



**TOWN OF WINTHROP
BOARD OF APPEALS**

Town Hall, One Metcalf Square, Winthrop, Massachusetts 02152-3096

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Joanne M. DeMato, Clerk

NOTICE OF BOARD OF APPEALS PUBLIC HEARING

You are invited to a Zoom webinar.

When: October 29 AT 07:00 PM Eastern Time (US and Canada)

Topic: Winthrop Board of Appeals Meeting

Please click the public Zoom link below to join the webinar:

<https://us02web.zoom.us/j/84452031253>

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Webinar ID: 844 5203 1253

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Attn applicants: Please begin the zoom as an attendee and we can bring you over immediately to speak.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

Item No.	Appl. #	Applicant	Address	Appeal	Voting
1.	Chairman opens hearing: Old Business:				

2.	#011-2020	Michael Carney, 12-16 Revere St Realty Trust	12-16 Revere St.	Variance from Chapter 17.12.040 for mixed use. Variance from 17.16.020 Height variance, Variance chapter 17.20.060 Parking relief t	cont
3.	#012-2020	Joseph Ciampa	38 Franklin St.	Variance from Sect. 17.160020.J minimum lot area to construct 2 family dwelling	cont
4.	#013-2020	Sandra Hellwig	79 Summit Ave.	Variance from Sec. 17.16.020, setbacks and 17.28 alteration of preexisting nonconforming structure	granted
5.	#014-2020	Nathaniel Brevard	145 Washington Ave.	SP Chapter 17.49 Bed & Breakfast license application	granted

6. #015-2020 John G. Rolander 25 Locust St. Variance & SP Chapter 17.16.020. J. 1 Dim Regs 17.20.060 Off St Parking granted

7. Approval of minutes 8. Motion to adjourn

In Attendance: DB/FG/JW/TC/JD/MC

DB: Chair opened meeting AT 7:02pm

#012-2020 – Joseph Ciampa, 38 Franklin St.

In Attendance: Atty. James Cipoletta, Joseph Ciampa

Sitting: DB/TC/JW

JC: Bank decided to remove existing structure. Lot purchased and propose to build a 2 unit residential on the lot. 4634 ft requires 5000 sq ft 2 family home. All regulations dimensions meet all requirements. Deficiency # sq ft of land, rear boundary line, cut to angle, does set back enough on front setback. There are 2 family homes in neighborhood, will abut a large 2 family home in the rear. All requirements met and is an appropriate request. Has 2 addresses, 48 and 32 – in building and in assessors.

DB: Anything further?

JC: Concludes remarks, Mr. Ciampa may speak to case.

DB: Open to questions from public.

Jim Forester, 34 Franklin St.: Live directly next door. Lived here 26 years, this street is notorious for flooding. Street funnels and low point ends in front of this property. I've never gotten water, but will they do soil testing, or anything at all for the flooding, main concern about water getting on my property.

DB: Your question is noted and will be answered later. Asks for anyone else to comment 3xs.

Motion: JW – Motion to close public comment

Second: TC

Voted All in favor

Joseph Ciampa, 38 Franklin St. - Elevation question, seems to be same elevation, don't see any water issues, but if it is I can get a surveyor, to do special things we need to take care of that.

DB; Are there retaining walls on property?

JC: No. House is gone.

DB: Do any members have questions?

TC: Do we have set of building plans?

DB: Typically, we get a set of plans to see what this will look like, to see what will be there. We need plans.

TC: Think it's a requirement. Do you plan on having a basement? Said there was a basement that flooded routinely. Are you in a flood plain?

JC: Yes basement, not living space, yes, in a flood zone, can look at other houses elevations to see the difference on the street.

TC: Atty. Cipoletta, is he not required to go before Con Comm, he may not allow to put a basement in.

DB: Is this Zone Ae or A 100-year flood plain?

JC: I don't know.

DB: Have to go to Con Comm

JC: If this is subjected to flooding.

