



**CITY of BEVERLY
ZONING BOARD OF APPEALS**

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Mayor

Michael P. Cahill

Chair

Kevin Andrews

Administrative Assistant

Leanna Harris

MEETING NOTICE

Wednesday, February 15, 2023

The public meeting will be held remotely and can be accessed via:

The Board will begin in open session at **5:30pm** and immediately go in to a private Executive Session until **6pm** and then return to public session to hear the Public Hearings listed

These hearings are scheduled to be noticed to the public in the Salem News on
01/30/2023 and 02/6/2023

REMOTE PUBLIC ACCESS TO THIS MEETING WILL BE PROVIDED IN THE FOLLOWING MANNER:

Google Meet Video Link:

Open Website link: <https://meet.google.com/gsf-bcuk-omh>

Or

PHONE: 443-461-5607

PIN: 245 631 391#

Access through the Google Meet application. This application will allow users to view the meeting and request comment using the chat function. **Pursuant to Open Meeting Law, M.G.L. c. 30A, §20, the Chair may elect to recognize the public comment submitted through the Chat function at appropriate points in the meeting.** If any member of the public would like to submit a comment prior to the meeting, or would like to make it known prior to the meeting that s/he would like to comment on any item on the Agenda, individuals should submit comments and requests to Leanna Harris, Administrative Assistant at lharris@beverlyma.gov as soon as possible.

Applicants and/or representatives required to appear before the Zoning Board of Appeals must make arrangements to present remotely as there meeting location. Documentary exhibits and/or visual presentations must be submitted 5 business days in advance of the meeting to lharris@beverlyma.gov, so that they may be displayed for remote public access viewing.

OPEN SESSION

Call to Order

Proposed executive session: John P. Pigsley, Sr. individually and as trustee of the John P. Pigsley Trust u/d/t/ dated February 10, 2020 and Lorna Jean Noel, individually and as trustee of the Lorna J. Noel Trust u/d/t/ dated February 10, 2020 v. Joel Margolis, Victoria Caldwell, David Battistelli, Stefano Basso, Margaret O'Brien, James Levasseur, Kevin Andrews, and Pamela Gougian, as they are members of the City of Beverly Zoning Board of Appeals and the City of Beverly, Trial Court of the Commonwealth Land Court Department Docket No. 20 MISC 000527, and Louise S. Spiridigliozzi, individually and as Trustee of the 17 Rezza Road Realty Trust II u/d/t dates March 4, 2044 and Christopher McKernan v. John P. Pigsley, Sr. individually and as trustee of the John P. Pigsley Trust u/d/t/ dated February 10, 2020 and Lorna Jean Noel, individually and as trustee of the Lorna J. Noel Trust u/d/t/ dated February 10, 2020 and David Battistelli, Margaret O'Brien, James Levasseur, Kevin Andrews, and Pamela Gougian, as they are members of the City of Beverly Zoning Board of Appeals and the City of Beverly, Trial Court of the Commonwealth Land Court Department Docket No. 22 MISC 000379

pursuant to Massachusetts General Laws ch. 30A, section 21(a)(3) (open meeting law exemption regarding discussing litigation strategy when an open meeting may have a detrimental effect on the litigating position of the public body and chair so declares during the public session).

5:30 pm

EXECUTIVE SESSION **closed session – not open to the public**

John P. Pigsley, Sr. individually and as trustee of the John P. Pigsley Trust u/d/t/ dated February 10, 2020 and Lorna Jean Noel, individually and as trustee of the Lorna J. Noel Trust u/d/t/ dated February 10, 2020 v. Joel Margolis, Victoria Caldwell, David Battistelli, Stefano Basso, Margaret O'Brien, James Levasseur, Kevin Andrews, and Pamela Gougian, as they are members of the City of Beverly Zoning Board of Appeals and the City of Beverly, Trial Court of the Commonwealth Land Court Department Docket No. 20 MISC 000527, and Louise S. Spiridigliozzi, individually and as Trustee of the 17 Rezza Road Realty Trust II u/d/t dates March 4, 2044 and Christopher McKernan v. John P. Pigsley, Sr. individually and as trustee of the John P. Pigsley Trust u/d/t/ dated February 10, 2020 and Lorna Jean Noel, individually and as trustee of the Lorna J. Noel Trust u/d/t/ dated February 10, 2020 and David Battistelli, Margaret O'Brien, James Levasseur, Kevin Andrews, and Pamela Gougian, as they are members

of the City of Beverly Zoning Board of Appeals and the City of Beverly, Trial Court of the Commonwealth Land Court Department Docket No. 22 MISC 000379

pursuant to Massachusetts General Laws ch. 30A, section 21(a)(3) (open meeting law exemption regarding discussing litigation strategy when an open meeting may have a detrimental effect on the litigating position of the public body and chair so declares during the public session).

