

WINTHROP BOARD OF APPEALS
Minutes of May 26, 2022 Meeting

Meeting was opened at 6:30 PM by Chairman Darren Baird.

Members present: Irene Dwyer, Thomas Chiudina, and Associate Members Jason Wright, John Young and Jamie Stern

Open case 009-2022 (Crystal Cove Apts., 600 Shirley Street) continued until June 30th Meeting. Applicant waived time constraints. Approved; entire Board.

Open case 010-2022 (Piccinato, 153 Court Road) continued to June 30th meeting. Applicant waived time constraints. Approved; entire Board.

New case 011-2022 (Meskell, 36 Cliff Avenue).

Applicant sought variance from rear yard dimensional regulations (17.16.0205) to square off a corner of a rear yard wraparound deck/porch.

There is no available space remaining on either side yard for another design and property slopes downward from the rear of the house.

Neighbors testified and sent letters of support.

Motion to approve, amended to add usual condition of no exposed pressure treated wood.

Ayes: Darrin Baird (Chair), Irene Dwyer and John Young.

New case 012-2022 (Shannon, 200 Somerset Avenue)

Applicant seeks variance to convert a current 2 family to a 3 family. A third floor unit is shown on some Town records and previous owner rented third floor.

Many neighbors appeared or wrote letters on applicant's behalf.

Further discussion of parking. Number of spaces (6) is not an issue. Question whether slight deviation at one point on driveway from 18' dimension (9' + 9') for two cars requires variance.

Chairman Baird says it does not.

Voted to approve conversion of property from two to three units.

Ayes: Darren Baird (Chair), ???

New case 013-2022 (Calla, 40 Triton Avenue)

Applicant seeks setback relief for addition of garage and family room to left side of existing house.

Variance needed to accommodate an in ground swimming pool (already approved).

Lot has 8,800 sq. ft. and frontage on both Triton and Deepwater Street. However, Deepwater Street is a private way thus not a corner lot for measuring setbacks. Discussion noted if ½ of Deepwater width belongs to applicant no variance required.

Proposed addition includes a gazebo-like “head house” and deck above second story family room. Lengthy discussion of whether this violates restrictions of no more than 50% of a third story be living space.

Chairman Baird: Half story issue should only relate to habitable space.

Jason Wright motion for setback relief to allow 5.3” incursion of addition to side yard.

Ayes: Chairman Baird, Wright, Chiudina.

Applicant attorney (Richard Lynds) agrees to draft decision; Chairman Baird requests Attorney Lynds add explanatory language regarding “head house”. Agreed.

New case 014-2022 (Carr, 3 Elliott Street)

Applicant seeks to remove roof of existing 1.5 story house and add full second story on existing house footprint. Relief from Setback restrictions, side and rear yard.

Lot on a corner therefore requiring 25’ setbacks; existing house already located in setback areas so increasing pre-existing non-conforming use.

Chairman Baird finds under MGL Ch. 40A, Sec. 6 that approval would not create a substantially more detrimental effect on neighborhood as house has been in same location for many years.

Motion to approve as amended by T. Chiudina to include specific language describing non-conformity to side and rear yard setbacks.

Ayes: Chairman Baird, T. Chiudina ????

Meeting adjourned 7:53 PM.