

TOWN OF NAHANT
ZONING BOARD OF APPEALS
MINUTES

November 15, 2021

A scheduled and noticed meeting of the Nahant Zoning Board of Appeals was called to order by Chairperson Campbell at or about 5:00 P.M. at the Nahant Town Hall, 334 Nahant Road, Nahant, Massachusetts, via Zoom (remote technology). Present were Board members, Jocelyn Campbell, David Walsh, Peter Barba, David McCool, and Michael Rauworth. All votes were taken by roll call. Prior to the start of the first hearing, the Chair made a motion to approve the minutes from the last meeting, held on October 4, 2021. All in favor of approving the minutes were Jocelyn Campbell, David Walsh, Peter Barba, David McCool, and Michael Rauworth, and the motion passed.

5:00 P.M. 271 Castle Road, Nahant, Massachusetts, Brian and Bobbie-Jo Blair, Petitioners

The Board of Appeals held a public hearing on November 15, 2021, at 5:00 PM, on the petition filed by Brian and Bobbie-Jo Blair, owners of the property at **271 Castle Road, Nahant, Massachusetts**, seeking a Special Permit to allow a change of use from commercial to a two-family residential dwelling in an R2 zoning district, where the proposed change in use would create a two-family dwelling in violation of Section 4.13 of the Nahant Zoning By-Laws. The posting in the Lynn Item appeared on November 1st and 8th 2021 and was read for the hearing. The petitioners presented their case, via Brian Blair, for a change in their existing special use permit from commercial to residential. He stated that the proposed use will in fact be more in-line with the zoning by-laws and will make the structure more conforming. Mr. Blair stated that they are planning to change the structure from commercial use to residential use in a residential neighborhood. In regard to parking, the current use for the commercial space four spaces, plus two for the dwelling (six total) whereas with the proposed use will require only 2 spaces (four total). A petition signed by neighbors was presented to the members of the board, in which all neighbors who signed were in favor of the change in use. The Petitioners also presented a letter in favor from the Johnson School. The Board asked questions of the applicants. The Board then asked if there was anyone to speak in favor of the application. David Carter of 265 Castle Road, Nahant Massachusetts, along with his wife Kathy, spoke in favor of the application and stated that they have lived in the home for 35 years. He also stated that he is very much in favor of the commercial space being used as a residence. Another neighbor from 275 Castle Road, Alexander Matucian, also spoke in favor of the application. The Board then asked if there was anyone to speak in opposition, and no persons spoke in opposition of the petition. The Board then deliberated. The Board discussed their ability to address the application in regard to the change of commercial use to a two-family home in regard to Nahant Zoning Bylaws. The Board discussed section 7.03 of the By-laws and the very unique circumstances of the petition, where there are very few commercial/business zoned areas in town and where the property has been used as a business or convenience store for many years (possibly 35-40+/- years). The Board discussed whether the

proposed use would be less non-conforming, require less parking and potentially less traffic, as it is in a residential area across from the Johnson School. Peter Barba made a motion for finding that the proposed use is not substantially more detrimental to the neighborhood. David Walsh seconded the motion. A roll call vote was taken, and the motion passed, all voting in favor were Jocelyn Campbell, David McCool, Peter Barba, David Walsh, and Michael Rauworth, with none opposed. A motion was made by Peter Barba that a Special Permit be granted to allow for a change of use from commercial to a residential two-family home and that any construction be done in compliance with the building department. David Walsh seconded the motion. A roll call vote was taken, and the motion passed, all voting in favor were Jocelyn Campbell, Caitlin Kelly, Peter Barba, David Walsh, and David McCool, with none opposed. The hearing adjourned at or about 5:39 P.M

5:40 P.M. Annual Meeting of the ZBA

The Board held it's annual meeting to discuss administrative business including its members, officers, updates to its Rules and Regulations and potential committees. The Board decided to continue their meeting to a date in December, which will be posted when confirmed.