

BOARD OF APPEALS

Minutes of Meeting

November 25, 2025

A regularly scheduled and noticed meeting of the Board of Appeals was held on **Tuesday November 25, 2025**, remotely on Zoom, and was called to order by Chairman Bill Moriarty at 7:30 PM.

Present were five Board members *Drachman, LaBrecque, Liebman, Rudolph, Moriarty.*

This hearing was held in accordance with the provisions of the Marblehead Zoning Bylaw, and Chapter 40A of the General Laws as amended. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, Â§18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Marblehead Zoning Board was conducted via remote participation.

Zoom recording available:

https://us06web.zoom.us/rec/share/58XdN92Q4FYTh8bbJFEi9eDTpO9C0wqtI2fHHSdf3wZhHKvt69wRc4y_vK6ZK1GE.AjBZNV6HZcku64q3

Passcode: R\$I8awk

7:30 PM 132 Front Street – Adam and Whitney Gray – (Cont. from September 23, 2025 – evidence taken) – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the construction of a two-story addition with a roofed deck on the rear side of the single-family home with less than the required Lot Area and Side Yard Setback located in the Shoreline Central Residence District. The new construction will encroach on the Side Yard Setback and exceed the 10% Expansion Limit. Homeowner Adam Gray spoke to the continued application for 132 Front Street, stating that additional application requirements were submitted including a Certificate of Appropriateness (COA) from the Old and Historic District Commission and a revised survey showing the low point on the property. He briefly reviewed the plans for the addition at the back of the property noting that the addition will encroach in the side yard setback but does not encroach on existing setbacks. They didn't have the COA and the plans did not show the low point on the property. There were no further questions from the Board. No one spoke in favor or opposition. A was made to close the hearing (Liebman, Labrecque). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). A motion was made to issue a special permit with the usual conditions. Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE.**

7:30 PM 13-15 Maverick Street – Elena Nellson – (Cont. from September 23, 2025 – evidence taken) – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the construction of a garage addition to a pre-existing, non-conforming, two-family dwelling on a lot with less than the required lot area, front yard setback, and height located in the Single Residence District. The proposed addition will encroach on the side-yard setback and will also have less than the required Open Area and will exceed the 10% expansion limit. John Andrews from JFA Design Group presented revised plans for a single car garage (13' x 40' long) and a second story addition above for a family room and office. The proposed addition to the two-family residence meets the side, front and rear setback requirements but exceeds the height requirement (height

25'.10"). The application seeks relief for open area and lot area and parking. There are currently four cars that park in the driveway; parking spaces are not regulation. Mr. Moriarty asked where cars park. Mr. Andrews stated that one spot is in the garage, two in tandem in the driveway, and one spot in the garage. Mr. Drachman asked if the trees in the back would be impacted by the construction. Homeowner Elena Nellson stated the trees would not be touched. There were no further questions from Board. Carol Eldridge, 17 Maverick Street is a direct abutter and has lived in the home for 48 years. She spoke in opposition to the project and was concerned about the silver maple trees near her property and how the roots would be affected. She continued that the property has seen several additions over the years, including a deck and a dormer and that the 40' two-story addition is an increase larger than the average home. She expressed concerns about tenants regularly parking in front of 17 Maverick Street. A motion was made to close the hearing. (Liebman, Drachman). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). Mr. Liebman commented that it is a large home a block and had a concern about the office with closet being used as an extra bedroom. Mr. Labrecque agreed. Mr. Drachman spoke and acknowledged that the building is larger/deeper than other buildings on the block and expressed concern for the health of the trees/roots when the garage is built. Mr. Moriarty told the applicant that it didn't appear that they would have the necessary votes for a special permit and if denied, an application could not come before the Board for two years. The applicant requested to withdraw the application without prejudice. A motion was made to allow the application to be withdrawn (Liebman, Labrecque). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). **APPLICATION IS WITHDRAWN WITHOUT PREJUDICE.**

7:45 PM 1-7 Pleasant Street – Old Town Properties – request to vary the application of the present Zoning By-Law by allowing a Special Permit for a change of use from a retail/office use to a converted dwelling use with four dwelling units located in the Unrestricted District. Attorney Paul Lynch along with Graham Salzberg presented the application to convert existing office space to a converted dwelling space containing four dwelling units. The property is located on the corner of Pleasant Street and Washington Street, and they are asking for a permit to convert the second and third floors into two units on the second floor and two units on the third floor. The second floor will have dwelling units and office space. The building does not have its own parking. All parking is on the street (from Gut and Feathers to the property and from Washington Street from Crosbys to State Street). Mr. Lynch said that there is usually adequate parking and the building is located on a bus route. Mr. Liebman inquired about the total number of individual units. A motion was made to close the hearing (Liebman, Drachman). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). Mr. Labrecque had concerns about parking. Mr. Moriarty stated that the application was only seeking of change of use and not relief for parking. Mr. Drachman commented that he is sympathetic to residential units downtown and parking can be tricky. Mr. Rudolph commented that change of use allows for residential downtown. A motion was made to approve the change of use application. Drachman, yes, Labrecque, no, Liebman, yes, Rudolph, yes, Moriarty, yes. 4-1 in favor. **SPECIAL PERMIT WILL ISSUE.**

