



TOWN OF SWAMPSCOTT

ZONING BOARD OF APPEALS

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

MEMBERS
MARC KORNITSKY, ESQ., CHAIR
DANIEL DOHERTY, ESQ., VICE CHAIR
BRADLEY L. CROFT, ESQ.
ANTHONY PAPROCKI
ANDREW ROSE

ASSOCIATE MEMBERS
RON LANDEN
HEATHER ROMAN
PAULA PEARCE

MARCH 22, 2022 MEETING MINUTES

Time: 7:00pm – 8:25pm
Location: Remote via Zoom
Members Present: M. Kornitsky, H. Roman, P. Pearce, A. Rose, A. Paprocki, R. Landen
Members Absent: D. Doherty, B. Croft
Others Present: Marissa Meaney (Land Use Coordinator)

MOTION: M. Kornitsky to continue Petition 21-28: 17 Crosman Ave to April 27, 2022. A. Rose seconds; unanimously approved.

ZONING RELIEF PETITIONS

PETITION 22-01

219 PARADISE RD

Petition by 219 PARADISE RD, LLC c/o BILL STIBEL, ESQ. Requests Use Special Permit and Special Permit for Parking Requirement Reduction to construct two additional service bays, increase number of employees, and provide additional overnight parking on premises. **Petition continued from March 2, 2022.**

Attorney Stibel explained that Gus, owner of service station, spoke with rear neighbor Marc Galardi and they reached an agreement. Parking lot will now be set back from rear property line by 25', and new parking spots will be tandem. He presented the updated landscaping plan to the Board.

The item was opened for public comment.

Mark Galardi agreed with everything Attorney Stibel had to say, except that he remembers Gus saying that he would plant arborvitae between the two properties where the service station meets his backyard. Chairman Kornitsky explained that the Board would require a fence, and that Mr. Galardi is therefore allowed to plant whatever he would like on his side, and if Gus would like to do the same on his side then it would be his choice. There is already a 25' buffer that works in Mr. Galardi's favor. Mr. Galardi remained in disagreement, and therefore opposed the petition.

Member Heather Roman inquired about permeability and if any conditions would be set regarding stormwater analysis. The Board concluded that a stormwater analysis should be stamped by a PE and submitted to Town Hall.

MOTION: M. Kornitsky to approve Petition 22-01 for the relief requested, with a condition that the construction be in accordance with plans submitted on 3/14/22, and that stormwater analysis to be performed and stamped by a PE and subsequently submitted to DPW for filing. A. Rose seconds; unanimously approved.

PETITION 21-26

12-14 PINE ST

Petition by PINE STREET DEVELOPMENT, LLC c/o BILL QUINN, ESQ. Requests a Use Special Permit, a Dimensional Special Permit, a Site Plan Special Permit, and a Dimensional Variance for the demolition and construction of a three-story, mixed commercial and residential building with ground-floor retail and 22 residential units.

Attorney Quinn provided opening remarks before the Board. He explained the process by which the petition underwent Site Plan Review by the Planning Board, and how the concept of the proposal has changed over time. He explained that the relief being requested reflects the updated application filing. In accordance with inclusionary zoning, there will be three (3) affordable housing units.

Chairman Kornitsky stated that relief for three stories would warrant a variance. Whereas the height meets the requirement, the bylaw also states that the maximum allowance for stories is 2.5. There are examples in Town of variances having been granted (i.e. White Court and Concordia), but need to look into circumstances surrounding the granting of such variances. Attorney Quinn inquired as to whether the Board can defer to Town Counsel, to which they answered yes. Attorney Quinn will prepare a memo to submit to Town Counsel through Community Development department.

Architect Peter Pitman presented the plans to the Board and noted the topographic conditions of the site that would make it impossible for underground construction.

Anthony Paprocki inquired about the parking spaces, which are currently calculated at 30 while 33 are recommended by the traffic study, and at least 6 spaces are still needed for the commercial space. Andy Rose asked if petitioner would consider swapping out the retail space for more residential units, especially as retail is only effective when the tenant is consistent. Attorney Quinn explained that they would be willing, but they were highly encouraged by the Planning Board to add retail space, as noted in the recommendation written by Chairwoman Ippolito.

There was no public comment taken on the item.

MOTION: M. Kornitsky to continue petition to April 27, 2022. A. Paprocki seconds; unanimously approved.