



# 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

## NOVEMBER 18, 2020 MEETING MINUTES

**Time:** 7:00 p.m. – 9:40 p.m.  
**Location:** Remote via Zoom  
**Members Present:** M. Kornitsky, H. Roman, A. Rose, P. Pearce, A. Paprocki, B. Croft  
**Members Absent:** R. Landen, D. Doherty  
**Others Present:** Marissa Meaney (Land Use Coordinator)

Chairman of the Board, M. Kornitsky called the meeting to order at 7:00 PM.

MOTION: M. Kornitsky to approve the previous meeting minutes from October 2020; seconded by B. Croft; unanimously approved.

MOTION: M. Kornitsky to continue the following items to November: Petition 19-31, Petition 20-12, Petition 20-19, Petition 20-11, and Petition 12-5. Seconded by H. Roman; unanimously approved.

## ZONING RELIEF PETITIONS

### PETITION 12-5 (2)

### ARCHER STREET

Petition by DIGIORGIO & MESSINA CONSTRUCTION CORP, continued from October 2020, to amend prior decision to (i) extend the term of the special permit and to (ii) modify the site plan to increase the number of units from 15 to 22. (Map 7, Lots 213-248 and 250-255). [NOTE: There are two separate petitions entitled 12-5 requesting separate relief and only Petition 12-5 (2) will be heard].

Jill Mann, Esq. appeared before the Board to seek relief in extending the special permit for one year, which would have otherwise ended in May. Member Brad Croft, who chaired the petition, clarified that the extension would be valid until May 2021.

The item was opened for public comment.

Reggie Pagan, resident of Foster Rd, expressed her concerns about the project, stating that it is not part of the master plan for the Town and it is a lot for such a condensed area.

B. Croft explained that this request is simply to amend the extension, and that all public comment should be limited to questions or concerns regarding the extension only, rather than the substance of the larger project.

Resident Sergey Sokol indicated that the item states consideration of increase in units. The Board responded that this portion of the item is not up for discussion at this meeting.

MOTION: B. Croft to approve extension until May 2021, acting only upon the first part of the petition. A. Paprocki seconds; unanimously approved. (M. Kornitsky recused)

## **PETITION 20-12**

60 TUPELO ROAD

Petition by ARTHUR BLACK c/o ROBERT MCCANN, continued from October 2020, for a site plan special permit for the construction of a dimensionally conforming pool house and modification of the approved site plan. (Parcel ID: 26-118 & 119)

M. Kornitsky noted the comment submitted by Building Commissioner, Rich Baldacci, regarding the requirement of an egress window from the bedroom.

MOTION: A. Rose to approve Dimensional Special Permit for accessory structure. B. Croft seconds; unanimously approved.

## **PETITION 20-24**

88 STETSON AVE

Petition by MARY CADIGAN for a special use permit to convert existing basement into accessory dwelling. (Parcel ID: 14-6)

Alexandra Peterson of Derby Square Architects represented petitioner Michael Shaffner. She presented to the Board, showing side-by-side drawings of the existing and proposed conditions. Only change in setbacks are front and rear but they still meet the minimum requirements for A3 Zoning District.

M. Kornitsky asked if any additional parking would be needed. A Peterson said that there are currently three spaces, they are requesting a fourth, but are happy to leave it at three if the Board prefers.

B. Croft asked for clarification regarding the nature of the nonconforming use/structure permit. A. Rose explained that this petition was brought before the Board because changes are being made to the nonconforming structure, with an increase of GFA that is greater than 15%, and therefore must come before the Board to show that though changes are being made, they are not substantial nor would they increase the existing nonconformity.

A Paprocki asked whether or not this petition was subject to Site Plan Review by the Planning Board. A. Rose explained that it is not because only 690 ft<sup>2</sup> of new space is being added, as 110 ft<sup>2</sup> already existed from the current sunroom.

There was no comment from the public.

MOTION: B. Croft to approve petition as is, given finding that no proposed changes are inconsistent with the requirements. A. Rose seconds; unanimously approved.

Chairman of the Board, M. Kornitsky, adjourned the meeting at 7:47 PM.

