



**CITY OF GLOUCESTER**  
**ZONING BOARD OF APPEALS**  
3 POND ROAD, GLOUCESTER MA 01930

**ZONING BOARD OF APPEALS**

**Meeting Minutes**

7:00 P.M., May 30, 2019  
Kyrouz Auditorium, City Hall

**Board Members Present:** David B. Gardner, Chairman  
Joseph Parisi, III, Vice Chairman  
Michael C. Nimon  
Adria Pratt - Absent  
Michele Harrison - Absent

**Alternate:** Catherine A. Schlichte

**Also in Attendance:** Bill Sanborn, Building Commissioner for the City of Gloucester  
Alison Battle, Clerk of the Zoning Board of Appeals

The Chairman called the meeting to order at 7:00 p.m.

**Minutes:**

The following minutes are submitted for approval.

10/25/18, 11/15/18, 1/31/19, 3/28/19, 4/11/19, 4/25/19, 5/9/19

Mr. Parisi moves to accept all 7 sets of minutes.  
Mr. Nimon second  
All in favor, 4-0

**Old Business:**

**Continued Business:**

**New Business:**

Approval of the Application for Extension of Variance and/or Special Permit.  
Mr. Sanborn explains the need for the new form.  
The Board takes an informal vote to accept this is the new form.

**31 Old Salem Rd.**

Request for an Extension of Time for a Variance. The Applicant is not present this evening.  
Mr. Parisi moves to grant the Applicant a 6 month extension on their Variance.  
Mr. Nimon seconds.  
All in Favor, 4-0

**588 Essex Avenue**

**Nathaniel and Amanda Levie**, seeking a Special permit 3.1.6 for height exception to enable the petitioner to construct a new house. The Chair informs the Applicant that he must recuse himself from this hearing, and since two members are also absent this evening, there are not enough members for a quorum.

Mr. Nimon moves to continue this application to the June 13, 2019 meeting.

Mr. Parisi seconds

All in favor, 4-0

Mr. Levie is present and signs a Waiver of Time Limits.

#### **14 Dodge St.**

Atty. Sal Frontiero of Frontiero Law Offices, 46 Middle St., Gloucester MA is representing **Amanda Unis**, who is seeking a Special Permit to convert to a 3 family sec. 2.3.1 # 6 and a Variance to allow parking within the front yard setback sec. 1.7 sec/ 4.1.4 (a) (2) to allow the conversion to a 3 family dwelling. The Chair informs the Applicant's Council that he must recuse himself from this hearing and since two members are also absent this evening, there are not enough members for a quorum.

Mr. Nimon moves to continue this application to the June 13, 2019 meeting.

Mr. Parisi seconds

All in favor, 4-0

Atty. Frontiero is present and signs a Waiver of Time Limits.

#### **48 Rocky Neck**

Atty. Deborah Eliason of Eliason Law Office, LLC, 63 Middle St. Gloucester MA is representing **Kenneth and Stephanie Tashjy**, seeking a Special Permit 1.9 to alter\expand a non-conforming structure and a Variance 3.2 for rear yard setback and lot coverage to allow construction of a 2 story addition at the rear of the structure. Atty. Eliason introduces the Tashiys along with Robert Gulla, who is the architect for the project.

Atty. Eliason uses a slide show to give a summary of the proposed project. This home is currently a summer home and they would like to make it a year round home.

Atty. Eliason submits a petition with 55 signatures that are in favor of the Application.

Speaking in Favor:

The following people spoke in favor of the proposed project and the reputation of the Tashiy family.

Jeff Surette, 40 Rocky Neck  
Kara Tippet, 14 Wonson St.  
Albert Dos Santos, 46 Rocky Neck  
Barry Souza, 12 Clarendon St.  
Lisa Tilsey, 17 17 Wonson St.  
Denise Senecal, 34R Rocky Neck  
Richard Audette, 38 Rocky Neck

Speaking in Opposition:

Atty. Meredith Fine, of the Law Offices of Meredith A. Fine Law, 46 Middle St. Gloucester, MA, is representing Tori and Gretta Bagshaw, 2 Clarendon St. Atty. Fine discusses that the information represented by the neighbors speaking in favor of the Tashiy family do not meet the criteria for a Special Permit or Variance and questions the basis of the statements made by the Applicant's council's representation.

