

Winthrop Board of Appeals
June 22, 2023
Meeting Minutes
Harvey Room and Zoom

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

Town Staff members in attendance: Rachel Kelly

Board members Absent: Jaime Stern

Meeting called to order at 6:33 followed by roll call.

1039 Shirley Street (019-2023)

A motion to continue the hearing until the July 27th meeting was made by Tom Chiudina. The motion was seconded by Jason Young. All members voted in favor.

40 Willow Avenue (016-2023)

A motion to continue the hearing until the July 27th meeting was made by John Young. The motion was seconded by Tom Chiudina. All members voted in favor.

815 Shirley Street (005- 2023)

Application was a continuation from the May 25th meeting.

Further documentation and photos were submitted to the Board. The home is owner occupied.

The Chair opened the meeting up to public comment.

Bob Strand, 811 Shirley Street, shares passageway between 811 Shirley Street and 815 Shirley, in opposition of the project. Submitted opposition letter to the Board.

Jack Dowd, former 1st floor renter. Stated that all the paperwork that Bob has is not what I want to talk about. Bob has done a very good job and is a lawyer by trade. He will continue this matter. I don't want this project to go forward for a couple of personal reasons. I was living on the first floor of 815 Shirley Street and there was a delivery of oil which broke the tank, and the oil went through the floor underneath the slab. I informed the owner, Mr. Johnson, of the situation and he didn't take care of it for three weeks and I have everything documented. In the meantime, I came home from work, and I work construction and took a shower right away and I had no hot water. Come to find out that Mr. Johnson had a broken water heater for the second floor, and I know the water heater was 10 years old and I looked and saw that Mr. Johnson had a plumber put the services for the 3rd and 2nd floor on my hot water, so he was stealing from me. I want to start here; I know that this Board has to protect people in the neighborhood. Who is going to protect people in neighborhoods from a person that is willing to hard people? And now he wants to add another unit; it's nonconforming, you can't have it in the neighborhood, it's a 2-family house and I don't think he should be given any type of leniency or anything to continue what he is doing with this building. I am going to process this with the Conservation and the Building Department and other things. I don't think he is a capable landlord and why give him another apartment to abuse.

Stephen Celoila, 819 Shirley Street. In favor of the project. Said homeowner took good care of his property and keeps property upgraded.

A motion to close public comment was made by Irene Dwyer. The motion was seconded by John Young. All members voted in favor.

After public comment closed, James Johnson was provided with the opportunity to respond to public comments made. James Johnson responded that currently there was no work being done on the site. He recently had an oil to gas conversion done at the property. Hired Streeter Plumbing. It took National Grid a while to come up to update the line. The Fire Chief and Building Inspector inspected basement. An anonymous phone came on March 28th saying there was oil in the basement. The Fire Chief and Building Department did a surprise inspection and confirmed there was no issue and then they left.

Utilities for the 2nd and 3rd floor are the same. Jack Dowd's first floor utilities are separate. There was no stealing or the possibility of stealing his hot water. He had washer and dryers in the basement and before leaving he stole five appliances.

Jack Dowd immediately responded: I got the receipts for all appliances.

James Johnson stated that originally, he had a good relationship with Bob Strand. James Johnson apologized for not being prepared for the first ZBA meetings.

Tom Chiudina stated that the BOA is not an enforcement authority.

A motion to deny a variance for the 3rd living unit and a variance for parking was made by Irene Dwyer. The motion was seconded by John Young. All members voted no on granting the variance. The motion was not passed.

A motion to grant a special permit to rebuild the existing decks, within the current footprint and rebuild the deck stairwells was made by Irene Dwyer. The motion was seconded by John Young. All members voted in favor. The hearing was closed.

Jack Dowd stood up and stated: For the people of Winthrop, I have receipts for everything that Mr. Johnson said I stole. He will bring them to the next meeting.

