



**CITY OF GLOUCESTER
ZONING BOARD OF APPEALS
3 POND ROAD, GLOUCESTER MA 01930**

**ZONING BOARD OF APPEALS
Meeting Minutes**

July 9, 2026

Board Members Present:

Joseph Parisi III, Chairman
Lauren Norton, Vice Chair
Michael Nimon
Peter Cannavo- Absent

Alternate Members Present:

Ronald E. Wilson
Axel Ruiz

Also in Attendance:

Natasha Dale, Clerk
Rob Vicari, Building Commissioner

The Chair introduces the Members and reads from the Open Meeting Law.

Approval of Minutes:

Ms. Norton moves to approve the minutes from the 6/11/2026 and 6/25/2026 meetings.

Mr. Wilson seconds
All in favor, 5-0

Consent Agenda:

Mr. Wilson moves approval of the Chair to sign the following decisions.

- a. 51 Wingaersheek Rd.
- b. 4 Stewart Ave.

Mr. Nimon seconds
All in favor, 5-0

Application of Nicholas and Christine Gikas seeking a special permit and/ or variance to construct a single family home at **29 Flume Rd., Map 169, Lot 47** in the R-20 zoning district.

Applicants: Nicholas and Christine Gikas, 456 Locust Street, Danvers

Request: Special permit and variance to construct a single-family retirement home on a corner lot 3

Background & Proposal

- Continued from the June meeting due to absence of current plans.
- Applicants met with neighbors between meetings; at neighbors' request, **moved the house 10 feet forward** (closer to Flume Road) and **reduced building height by 2.5 feet** (from 35 ft to 32.5 ft).
- Two hardships cited: (1) **walkout basement required** due to septic system setback constraints, and (2) **corner lot configuration** triggering a 20-foot front setback instead of 12 feet.

Public Testimony

Speaking in favor:

- **Nick Amblyotis (attorney) 99 Rosewood Drive, Danvers, MA and Margaret Banakos, 27 Flume Road, Gloucester**— In favor of the revised plan; the 10-foot shift toward Flume Road preserves her view and that of neighbors to her west. Supported reduced roof pitch to 32.5 ft.
- **Joyce Moore, 25 Flume Road** — In favor; supported neighbors' requests.
- **Sue Hersica, 24 Flume Road— Opposed.**
 - o Purchased home in late April; was not notified of the original hearing and only learned through neighbors.
 - o Represented that the property would be built per R10 rules, with a house approximately 15 feet narrower than currently proposed.
 - o Estimated view loss of 75–80% due to the expanded footprint.
 - o Felt dominated at the neighborhood meeting and unable to retain legal counsel in time.
 - o Opposed the height variance as unnecessary
- **Anne Scuderi, 26A Flume Road — Opposed.** Concerns included: house too large for the lot, safety hazard at the corner for traffic and pedestrians, and road narrowing in winter.

Board Discussion & Key Findings

- Board identified that the original submitted footprint (per the Gateway drainage/sewage disposal plan) was fully within all setbacks — no variance would have been required to build a reasonable home.
- The expanded footprint with bump-outs created the need for setback relief; the board characterized this as a want, not a hardship

- On height: Ms. Norton read the special permit standard — height must be consistent with neighborhood character and must not cause obstruction of views, overshadowing, or other adverse impacts.
- Applicant's stated reason for height (7-ft basement clearance reduced by ductwork to ~5.5 ft) was noted but the board clarified that wanting a taller house is not a qualifying hardship for a height variance.
- Mr. Wilson noted that alternative framing methods could address the basement height concern.
- Mr. Nimon acknowledged the lot is irregular and odd-shaped, but noted this alone does not mandate the relief requested.
- Board noted the drainage plan footprint would yield approximately 2,000+ sq ft over two stories plus a garage

Outcome

Ms. Norton moves on the application of Nicholas and Christine Gikas seeking a special permit and/ or variance to construct a single family home at **29 Flume Rd., Map 169, Lot 47** in the R-20 zoning district to withdraw without prejudice.

Mr. Nimon seconds

All in favor, 5-0

Application of DLM Properties LLC seeking a variance to relocate and construct an 8' fence on the property line at **24 Kondelin Rd., Map 197, Lot 13** in the GI zoning district.