Atty. Fine submits 5 letters in opposition of the project by the abutting neighbors who she believes will be most affected by this project.

Atty. Eliason rebuts the comments made by the opposition and answers the Chairs questions pertaining to the merger of two of the lots being on record.

Atty. Eliason states that, per the Building Inspector, the lots were legally merged and sold together. She also submits a list of homes on Rocky Neck that are larger than the proposed project.

Board Discussion by Mr. Parisi, Mr. Nimon, Ms. Schlichte and the Chair.

Mr. Parisi moves to approve both Special Permit and Variance.

Mr. Nimon seconds

The Chair asks if the Board can condition that the vacant lot be combined with the cottage.

Atty. Eliason answers that the cost of doing this will be difficult for the family and asks if a Perimeter Deed will be acceptable for the Board.

The Board is in agreement of the Applicant's getting a Perimeter Deed.

Mr. Parisi amends his motion to include a condition on a Perimeter Deed being obtained for lots # 3 and # 5.

All in favor, 4-0

### **5 Perkins St.**

Atty. Wilhelmina Sheedy, 75 Main St., Rockport MA is representing **Robert and Monica Madruga** seeking a Special Permit 2.3.1 # 6 to allow the conversion of a 2 family dwelling to 3 family dwelling. Atty. Sheedy gives a brief summary of the proposed project and the reasons for the changes being made.

Speaking in Favor: None

Speaking in Opposition: None

Mr. Sanborn states for the record that the use has been there for as far back as he could tell.

Mr. Nimon moves to grant the Special Permit

Mr. Parisi seconds

All in favor, 4-0

### **11 Norseman Ave.**

**Francesca and Peter Combs, Trustees of the Francesca H. Combs Revocable Trust** seeking Special Permit 1.9 to alter and expand a non-conforming structure to allow construction of a second floor addition over the existing first floor. Mr. and Mrs. Combs are both present this evening. Francesca Combs gives a brief summary of the proposed project that will give her tenants more room so that they are able to stay as tenants in their home.

Speaking in Favor: Jeff Romeo, 11 Norseman Ave. is the tenant of the Combs and speaks of his love of the area and the need for more space for his family.

Speaking in Opposition: None

Mr. Sanborn states that they do not need a Side Yard Variance, only the Special Permit.

Ms. Schlichte moves to grant the Special Permit

Mr. Nimon seconds

All in favor, 4-0

### **3 Reynard St.**

**Andrew Silva**, seeking Variance 3.2 left side accessory set back to allow placement of a new shed 10' x 12'. Mr. Silva is present and gives a brief summary of his project for a shed at the end of his driveway and states that the abuttor whom he shares a driveway with submitted a letter in favor.

Speaking in Favor: None

Speaking in Opposition: None

Mr. Parisi moves to grant the Variance 3.2.

Mr. Nimon seconds

All in favor, 4-0

### **23 Derby St.**

**Joseph T. and Carol A. Pratt** seeking a Special Permit to alter and expand a non-conforming structure to exceed accessory building height to allow demolition of existing garage and re-build in the existing foot print adding a second floor. Mr. Pratt gives a brief summary of his proposed project. There will be no bathroom and only power in the building.

Speaking in Favor: None

Speaking in Opposition: None

Discussion by the Board:

Mr. Nimon is concerned with the height of the building.

Mr. Pratt states that he spoke with the neighbors on each side of him and they are in favor of the project. He has not spoken to the neighbor behind him and Mr. Nimon states that no one is present in opposition, so it must not be an issue. Mr. Nimon also states that he has not personal motive in his comments and decision.

Mr. Parisi moves to approve both Special Permits

Ms. Schlichte seconds

All in favor, 4-0

Motion to adjourn was made at: 8:20 PM

Motion by: Mr. Nimon

Second by: Mr. Parisi