TC: Application says not in a flood plain.

JC: Not in flood plain but subjected to flooding.

DB: Need building plans, elevations, fits on site, understand before we vote on it. You were required to have building plans in order to make a decision.

TC: Have 10 ft on either side may meet setbacks, but what is parking, may have to request a variance.

DB: Requirement off street parking, needs a 2 ft buffer for parking.

TC> Street has # of multifamily so not huge ask but need to see how the building will look and what the impact will be on the street.

JC: I did give a full set of plans.

JC: I don't recall I thought there was a smaller set, may or may not have, the elevation and buffer will have those sent electronically.

DB: Before we see the plans, I'm in favor to continue to Dec.3, 2020

FG: I would advise to do some boring to see what water level is and if in a high-water level will be battling water, might want to research that.

Motion: TC – Motion to continue this hearing to Dec 3, 2020

Second: JW

Voted: All in favor

#013-2020, Sandra Hellwig, 79 Summit Ave.

Sitting: DB/FG/MC

In Attendance: Sandra Hellwig, Atty. James Cipoletta

JC: Applicant requests to remove existing garage and replace on same footprint, 13 ft to 20 ft. Owners will run electricity, but no plumbing can cannot convert to living space. Location does not interfere with neighbors and will be more especially pleasing and provide a more utilitarian use.

Sandra Hellwig: Reinforces what attorney said, this space will provide storage and a quiet workspace for conference calls during the stay at home orders due to the pandemic.

DB: Opens public comment up to anyone wishing to speak. Hearing none, motion to close public comment requested.

Motion: FG - Made a motion to close public comment.

Second: MC

Voted: All in favor to close public comment.

FG: Questions what relief needed to grant?

JC: 6.4 ft.

FG: Height variance?

JC: No.

FG: Questions heating & cooling space?

SH: Won't insulate garage, weather permitting for now, just want structure built.

FG: Recommends electric heating pump, no plumbing needed.

SH: Cost too prohibitive.

DB: Questions if property structure will be any closer to lot line?

JC: No, same footprint.

MC: Plans are straightforward, what materials?

SH: Siding to match the house, wood/siding.

DB: Any other questions? If not requests a motion.

Motion: FG - Motion to grant variance to rebuild garage from existing non-conforming structure, variance of 6.4 on side yard variance on existing structure, with no intentions to add plumbing. Applicant must return to Board if plans or conditions change. Grants finding of 40A section 10.

Second: MC

Voted: All in favor

#014-2020, Nathaniel Brevard, 145 Washington Ave.

Sitting: DB/JW/TC

In Attendance: Nathaniel Brevard

NB: Owns property with girlfriend Cathy. Plans showing 2 units, applicant lives in 1 unit and tenant in other. Space available in private suite in applicant's unit.

TC: Are you applying for a Bed & Breakfast or a Transient Lodging License?

NB: For an Air BnB, one bedroom with attached bathroom.

DB: Opens public comment section.

Yaz Alkarma, 3 Elmwood Ct.: Talking with neighbors, expecting noise from guest, how close they will be, Air BnB dissent scan for criminal records, how can this be controlled?

DB: Anyone else?

YA: Complaints about previous owner Mr. Nell, he was renting to students, unit not built with permits, loud noises, close to neighbors.

DB: Anyone else, 3xs? Hearing none, requests a motion to close public comment.

Motion: JW - Motion to close public comment.

Second: TC

Voted: All in favor

DB: No meals will be served?

NB: No.

JW: Need to be on premises with guest, signage required.

NB: Yes, and guest log will be kept

TC: Refers to questions and comments from public.

NB: I live in same unit and will get people who are respectful.

JW: Do you have a dedicated parking space in rear of house?

DB: Were required to grant SP, signage must be conspicuous.

Motion: TC - Motion to approve Special Permit as applicant

Has acknowledged and accepts the Transient Lodging rules and will abide by them.

