

BOARD OF APPEALS

Minutes of Meeting

June 24, 2025

A regularly scheduled and noticed meeting of the Board of Appeals was held on **Tuesday June 24, 2025**, remotely on Zoom, and was called to order by Chairman Bill Moriarty at 7:30 PM.

Present were five Board members *Lipkind, Barlow, Labrecque, Krasker, Moriarty. Marc Liebman for 132 Washington Street*

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

Mr. Moriarty thanked ZBA Board member William Barlow for being reappointed to the Board for another five years, as well as all ZBA alternates, Marc Liebman, William Rudolph, Bruce Krasker, Christopher Casey for their reappointments. There will be an organizational discussion at the next Zoning Board meeting on July 22nd, formalizing the reappointments and electing a ZBA Chair.

The Board voted to continue three applications to the July 22, 20225 meeting including 13-15 Maverick Street at 7:45 PM, 10 Rolleston Road at 7:45 PM, and 12 Johns Road at 8:00PM. Lipkind, Barlow, Labrecque, Krasker, Moriarty. (All in favor).

7:30 PM 10 Rolleston Road – Jill Adler – construction of an addition to a pre-existing non-conforming single-family dwelling with less than required frontage and that exceeds the maximum height requirement located in the Shoreline Single Residence and Single Residence Districts. The proposed addition will exceed the maximum height requirement, encroach on the rear- and side-Yard Setbacks, and exceed the 10% expansion limit for a non-conforming structure. **APPLICATION CONTINUES TO JULY 22, 2025 at 7:45 PM**

7:30 PM 12 John's Road – Christos Viorees, Trustee Johns Road Realty Trust – demolition of an existing non-conforming single-family dwelling on a lot with less than the

required lot area, frontage, rear, side and front yard setbacks located in the Single Residence District. The applicant proposes building in its place a new non-conforming single-family dwelling with the same dimensional non-conformities that will also have less than the required Open Area and will exceed the allowed 10% expansion. **APPLICATION CONTINUES TO JULY 22, 2025 at 8:00 PM**

7:45 PM 15 Auburndale Road – Christopher Grohe – (continued from May 27, 2025 – no evidence taken) 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 Jeff Tucker, Tucker Architects presented the application. Homeowner, Christopher Grohe was also on the call. This application for a two-story garage with living space is continued from the May 27th meeting. Plans have been slightly revised from the original plans submitted for consideration. The garage has the same footprint, but the gross floor area increases slightly due to a new roof form in the rafters. The new building is square with a gable roof and attic space accessible from the garage. and replaces an existing garage that will be torn down. Neighbors are in support of the project and a signatures page will be provided to the Community Planning office for the file.

Mr. Moriarty inquired about blue details on the plans that are to be removed. There were no further questions from the Board. A motion was made to close the hearing. (Barlow, Labrecque). Barlow, Lipkind, Labrecque, Krasker, Moriarty. (All in favor). The Board voted to issue a special permit with the usual conditions. Lipkind, Barlow, Labrecque, Krasker, Moriarty. (All in favor). **SPECIAL PERMIT WILL ISSUE**

7:45 PM 13-15 Maverick Street – Elena Nellson – 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. **APPLICATION CONTINUES TO JULY 22, 2025 at 7:45 PM**

8:00 PM 132 Washington Street – Stephanie Brocoun – (continued from May 27, 2025 – evidence taken) 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.

Marc Liebman, Bruce Krasker (sitting in for William Rudolph), Christopher Casey, Benjamin Labrecque, William Moriarty sitting members for this hearing.

Attorney Matt Wolverton represented the application presented in May with revised materials for the Board's consideration, including a revised survey dated May 29, 2025 and a revised page application that shows the parking is nonconforming. Additionally, revised plans address two abutters' concerns, in particular two windows that were requested to be removed; new plans indicate that applicant will build as shown. No one spoke in favor or opposition. No additional questions from the Board. A motion was made to close the hearing. (Casey, Labrecque, Labrecque, Krasker, Liebman, Casey, Moriarty. (All in favor).

Mr. Labrecque inquired about the nature of the nonconforming parking. Mr. Wolverton stated that by law, one space is required per 300 feet of commercial; meaning that 9 spaces would be required. A conversation about the nature and size of vehicles using the spots as well as residential cars that park all night long verses vehicles coming and going. Mr. Moriarty notes that the plans do not show two spaces reserved for the condominiums. It was stated the applicant owns two condominiums but does not own the parking spaces and that the available parking spaces are shared spaces and shared with the building across the street. The Board agreed they did not have proof that the condominiums have a right to those spaces and would need additional Condo Board documents and a better understanding of the parking arrangement between the two buildings. A motion was made to adjourn the hearing to the July 22, 2025 meeting at 8:15 PM. Labrecque, Krasker, Liebman, Casey, Moriarty. (All in favor).

APPLICATION CONTINUES TO JULY 22, 2025 at 8:15 PM

8:00 PM 10 Darling Street – Roy and Carole Brindamohr – construction of an addition to a pre-existing non-conforming single-family dwelling on a lot with less than the required lot area, side-yard setback, and parking in the Unrestricted and Central Resident District. The proposed addition will encroach on the side-yard setback and will also have less than the required Open Area.

Chairperson, William Moriarty, recused himself from the hearing, Attorney Wolverton was comfortable with presenting to a ZBA Board of four members. Mr. Wolverton presented the application for single story addition and construction of a larger deck area at the rear of the building. The addition will create a studio space at the rear as well as some additional outside living space. The project received a Certificate of Appropriateness from the Old and Historic District. There were no additional questions from the Board. No one spoke in favor or opposition to the project.

A motion was made to close the hearing. (Barlow, Krasker). Lipkind, Barlow, Labrecque, Krasker. (All 4 in favor).

A motion was made to issue a special permit with the usual conditions. (Barlow, Krasker). Lipkind, Barlow, Labrecque, Krasker (All 4 in favor).

A motion was made to adjourn the meeting. (Krasker, Barlow)

Labrecque, Krasker, Liebman, Casey, Moriarty. (All in favor).

Respectfully submitted,

Senior Clerk

Community Planning and Development