



# 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

## OCTOBER 19, 2020 MEETING MINUTES

**Time:** 7:02 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:** Marissa Meaney (Land Use Coordinator)

The meeting was video recorded.

Chairwoman of the Board, A. Ippolito called the meeting to order at 7:02 P.M.

### 1. DISCUSSION: SITE PLAN REVIEW

**CONTINUED - 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).

Present were attorney Arthur Goldberg, engineer John Hargreaves, and architect Morris Schopf.

M. Schopf displayed a chart that showed schemes of the three plans – the original 8-unit condominium; the 4 townhomes; and an updated version of the 4 townhomes.

M. Proscia inquired about stormwater filtration. It was explained that there would be a catch basin that would capture the water runoff. J. Hargreaves also stated that they are looking into pervious pavers.

A Ippolito inquired about lighting, as it appears to be located only on the front of the building. There will be four wall-mounted lighting fixtures above each garage.

A Ippolito asked for an update regarding community outreach. A. Goldberg stated that the community meeting went well and it felt like an overall positive environment. He received some favorable comments and the neighbors appreciated the communication efforts.

The item was opened for public comment.

Abutter Jay Duffy stated that he preferred the third scheme but he still believes that the scale is far too large. He brought up a zoning matter which leads him to believe that this project requires a variance. After some dispute, it was agreed that Mr. Duffy would bring up the matter to the Zoning Board of Appeals.

Abutter M. Sanchez stated that size and traffic had not been addressed. The project would bring a huge change to the neighborhood and he is personally not in favor.

Abutter Vicki Stackhouse asked about construction proceedings, wondering when the team could start after pulling the proper permits. A. Ippolito said that if ZBA grants the permit, the petitioner would have six months to file for a building permit, after which they would have one year to begin construction. The ZBA and the Building Commissioner will collaborate to ensure that appropriate construction schedules and directions are followed.

No blasting will occur and therefore no Earth Removal Permit is required.

A Ippolito asked for dimensional floor plans, which the Board realized had not been submitted. As they are required by the Site Plan Review guidelines, the petitioners were asked to put together a final package that includes all of the necessary materials. The Planning Board is unable to make a recommendation for ZBA if certain materials are missing.

G. Potts also stated concern about the project changing the character of the neighborhood. D. Zucker reserved his full comment but stated that he thinks this is a workable project.

MOTION: D. Zucker to continue the item to November 9<sup>th</sup> meeting, pending a full Site Plan package; seconded by M. Proscia. Unanimously approved.

**CONTINUED Petition 20-19** by PAUL SAULNIER for a special permit, a dimensional special permit, a special permit (non-conforming use/structure), and a site plan special permit to add a one-story additional to the existing structure. Property located at 19 RAILROAD AVE (Parcel ID: 3-90).

Present was representative Shendel Bakal.

S. Bakal began by stating that she met with Max Kasper, then acting Building Commissioner, and they agreed that the proposed use is allowed. She is confused as to what the problem is because they have attempted to contact the new homeowner but were not met with any response.

Attorney Ken Shutzer, representing the new homeowner Jeffrey Ippolito (no relation to A. Ippolito), stated that the Planning Board does not have to act on plans that do not meet the requirements. No new plans have since been submitted, and there is still missing information on the zoning matrix.

A Ippolito stated that they will move the matter forward because S. Bakal did speak with M. Kasper and it is confirmed that the use is allowed.

S. Bakal said that the point of this discussion is to address the concerns of the abutter, and the proposed addition will not be blocking the sunlight or the cross breeze. A. Ippolito stated that because there is no 3D model, she cannot know for sure. S. Bakal said she proposed the idea to K. Shutzer that if the addition is too much, then they will instead build a deck that is set back by 8 ft. K. Shutzer dismissed the idea and said the building should be left as is.

K. Shutzer referred back to his zoning argument, stating that the site plan needs to abide by commercial guidelines and therefore the application is insufficient. Regarding the specific zoning matter, A. Ippolito reiterated the fact that the

petitioner went back to the building inspector and they agreed that this plan could be done through a Use Special Permit and a Dimensional Special Permit. Whether or not the plan is insufficient is a separate issue.

S. Bakal stated that the plans were developed as a design intent. A. Ippolito said that design intent is not a site plan. A full locus plan is needed, and the current materials only show an assessor's map. A recommendation simply cannot be made based on intent. S. Bakal said that they are looking for a recommendation on intent. D. Zucker stated that this is an issue, as the Board cannot approve a design and tell the petitioner to keep going and then come back with a fully developed Site Plan. A. Ippolito said that there is a lot of detail missing that is necessary before this can proceed to ZBA.

MOTION: D. Zucker to continue the item to November 9<sup>th</sup> meeting, pending a full Site Plan package; seconded by M. Proscia. Unanimously approved.

