornitsky to approve the previous meeting minutes from July 2020; seconded by B. Croft; unanimously approved. (A. Paprocki was not present)

ZONING RELIEF PETITIONS

PETITION 20-17

120 PURITAN RD

Petition by MARK LANDSBERG seeking a dimensional special permit, special permit (non-conforming use/structure) to expand an existing porch and deck at front of the house and conversion of existing attic to bedroom/bathroom with walkout deck, and other requests as detailed in the project description.

Property is located at 120 PURITAN ROAD (Map 21, Lot 28). Mark Landsberg, architect, Ken Shutzer, attorney, petitioner Christine Quigley, and attorney Bill DiMento were present.

M. Kornitsky opened the item.

K. Shutzer provided a review of the notes from the last meeting. The notes stated that the revised Site Plan would reduce the minimum open space from 59% to 51.6%, that the petitioner would consult the Historical Commission and would agree to any conditions set forth by the Commission, that the side staircase be replaced with the same materials, that the proposed conversion of the attic would be shrunk by 25%, and lastly, that the objection placed by abutter M. Kelly has been withdrawn.

M. Landsberg stated that they also received an Order of Conditions (OOC) from the Conservation Commission.

M. Kornitsky opened the item for comment by the Board.

D. Doherty asked for clarification on the objection that was withdrawn by abutter M. Kelly.

K. Shutzer stated that M. Kelly had concerns about the height of the reconstructed garage that is to replace the original structure which had burned down. New plans have since been drawn and submitted.

D. Doherty asked what the height of the garage is. K. Shutzer stated that the proposed height is 12 feet. D. Doherty stated that he was under the impression that the garage would be built to the previous dimensions. The application 15 feet but the

ZBA did not know the original height.

K. Shutzer stated that there were no original dimensions because this issue was inherited by C. Quigley when she purchased the property. However, the situation was resolved over the course of two weeks and both parties agreed on a proposed height of 12 feet.

M. Kornitsky invited public comment.

P. DiMento reiterated K. Shutzer's statement, that issue has been resolved and M. Kelly has formally withdrawn her objection.

The public hearing was closed.

MOTION: D. Doherty to approve Petition 20-17 for a dimensional special permit, and special permit (non-conforming use/structure) to expand the existing porch and to convert the attic into a bedroom, under the conditions that these plans are consistent with those submitted on August 17, 2020 as well as those regarding the garage that were agreed upon by the petitioner and abutter through legal representation, and that the petitioner consult the Historical Commission and adhere to any further conditions.

Seconded by M. Kornitsky. Unanimously approved (voting members: D. Doherty, M. Kornitsky, H. Roman, B. Croft, A. Rose).

PETITION 20-19

19 RAILROAD AVE

Petition by PAUL SAULNIER for a Special Permit to change the principal use from commercial to two-family dwelling and Special Permit to add one-story addition to existing structure on a non-conforming lot. Property located at 19 RAILROAD AVE (Parcel ID: 3-90)

MOTION: by M. Kornitsky to continue the petition to the September 22, 2020 meeting. Seconded by D. Doherty; unanimously approved. (A. Paprocki not present).

PETITION 19-31

55 BLANEY STREET

Petition by T. KIERAN NUNAN AND CYNTHIA NUNAN, TRUSTEES C/O KENNETH B. SHUTZER seeking a dimensional special permit, special permit (non-conforming use/structure), special permit for parking relief, and special permit for size of parking spaces to construct a roof deck and dormer addition to the structure and reduce the number and/or size of parking spaces. The Petitioner plans on re-establishing the use as a two (2) family structure, which is allowed in the A-4 district. Property is located at 55 BLANEY STREET (Parcel ID: 2-156).

MOTION: by M. Kornitsky to continue the petition to the September 22, 2020 meeting. Seconded by D. Doherty; unanimously approved. (A. Paprocki not present).

PETITION 12-5

ARCHER STREET

Petition by DIGIORGIO & MESSINA CONSTRUCTION CORP. for an amendment to an existing site plan special permit, independent living facility special permit for an alternative access route (Cushing Avenue) and to increase the number of units from 15 to 22. Property is located at ARCHER STREET (Map 7, Lots 213-248 and 250-255).

MOTION: by M. Kornitsky to continue the petition to the September 22, 2020 meeting. Seconded by D. Doherty; unanimously approved. (A. Paprocki not present).

PETITION 20-11

9 BOYNTON ST

Petition by ARTHUR GOLDBERG, NATHANSON & GOLDBERG, PC, for a use special permit, dimensional special permit, special permit (parking/loading relief), and site plan special permit for the construction of a new, 8-unit condominium building. Property is located at 9 BOYNTON STREET (Parcel ID: 3-6).

MOTION: by M. Kornitsky to continue the petition to the September 22, 2020 meeting. Seconded by D. Doherty; unanimously approved. (A. Paprocki not present).

PETITION 12-5 (2)

ARCHER STREET

Petition by DIGIORGIO & MESSINA CONSTRUCTION CORP. to amend prior decision to (i) extend the term of the special permit and to (ii) modify the site plan to increase the number of units from 15 to 22. Property is located at ARCHER STREET (Map 7, Lots 213-248 and 250-255). [NOTE: There are two separate petitions entitled 12-5 requesting separate relief.]

MOTION: by M. Kornitsky to continue the petition to the September 22, 2020 meeting. Seconded by D. Doherty; unanimously approved. (A. Paprocki not present).

PETITION 20-20

26 BLODGETT AVE

Petition by SLEEPING DOG PROPERTIES, INC. for §4.1.7.0, 4.2.8.0 and special permit (nonconforming use/structure) for a proposed addition to an existing single-family home on a non-conforming lot.

Property located at 26 BLODGETT AVE (Parcel ID: 32-60). Architect Joe Boccelli, Representative Derrick Tyler, and abutter J. Shanahan were present.

M. Kornitsky opened the item.

J. Boccelli presented the scope of the project. An addition is to be made on a nonconforming lot, setback coverage will be maintained at 25%; this is a non-substantial renovation. The property lies on the cusp of floodplains AO and VE. The addition is to be made on existing concrete landing that is 12 feet in depth and within setback. The only piece to extend beyond is an ADA ramp that will connect to garage door and will do down the rear to provide access to the beach. The rear wall will be removed, and the rear porch will be enclosed with compliant fencing.

M. Kornitsky asked if petitioner is required to meet velocity requirements.

J. Boccelli stated that they did not have to meet said requirements because work is below 50%.

M. Kornitsky invited public comment.

J. Shanahan inquired about the timeframe of the project.

J. Boccelli and D. Tyler confirmed that it will last from September to December.

The public hearing was closed.

MOTION: by A. Rose to approve Petition 20-20 seeking a special permit (nonconforming use/structure) for a proposed addition to an existing single-family home on a non-conforming lot. Seconded by D. Doherty; unanimously approved. (voting members: A. Rose, D. Doherty, H. Roman, P. Pearce, B. Croft).

