



**CITY of BEVERLY
ZONING BOARD OF APPEALS**

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CITY OF BEVERLY
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Mayor

Michael P. Cahill

Chair

Kevin Andrews

Administrative Assistant

Kimberly Gagnon

MEETING NOTICE

Wednesday, June 22, 2022

7:00pm

The meeting will be held at City Hall in the Council Chambers
located at 191 Cabot Street, Beverly, MA

These hearings are scheduled to be noticed to the public in the Salem News on
06/06/2022 and 06/13/2022

NEW PUBLIC HEARINGS

James Clarizia By His Attorney Thomas J. Alexander

request 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.

Charles Ashland LLC By Its Attorney Thomas J. Alexander

request a **Special Permit** to allow commercial recreation use (golf simulator business) in Units 11 & 12 containing 3,340 sq. ft. leased space within the interior of the Premises. The property is located at 95 Sam Fonzo Drive in the IR zoning district.



Brandon Bingel

requests a **Special Permit** to allow a baseball training facility containing approximately 1,750 s.f. within an existing building. The property is located at 95 Sam Fonzo Drive in the IR zoning district.

CONTINUED PUBLIC HEARINGS

Janick Company, LLC by its attorney Thomas J. Alexander

request a **Special Permit/Finding** to allow the demolition of a legally pre-existing nonconforming commercial building set back from the side lot line 2.9 feet, 2.3 feet from the rear lot line and .9 feet from the front lot line with a less nonconforming 2 family duplex conforming with the side yard and front yard setbacks of 10 feet (conforming) and 20 feet (conforming) respectively and having a 10.8 feet rear yard setback where 20 feet is required. The property is located at 397 Cabot Street in the CN zoning district.

Thomas J. Alexander o/b/o 386 Cabot Street, LLC and Janick Company, LLC

request a **Variance** to build an addition to the existing retail building on site which would accommodate 12 residential units. The addition would be 3.8 feet from the side lot line (existing building has 0 ft side yard setback) where the zoning ordinance calls for 10 feet, there are 19 parking spaces on site where 26 are required, and the lot area provided per unit is 1,960 s.f. where 4,000 s.f. is required. There is a bus stop for MBTA Bus #451 located on the curb in front of 386 Cabot Street. The property is located at 386 Cabot St. and 16 Bennett St. in the CN and RMD zoning district.

32-34 Swan Street LLC By Its Attorney Thomas J. Alexander

requests a **Variance** to allow the resubdivision of 32-34 Swan Street into 2 lots of 6,387 s.f. (Lot A) and 6,380 s.f. (Lot B) where the zoning district provides for 8,000 s.f. per lot. The resulting new Lot A would have a 2 family duplex that conforms with all zoning setbacks. The existing house on Lot B would be renovated into a two family, with the addition conforming to all zoning setbacks. The property is located at 32-34 Swan Street in the RMD zoning district.



CONSIDERATION OF DECISION

William Sheehan o/b/o John Patrick Pigsley, Sr. & Lorna Jean Noel

Pursuant to an order of Remand issued by the Massachusetts Land Court dated April 25, 2022 (“Remand Order”), a public hearing was held before the Beverly Zoning Board of Appeals on the following application: Revised proposal of John Patrick 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, for approval under G.L. c. 40A, § 6 and the Beverly Zoning Ordinance, Section 300-83(A), to make improvements to a single-family dwelling and associated alterations at 15 Rezza Road, Beverly, MA located in an R-45 Zoning District, as set forth in a set of plans entitled “15 Rezza Road, Main House, Pool House, Revised Design for Zoning Board of Appeals,” dated April 11, 2022 (“Revised Plans”), which plans were attached as Exhibit A to the Remand Order and are available for review at the Beverly Planning Department. The Revised Plans propose, among other features, the separation of the pool house from the main house, reduction in the height of the pool house, and leaving the front porch of the main house in its current state. The Board held and concluded the public hearing on May 25 2022. The Board will meet to discuss a decision on the application.

OTHER BUSINESS

Approval of April 27, 2022 Meeting Minutes (Levasseur)

Approval of May 25, 2022 Meeting Minutes (Andrews)

CLOSED EXECUTIVE SESSION

133 Brimbal LLC v. 143 Brimbal Avenue, LLC and Joel Margolis, Victoria Caldwell, David Battistelli, Pamela Gougian, James Levasseur, Kevin Andrews, Stefano Basso, and Margaret O'Brien, as they are members of the Zoning Board of Appeals of the City of Beverly, Trial Court of the Commonwealth Land Court Department Docket No. 21 MISC 000529, 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).

The Board will not reconvene in open session at the conclusion of Executive Session.

Kimberly Gagnon, Administrative Assistant
Board of Appeals of the Zoning Ordinance