



# TOWN OF SWAMPSCOTT

## OFFICE OF THE PLANNING BOARD

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

### MEMBERS

PATRICK JONES, CHAIR  
ANGELA IPPOLITO, VICE CHAIR  
SYLVIA BELKIN  
JEFFREY BLONDER  
GEORGE POTTS

### STAFF

HELEN KENNEDY, SECRETARY  
S. PETER KANE, TOWN PLANNER

# NOVEMBER 5, 2012 MEETING MINUTES

**Time:** 7:00 – 9:15 pm

**Location:** Swampscott Senior Center, 200 Essex St

**Members Present:** P. Jones, A. Ippolito, J. Blonder, S. Belkin, G. Potts

**Others Present:** Pete Kane (Town Planner); Jerzy Wabno (petitioner); Tom Wabno (petitioner); David Shayeb (petitioner); David Berner (architect); Maria Kossilos (resident); Kim Faia (resident); Michael Faia (resident); Larry Lee (resident)

Meeting called to order at 7:00 pm by Patrick Jones, Chair.

## MEETING MINUTES

On a motion made by J. Blonder, minutes of the two meetings on Oct 9<sup>th</sup> and the meeting on Oct 15<sup>th</sup> were seconded and approved unanimously.

## SITE PLAN REVIEW

### 12SPR-4 – 21 BUENA VISTA STREET

The site plan review for the petition to modify the previously-granted site plan special permit was opened. The petition was submitted in order to move the proposed new two-family structure to the northwest corner of the parcel (per ZBA request), make changes in the landscaping plan to accommodate clear-out request by the Fire Department and remove additional trees along the northeast property line.

The Wabno brothers (petitioners) told the Board there were trees growing through the shed. They took down the Norway maples measuring 4" - 6" in diameter, the State recognizes these as invasive plants. Other trees were in bad shape, looking like a forest which had not been cared for in years. A plan was presented to the Board showing proposed new foundation where space of 8' is required for the foundation work around the house. They intend to plant better-looking 14' – 16' tall locust trees (about 4" diameter) to replace what was lost due to construction work. They are also considering other plants on the other side as well. Nothing will be removed along the street side (Buena Vista Street). Trees along the fence were less than 4' conifers and they don't see planting trees within 4' of the house. Board members asked for clarification of which trees had been removed and which remained standing.

Trees were also growing on top of the ridge/ledge. No plans to have trees as close as 6' – 8' to the house. The 30' oak tree is still there and the fence is a 6' tall fence.

Abutter Kim Faia of 41 Buena Vista St showed the Board photos take in April 2012 (before construction started at the site), and told the Board the trees which had been removed had been a buffer for the neighbors, saying all trees but one have been removed.

Chair Jones remarked that the Fire Department wanted to have trees thinned out. The Faia's stated they had spoken to the Fire Department and were told the thinning was not needed. Town Planner said the neighbors would need to have a document from the Fire Department regarding the thinning of the trees to confirm the statement. Michael Faia said he spoke with the petitioners about replacing the trees.

Abutter Larry Lee (15 Buena Vista St) told the Board he had been at the ZBA meeting at which the Wabnos said they were "willing to do anything the ZBA recommended and then go and do something else." Clearing the trees is a start in the wrong direction.

P. Jones said what was before the Planning Board showed some trees to be removed. He noted comments from other Town departments including Health which said rodent control was required and DPW inquiring how the utilities will be hooked up. P. Jones recommended that the petitioners contact the respective departments and address the concerns noted. The Planning Board can't approve a site plan until a site plan showing what is gone and what is being done to address the issues. He said the Board did not want to commit to tree location due to lack of knowledge of which trees are suitable and acceptable to the neighbors. Town Planner Kane suggested petitioners need to consult a landscape architect. Wabnos acknowledged they made a mistake; want to correct it & do it right.

Board member S. Belkin said she thinks it's outrageous that you can come in and take down trees that give shade and privacy. She "can't make neither hid nor hair of the plan." She recommended that the petitioners talk to the abutters about replacing major trees. P. Jones said the Board needs a plan showing what is going to be done.

The Wabnos said they will expose the ridge, trees could be arbor vitae or some other type of shrub to replace what was there before. The Wabnos again said it was their mistake; the existing trees were closer to the foundation than they expected. Board member A. Ippolito said the Board needs to see what will be done.

Kim Faia told the Board that they have rodents, skunks and mice in their house since the demolition of the home at 21 Buena Vista; this has never happened before and neighbors have seen skunks and rats. The Wabnos said they pulled the proper permit and had a certified exterminator treat the site, saying they had presented copies of bills and checks and had subsequently put additional traps in the shed. They had instructed the exterminator to prepare the property for demolition. He had asked the Health Department what to do and was told to hire a pest control company and prepare for demolition. P. Kane reminded the Board and members of the public that based on the information, the petitioners did what they were told was needed to be done.

P. Jones moved to continue the petition to the December 10 Planning Board meeting. Motion passed unanimously. P. Jones again requested a landscape plan showing what is removed and what is being proposed. Also that the petitioners work with the Health Department on rodent control until all demo is completed and the matter resolved. DPW is looking for a detailed plan for utility hook up.

Larry Lee brought up water, sewer and gas which all have common access to the driveway. He's concerned about any disruptions during construction. P. Kane reminded everyone that the petitioners can't do anything regarding the utilities until they have presented the utility plan to DPW and gotten approval.

## PETITION 12-28 – 6 SHEPARD AVE

The site plan review for 6 Shepard Ave was reopened after being continued from the Oct 15<sup>th</sup> meeting. The proposal is to make additions to an existing two-story residence on a nonconforming lot, adding 1,205 square feet and a third half story.

Architect David Berner told the Board that based on the previous meeting and their hearing at the ZBA, they have made changes to the plans - the square footage of the addition has been reduced to less than 800 square feet. Board member Blonder made a motion to inform the ZBA that the plan calls for less than 800 square feet to be added and that the plans dated 10/31/2012 no longer fall under site plan special permit. Town Planner Kane said the petitioner still needs a special permit for doing work on the nonconforming lot – from the ZBA. The architect confirmed that the roof height with the additions will be 33’ 10”. David Berner was advised to bring the revised plans to the November 28 ZBA meeting.

## ZONING BYLAW REVIEW SUBCOMMITTEE

Planner Kane told the Board that they had received two letters of interest for the subcommittee. He asked if the Board wanted to re-advertise to get additional letters. Based on the Board’s approval, P. Kane will republish and attempt to get a total of 5 or 7 people and reach out to various groups (Rotary Club, North Shore Realtors, Lynn Area Chamber). He will send out the prior public announcement press piece which will be reduced in length. Chair Jones said when this project was done previously, they had someone with some knowledge of zoning, like Attorney DiMento. The Board discussed possible areas of interest of those selected to participate on the subcommittee.

## COMMUNITY VISIONING STUDY

P. Kane said there was a good turnout at the community forum (over 20 people). MAPC plans to present the draft report with recommendations for Humphrey St in December.

## MEETING SCHEDULE

The next Planning Board meeting is December 10. Board members discussed and voted on the upcoming meeting schedule:

- January 14
- February 11
- March 11
- April 8

J. Blonder moved to adjourn, motion unanimously approved at 9:15pm.

Helen Kennedy  
Planning Board Secretary

