

# AUGUST 22, 2023 MEETING MINUTES

Received by Town Clerk

September 26, 2023, 10:37am

**Time:** 7:03PM – 7:35PM  
**Location:** Swampscott Senior Center and Virtual via Microsoft Teams  
**Members Present:** Heather Roman (Chair), Marc Kornitsky, Brad Croft, Paula Pearce, Susan Sinrich  
**Members Absent:** Dan Doherty (Vice Chair), Andy Rose, Anthony Paprocki  
**Others Present:** Marissa Meaney (Land Use Coordinator)

MOTION: H. Roman to continue petitions 23-05 and 23-06 to the September 19<sup>th</sup> meeting. P. Pearce seconds; unanimously approved.

## ZONING RELIEF PETITIONS

### PETITION 23-10: 410 HUMPHREY STREET

Petition by BRUCE PARADISE c/o CHRIS DRUCAS, ESQ. Requests a Use Special Permit, a Special Permit for Parking and Loading Requirement Reduction, and any other relief that the Board may determine necessary, including a Variance, for the change in use of the second and half third story from commercial to residential, thus allowing mixed use. (Parcel ID: 19-115)

- Attorney Drucas provided introduction to the Board, confirmed that all statutory requirements were sufficiently met
- Architect Bob Zarelli described to the Board the interior access
- Confirmed that the Fire Department ok'd everything
- There was no comment from the Planning Board. Relief from ZBA would be conditioned upon anything stated by the Planning Board
- Parking would now be less of an impact since use is changing from commercial to residential

MOTION: M. Kornitsky to approve petition in compliance with relief requested and application and materials submitted, conditioned upon statement from the Planning Board and state building codes. B. Croft seconds; unanimously approved 4-0 (S. Sinrich recused as employee of Jack Conway, whose office is located in same building)

### PETITION 23-09: 26 WINSHAW RD

Petition by JUSTIN GRECO c/o CHRIS DRUCAS, ESQ. Requests Section 6 Special Permit for addition to the first floor and construction of second story on nonconforming lot. (Parcel ID: 35-39)

- Attorney Drucas gave introduction to Board, stated that petition went before the Planning Board and was issued a Site Plan Special Permit
- Petitioner is asking for relief under Massachusetts Section 6, local bylaw subsection 2.2.7.3
- M. Kornitsky confirmed that Section 6 finding can be made, in accordance with the case law of Bellalta vs. Town of Brookline

- H. Roman clarified that there is no increase in the pre-existing nonconformity, and the relief granted is simply a finding, and not a special permit

MOTION: M. Kornitsky to make finding that petition is not increasing the nonconforming nature of any pre-existing nonconformity and may proceed in accordance with plans submitted, subject to the Site Plan Special Permit from the Planning Board and the comments from the Fire Department. B. Croft seconds; unanimously approved.