



# TOWN OF SWAMPSCOTT

## PLANNING BOARD

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

**MEMBERS**  
ANGELA IPPOLITO, CHAIR  
GEORGE POTTS, VICE CHAIR  
MIKE PROSCIA  
BILL QUINN  
DAVID ZUCKER

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

# JULY 13, 2020 MEETING MINUTES

**Time:** 7:01 p.m. – 11:00 p.m.  
**Location:** VIRTUAL MEETING  
**Members Present:** A. Ippolito, G. Potts, B. Quinn, M. Proscia, D. Zucker  
**Members Absent:** None  
**Others Present:** Bob McCann, Peter Pitman, Philo & Joy Pappas, Deborah Harris, Michael & Kirstin Bolduc, Arthur Goldberg, Morris Schopff, Jay Duffy, Paul McSweeney, Susan Koelle, James Ross Dobson, Lori Dobson, Robert Levine, Jill Levine, David Coleman, Molly O'Connell (Senior Planner).

The meeting was video recorded.

Chairwoman of the Board, A. Ippolito called the meeting to order at 7:01 P.M.

## 1. DISCUSSION: SITE PLAN REVIEW

**Petition 20-10** by PHILO T. PAPPAS & JOY R. PAPPAS, TRS., for a modification of a previously approved dimensional special permit, special permit (non-conforming use/structure), and site plan special permit to enclose an open, roofed over patio/porch with glass, walls, and sliding glass doors. Property is located at 51 LINCOLN HOUSE AVENUE (Parcel ID: 21-66).

Bob McCann, Peter Pitman, and the homeowners were present for the Petition. The enclosure of the porch creates new gross floor area, which is a minor modification of the approved site plan. Mr. Pitman presented the architectural plans. The petitioner also submitted a list of those abutters who were contacted and who are in support and/or have no issues with the request.

Board discussion included reference to the original ZBA approval and whether or not the proposal goes against the original decision of retaining a view corridor. G. Potts thinks that it does and has concerns about the request. A. Ippolito noted that the original concern was to minimize the obstruction of scenic views and wondered if landscaping alternatives could help lessen the encroachment.

Public Comment – Deborah Harris, abutter, voiced concerns about the project specifically related to the obstruction of views and what could happen in the future should blinds be added or any more construction occur.

The Board questioned whether or not the porch could be a 2 or 3-season, and if the screens or planned muntin windows would affect the views. Ultimately, most Board members felt that a number of conditions related to these items would help balance the request with the need to preserve the intent of the view.

MOTION: D. Zucker to recommend favorable action on Petition 20-10 with the following conditions: 1. The current plantings be trimmed and maintained to 50% of the window height, 2. No blinds will be installed, 3. No permanent heating/cooling systems other than existing fireplace will be installed, 4. No further solid construction to be allowed on this addition, including no future second floor. Seconded by B. Quinn; unanimously approved.

**Petition 20-15** by MICHAEL & KIRSTIN BOLDUC for a dimensional special permit, special permit (non-conforming use/structure), and site plan special permit to add a second story addition, three dormers, and a rear sunroom with attached deck onto an existing single-family home. Property located at 61 WINDSOR AVENUE (Parcel ID: 10-37).

The homeowners were present for the petition and gave a brief outline of the project. They also provided letters of support from neighbors to the Board. A. Ippolito noted that no trees would be affected and no new foundation is needed, as the addition takes place within the existing frame of the home. M. Proscia asked about deck lighting and the Board noted that dark sky lighting is recommended.

There was no public comment.

MOTION: G. Potts to recommend favorable action on Petition 20-15 with the following recommendations: 1. Any future a/c or exterior heating units will be screened 2. Dark sky lighting be incorporated for any new exterior lighting proposed

**Petition 20-11** 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).

Arthur Goldberg, the property owner, the project architect and project engineer were present for the Petition. Mr. Goldberg presented a background on the project. The petitioner held an abutter meeting earlier in the year, and reviewed the zoning regulations, the planned landscaping, and the building – which is proposed as 8 condo units. They are proposing a diversity of unit types to provide for multigenerational opportunities. The petitioner also provided a traffic study, which shows minimal increase in trips for the area; and noted that the location is close to public transit options. The petitioner has addressed drainage through stormwater management on site, and the condo association will be responsible for snow removal.

G. Potts asked about trash removal, which will be contracted privately, and expressed concern about a garbage truck accessing the proposed dumpster at the rear of the site. A. Ippolito noted similar concerns about turning radii in general, especially related to the parking spaces located on the ground floor of the building.

A. Ippolito asked about the trees to be removed → every tree over 6 inches that is planned to be removed should be noted and she would like to see a more detailed plan for this. Mr. Goldberg suggested a site visit.

M. Proscia expressed concerns about how the building fits in with the character of the neighborhood so would like to see more visual context with the surrounding properties.

D. Zucker had concerns about traffic. The study references 2 cars per hour, but wonders if the numbers could be more detailed.