Second: MC

Voted: All in favor

#015-2020, John Rolander, 25 Locust St.

Sitting: DB/FG/TC

In Attendance: Atty. Richard Lynds, John Rolander

RL: Property not in flood zone. Cottage architecture with off-street parking of 4 spaces provided, needs reconstruction, taller buildings on sides. Remove front porch for parking. Setbacks, 10 ft on right, 10 ft left side. Preexisting none conforming, increase front 15 ft. Not proper living space in basement. Shows existing and proposed past of first and second floor plans. Front and rear elevations will be adjusted to height of building to grade. Front increase to 15 ft to conform and comply with rear yard. Height under 35 ft - 34.3 ft.

DB: Opens public comment portion up.

Matt Boivin, 31 Locust St.: Parking issues on street and 4 cars can impact street parking. Don't have the square footage to make a 2 family, need over 10,000 sq ft. Questions fence spacing between houses and prefers more space in between.

DB; anyone else?

Rick & Kerry Navarro, 21 Locust St.: By adding 2 parking spaces to property will make it unsightly and will remove spaces on street for driveway, plans have same dimensions on side without showing change.

Linda Cologerous, 37 Locust St.: Speaks to parking issues.

DB: Anyone else, 3 x's? Hearing none, asks for motion to close public comment.

Motion: FG: Motion to close public comment portion of meeting.

Second: TC

Voted: All in favor

RL: Decks to be built 10 ft on left, 10 ft on right, with 10 setback relief existing dwelling. Parking of 4 spaces to make compliant, not most optimal but a necessary measurement parking in front is optimal. Height does not exceed 35 ft.

DB: 1955-1982 lot subdivided. 17.16.020.j.2 Dimensional requirements, lot size of 6,026 sq. ft. - two-family 50 ft lot size not 75 ft.

RL: Preexisting condition of lot size

DB: Discusses parking angles, difficulty in maneuvering. Elimination of on street parking due to curb cut,

RL: Agrees, parking challenge by cutting more curb, serves no purpose and trying not to have a negative effect. Parking on street more available and will ask for relief if granted.

DB: Due to topography, shape of odd lot in rear, concrete retaining wall, steep in back yard.

RL: Elevation, ground, basement 2 levels.

TC: Not same, higher roof, 6 ft higher in rear elevation, 21 50 27 ft, 2.5 stories.

RL: Zoning PENC, fit right in code, mandate on acerbated. From 2 ft to 15 ft, Res A allows two family, Lot size subdivided in time not in current zoning.

DB: North/south sideboard setback expansion of structure, additional violations, typical extension, maintain same street line, needs finding of 40A section 6, exponentially not more detrimental to neighborhood. Not included parking C & D in site plan. Variance for 2 spaces, step building back more non-conforming, balance harm to neighborhood, ordinance, peel back 15 ft, green space is better for street, more harmonious, granted additional variances for side yards.

FG: Total width of A & B parking?

RL: Will check on that.

DB: Preexisting spaces?

RL: Depth of 18', 8-8.5' width.

TC: Closer than you think, fence not on property line, need 2 ft landscaping.

Motion: TC - Motion to grant relief of Special permit for lot size for rehab of existing structure to become a two0family home, with 764 ft deficient doe to shape, topography of lot, variance on side yard setback 2-3 feet on left & right sides. Parking for 2 less spaces than on plans with condition of front portion moved and landscaping. Board finds granting relief in harmony and does not derogate from the surrounding properties.

DB: Correction motion to add Variance no Special Permit and a finding of 40A section 6 expand a nonconforming structure not more detrimental.

Second on corrected motion: FG

Voted: All in favor.

Second on original motion: TC

Voted: all in favor

Motion: TC: To adjourn meeting.

Second: FG

Voted: All in favor

Meeting adjourned

Darren Baird, Chairman

Dated:

Respectfully submitted by: Joanne M. DeMato, Clerk