



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

**ZONING BOARD OF APPEALS  
Remote Participation Meeting Minutes  
January 28, 2021**

**Board Members Present:**

Joseph Parisi III, Chairman  
Catherine A. Schlichte, Esquire, Vice Chair  
Adria Pratt, Esquire, Secretary  
Michael C. Nimon  
Peter Cannavo

**Also in Attendance:**

Bill Sanborn, Building Commissioner  
Alison Battle, Clerk

The Chair calls the meeting to order, introduces the members of the Board and reads the Open Meeting Laws.

**Old Business:**

**New Business:**

**498 Washington St**

Joel Favazza, Esq. of Seaside Legal Solutions, 123 Main St. is representing, Amanda Marino seeking to amend existing Variances for side yard, rear yard and lot frontage to allow rebuilding single family home destroyed by fire and to incorporate existing sheds and carports into attached garages.

The Applicants are rebuilding their 1 family home after it was destroyed in a house fire in August 2020 and converting the existing shed and carports into attached garages. This lot is oversized but non-conforming and lacks adequate frontage. There are 3 prior ZBA decisions on file.

Atty. Favazza discusses the history of the property and the past relief that was granted and asks the Board to make a determination that there is no rear yard penetration and therefore no rear yard Variance is required. If the upland is used as the rear yard, then they will need to apply for a 20' Variance as well.

There are no new non-conformities and they are expanding the footprint of the house to the Northeast. They are expanding the deck and garage is being pushed closer to the house than it was before. Due to the FEMA flood elevation levels being raised, the house will be above average grade but the actual house is not higher than the original house.

The Chair calls for questions by the Board.

Mr. Sanborn explains how his department has looked at rear yards in the last 20 years. If the property abuts water, then no rear yard is recognized.

Speaking in favor:

Jen Holmgren, 385 Magnolia Ave. feels that this family has worked hard to conform to the Ordinance as much as possible.

Speaking in opposition:

Peter Ross, 21 Market St., Ipswich, MA is speaking on behalf of the owners of 492 and 494 Washington St. They feel that the floor area of the house has tripled and this along with the garage and roof deck make the proposed dwelling much larger than the original house. They feel that the deck is too close to the property line and that there is no hardship because the house can be built where is originally was. He agrees to meet with Atty. Favazza to discuss the issues.

James Guillatti speaks on behalf of his parents. They feel that the new house will be too high and is concerned that it will not fit into the neighborhood.

Roger Lipman, 507 Washington St. feels that they will lose light and the views between the houses and that he will be looking at a 100' wall due to the 4 car garage.

Rebuttal:

Atty. Favazza states that he wishes that he had been contacted before this evening with these concerns and that he would like the opportunity to reach out to all of the opposition in hopes of coming back with them in favor.

Ms. Schlichte moves to approve to continue this application to the 2/11/2021 meeting.

Mr. Nimon seconds

All in favor, 5-0

### **1 Crestview Terrace**

Ted & Christine Testaverde, 1 Crestview Terrace, is seeking Special Permit 5.24 accessory in-law, Variance front yard and side yard to allow construction of an attached addition to be used as accessory in-law apartment.

They are looking to build an in-law accessory structure for their hearing impaired mother to live with them. This will be in place of the previously granted Variance for an addition of a garage that was never built. It will be on the same footprint and 1 story instead of the 1 ½ story that was previously approved. It will be no more than 35% of the gross living space.

Speaking in favor: None

Speaking in opposition: None

The Board discusses the total square footage requirements and checks the Assessors Map on line to confirm the 35% gross living space is met.

The property has covenants that restrict it to a 1 family. This project will comply with the covenants.

Ms. Schlichte moves to approve a Special Permit 5.24 accessory in-law, Variance front yard and side yard to allow construction of an attached addition to be used as accessory in-law apartment.

Mr. Nimon seconds

All in favor, 5-0

### **18 Spring St.**

Sal Frontiero, Esq. of Frontiero Law Offices, 46 Middle St. is representing, Cape Ann Investment Group, LLC seeking Special Permit 2.4.3 (B) to alter-expand non-conforming structure, Special Permit 2.3.1 (#3) conversion to 2 family, Variance front yard, left side yard – house, Variance left side shed to allow single story addition with stairs at rear of home, 2 new dormers on front and back of house for the purpose of converting from 2 family to 3 family.