A. Ippolito asked about affordability; Mr. Goldberg responded that its not a part of this initial plan, but the petitioner would be willing to sell a unit to the Affordable Housing Trust Fund. Chair Ippolito also asked about any concerns that were raised at the abutter meeting. Mr. Goldberg stated that the main issues raised were traffic and parking.

B. Quinn raised a potential issue related to zoning – one abutting structure is a 3-family and the by-law requires the distance between two multi-family buildings should be 40 feet.

**Public Comment:**

Jay Duffy, abutter, spoke in opposition to the project. He thinks the project will be detrimental to the neighborhood and character of the area, and is too dense for the area. He has also submitted a letter of concern to the Board.

Paul McSweeney, abutter, expressed similar concerns. He moved from Revere after his former neighborhood was affected by a similar project and does not want to see the same thing happen here.

A. Ippolito noted that the Board also plans to discuss this item in August. Due to the current remote situation for meetings and the need to ensure adequate public outreach, the Planning Board had requested two meetings for this item. She summarized the Board's comments and requests for the petitioner, which included: a future site visit to look at the tree removal, addressing issues of snow removal, turning radius for vehicles, trash removal, a revised open space calculation, the 40 foot distance between multi-family buildings, and height comparisons with abutting structures.

**MOTION:** G. Potts to continue the item to August 10<sup>th</sup>. Seconded by B. Quinn; unanimously approved.

**Petition 20-18** by JAMES ROSS & LORI DOBSON for a dimensional special permit, special permit (nonconforming use/structure) and site plan special permit for a 968 sf addition (2-car garage with 2<sup>nd</sup> floor living space) to an existing single-family home. Property located at 33 MANTON ROAD (Parcel ID: 28-45).

The petitioner/homeowners, Susan Koelle (project architect), were present for the petition. Ms. Koelle gave an presentation on the project and went through the architectural plans. The home was largely destroyed by a fire and the homeowner, in looking at rebuilding, is hoping to add a side addition onto the structure. They looked at multiple locations for the addition and determined that the current request met the needs of the homeowners and was the least intrusive visually and in regards to provision of open space. The addition will be on a new foundation.

D. Zucker noted that he is an abutter for the record.

B. Quinn asked if the project requires a full gut of the house; Ms. Dobson said yes.

The Board discussed the affect of the addition on the front/side porch and the relocation of the driveway. Chair Ippolito noted the Board encourages pervious pavers to be used where possible and that dark sky lighting should be used for any lighting planned on the addition. The existing curb cut will be removed when the driveway will be relocated.

D. Zucker asked about any conversations with the direct abutters – the Levine's. Mr. Dobson noted that they had concerns about height and proximity to their property.

**Public Comment:**

Rob Levine, direct abutter, spoke in opposition to the project. He referenced a previous ZBA case (14 Bay View Road) as an example where similar relief was requested and not granted. The increase is almost 44% and he has concerns about the shift in the streetscape and for his property to be boxed in on either side by two garages.

Jill Levine also spoke in opposition and has similar concerns, especially the affect this will have on neighborhood character.

Chair Ippolito requested that the petitioners provide additional information to the ZBA – including a fully articulated LOCUS plan and visuals showing the proposal in context with surrounding structures.

David Coleman, abutter on the other side of the house, was not opposed or in support but was just interested any affect on the tree line on his side of the property line. There would be no removal of trees on that side.

G. Potts noted that honest communication is key to resolving issues between neighbors. A. Ippolito stated that while she had no issues with the proposed addition necessarily, she has concerns about the issues expressed by the abutters. However, the Board cannot necessarily solve these issues.

After discussion, the Board made the following MOTION: D. Zucker to recommend favorable action with the condition that the homeowner is to work with the direct abutter for the purpose of resolving outstanding concerns prior to appearing before ZBA. Seconded by M. Proscia; approved 4-1 (with G. Potts dissenting).

## 2. REVIEW AND APPROVE MINUTES FROM PREVIOUS MEETING(S).

MOTION: M. Proscia To Approve The Prior Meeting Minutes; Seconded By D. Zucker; Unanimously Approved.

## 3. EXECUTIVE SESSION PURSUANT G.L. C. 30A, SECTION 21(A)(3) TO DISCUSS STRATEGY RELATING TO LITIGATION KNOWN AS ATLANTIC BAY VIEW, LLC ET AL. V. TOWN OF SWAMPSCOTT PLANNING BOARD, LAND COURT CASE NO. 20 MISC. 000152, IF THE CHAIR DECLARES THAT AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE LITIGATING POSITION OF THE BOARD.

Motion: D. Zucker To Enter Into Executive Session Pursuant G.L. C. 30a, Section 21(A)(3) To Discuss Strategy Relating To Litigation Known As Atlantic Bay View, Llc Et Al. V. Town Of Swampscott Planning Board, Land Court Case No. 20 Misc. 000152, If The Chair Declares That An Open Meeting May Have A Detrimental Effect On The Litigating Position Of The Board. Seconded by G. Potts; unanimously approved.

The Board entered into Executive Session at 11:00 p.m. and did not return to open session.

Molly O'Connell  
Senior Planner