



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
DONALD HAUSE
ANTHONY PAPROCKI
HARRY PASS, ESQ.

ASSOCIATE MEMBERS

DOUGLAS DUBIN
ANDREW ROSE

NOVEMBER 18, 2015 MEETING MINUTES

Time: 7:00PM
Location: Swampscott Senior Center, 200 Essex Street (rear)
Members Present: M. Kornitsky, A. Rose, A. Paprocki, H. Pass, D. Dubin, D. Doherty, D. Hause
Members Absent: None
Others: Paul Levenson (attorney), Scott Burke (resident), Paul Lynch (attorney)

MINUTES

Review and approve minutes from October 19, 2015.

EXECUTIVE SESSION

Motion to suspend meeting for executive session to discuss litigation pertaining to Petition 12-5 by M. Kornitsky, unanimous.

Motion to reopen public hearing by H. Pass, unanimous vote.

ZONING RELIEF PETITIONS

PETITION 15-30 (80 SHEPARD AVENUE): Application of SHERYL LEVENSON seeking an appeal of determination of the Inspector of Buildings related to the rebuilding of a shade structure that was taken down voluntarily at the Beach Club; requesting that permit be revoked. Map 32, Lot 11. Continued from Oct 21 hearing.

Mr. Kornitsky recused himself and Mr. Pass chaired the Petition.

Atty. Paul Levenson, Abutter, spoke as an abutter to the Beach Club. Discussion ensued surrounding the replacement of the pergola at the Beach Club. Mr. Levenson mentioned that he felt the new structure was not similar to the structure that was taken down, and in his opinion, for that reason the permit should have been denied.

Scott Burke, 44 Longley, Abutter, spoke on the issue, reiterating the concern that the new structure is like a white elephant. He mentioned that he went to the building inspector, who advised the club to take the structure down only because of their failure to secure a permit. He later issued a permit for the new structure. He is also concerned about their number of accessory structures on the property.

Atty. Paul Lynch representing the Beach Club spoke and mentioned that the structure's intent was to build it exactly as shown in the plans that were approved previously.

Mr. Rose stated that from his understanding, the structure has been taken down, and everyone agrees that the structure needs to be built identical to the one that was removed so there is no need for this Petition.

Motion: to Deny Petition by H. Pass, seconded by A. Rose, unanimous.

PETITION 15-31 (36 MAPLEDALE PLACE): Application of MICHAEL CULLINAN seeking a dimensional special permit to connect main house to garage, relief sought for rear setback. Map 4, Lot 33. Continued from Oct 21 hearing.

Board discussed the details of the proposal.

Motion: to approve by A. Rose, seconded by D. Dubin, unanimous.

PETITION 15-19 (505 PARADISE ROAD): Application of 505 PARADISE ROAD LLC (C/O CENTERCORP) seeking an amendment to a special permit related to the signage of Walgreens. Property located at 505 PARADISE ROAD, Map 17, Lot 39.

Mr. Rose is the Petitioner, so he is recusing himself. Mr. Rose explained the reason for the request to amend, due to a timing issue and that previous decision didn't include signage.

Motion: to Approve the signage per the drawings by M. Kornitsky, seconded by H. Pass, unanimous approval.

PETITION 15-32 (34 BLODGETT AVENUE): Application of ANDREA B. COHEN & JODY HELLER, TRUSTEES for dimensional special permit and site plan special permit to demolish existing single-family dwelling and construct a new single-family dwelling on a 10,117 sf lot with frontage of 98 ft, where 30,000 sf and 125 ft of frontage are required. Map 32, Lot 59. Continued from Oct 21 hearing.

Attorney DiMento had submitted a letter requesting withdrawal.

Motion: M. Kornitsky motion to accept request to withdraw without prejudice, seconded by D. Hause, unanimously approved.

PETITION 15-34 (57 MONUMENT AVENUE): Application of JON GARBOWSKI seeking a dimensional special permit, special permit (nonconforming use/structure) and a site plan special permit to add a 2-car garage with studio space above including a mudroom addition between the proposed garage and existing 2.5-story house. The existing house is nonconforming where it encroaches the front setback. The proposed addition will increase the GFA & lateral dimension by more than 15% requiring a special permit. Map 4, Lots 43 & 44.

Walter Jacob (architect) requested to continue to January 20, 2016 meeting.

Motion: to Continue by M. Kornitsky, unanimous.

Danielle Leonard
Zoning Board of Appeals, Secretary