

TOWN OF NAHANT
ZONING BOARD OF APPEALS
MINUTES OF HEARINGS
March 17, 2026

Chairperson Campbell called to order the scheduled and noticed hearings of the Nahant Zoning Board of Appeals at about 3:00 p.m. on March 17, 2026, at the Nahant Town Hall, 334 Nahant Road, Nahant, Massachusetts, via Zoom. Present were board members David Walsh, Gerardo Raffaele, Cameron Merrill, Scot Ofrias, Ian Brown, and Jocelyn Campbell (the “Board”). All votes were by roll call.

3:00 PM PUBLIC HEARING on the petition filed by Steven Cleary, owner of the property at **75R Bass Point Road, Nahant, Massachusetts**, seeking relief from an order of zoning enforcement and a special permit. The petitioner appeals the Town of Nahant’s Inspectional Services Department’s order requiring him to remove a shed on his property or move it to a dimensionally compliant location; failure to do so would result in a \$300.00-per-day fine beginning January 14, 2026. The Building Commissioner issued the order on December 22, 2025, in response to a zoning enforcement complaint. The advertisement for this matter was placed in the Lynn Item on March 3 and 10, 2026. It was read into the record. Mr. Cleary stated that he learned that, in 2018, the Town of Nahant’s bylaws were changed to allow a smaller shed than the state allows. The Board asked questions of the applicant. The applicant stated that he was aware of the size requirement prior to purchasing the shed, but did so, intending to seek a special permit. The Chair asked if there was anyone to speak in favor or in opposition. Letters in support of the project were received from Candace Cahill, 50 Breezy Hill Terrace, Elizabeth & Douglas Cronin, 16 Rollins Avenue, and Lauren Fabbrucci of Rollins Avenue. In opposition, Robert Liebman of 10 Rollins Avenue spoke. He said that he brought this enforcement proactively because Mr. Cleary originally had his blue storage container. The applicant pointed out that the next-door neighbor had also written in support. The chair later received that email from the Good family and placed it into the file. Hearing this were David Walsh, Cameron Merrill, Scot Ofrias, Ian Brown, and Jocelyn Campbell. After a brief discussion and a vote of the members, the Board offered to allow the applicant to withdraw or continue the matter. David Walsh brought a motion to continue the matter, seconded by Cameron Merrill. Members voting in favor of the continuance were David Walsh, Scott Ofrias, Ian Brown, Cameron Merrill, and Jocelyn Campbell. The applicant elected to continue the matter until March 31, 2026, at 4:00 p.m.

3:30 P.M. PUBLIC HEARING on the petition filed by Jeanne Allen, Architect, on behalf of Luigi and Maria Acierno, owners of the property located at **10 Fallon Way, Nahant, Massachusetts**. The petitioners seek a Special Permit for the demolition and reconstruction of an existing single-family home on the same footprint. The Office of the Building Inspector denied a building permit on December 10, 2025, because the proposed project violates Section 7.03 of the Zoning Bylaws of the Town of Nahant, which states that no structure may be removed and reconstructed without a special permit. Any zoning relief that may be required in adherence to the Nahant Zoning Bylaws shall be considered by the Board. The advertisement for this matter was placed in the Lynn Item on March 3 and 10, 2026. It was read into the record. Mr. & Mrs. Acierno were represented at the hearing by Jeanne Allen, Architect, who gave a power

point presentation and stated that the applicants sought to build a modest single-family home in the existing footprint, the original home was constructed in 1900, and that the rear of the home was subject to water runoff from the hill behind it. The owner has discussed the water issues with the neighbor in the rear of the home. The house was designed with a flat roof to keep the height down, and they proposed demolition and pre-fabricated construction. The Board asked questions of the applicant concerning the foundation, the size of the structure, impact on neighbors, parking, and lack of a complete site plan showing drainage. The Chair asked if there was anyone to speak in favor or in opposition. The following person spoke in favor: Carrie Collins, 22 Breezy Hill Terrace. The following persons spoke in opposition: Sue Sherry and Victoria Fortino of 6 Wilson Road, with a Geotechnical Report, Robin Destefano of 7 James Avenue, and Lisa McGlin, Esq., on behalf of Nancy Fox, owner of Attorney McGlin, stated that there was no parking and that her client was concerned about noise, light, water infiltration, and parking. The Board discussed whether to withdraw or continue the matter. After a brief discussion and a vote of the members, the Board offered to allow the applicant to withdraw or continue the matter. Members voting in favor of the continuance were David Walsh, Gerald Raffelle, Scott Ofrias, Cameron Merrill, and Jocelyn Campbell. The applicant elected to continue the matter until April 14, 2026, at 3:00 p.m. (vote ratified on 3/31/2026)

4:00 P.M. PUBLIC HEARING on the petition filed by Shelly Ziegelman, Principal at SWZ Architects, on behalf of Nicholas Grund, owner of the property located at **49 Little Nahant Road, Nahant, Massachusetts**. The petitioner seeks an amendment to a Special Permit granted on April 2, 2025, where, during demolition, the Structural Engineer deemed the existing foundation unsafe and unserviceable pursuant to MA Building Code AJ102.11. The petitioner seeks a Special Permit to replace the existing foundation rather than reuse it, pursuant to Section 7.03(D)3 of the Nahant Zoning Bylaws. Submitted with the application were Architectural Plans entitled “Grund Residence” 49 Little Nahant Road, Nahant, MA 01908, dated January 30, 2026. Amended. The petitioner states that the new foundation will maintain the exact footprint and area of the existing foundation. The new foundation will not increase the structure's non-conforming nature. Any zoning relief that may be required in adherence to the Nahant Zoning Bylaws shall be considered by the Board. The advertisement for this matter was placed in the Lynn Item on March 3 and 10, 2026. It was read into the record. Mr. Grund was represented at the hearing by Shelly Ziegelman of SWZ Architects, and she stated that there would be no changes to the existing footprint. The Board asked the applicant questions. No one spoke in favor of, or in opposition to, the project. David Walsh brought a motion to find that the proposed changes (a new foundation in the same footprint) were not more detrimental to the neighborhood. Members voting in favor were David Walsh, Gerald Raffelle, Scott Ofrias, Cameron Merrill, and Jocelyn Campbell. David Walsh brought a motion to make a grant and an Amendment to the existing Special Permit to replace the foundation. Members voting in favor were David Walsh, Gerald Raffelle, Scott Ofrias, Cameron Merrill, and Jocelyn Campbell

Respectfully submitted,
Jocelyn Campbell, Chair
Approved on March 31, 2026