620 Shirley Street

The homeowner previously received approval for a project including a deck. The homeowner was requesting approval to change the decking material. Originally the decking material approved was composite decking. The homeowner was requesting to change the decking material to pressure treated wood.

A motion to approve the material change was made by Tom Chiudina. The motion was seconded by John Young. All members voted in favor.

32 Siren Street (045-2022) / 34 Siren Street (022-2023)

The applicant provided the Board with a chart of variances. The application proposed to build a new single-family home on 4,056 square foot lot. The home will only have a basement in the front half of the house, the back part of the house is on pilings. A dry well will handle the runoff.

The Chair opened the meeting up to public comment.

Sean Donahue, legal counsel to abutter; abutter concerned about the status of the land and merging two lots. Concerned with overcrowding, parking, and safety.

A motion to close public comment was made by Tom Chiudina. The motion was seconded by Irene Dwyer. All members voted in favor.

43 Triton Avenue (014-2023)

The applicant was requesting an AirBNB permit renewal.

The Chair opened the meeting up to public comment. There was no public comment.

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

A motion to approve the AirBNB renewal permit for 2 more years was made by Jaime Stern. The motion was seconded by Irene Dwyer. All members voted in favor. The hearing was closed.

15 Atlantic Street (017-2023)

The application was for a 2-story addition onto an existing single-family home. The house would remain a 2-family home, the addition would create more living space to allow for the homeowner's family to move in. Addition would not be an in-law apartment. A 2-car garage would be added onto the home. Existing driveway fits four vehicles. The home will remain a single-family home. A variance is needed on both the left and right side of the lot.

The Chair opened the meeting up to public comment.

Mary Alice Sharky, abutter; in favor of the project.

Two letters of support were also submitted in favor of the project and noted during public comment.

A motion was made by John Young. The motion was seconded by Tom Chiudina. All members voted in favor.

A motion was made by Tom Chiudina that the Board grant a variance for the left side relief of 3.3 feet and 4.4 feet on the right side. Proposed addition is not detrimental to the neighborhood. A motion to grant the special permit as well. The motion was seconded by John Young. All members voted in favor.

160 Winthrop Shore Drive (018-2023)

The application was to demolish an existing non-conforming single-family home. The home will be replaced with a 3-bedroom single family home, with exterior decks. The current home is a pre-existing non-conforming structure, but a variance is still needed.

The Chair opened the meeting for public comment.

The applicant submitted a petition supporting the project, signed by abutters.

David Gordon, 151 Winthrop Shore Drive. Inquired about the height of the home once completed.

A motion was made by Jaime Stern to close public comment. The motion was seconded by Tom Chiudina.

Variance will be needed for front yard parking, rear yard relief, side yard relief, and frontage.

A motion was made by Jaime Stern, to grant a variance for parking in the front, side yard relief, frontage, and rear yard relief. Work to be done in accordance with the plans. The motion was seconded by Tom Chiudina. All members voted in favor.

29 Winthrop Shore Drive (020-2023/021-2023)

The original structure collapsed while interior work was being completed. The original structure was a two-family home at the time of purchase. The applicant would like to convert the structure to a single-family home. The new house will be 2.5 stories and will be modular. Dimensions will be approximately 38 feet by 40 feet plus a 22 feet by 22 feet 2-car garage. The new structure will be shifted to the right, away from Tewksbury Street.

The Chair opened the meeting up for public comment.

Peter Gill, 125 Plummer Avenue. Spoke in favor of the application and project.

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

The new structure will be more consistent with Winthrop zoning requirements.

The applicant originally submitted an application for a variance and an application for a special permit. The Board determined that the special permit application was not needed. The applicant withdrew the Special Permit application without prejudice.

A motion to grant a variance for front, side, and rear yard relief according to the plans submitted was made by John Young. The motion was seconded by Tom Chiudina. All members voted in favor.

Adjourn:

A motion to adjourn was made by Irene Dwyer. The motion was seconded by Jaime Stern. All members voted in favor. The meeting adjourned at 9:42 pm.