

Meeting Minutes
Zoning Board of Appeals
May 27, 2025

A regularly scheduled and noticed meeting of the Board of Appeals was held on **Tuesday May 27, 2025**, remotely on Zoom, and was called to order by Chairman Bill Moriarty at 7:30 PM.

Present were five Board members *Labrecque, Liebman, Rudolph, Casey, 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.

The meeting did not record, and a Zoom link is not available for the May 27, 2025 meeting.

7:30 PM 7-9 Rolleston Road – Heather and Brett Rosenbaum – demolition of an existing non-conforming single-family home and shed and the construction of a new single-family home located in the Single Residence and Shoreline Single Residence District. The newly constructed single-family home will encroach into the rear yard setback.

Attorney Matt Wolverton and architect Tom Saltsman presented the application for the Rosembaums and made a point of clarification that Steven Rosenthal should not have been on the agenda. Mr. Wolverton refreshed the Board's memory that the project was before the board in the fall for a home demolition and new home construction. A special permit issued in 1978 allowed for multiple dwellings on the lot and in the fall of 2024 asked the board for permission to continue that special permit finding as long as any new home would not be detrimental to the property.

Tom presented revised designs for the proposed structures on the lot and, if successful, the 1978 findings would be included in the Decision. The property straddles to two districts and they are reducing the scope of the project and working with the typography to create yard space. The driveway will now be in a different location and the accessory dwelling building will be pulled back. The revised survey shows the building moved in another 6' from the side yard setback. They are not applying for the accessory dwelling unit because there is already permission for an additional dwelling on the lots.

Mr. Labrecque asked if the neighbor at the back of the property received the plans. Mr. Saltsman stated that the only neighbors who haven't seen the plans are at the Miller/Stein residence at 3 Rolleston Road. The neighbors at 12 Bartlett Road received the plans and sent back positive support. Mr. Barlow asked about the elevation that is 30' (from 28.4'). Mr.

Saltsman said that 30' is the correct number and a revised survey will be submitted to show 30' (the April 15, 2025 survey was the original survey submitted to the Board, revised and corrected survey is dated May 22, 2025).

No one spoke in favor of the application. Adam Stein, representing Jackie Miller at 3 Rolleston Road asked for clarification about the accessory dwelling building that is now pushed back into the property and how it would impact the landscape, and they don't want a wall of arborvitaes to block the view at 3 Rolleston. Mr. Saltsman said that the grade that exists will remain.

A motion was made to close the hearing (Casey, Labrecque). Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor).

A motion was made to issue a special permit with the usual conditions and a condition that plantings do not interfere with the view. Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE**

7:30 PM 15 Auburndale Road – Christopher Grohe – construction of an existing non-conforming detached garage and the construction of a new garage located in the Single Residence District. The newly constructed garage will have less than the required lot area, frontage, parking, open area, front yard setback, side yard setback, rear yard setback, and will exceed the 10% expansion limits for non-conforming buildings.

Architect and application representee Jeff Tucker requested to continue the hearing June 24, 2025. A motion was made to continue the hearing. (Labrecque, Rudolph). Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). **APPLICATION CONTINUES TO JUNE 24, 2025 at 7:45 PM**

7:45 PM 132 Washington Street – Stephanie Brocoun – construction of an addition to the rear of an existing non-conforming commercial two-story building and the change of use from non-residential to mixed use (commercial and residential) located in the Unrestricted District. The proposed addition will encroach on the side yard setback and the proposed change of use will see the second floor of the existing building converted from an office space to a residential use.

Attorney Matt Wolverton presented the application for an addition to the rear of an existing building and a request to change-of-use from non-residential to mixed-us.

Mr. Wolverton explained that the two condo units are owned by the applicant. First floor Unit 5 is a condominium; second floor Unit 6 would be converted from an office unit to a one-bedroom residential unit. The project obtained a Certificate of Appropriateness from the Old and Historic District Commission. The owner and architect have had conversations with the abutters at 134 Washington and as part of those conversations, they've reduced the size of the addition and revised the rear elevation and floor plan. Veronica Hobson, Taproot Design, showed the plans and original survey and explained the project to the Board, indicating that the new setback is now 8' (was 5') and that the deck is reduced by 3 feet.

