

TOWN OF MARBLEHEAD  
BOARD OF APPEALS  
Minutes of Meeting:  
September 26, 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, Krasker, Barlow, and Drachman.

HEARINGS:

**7:30 p.m. 18 Chestnut Street, Jaime Osborn**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 7:30 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Jaime Osborn** to vary the application of the present Zoning By-law by allowing a Special Permit to extend the deck on the property located at **18 Chestnut Street** in the General Residence District. The new construction is within the required side yard setback and further reduces the open area on a pre-existing non-conforming property with less than the required lot area, front yard setback, side yard setback and open area. Hearing advertised in Marblehead Reporter on September 7, 2017 & September 14, 2017. The application was presented by Jaime Osborn, applicant. 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 4-0. A motion was made and seconded to approve with usual conditions. All in favor 4-0. Drachman to write.

**7:30 p.m. 282 Ocean Avenue, Peter Pappas and Shelia Leyne**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 7:30 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Peter Pappas and Shelia Leyne** 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 **282 Ocean Avenue** in the Expanded Single Residence District and Shoreline Expanded Single Residence District. The new construction is within the required side yard setback and further reduces the open area on a pre-existing non-conforming property with less than the required lot area, frontage, side yard setback, open area and exceeds the maximum allowed height. Hearing advertised in Marblehead Reporter on September 7, 2017 & September 14, 2017. The application was presented by Craig Bosworth, 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 4-0. Moriarty questioned the ratio of the roof and cited footprint and volume a concern. The applicant's request to continue the hearing to October 24, 2017 at 8:30 was unanimously approved.

**7:45 p.m. 5 Sunset Road, Julius Sokol**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 7:45 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Julius Sokol** to vary the application of the present Zoning By-law by allowing a Special Permit to raze the existing dwelling and accessory building and construct a new single family dwelling on the property located at **5 Sunset Road** in the Shoreline Single Residence District. The new construction is within the front and side yard setbacks and exceeds the maximum height and exceeds the ten percent expansion limit for non-conforming buildings on a pre-existing non-conforming property with less than the required lot area, lot width, frontage, front yard setback, side yard setback and parking and which exceeds the maximum allowed height. Hearing advertised in Marblehead Reporter on September 7, 2017 & September 14, 2017. The application was presented by Attorney Paul Lynch. The Chairman asked if there was anyone in the assembly to speak in opposition or in favor. Steven Lovely, Attorney and representative of Katie and Mike Vaillancourt, Mary Pelletier, Arthur McGeown, Joe Davis, Michele Davis and Harold Daly spoke in opposition. Joe Davis, 85 Overlook Road, spoke in opposition. There was no additional comment. A motion was made and seconded to close the public hearing. All in favor 4-0. A motion was made and seconded to approve with usual conditions. All in favor 4-0. Krasker to write.

**7:45 p.m. 7 Lincoln Avenue, Marblehead Laundry, Inc.**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 7:45 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Marblehead Laundry, Inc.** to vary the application of the present Zoning By-law by allowing a Special Permit to allow for the expansion of the existing boat storage yard to include that area previously occupied by the Marblehead Laundry Building and adjoining parking area on the property located at **7 Lincoln Avenue** in the Expanded Central Residence District. The new construction creates no new dimensional non-conformities on a property with no existing dimensional non-conformities. Hearing advertised in Marblehead Reporter on September 7, 2017 & September 14, 2017. The applicant's request to continue the hearing to October 24, 2017 at was unanimously approved. No evidence taken.

**8:00 p.m. 30 Pilgrim Road, Chris Ronshagen**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 8:00 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request **Chris Ronshagen** to vary the application of the present Zoning By-law by allowing a Special Permit to install windows and insulation into a screened-in area of the dwelling on the property located at **30 Pilgrim Road** 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 area, lot width, frontage, parking and side yard setback. Hearing advertised in Marblehead Reporter on September 7, 2017 & September 14, 2017. The application was presented by Chris Ronshagen, applicant. 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 4-0. A motion was made and seconded to approve with usual conditions. All in favor 4-0. Barlow to write.

**8:00 p.m. 43 Clifton Heights Lane, Angela Wakefield**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 8:00 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Angela Wakefield** 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 **43 Clifton Heights Lane** in the Shoreline 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 area, lot width, frontage, front yard setback and side yard setback, parking and exceeds the maximum allowed height. Hearing advertised in Marblehead Reporter on September 7, 2017 & September 14, 2017. The application was presented by Angela Wakefield, applicant. 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 4-0. Board members expressed concern with the proposed design plans. The applicant's request to continue the hearing to October 24, 2017 at 8:30 was unanimously approved.

**8:15 p.m. 63 Beach Street, Douglas Schluter, APPEAL**

The Board of Appeals held a public hearing on **Tuesday September 26, 2017 at 8:15 PM** in the Selectmen's Meeting Room of Abbot Hall, 188 Washington Street, Marblehead, on the request of **Douglas Schluter** to make an appeal of the Building Commissioner's Action/Inaction regarding Zoning Enforcement at **63 Beach Street**. Hearing advertised in Marblehead Reporter on September 7, 2017 &

September 14, 2017. The appeal was presented by Douglas Schluter. The Building Commissioner was represented by Adam Costa, Town Counsel. The Chairman asked if there was anyone in the assembly to speak in opposition or in favor. Bob McCann, Attorney representing collective of neighbors spoke in opposition of appeal. Antonio, 64 Beach Street, spoke in opposition. Charles Ives, 4 Page Road; Brigitte Fortin, 55 Beach Street and Steve Miller, 226 Ocean Ave. spoke in support of the appeal. A motion was made and seconded to close the public hearing. All in favor 4-0. The Board voted unanimously to overturn the appeal and sustain the Building Commissioner's action. Moriarty to write.

**ADMINISTRATIVE HEARING:**

19 Leggs Hill Road, Lauren Skelton Leard

A motion was made to approve the changes as not material. All in favor 4-0.

The meeting was adjourned.

Respectfully submitted,  
Jennifer Titus

