

Winthrop Board of Appeals
November 30, 2023
6:30 pm
Meeting Minutes
Winthrop Town Hall, Harvey Room

Board Members in attendance: Darren Baird, Chair, Marc Chapdelaine, Thomas Chiudina, Jason Wright, John Young, Jaime Stern

Town Staff members in attendance: Rachel Kelly

Board Members absent: n/a

The meeting was called to order at 6:30 pm followed by roll call.

14 Townsend Street (030-2023)

A motion to continue the hearing until December 14th was made by Tom Chiudina. The motion was seconded by Marc Chapdelaine. All members voted in favor.

170 Grovers Avenue (032-2023)

A motion to continue the hearing to January 11th was made by Jason Wright. The motion was seconded by Jaime Stern. All members present voted in favor.

40 Willow Avenue (037-2023)

The applicant submitted the requested hardship memo to the Board. Due to the last minute submission the Board continued the hearing so that they had time to review the memo. A motion was made by Marc Chapdelaine to continue the hearing until the December 14th meeting. The motion was seconded by Jaime Stern.

Due to the local newspaper's failure to print the second round of legal notices, 1001 Shirley Street and 74 Quincy Avenue will have new hearings in January.

27 Enfield Road (039-2023)

The application was for the replacement of an inground swimming pool to replace the existing one that was in severe disrepair. The pool will be reinstalled in almost the same footprint as the existing one, except it will be moved slightly more into the center of the yard. The existing garage is being removed completely. The new pool will not be closer to any property boundary lines.

The Chair opened up the meeting to public comment. There was no public comment on this application. A motion to close public comment was made by Marc Chapdelaine. The motion was seconded by Jaime Stern. All members voted in favor.

The board noted that the pool qualifies as a pre-existing, non-conforming structure. It was also noted that the pool replacement required a special permit, not a variance, as stated in the Building Department's denial letter. The Board was reforming the building inspector's decision.

A motion was made by Marc Chapdelaine to amend the relief sought by amending the denial letter from the Building Inspector to allow for relief in the form of a special permit not to be less than 5 feet from any lot line. This is a replacement and slight alteration of a pre-existing, non-conforming structure. By granting the special permit, it will be making it conforming and it is not substantially more detrimental to

the neighborhood, and that it be built in accordance with the plans submitted to the board at the time of the hearing. The motion was seconded by Tom Chiudina. All members voted in favor of the motion.

130-140 Shirley Street (032-2023)

The applicant for 130-140 Shirley Street requested a 6 month extension on their previously approved decision. With the extension, the decision now expired on May 28, 2024. The motion to extend the variance was made by Jason Wright. The motion was seconded by Jaime Stern. All members voted in favor. Marc Chapdelaine abstained.

58 Cutler Street (040-2023)

The application is for an existing multi-family home that is in great disrepair. The house is an existing 3-family home in a 2-family zoned district. Original house has a wrap around porch. Converted to be a heated living space. Intention is to renovate the building and expand and renovate the 3rd floor unit. This would make the building go from a 2.5 story building to a 3-story building. Building will not get taller; dormers build out the roof. The wrap around porch shall be removed and replaced with a new one. The footprint of the building will not be expanded.

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

A motion to close public comment was made by Jaime Stern. Marc Chapdelaine seconded the motion. All members voted in favor.

The parking for the building will remain the same, 3 off-street parking spaces. Since number of units is not changing, the parking allowance is allowed to remain the same. The work to be done with create a complaint staircase and make it safer. The existing house is a legal non-conforming structure. A special permit is needed to expand the pre-existing, non-conforming structure. A variance for relief on the side yards because the expansion of the dormer will encroach into the side yard.

A motion was made by Tom Chiudina that the Board grant the special permit relief needed to modify a pre-existing, non-conforming structure according to plans submitted and that the Board grant relief for a variance for the extension of the side-yard set back on the left side and front yard set-back. Enforcement of the zoning bylaw would create a hardship due to the size and shape of the existing lot. And grant a variance for the 3rd story as well finding that the 3rd unit is already exists and the work to be done would bring it into building code compliance. The motion was seconded by Jaime Stern. All members voted in favor.

2024 Meeting Schedule

A motion to approve the 2024 meeting schedule was made by Jason Wright. The motion was seconded by Jaime Stern. All members voted in favor.

Adjourn:

A motion was made by Jason Wright to adjourn the meeting. The motion was seconded by Jaime Stern. All members voted in favor. The meeting adjourned at 7:10.