6:00 pm.

The Zoning Board of Appeals will reconvene in open session following the conclusion of the Executive Session.

OPEN SESSION

NEW PUBLIC HEARINGS

Eric Doherty

requests a **Special Permit** for expansion of a nonconforming single family dwelling. The property is located at 26 Sunnyvale Street in the R15 zoning district.

White Light Visual

requests a **Special Permit** for additional signage on the west and south facades than what is provided in the Zoning Ordinance. The property is located at 97 River Street in the IG zoning district.

Alexander Curran

requests a **Special Permit** to install 2 building signs on primary facade. The property is located at 131 Rantoul Street in the CC zoning district.

Glovksy & Glovsky o/b/o Jak and Sarah Letien

requests a **Special Permit/Finding** to construct a 10'x22.5' 2-story addition to a single family dwelling. The existing single family home has a nonconforming side setback of 3.5', where 15' is required. The proposed addition will conform with setback and height requirements and will not increase any nonconformity. The property is located at 39 Crescent Avenue in the R-10 zoning district.

Ernest and Susan Gabriel

request a **Special Permit** to replace the second floor of an existing nonconforming house and add a covered front door and covered porch for second entry and access from driveway. The property is located at 12 Smithson Drive in the R10 zoning district.

Alexander & Femino o/b/o Lonano Property Holdings LLC

request a **Finding** to construct a dormer on the northeasterly roof of the building which is a legally pre existing nonconforming 2-family. The building is nonconforming due to its location

within the present side yard set back and front yard setbacks. The property is located at 8 Prospect Street in the R6 zoning district.

Stephen Capodilupo

requests a **Special Permit/Finding** to add a dormer to existing nonconforming 2-family dwelling and replace existing 2-car garage with 4-car connected carriage house with living space above. Also requesting a **Variance** to add two 1-bedroom units to multi-family property. The property is located at 15 Liberty Street in the R10 zoning district.

Nicholas DiFranco and Lauren Ward

requests a **Special Permit** to convert the finished attic into a full second story on an existing nonconforming dwelling. The property is located at 9 Parsons Street in the R10 zoning district.

MINOR MODIFICATION

Original Request June 2022:

Alexander & Femino o/b/o James Clarizia

request for a **Variance** to divide the existing property, which consists of 2 lots under the approved subdivision plan for this neighborhood, into the same 2 lots as originally approved, 1 having 90.66 feet of frontage and 8,775 sq. ft. of area and the other having 70 feet of frontage and 7,000 sq. ft. of area where present zoning provides for 100 feet of frontage and 10,000 sq. ft. of area. The existing house would be located 8 feet from the proposed side lot line where 15 feet is required. The property is located at 17 Jordan Street in the R-10 zoning district.

CONTINUED PUBLIC HEARINGS

Diana Alan

requests a **Special Permit** to add a 3' x 4' roof over new exterior stairway. Roof will be no closer to left side lot line than the existing house. The property is located at 27 High Street in the R6 zoning district.

Patrick Terry and Carol Fossa

requests a **Special Permit** to add a 2nd floor to a nonconforming detached garage for an accessory apartment, and a **Variance** to allow an accessory apartment in a detached structure. The property is located at 6 Wedgemere Road in the R15 zoning district.

Alexander & Femino o/b/o Carlos Delgado

requests a **Variance** to construct 3 new dwelling unit buildings on a 3,473 sq. ft. lot in the RHD district which is 1,158 sq. ft. per dwelling unit where the zoning ordinance calls for 3,000 sq. ft. per unit. The front yard setback which is currently 8.2' would be maintained where the zoning ordinance calls for 15' and the parking would be within the required 5' setback. The property is located at 28 Bow Street in the RHD zoning district.

Alexander & Femino o/b/o Nathan M. Seavey and Monica D. Seavey

request a **Variance** to resubdivide 2 lots from the original subdivision. Lot A to have 8,046 sq. ft. of land and 35' of frontage and Lot B to have 7,662 sq. ft. of area and 85' of frontage where the zoning ordinance calls for 10,000 sq. ft of area and 100' of frontage. The new house to be built on Lot B conforms with all zoning setbacks. The property is located at 9 Kernwood Avenue in the R10 zoning district.

OTHER BUSINESS

- A. Approval of November 30, 2022 Meeting Minutes (Andrews)

Leanna Harris, Administrative Assistant
Board of Appeals of the Zoning Ordinance