



# 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

## SEPTEMBER 21, 2021 MEETING MINUTES

**Time:** 7:02PM – 9:53PM  
**Location:** Remote via Zoom  
**Members Present:** M. Kornitsky, D. Doherty, B. Croft, H. Roman, A. Rose, P. Pearce  
**Members Absent:** A. Paprocki, R. Landen  
**Others Present:** Marissa Meaney (Land Use Coordinator), Rich Baldacci (Building Inspector)

Chairman of the Board, Marc Kornitsky, called the meeting to order at 7:02 PM.

MOTION: M. Kornitsky to approve July 21, 2021 minutes. B. Croft seconds; unanimously approved.

## ZONING RELIEF PETITIONS

### PETITION 21-01

21 ELM PLACE

Petition by WINN DEVELOPMENT c/o CHRIS DRUCAS, ESQ. Requests a Chapter 40B Comprehensive Special Permit for the construction of a 120-unit, mixed-income apartment building. **The opening of this item constituted a limited public hearing for administrative purposes ONLY in order to officially begin the peer-review consulting process.** Property located at 129 ESSEX ST, 25 & 35 PITMAN RD, 21 ELM PL (Parcel IDs: 6-195, 6-243, 6-199, 6-118)

Chairman Kornitsky explained that the 40B process allows for the Board to request peer review consultants to conduct studies in certain areas that pertain to the development. As of now, WorldTech has been brought on to provide a traffic study analysis.

MOTION: M. Kornitsky to engage peer review and direct Planning Board to have consultant respond with findings in due time. P. Pearce seconds; unanimously approved.

Ezra Haber Glen, a planning consultant hired by the Town, inquired if this was the only peer review that the Board would currently be seeking.

MOTION: M. Kornitsky to continue item to October 26, 2021 to allow for any additional peer review or other administrative procedures. P. Pearce seconds; unanimously approved.

## **PETITION 21-15**

406-408 HUMPHREY ST

Petition by DON GOLDEN; requests a Sign Special Permit for the installation of a new awning for a new business, Njord Haven restaurant, in the Humphrey Street Overlay District. Property located at 406-408 HUMPHREY ST (Parcel ID: 19-116)

Don Golden was present to speak before the Board.

The only comment from the Board was that the letters must be maximum of 6 inches on sign.

Marilyn Cassidy, owner of the building, expressed her full support for the sign.

MOTION: M. Kornitsky to approve petition with image submitted on September 21, 2021. B. Croft seconds; unanimously approved.

## **PETITION 21-14**

23 CARSON TER

Petition by MICHAEL AND SANDRA BUBA c/o KENNETH SHUTZER, ESQ; requests a Use Special Permit for the use of attic living space as an Accessory Dwelling Unit. Property located at 23 CARSON TERRACE (Parcel ID: 9-585)

Attorney Shutzer was present to speak before the Board. Explained that this petition is to solely legitimize the usage of an Accessory Dwelling Unit that has been in existence. There will be no structural changes to the property.

Member A. Rose wanted to clarify that ADU was building code compliant in terms of maximum square footage and egress. ADU is sized at 759 square feet (where max is 800) and contains two means of egress, as per state building code.

MOTION: A. Rose to approve petition in accordance with bylaws and plans submitted. B. Croft seconds; unanimously approved.

## **PETITION 21-13**

23 PHILLIPS CIR

Petition by STEPHEN CANDELARIO c/o ROBERT ZARELLI

Attorney Shutzer was present to speak before the Board. Explained that this petition is to solely legitimize the usage of an Accessory Dwelling Unit that has been in existence. There will be no structural changes to the property.

Member A. Rose wanted to clarify that ADU was building code compliant in terms of maximum square footage and egress. ADU is sized at 759 square feet (where max is 800) and contains two means of egress, as per state building code.

MOTION: A. Rose to approve petition in accordance with bylaws and plans submitted. B. Croft seconds; unanimously approved.