The Applicant was before the Board last year for this property requesting to increase from a 2 family to a 6 family but withdrew their application due to neighborhood opposition. They are now requesting to go from a 2 family to a 3 family house.

Atty. Frontiero goes over the proposed plans and notes an error in the application. There is only one shed and it is staying. The site currently consists of (2) 2 bedroom units with 2 parking spaces backing out onto Spring St. The Applicant is proposing to add an addition and dormers to the back of the dwelling to allow for a studio apartment and (2) 4 bedroom units.

Speaking in favor:

Joel Favazza for Red Blazer Rentals, 145 Prospect St. is in full support.

Speaking in opposition:

Laura Callette, 147 Prospect St. states that parking is already an issue and feels that 3 parking spots isn't enough for 4 families.

Bryan Cain, 16R Spring St. is concerned with the vehicles headlights shining into his kitchen window. He feels that there isn't enough parking, and is concerned that the dormers overlooking his backyard will take away his privacy. He is not happy with the way that the property has been managed in the past.

Richard Connolly, 14R Spring St. Unit 1 agrees with Mr. Cain and would like it to stay a 2 family. He would like the paint on the street addressed.

Sean Doherty, 12 Spring St. agrees with Mr. Cain and feels that this is just a renegotiation of what was requested last year. He is not happy with the management of this property.

Rebuttal:

Atty. Frontiero addresses the parking complaints, as well as, all other concerns. He wishes that these concerns has been brought to his attention before this evenings meeting.

Mr. Sanborn states that the Applicant should have requested rear yard relief for the shed. They Board discusses if there is a need to re-advertise the application due to this error and decides that it is not necessary.

The Chair feels that this is a vast improvement from the original plans before the Board in the past.

Ms. Schlichte moves to approve Special Permit 2.4.3 (B) to alter-expand non-conforming structure, Special Permit 2.3.1 (#3) conversion to 2 family, Variance front yard, left side yard – house, Variance left side –shed to allow single story addition with stairs at rear of home, 2 new dormers on front and back of house for the purpose of converting from 2 family to 3 family with the condition that a fence be constructed on both sides in the rear to protects the neighbors form the headlights.

Mr. Nimon seconds

All in favor, 5-0

Mr. Frontiero states that he will speak to the Applicants regarding the conditions of the site.

### **6 Cabo Drive**

Dawn M. Burnham, 6 Cabo Drive, is seeking Special Permit 2.3.1 #3 convert 1 to 2 family with exterior changes to allow construction of a 14' x 40' addition to allow conversion to 2 family dwelling.

Ms. Burnham was before the Board last year and was approved for a Special Permit 2.3.1 (3). She is before this Board again to request that she increase the size of the addition. The proposed work has not changed and is as follows; a garage with a utility room on the first floor and an apartment on the seconds floor with a deck. She would like to increase the addition by 2' in length and 2' in width closer to the existing property, not closer to the neighbor.

Speaking in favor: None

Speaking in opposition: None

The Chair closes the public testimony.

Discussion by the Board:

The Members note that there is no neighbor concerns.

Ms. Schlichte moves to modify the previously granted Special Permit 2.3.1 #3 convert 1 to 2 family with exterior changes to allow construction of a 14' x 40' addition to allow conversion to 2 family dwelling.

Mr. Nimon seconds

All in favor, 5-0

### **24 Norrock Rd.**

Mark Glovsky, Esq. of Glovsky & Glovsky, 8 Washington St., Beverly, MA is representing, 24 Norrock Rd, LLC seeking Special Permit 1.9 alter/expand non-conforming structure, modify Variance to allow construction of (2) dormers to existing roof.

Atty. Glovsky gives the Board the history on what is currently a 2 story, 4 bedroom, 1 family home in Annisquam that was constructed in the 1900's.

They would like to add 2 dormers onto the second story to increase the existing roof peak to better utilize the space of the house for storage and a loft.

Speaking in favor: None

Speaking in opposition: None

Mr. Sanborn reads a letter written to the Board that is in favor of the proposed work. The members confirm that they have all received it.

Discussion by the Board: None

Ms. Schlichte moves to approve a Special Permit 1.9 alter/expand non-conforming structure, modify Variance to allow construction of (2) dormers to existing roof.

Mr. Nimon seconds

All in favor, 5-0

**Discussion by the Board: None**

**Motion to adjourn was made at: 8:53PM**

**Motion by:** Ms. Schlichte

**Second by:** Mr. Nimon