Mr. Liebman commented favorably about the design. Mr. Labrecque inquired about parking. Ms. Hobson said that parking spaces are reduced from 9 to 8 and that it is still non-compliant. The applicant has not asked for relief for parking. Mr. Moriarty commented that a new survey and application with revised plans and a request for parking relief should be submitted for full consideration. Mr. Casey commented that there could be a problem down the road if the complete application with requests isn't collectively presented to the Board. The Board voted to continue the hearing to June 24, 2025 at 8:00 PM. Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). **APPLICATION CONTINUES TO JUNE 24, 2025 at 8:00 PM**

7:45 PM 340 Ocean Avenue – Nathaniel Walton – demolition of an existing non-conforming, single-family home on a non-conforming lot and to construct in its place a 2.5 story single-family home located in the Expanded Single Residence District. The newly constructed home will have less than the required lot area and encroach into the side and rear yard setbacks. Architect Tom Saltsman shared plans with Board for the demolition and rebuilding of a home. Mr. Moriarty asked about the Hancock Associates plot plan that shows all that is being proposed. A revised survey will be submitted for the file to say 'new house' and not 'proposed conditions.' The project did not have to go before the Planning Board, it is outside of the. No one spoke in favor or opposition. A motion was made to close the hearing (Barlow, Labrecque). A motion was made to issue a special permit with the usual conditions and the submission of a revised survey/plot plan removing language re: proposed additions. New survey must be submitted within two weeks. Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE**

8:00 PM 13 Cloutman's Lane – Karin McCarthy, Trustee – ADMINISTRATIVE HEARING – reduce scope of work from previously approved Special Permit to include the removal of second floor addition and an extension of an existing shed dormer. Karin McCarthy represented her request to remove a front, second story addition and construct a small extension and shed dormer at the back of the house. The Board agreed that the requested changes are material in nature and would require a full ZBA application and hearing to be considered. **ADMINISTRATIVE REQUEST DENIED**

8:00 PM 185 Pleasant Street – 185 Pleasant Street, LLC – vary the application of the present Zoning By-Law by allowing a Special Permit for a change of use from a combined residential and non-residential building to a converted dwelling with commercial use on the first floor located within the B1 District. Architect Walter Jacob and attorney Paul Lynch refreshed the Board's memory that the request was presented to them the month before as an administrative request that included three apartments on the second level of the dwelling and first floor would be converted to a residential and a commercial space. There are no exterior changes to the building and no dimensional requests for the Board to consider. The presented application is for a change of use. Mr. Lynch stated that parking is compliant with eight parking spaces. No one spoke in favor or opposition. A motion was made to close the hearing. (Labrecque, Rudolph). Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). The Board agreed to grant a special permit for the change of use without further conditions.

Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE**

8:15 PM 37 Brookhouse Drive – Sean Riley and Olympia Panagopoulos – construction of additions to a pre-existing non-conforming single-family dwelling with less than required front and side yard setback on a non-conforming corner lot having less than required lot width and rear lot line, located a Single Residence District. The proposed construction will be located partially within the front yard setback and exceed the 10% expansion limits for a pre-existing non-conforming building but will otherwise conform to all other dimensional requirements of the By-Law.

Attorney Matt Wolverton and architect Susan Koelle presented the application for renovations and additions to the home on the corner of Tedesco Street and Brookhouse Drive. The homeowner has spoken with all the abutters and they are all in favor. Mr. Moriarty sought clarification on the construction being qualified as building new but the old construction is being retained. Mr. Wolverton stated that the project will replace more than 50% of the existing components and foundations. No one spoke in favor or opposition. A motion was made to close the hearing. (Barlow, Labrecque). Labrecque, Liebman, Rudolph, Casey, Moriarty. A motion was made to issue a special permit. Labrecque, Liebman, Rudolph, Casey, Moriarty. **SPECIAL PERMIT WILL ISSUE**

8:15 PM 46 Harbor Avenue – Tyler Dittrich – construction of a new, detached garage on a lot with less than the require lot area, lot width, frontage, and side yard setbacks located in the Expanded Single Residence District.

Architect Jeff Tucker presented plans for a new detached garage. Mr. Liebman asked if the addition qualifies as an accessory dwelling unit. Mr. Tucker said no, not yet. There will only be a kitchenette, but the homeowner may come back. 1784 is the total square foot, second floor is 800sf so it's under the 900 sf ADU size). No one spoke in favor or opposition. A motion was made to close the hearing. (Casey, Barlow). Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). A motion was made to issue a special permit with the usual conditions plus a condition that revised plans and survey, with tonight's date, showing the squared of stairs of deck sent to the Community Planning office within two weeks. Labrecque, Liebman, Rudolph, Casey, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE**

Meeting adjourned 9:06 PM

Respectfully submitted,

Senior Clerk

Community Planning and Development