Application – 24 Kondelin Road (DLM Properties LLC) — Approved

Applicant: DLM Properties LLC / Eastern Way Services

Attorney: Joel Favazza, Seaside Legal Solutions, 123 Main Street, Gloucester

Request: Variance to relocate/construct an 8-foot fence on the property line 26

Context

- Property operates under a junkyard permit and is transitioning to a modern transfer station; screening fences are legally required.
- The existing fence had been 6 feet into the public roadway since the facility opened in 1991.
- Board of Health required the fence to be moved as a condition of the transfer station building permit; the city's legal department then demanded immediate removal from city property.
- Conservation Commission approval already obtained as the property is in a buffer zone.

Relief Requested

- **Front yard setback:** From 10 ft required → 0 ft (currently at -6 ft)
- **Right side yard setback:** From 15 ft required → 0 ft
- Fences run along Kondelin Road and a paper road/right-of-way on the right side.

Hardship Justification

- A granite cliff runs diagonally across the site; pushing fences back 10 ft and 15 ft would require significant additional blasting, contrary to directives from every permitting body to minimize blasting.
- Insufficient room on site to meet setbacks given fire truck turnaround requirements.
- Industrial park context: fence on property line is consistent with expected use.

Public Testimony:

- Speaking in favor: none
- Speaking in opposition: none

Outcome

Mr. Wilson moves to approve the application of DLM Properties LLC seeking a variance to relocate and construct an 8' fence on the property line at **24 Kondelin Rd., Map 197, Lot 13** in the GI zoning district.

Mr. Nimon seconds
All in favor, 5-0

Application of Erin and James Watson seeking a special permit and/ or variance to add an addition to a single family home to convert to a 2 family at **11 Walker St., Map 236, Lot 1** in the R-40 zoning district.

Application – 11 Walker Street— Approved

Applicants: Erin and James Watson

Attorney: Joel Favazza, Seaside Legal Solutions, 123 Main St., Gloucester

Request: Special permit and variance to add additions converting a single-family home to a two-family dwelling

Family Context

- Plan enables two young Gloucester families to remain in the city: Ms. Watson's parents will move from 15 Walker to 11 Walker St; Ms. Watson's brother Sean and his family move into 15 Walker.
- Erin and Frazier have two sons and one more child on the way.

Site Details

- R40 rural residential district; lot is non-conforming at ~38,000 sq ft (40,000 required).
- Existing house already violates right side yard setback at 10.6 ft (30 ft required).
- Septic system is fairly new and sized appropriately for the addition; no new public services needed.

Relief Requested

1. **Change of use special permit** (single-family → two-family): Required because the conversion involves an addition; conversion without exterior wall changes would be by-right.
2. **Special permit to alter and expand** non-conforming structure on non-conforming lot: Right side yard setback worsens from 10.6 ft to ~8.1 ft.
3. **Dimensional variance of 3 feet** from front yard setback: Two modest bump-out corners penetrate the front yard line for architectural symmetry; rooms are small.

Hardship & Findings

- Septic tank (rear) and leaching field (left side) constrain expansion in those directions; only viable directions are toward the street and right side.
- Irregular front yard line runs along a rock wall, making compliance geometrically difficult.
- All neighboring third-party abutters consulted and supportive (shown as blue stars on plan).

Public Testimony

Speaking in favor:

- **Jack Clark, 8 Walker Street** — In favor; direct abutter (Walker is a private road); 35-year resident; former Planning Board chair and interim CAO of Gloucester; noted consistency with city housing policy goals.
- Speaking in opposition: none

Outcome

Ms. Norton moves to approve the application of Erin and James Watson seeking a special permit to add an addition to a single family home to convert to a 2 family at **11 Walker St., Map 236, Lot 1** in the R-40 zoning district.

Mr. Ruiz seconds

All in favor, 5-0

Application of Sue Ann Madruga seeking a special permit and/ or variance to construct a shed at **383 Western Ave., Map 201, Lot 14** in the R-30 zoning district.

Application – 383 Western Avenue— Approved

Applicant: Sue Ann Madruga, 383 Western Ave, Gloucester

Request: Variance to construct a replacement 8×12 shed in the same location as a prior shed

Key Facts

- Lot has significant topographic variation (ledge in front); the proposed slab location is effectively the only viable placement on the property.
- Same size as the prior shed (8×12)

Relief Requested

- Rear yard setback variance
- Distance between buildings variance (shed proximity to principal structure)

Public Testimony

- Speaking in favor: none
- Speaking in opposition: none

Outcome

Mr. Nimon moves to approve the application of Sue Ann Madruga seeking a special variances to construct a shed at **383 Western Ave., Map 201, Lot 14** in the R-30 zoning district.

