

TOWN OF NAHANT
ZONING BOARD OF APPEALS
MINUTES
January 30, 2023

A scheduled and noticed meeting of the Nahant Zoning Board of Appeals was called to order by Chairperson Campbell at or about 3:00 P.M. at the Nahant Town Hall, 334 Nahant Road, Nahant, Massachusetts, via Zoom (remote technology). Board meeting minutes from the last hearing were approved, and Michael Rauworth, Caitlin Kelly, and Jocelyn Campbell voted in favor. All votes are taken by roll call.

3:00 P.M. 52 Castle Road, Nahant, Massachusetts, Peter and Tracy McCarthy, Petitioners

The Board of Appeals held a public hearing on January 30, 2023, at 3:00 PM, on the petition, including a plot plan filed by Peter and Tracy McCarthy owners of the property located at **52 Castle Road, Nahant, Massachusetts**, seeking special permits and variances for the construction of a 4' x 7' mudroom and a 15' x 18' deck where in regard to the proposed 4'x7' mudroom; the proposed lot coverage is 27% where the maximum allowed is 25%; the proposed right-side setback is an extension of the same where the minimum allowed is 10'; the proposed floor area ratio is 67% where the maximum allowed is 45%. Regarding the proposed 15'x18' deck, the proposed lot coverage is 33%, where the maximum allowed is 25%; the proposed right-side setback is 8', where the minimum allowed is 10'; and the proposed left side setback is 8', where the minimum allowed is 10'. The matter was advertised in the Lynn Item on January 16, 2023, and January 23, 2023. Board members hearing the matter were Jocelyn Campbell, Michael Rauworth, and Caitlin Kelly. The advertisement was read into the record. The property owner submitted the application and a certified plot plan entitled "Plan of Land located in 52 Castle Road, Nahant, Mass." Dated December 6, 2022, prepared by Eastern Land Survey Associates, Inc. Christopher R. Mello, PLS. Mr. McCarthy spoke and said they were seeking to add a mudroom to the entry to the home and a deck so they could enjoy the outdoors. Board members then asked questions of the applicants. The applicants were asked for building plans. Present to speak in favor were David Walsh of 11 Fox Hill Road and Kathy West of 55 Castle Road (who also signed a one-page petition in support). Also in favor, a one-page petition in support signed by the following residents was received; Kathy West of 55 Castle Road, Mary E. Walsh of 11 Fox Hill Road, LLL (illegible) of 11 Fox Hill Road, Lisa Rizzo of 49 Castle Road, Mary Dill of 63 Castle Road, Carolyn Sy of 48 Castle Road, Michael Smith of 48 Castle Road, O Fogey of 53 Castle Road. No persons were present to speak in opposition; however, speaking in a neutral position, Mr. Ernest Priftakis, of 62 Castle Road said he could not make a vote either way because he could not tell from the meeting notice where the mudroom or deck would be built. The Board offered to send Mr. Priftakis, a copy of the plans upon receipt from the applicant. A letter opposing and expressing concerns about conservation issues was received from Richard Peter and Paula M. Koehler of 50 Castle Road who were also present on the Zoom. The Chair explained to Mr. Peter that we had provided a copy of the application to the Conservation Dept., and they had issued a Determination of Applicability indicating that no Notice of Intent was required. The applicant agreed to continue the matter for two weeks to February 13, 2023, so that the applicants could provide plans to supplement the application. The meeting adjourned at about 3:33 P.M. Michael Rauworth moved to continue the matter to February 13, 2023, seconded by Caitlin Kelly and after a roll call vote, Michael Rauworth, Caitlin Kelly, and Jocelyn Campbell voted in favor, and the motion passed.

3:30 P.M. 14 Summer Street Court, Massachusetts, Eugene Spelta Petitioner

The Board of Appeals held a public hearing on January 30, 2023, at 3:30 PM, on the petition, including plans filed by Eugene Spelta owner, of the property located at **14 Summer Street Court, Nahant, Massachusetts**, seeking special permits and variances for the construction of a new 24' x 24' garage where the existing shed exists. The applicant seeks variances and a special permit where the proposed construction of the detached accessory building violates Section 5.03 of the Zoning By-laws of the Town of Nahant in the following areas: The proposed lot coverage is 43% where the maximum allowed is 25%; the proposed front setback is 19' where the minimum allowed is 25'; the proposed side 1 setback is 5' where the minimum allowed is 10', and the proposed side 2 setback is 5' where the minimum allowed is 10'. The matter was advertised in the Lynn Item on January 16, 2023, and January 23, 2023. Board members hearing the matter were Jocelyn Campbell, David Walsh, and Caitlin Kelly. The advertisement was read into the record. The property owner submitted the application and an un-dated building plan (sketch) with no author shown and a certified plot plan entitled "EXISTING PLOT PLAN, 14 Summer Street Court, Nahant, MA Parcel ID: 7-0-10" dated November 9, 2022, by Scott M. Cerrato, Professional Land Surveyor. Mr. Spelta spoke and said that he had previously planned a larger garage but that he felt it would not be allowed so he then planned a smaller garage. The reason for building the garage is that his wife had called him four or more times about coyotes in the yard and that she babysits grandchildren. Present to speak in favor was Michael Rauworth of Nahant. No persons spoke in opposition to the application. The Board asked questions of the Applicant. Specifically, the Board noted that the building plans lacked any dimensions and were insufficient. A motion was brought by David Walsh to continue the matter to February 13, 2023, to allow the applicant time to submit revised plans, and seconded by Caitlin Kelly. After a roll call vote, David Walsh, Caitlin Kelly, and Jocelyn Campbell voted in favor, and the matter was continued to February 3, 2023. A motion was brought by David Walsh to adjourn the matter and seconded by Caitlin Kelly. After a roll call vote, David Walsh, Caitlin Kelly, and Jocelyn Campbell voted in favor, and the matter was adjourned at about 4:00 P.M.

Respectfully submitted,

Jocelyn J. Campbell, Chair