



TOWN OF SWAMPSCOTT

ZONING BOARD OF APPEALS

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

MEMBERS
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December 21, 2021 MEETING MINUTES

Time: 7:00pm – 10:30pm
Location: Remote via Zoom
Members Present: M. Kornitsky, D. Doherty, B. Croft, A. Paprocki, A. Rose, H. Roman, P. Pearce
Members Absent: R. Landen
Others Present: Marissa Meaney (Land Use Coordinator),

MOTION: M. Kornitsky to approve minutes from October 26, 2021 and November 16, 2021. P. Pearce seconds; unanimously approved.

MOTION: M. Kornitsky to withdraw Petition 21-02 without prejudice, as requested by petitioner. D. Doherty seconds; unanimously approved.

MOTION: M. Kornitsky to continue Petition 21-28: 17 Crosman Ave to January. Unanimously approved.

ZONING RELIEF PETITIONS

PETITION 21-04-2A & 2B

53 PURITAN RD

Attorney Sheehan stated before the Board that, due to the FEMA regulations as stated by Inspector Baldacci regarding at the previous hearing, Mr. Sneirson intends to withdraw the portion of the application titled 21-04-2B, or Phase III, in the event that he does receive relief for the previous work.

Attorney Sheehan further explained that the previous work did not increase the nonconforming nature of the dwelling, but if the Board determined otherwise, the increase of 1000 square feet would be very modest, and no closer to any of the other dwellings in the neighborhood.

Attorney Shutzer reiterated his objections to the petition, as stated throughout previous hearings. Jonathan Leamon of the Historical Commission reiterated his objections as well.

MOTION: M. Kornitsky to move that the work, which is the subject of the Petition 21-04-2A, does not increase the nonconforming nature of the structure of the dwelling. B. Croft seconds; MK: aye, BC: aye, AR: aye, AP: aye, DD: nay.

PETITION 21-20

29 GLEN RD

Petition by ZINA GLIKBERG. Requests Use Special Permit for the conversion of structure from two-family to three-family dwelling with addition of fire-exit staircase. Property located at 29 GLEN RD (Parcel ID: 23-9)

M. Kornitsky recused, D. Doherty to chair petition

Attorney Ken Shutzer was present to represent Zina Glikberg of ZSG Properties, LLC. He stated that the applicant no longer seeks a Dimensional Special Permit for the construction of the staircase, as it has since been reconfigured. The applicant therefore only seeks a Use Special Permit.

The first-floor unit would include two bedrooms (as existing), the second-floor would include two, and the third-floor would include one. At the previous meeting, the applicant stated that the third floor would include two bedrooms, but it is in fact, only one bedroom. The applicant would provide six tandem parking spaces, whereas five are only required; the sixth space would serve as guest parking.

The item was opened for public comment.

Neighbors Jillian Hartmann, Joe DiPietro, Tim Rhodes, and Patti Bradford spoke in opposition to the petition. They cited concerns including additional drivers and cars, the aesthetics of the exterior staircase, tandem parking as a safety hazard, visitors having to park on the street, emergency vehicle access to the street, and this being a tenant-occupied home.

Jonathan Leamon of the Historical Commission stated that this petition has not been brought to the attention of the HC, especially as the petitioner is proposing sliding glass doors, though they have not been represented in any iteration of the plans submitted.

Public comment was closed.

Board member H. Roman explained that the conversion of this structure would actually likely decrease the amount of cars parked at the property. A dwelling unit with four bedrooms would likely attract separate roommates, each with their own cars, versus a single family. At the rate that a single family would pay rent for a unit as such, they would qualify for a mortgage and would otherwise purchase a home of their own. Changing the second and third floors into separate units would make the space available for a couple and/or a single individual, and would likely only generate the need for three additional cars on the property, versus four or five. D. Doherty and B. Croft were in agreement. A. Paprocki, however, remained unsure, wondering at which point another approval of this kind would tip the scale and create overcrowded neighborhoods.

MOTION: H. Roman to approve petition for Use Special Permit. D. Doherty seconds; HR: aye, DD: aye, BC: aye, AR: aye, AP: nay. Motion passes at 4-1 vote.

PETITION 21-19

56 BLANEY ST

Petition by IG INVESTMENTS, LLC c/o BOB MCCANN, ESQ. Requests Use Special Permit, Dimensional Special Permit, Special Permit for Nonconforming Uses and/or Structures, Special Permit for Off-Street Parking and Loading, Humphrey Street Special Permit, Site Plan Special Permit, and Dimensional Variance for the construction of six residential units in a pre-existing, nonconforming structure in the Humphrey Street Overlay District. Property located at 56 BLANEY ST (Parcel ID: 2-166)

Attorney Paul Feldman was present, filling in for Attorney McCann. Also present were property owners Ilya and Gene, and architect Eric Zachrison.

Mr. Zachrison provided an overview of the plans, explaining the layout of the six units, and stating that the structure – a former rectory – would remain entirely intact. There are no plans to demolish, even partially, the structure. The only demolition will be that of the detached garage, which was determined to not be historically significant by the Historical Commission.

There was no vocal public comment. The only written public comment came from group of neighbors who expressed that all rodent control measures be adhered to during construction, and that all construction vehicles must be parked on site.

The Board moved to include the following conditions in the decision:

- Petitioner shall obtain a Certificate of Occupancy from Building Dept prior to occupancy of altered structure
- Development to be constructed shall be in substantial conformance with plans referenced. Should plans change, petitioner must seek written approval from the ZBA.
- Conditions set forth in Planning Board recommendation must be satisfied

MOTION: B. Croft to issue all special permits requested above, with the exception of the dimensional variance, in accordance with the conditions set forth. Seconded by H. Roman; unanimously approved.

PETITION 21-26

3 OCEANSIDE TER

Petition by MADELEINE PISTO. Requests Special Permit for Nonconforming Uses and/or Structures for the renovation and addition to pre-existing accessory structure. (Parcel ID: 1-148)

Madeleine Pisto was present along with contractor and architect, Stephen Livermore.

Mr. Livermore provided presentation before the Board.

MOTION: P. Pearce to make finding that, under the Billotta Case, the changes proposed by the petitioner are all conforming and do not increase the existing nonconformity. M. Kornitsky seconds; unanimously approved.

PETITION 21-27

22 BERKSHIRE ST

Petition by PEG & KIM MARTIN-EPSTEIN. Requests Dimensional Special Permit for demolition and reconstruction of covered porch and new deck. Property located at 22 BERKSHIRE ST (Parcel ID: 3-163).

Misses Martin-Epstein were present to speak before the Board. Plans submitted showed relief being requested for more than allowed 16 feet. M. Kornitsky suggested granting conditional approval on basis of administrative review at next meeting with submission of new plans.

Item was opened for public comment.

Paul Hayes, abutter to rear, expressed concerned about smoke coming from chimney, which could impact his wife's asthma. He also addressed the privacy screen, and what would happen if it were, under any circumstances, to be damaged.

MOTION: M. Kornitsky to continue petition to January 11, 2022 to allow petitioner to submit updated plans that show requested relief.

