

TOWN OF MARBLEHEAD  
BOARD OF APPEALS  
Minutes of Meeting:  
August 22, 2017



A regularly scheduled and noticed meeting of the Board of Appeals was called to order by Chairman Moriarty, at or after 7:30 p.m. in the Selectmen's Room at Abbot Hall, Marblehead, Massachusetts. Present were Board members Moriarty, Barlow, Lipkind, Tubridy and Rudolph.

HEARINGS:

**7:30 P.M. 9 Saturn Avenue, Lisa Hooper**

The Board of Appeals held a public hearing on **Tuesday August 22, 2017 at 7:30 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Lisa Hooper** to vary the application of the present Zoning By-law by allowing a Special Permit to construct additions to the single family dwelling on the property located at **9 Saturn Avenue** in the Single Residence District. The new construction exceeds the 10% expansion limit for non-conforming buildings on a pre-existing non-conforming property with less than the required side yard setback. The application was presented by Walter Jacob, Architect. The Chairman asked if there was anyone in the assembly to speak in opposition or in favor. Betsy Ganglani, 5 Saturn Road, questioned how the basement may or may not affect her swimming pool. There was no additional comment. A motion was made and seconded to close the public hearing. All in favor 5-0. A motion was made and seconded to approve with usual conditions. All in favor 5-0. Tubridy to write.

**7:30 P.M. 65 Naugus Avenue, Edward and Diana Breed**

The Board of Appeals held a public hearing on **Tuesday August 22, 2017 at 7:30 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Edward and Diana Breed** to vary the application of the present Zoning By-law by allowing a Special Permit to construct additions to the single family dwelling on the property located at **65 Naugus Avenue** in the Shoreline Single Residence District. The new construction is within the required front yard setback, side yard setback and exceeds the 10% expansion limit for non-conforming buildings on a pre-existing non-conforming property with less than the required frontage and side yard setback. The application was presented by Attorney Paul Lynch and Walter Jacob, Architect. The Chairman asked if there was anyone in the assembly to speak in opposition or in favor. No one to speak in favor or opposition of the project. A motion was made and seconded to close the public hearing. All in favor 5-0. A motion was made and seconded to approve with usual conditions. All in favor 5-0. Rudolph to write.

**7:45 P.M. 4 Thomas Circle, James Watt**

The Board of Appeals held a public hearing on **Tuesday August 22, 2017 at 7:45 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **James Watt** to vary the application of the present Zoning By-law by allowing a Special Permit for a detached accessory building to remain on the property located at **4 Thomas Circle** in the Single Residence District. The new construction is within the required side yard

setback on a pre-existing non-conforming property with less than the required lot width, frontage and side yard setback. The application was presented by James and Cassie Watt. The Chairman asked if there was anyone in the assembly to speak in opposition or in favor. No one to speak in favor or opposition of the project. A motion was made and seconded to close the public hearing. All in favor 5-0. A motion was made and seconded to approve with usual conditions. All in favor 5-0. Barlow to write.

**7:45 P.M. 405 Ocean Avenue, Gene Tremblay**

The Board of Appeals held a public hearing on **Tuesday August 22, 2017 at 7:45 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Gene Tremblay** to vary the application of the present Zoning By-law by allowing a Special Permit to construct additions to the single family dwelling on the property located at **405 Ocean Ave.** in the Shoreline Expanded Single Residence District. The new construction is within the required side yard setback on a pre-existing non-conforming property which exceeds the maximum allowed height. The application was presented by Ryan McShera, Red Barn Architecture. The Chairman asked if there was anyone in the assembly to speak in opposition or in favor. Robert Gunn, 409 Ocean Avenue, spoke in favor of application. There was no additional comment. A motion was made and seconded to close the public hearing. All in favor 5-0. A motion was made and seconded to approve with usual conditions. All in favor 5-0. Lipkind to draft.

**8:00 P.M. 30 Pilgrim Road, Chris Ronshagen**

The Board of Appeals held a public hearing on **Tuesday August 22, 2017 at 8:00 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request **Chris Ronshagen** to make an appeal of the Building Commissioner's Action/Inaction regarding Zoning Enforcement at **30 Pilgrim Road**. The appeal was presented by Chris Ronshagen. Mr. Ronshagen submitted a letter of support for the appeal. The applicant's request to withdraw the appeal application without prejudice was unanimously approved.

**ADMINISTRATIVE HEARING:**

12 Sunset Road, Andrew Bendheim

Changes presented by Walter Jacob Architect.

A motion was made to approve the changes as not material with the condition that the fence is not more than 40". All in favor 5-0.

The meeting was adjourned.

Respectfully submitted,

Jennifer Titus