## 2. DISCUSSION: 81-85 PURITAN LANE

**A. Petition 20ANR-1** by RALPH JAMES c/o CHRIS DRUCAS, seeking endorsement for plan where approval subject to the Subdivision Control Law and Subdivision Rules and Regulations is not required.

Attorney C. Drucas described the Approval Not Required (ANR), stating that using the original subdivision plan from 2019, Mr. James has now decided on which lot he wants to build. He took land from Lot A (non-buildable), which will be added to his current address of 79 Puritan Lane. Lot 1B will merge with Lot 1A to become 81 Puritan Lane, and Lot 2A will merge with Lot 2B to become 85 Puritan.

M. Proscia inquired about the advantage of adding Lot A to 79 Puritan Lane. C. Drucas said that it was more about topography than anything.

MOTION: B. Quinn to endorse ANR plan as presented, and members are to provide signatures at Town Hall; seconded by D. Zucker. Unanimously approved.

### **B. Administrative Review to modify Covenant established on 5/13/2019**

C. Drucas explained the provisions of the covenant, and that the engineer expressed concerns over potential road damage if construction of 85 Puritan Lane was to begin only after the road had been completed. Therefore, it was proposed that Mr. James post a bond in an amount determined by Public Works and subsequently withheld by the Town. A security agreement was drafted by Town Counsel to ensure client compliance.

D. Zucker verified that only one clause of the covenant is being released.

MOTION: D. Zucker to allow modification of covenant and require that Board members provide signatures at Town Hall. Seconded by B. Quinn; unanimously approved.

**C. 20SPR-1** by RALPH JAMES for construction of a single-family home on a lot in an approved subdivision. Property located at 81 PURITAN LANE (Parcel ID: 24-8)

C. Drucas stated that the Site Plan meets all dimensional requirements and therefore no relief will be sought from ZBA.

Eric Lane of Hayes Engineering and Lisa Giersbach provide the landscape plan. Thaddeus Siemasko of SV Design provides explanation of the architectural plans.

MOTION: M. Proscia to approve Site Plan as presented, with note to double-check blasting requirements. Seconded by D. Zucker; unanimously approved.

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

MOTION: B. Quinn to approve the September 14<sup>th</sup> meeting minutes; seconded by D. Zucker. Unanimously approved.

### 4. UPDATE: FALL TOWN MEETING

A Ippolito announced that Fall Town Meeting is scheduled for Monday, November 16<sup>th</sup>. Two articles are proposed for the warrant that would require an official recommendation from the Planning Board. The first article regards offsite parking, which would require that anyone who acquires land for the use of offsite parking file a Site Plan to be then reviewed by the Planning Board. The second article regards changes in measuring building height. The Planning Board will meet to discuss these articles and provide official recommendations.

### 5. UPDATE: 60 TUPELO ROAD

Adjustments to the previously-approved site plan were submitted. The petition still has not been heard before the Zoning Board of Appeals, but now that the Planning Board was notified of these adjustments to the plans, they are contemplating whether it is worth it to see them again before recommending them to ZBA. The Board agreed to review the plans on their own time and decide that if the changes were significant enough, they would formally review the plans at the November meeting.

### 6. UPDATE: COMPLETE STREETS

Community Development Director, Marzie Galazka, was given a \$400K grant to perform a traffic study on Walker Rd, which would measure the efficacy of making the street a one-way, headed east, between Paradise Rd and Banks Rd. Funding was also received for the next section of the Rail Trail

### 7. UPDATE: SCHOOL BUILDING COMMITTEE

Public forum to be held on Tuesday night regarding the design of the Stanley School.

## 8. UPDATE: QUARRY BYLAW

M. Proscia, who is on the Earth Removal Committee, announced that changes are being made to the quarry bylaw and sought input from the Planning Board. Members agreed that blasting is very loud, and would like notice as to when blasting will occur.

## 9. UPDATE: PROPOSED DEVELOPMENT

Proposed development on Essex Street in conjunction with Winn Development that would create 122 units of affordable housing at the site of Essex and Pitman Streets. Members expressed interest in keeping the same commercial footprint that currently exists so that tax base is not lost, and to connect the development with the rail trail.

## 10. RESIDENT CONCERN: 2 HILLCREST CIRCLE

B. Quinn was notified of a recent paving that happened at 2 Hillcrest Circle. A concerned abutter sent photos that showed that the new owner of the property paved over the entire backyard, all the way up to the trees and the property wall that abuts Essex Street. Resident expressed concerns over decrease in open space and pervious surface, that would then result in flooding on Essex Street. The matter will be brought first before the Building Commissioner to determine if the paving is a violation of the 25% minimum open space requirement, at which point the owner will be required to file for a special permit with the ZBA.

Meeting Adjourned: 11:00 p.m.

Marissa Meaney, Land Use Coordinator