7:45 PM 14 Madison Road – Mark Holland – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the construction of an addition to a pre-existing non-conforming single-family dwelling with less than the required Front, Side, and Rear Yard Setbacks located in the Single Residence District. The new addition will encroach into the Front Yard Setback. Attorney Matt Wolverton and architect Craig Bosworth represented the application for a modest addition to the front of the home that includes a covered entry and steps, along with additional trim detail to the home. The addition is about 32 square feet and encroaches on the front, rear and side setbacks. The application is before the Board due to a condition in a previously issued special permit. Mr. Bosworth reviewed the plans with Board. No one spoke in favor or opposition. There were no further questions from the Board. A was made to close the hearing (Liebman, Labrecque). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). A motion was made to issue a special permit with the usual conditions. Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE.**

8:00 PM 20 Euclid Avenue – Kevin and Caroline Wojtas – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the construction of one-story additions to a single-family dwelling with less than the required Lot Area and Rear Yard Setback located in the Single Residence District. The new additions will encroach into the Rear Yard Setback and exceed the 10% expansion limits for a non-conforming building. John Fedas presented the application for an addition that is a scaled down scope of work from a project approved by the Board on April 11, 2025. The previous application included a garage, and the revised application is a first floor, smaller footprint than previously approved addition and is all slab on grade. Mr. Drachman inquired about the tree on the old Salem side of the property, Mr. Fedas stated that there would be no impact to the tree. No one spoke in favor or opposition. There were no further questions from the Board. A was made to close the hearing (Liebman, Rudolph). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). With the usual conditions and a recitation that the new decision supersedes the prior decision and a notation that the applicant will take all necessary steps to preserve the tree at the rear of the property the Board voted to issue a special permit with the usual conditions. Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE.**

8:00 PM 45 Ruby Avenue – Jonathan and Deborah Golub-Sass – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the construction of additions to a pre-existing non-conforming single-family dwelling with less than the required Front and Side Yard Setbacks located in the Single Residence District. The new additions will encroach into the Front and Side Yard Setbacks, reduce the Open Area Ratio, and exceed the 10% expansion limits for a non-conforming building. Attorney Matt Wolverson and architect Craig Bosworth presented the application for a second-floor addition that will remain within the footprint of the existing home. Mr. Bosworth explained that the third-generation family would like to increase living space and noted that many of the homes in the neighborhood have second floors. Two neighbors, Nash Key at 43 West Street and Roland Scott Robson at 44 Ruby Avenue spoke in support of the project. No one spoke in opposition. A was made to close the hearing (Labrecque, Drachman). Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). Mr. Moriarty noted that the project does not have the 1-1 ratio, but the applicant made a good point about the number of two-story homes in the area. Drachman, Labrecque, Liebman, Rudolph, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE.**

8:15 PM 43 Norman Street – Janet and Robert Doyle – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the demolition of an existing room and the construction of a new addition on a single-family dwelling with less than the required Front and Side Yard Setbacks located in the Single Residence District. The new addition will encroach into the Side Yard Setback. Walter Jacob presented the application on behalf of the Doyles noting that the 274 sf, one-story bedroom addition on the first floor replaces an existing sunroom. The project received approval from the Old and Historic District Commission. A motion was made to close the hearing. (Labrecque, Rudolph). All in favor. (*Note: Mr. Labrecque lost internet signal and was not available for the vote; Mr. Jacob said a four-person vote would be fine*). A motion was made to issue a special permit with the usual conditions. Drachman, Liebman, Rudolph, Moriarty. (4-0- all in favor). **SPECIAL PERMIT WILL ISSUE.**

8:15 PM 185 Pleasant Street – 185 Pleasant Street LLC – request to vary the application of the present Zoning By-Law by allowing a Special Permit for the installation of dormers on a non-conforming mixed-use structure located in the B1 District. Attorney Lynch represented the applicant and stated that it was okay to proceed with four Board members present. He stated that the property has changed ownership and the new owners wanted to upgrade the property. The application to construct two separate dormers to the roofline would add about 117 sf and provide more headroom and light and air to the space. Although open area is reduced, it's a good ratio in the B1 District. The proposal went before the Design Review Board and was approved. Mr. Liebman asked about reasoning for the change. Mr. Lynch stated they are dormers are for dwelling units. No one spoke in favor or opposition. A motion was made to close the hearing. The Board noted that the dormers are not very invasive and given the size of the lot and orientation of the building. A motion was made to close the

hearing. (Labrecque, Rudolph). Drachman, Liebman, Rudolph, Moriarty. (All in favor). motion was made to issue a special permit with the usual conditions. Drachman, Liebman, Rudolph, Moriarty. (4-0- all in favor). **SPECIAL PERMIT WILL ISSUE.**

There were no other matters. A motion was made to adjourn the meeting. (Liebman, Drachman). Drachman, Liebman, Rudolph, Moriarty. (4-0- all in favor).

Meeting adjourned 8:59PM

Respectfully submitted,
Senior Clerk, Community Planning and Development