

**Winthrop Board of Appeals
February 2, 2023
Meeting Minutes
Via Zoom**

Board members in attendance: Darren Baird, Thomas Chiudina, Jason Wright, John Young, Jaime Stern

Town Staff members in attendance: Rachel Kelly

Board members Absent: Irene Dwyer

Meeting called to order at 6:31 followed by roll call.

35 Summit Avenue (038-2022)

Hearing was a continuation from the January meeting.

Further information was requested regarding information on why Inspectional Services approves a kitchen within the space. The special permit request is to allow transient lodging to reside in an existing in-law apartment. Cooking facilities not allowed within transient lodging.

The unit was inspected by the Winthrop Fire Department.

There was concern that if the special permit was granted for cooking facilities within this application, that future applications would reference this variance in the future. The Chair commented that a decision from one case would not necessarily influence other future cases.

The application requires two parts for the motion. A motion for a variance to include a cooking facility within the unit. The second motion will be for a special permit to grant transient lodging license.

A motion was made by Jaime Stern to grant a variance to allow the second unit withing the existing structure to allow for cooking facilities under Chapter 40A, section 10. Motion made with findings that the hardship would be to alter the unit to meet current zoning code.

The Motion was seconded by Jason Wright. All members voted in favor.

It was noted that the applicant can now apply for an AirBnB Permit.

The hearing was closed.

77 Harbor View Road (036-2022)

The hearing was continued from the January meeting.

A site visit was conducted, and it was noted that no property jacket exists for this property at the Building Department.

The applicant presented an affidavit from the previous building commissioner stating that existing structure was a 3-family building. Applicant requesting a variance for a 4th unit.

The Board Chair opened public comment.

Brian Barrett, 69 Harbor View – Concerned that property has illegal dwelling units as some units do not have a kitchen. Felt that all documentation for the property points to the property being a 2-family home.

James English, 49 Faun Bar Avenue -The previous property owner was fined for illegal dumping.

Nick Delvento – Wanted that the number of utility meters on the structure should be noted. The structure has been modified multiple times to create more units on site.

A motion to close public comment was made by Jaime Stern. The motion was seconded by Thomas Chiudina. All members voted in favor.

The applicant attorney noted that there are ample parking spaces to be included on site. The two current units that do not have kitchens are being removed from the structure.

The Board commented that a determination needed to be made for the property regarding if it is two-family or a 3-family. Appropriate plans would need to be submitted to the Board prior to a final decision is made.

A motion to continue the hearing was made by Jaime Stern. The motion was seconded by Thomas Chiudina.

The minutes from the January 26th meeting were reviewed. A motion was made to approve the minutes was made by Jaime Stern. The motion was seconded by Jason Wright.

A motion to adjourn the meeting was made by Jason Wright at 8:02pm. The motion was seconded by Jaime Stern. All members voted in favor.

Meeting adjourned at 8:02 pm.