Ms. Norton seconds
All in favor, 5-0

Application— 3 Fuller Street— No Increase in Non-Conformity Determination

Applicant: Kevin Blatchford, 3 Fuller St.

Request: Deck expansion (4×8 → 8×10) and front stoop

Key Facts

- Non-conforming structure on a non-conforming lot; both proposed additions meet current setback requirements.
- Applicant moved front door from west to north side, necessitating the stoop.
- Lot coverage increase from the deck expansion is less than 1 percentage point

Board Determination

Mr. Wilson moves to determine that the application of Kevin Blatchford seeking a special permit and/or variance to enlarge a deck and add a mudroom to **3 Fuller St., Map 166, Lot 43** in a R-20 zoning district is not an increase in the non-conformity.

Mr. Nimon seconds
All in favor, 5-0

Applicant can proceed directly to building permits with the board's signed determination.

Application of David and Laura McSweeney seeking a special permit and/ or variance to construct a retaining wall at **6 River Rd., Map 118, Lot 69** in a R-20 zoning district.

Application 6 – 6 River Road— Approved

Applicant: David and Laura McSweeney

Contractor: Andrew Stevens, 10 Winter Haven Road, Gloucester

Request: Special permit and variances to construct a replacement retaining wall

Context

- Original stone wall was 5–6 feet tall, buckling toward the house — an extreme safety hazard requiring removal.
- Demolition of the adjacent house at 4 River Road (same contractor) created a temporary access window to bring machinery into the backyard — the only viable opportunity to rebuild the wall.
- After wall removal, no ledge was found immediately behind it, creating an opportunity to expand the usable backyard from a "moat" into a small terrace with stairs.
- Structural engineer engaged to design the new wall.

Relief Requested

- **Special permit to alter and expand** pre-existing non-conforming use
- **Variance: distance between new wall and principal structure** (accessory structure distance rule)
- **Variance: left side yard setback**
- **Variance: right side yard setback**
- Note: The old wall also failed to meet these requirements; the new wall moves further from the house (to ~16 ft, vs. the required 20 ft).

Hardship

- Lot is narrow with steep rear grade; retaining wall is structurally necessary.
- Work must occur now while adjacent house is down; once 4 River Road is rebuilt, machines cannot access the backyard (houses are only 4–5 feet apart).

Public Testimony

Speaking in favor:

- **Hayes Stuppy, 4 River Road (Zoom)** — Owner of adjacent lot; in support.

Speaking in opposition: none

Outcome

Mr. Nimon moves to approve the application of David and Laura McSweeney seeking a special permit and variances to construct a retaining wall at **6 River Rd., Map 118, Lot 69** in a R-20 zoning district.

Mr. Ruiz seconds

All in favor, 5-0

Application of Katherine Lamson Trustee seeking a variance to construct a pool at **35 Presson Point Rd., Map 229, Lot 69** in the R-20 zoning district.

Application – 35 Preston Point Road— Approved

Applicant: Katherine Lampson, Trustee

Attorney: Sean Lynch, Seaside Legal Solutions, 123 Main Street, Gloucester

Request: Variance to construct an in-ground pool closer to the street than the principal structure

Key Facts

- Pool construction is nearly complete but building permit was stopped by the building department after determining the pool is closer to Preston Point Road than the house.
- The issue arises because Preston Point Road bisects the lot, cutting it into two halves; any structure placed behind or to the sides of the house will technically be closer to this road than the house itself.
- Preston Point Road is described on older plans as a right-of-way, not a road; applicant did not contest the city's interpretation and proceeded with the variance request.
- Pool is approximately 75 feet from the road and sits at an elevation of ~30 feet above sea level, while the road is at 17 feet — limiting visibility from the road.

Why No Alternative Location Works

- **West/front of house:** Excessive granite precludes pool installation.
- **South side:** Insufficient room.
- **East/north (rear/left):** Any location here is closer to the road than the house due to the lot bisection — the core hardship.

Public Testimony

Speaking in favor: none

Speaking in opposition: none

Outcome

Mr. Ruiz moves to approve the application of Katherine Lamson Trustee seeking a variance to construct a pool at **35 Presson Point Rd., Map 229, Lot 69** in the R-20 zoning district.

Mr. Wilson seconds

All in favor, 5-0

Discussion by the Board:

Ms. Norton moves to continue the discussion on the 40B fees and application to a later meeting.

Mr. Ruiz seconds

All in favor, 5-0

Adjournment:

Mr. Ruiz moves to adjourn at 8:34 PM

Mr. Wilson seconds

All in favor, 5-0