

DECEMBER 5, 2023 MEETING MINUTES

Received by Town Clerk

February 5, 2024, 10:03am

Time: 7:03PM – 8:28PM
Location: Swampscott Senior Center and Virtual via Microsoft Teams
Members Present: Heather Roman (Chair), Dan Doherty (Vice Chair), Andy Rose, Marc Kornitsky, Brad Croft, Paula Pearce, Susan Sinrich
Members Absent:
Others Present: Marissa Meaney (Land Use Coordinator)

MOTION: B. Croft to approve October meeting minutes. P. Pearce seconds; unanimously approved.

MOTION: B. Croft to recommend to the Select Board that Alternate Member Marc Kornitsky be appointed as a full member. D. Doherty seconds; unanimously approved.

ZONING RELIEF PETITIONS

PETITION 23-18: 371 PARADISE RD (Map 17, Lot 50A)

Petition by ANSARA REAL ESTATE TRUST c/o KEN SHUTZER, ESQ. Requests a Dimensional Special Permit, a Special Permit for Nonconforming Uses and/or Structures, and a Special Permit for Parking Requirement Reduction for a front, single-story addition to a preexisting, nonconforming commercial structure.

- Attorney Shutzer explained the relief being requested before the Board, clarifying that due to the filing date, they are appearing first before the ZBA and will then seek a Site Plan Special Permit before the Planning Board
 - M. Kornitsky stated that Planning Board has jurisdiction over traffic circulation
 - Petitioner is working with Whole Foods on the terms of a the existing cross-easement
 - Petitioner is also hoping to secure an easement into the abutting medical office property that would allow for an additional egress for those wanting to take a right turn onto Paradise Rd
- Architect Glenn Knowles walked the Board through the plans
- B. Croft inquired about the construction schedule. Petitioner explained that it would last 3-4 months
- The Board agreed that bumping out the front façade will not exacerbate congestion, as there is plenty of space between the parking lanes
- There was no public comment

MOTION: M. Kornitsky to approve the petition for the addition as shown on the plans and renderings submitted. Such approval permits the increase in building coverage, a reduction in the front-yard setback, a reduction in parking, and any other relief requested. The approval also finds that changes to the existing nonconformity are no more detrimental. All relief is contingent upon the granting of the Site Plan Special Permit by the Planning Board. B. Croft seconds; unanimously approved.

PETITION 23-05: 0 LODGE RD (Map 24, Lot 73)

Petition by IG INVESTMENTS LLC c/o KEN SHUTZER ESQ. Requests Dimensional Special Permit, a Site Plan Special Permit, and a Dimensional Variance for the construction of a single-family home on a vacant lot.

- Chairwoman Roman summarized the timeline of events following this petition, and its current status before the Board
- The Board is ready to issue a denial for a request for a variance, as relief by special permit was never considered
- M. Kornitsky had drafted a decision in advance of the meeting and shared it with Attorney Shutzer

MOTION: M. Kornitsky to adopt the draft decision of denial of a variance with the changes made by Attorney Shutzer. P. Pearce seconds; unanimously approved.

PETITION 23-06: 29 ESSEX ST (Map 6, Lot 56)

Petition by REALTY INVESTORS LLC c/o CHRIS DRUCAS, ESQ. Requests a Use Special Permit, a Special Permit for Parking Reduction, a Special Permit for Landscaping and a Screening Waiver, and any other necessary relief, including a Variance or Dimensional Variance.

- Attorney Drucas walked the Board through the application, explaining the scope of work and relief requested
- Architect Zach Millay walked the Board through the plans and drawings, indicating that some architectural features are results of conversations had with neighbors over time
- A. Rose inquired about dumpster access. Chairwoman Roman expressed her concerns with the dumpster location and screening.
 - Petitioners explained that trash vehicle will have adequate access to the dumpster
 - The Board explained that they have the authority to waive the screening requirement
 - Petitioners also clarified that AC condensers will not be visible from abutting structures
- A. Rose also inquired about affordable housing, wanting to know why none of the units were affordable
 - Petitioners explained that they met with the Affordable Housing Trust to talk about them buying down one of the units in order for it to be affordable, but they did not express interest
 - Pete Kane (Director of Planning) explained that this project is otherwise not required to contribute to the affordable housing inventory has such regulation is triggered when there is a net gain of 10 units per development. This proposed 8-unit structure is replacing an existing 2-unit structure, therefore resulting in a net gain of 6 units.
- Chairwoman Roman expressed that her biggest concerns are with the setbacks
 - M. Kornitsky thinks that they're okay
- The Board overall expressed their satisfaction with the design, stating that it was very thoughtful, and they liked the idea of "workforce style" housing

MOTION: S. Sinrich to approve the petition, in accordance with the relief requested, with the exception of the variance, and in accordance with the terms and conditions set forth in the Site Plan Special Permit issued by the Planning Board. B. Croft seconds; unanimously approved.