



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

**ZONING BOARD OF APPEALS
Meeting Minutes**

August 13, 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- Absent

Also in Attendance:

Rob Vicari, Building Commissioner

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

Consent Agenda:

Ms. Norton moves the approval of the Chair to sign the following decisions.

- a. 24 Kondelin Rd.
- b. 9 Linden Ave.
- c. 354 Essex Ave.
- d. 49 Reynard St.
- e. 14-16 Links Rd.

Mr. Wilson seconds
All in favor, 4-0

Continued Applications:

Application of 272 Washington St. LLC for a comprehensive permit pursuant to G.L. c. 40B to construct a multi-family (62 units) at 272 Washington St., Map 85, Lot 47

requesting a continuance, and an extension of the time for referral and to open the public hearing.

The applicant requested permission to withdraw the application without prejudice while pursuing an alternative zoning approach.

Ms. Norton moves to withdraw the application of 272 Washington St. LLC for a comprehensive permit pursuant to G.L. c. 40B to construct a multi-family (62 units) at 272 Washington St., Map 85, Lot 47 without prejudice.

Mr. Wilson seconds

All in favor, 4-0

New Applications:

Application of R. Bartholemew M Driscoll and Heather E M Driscoll seeking a special permit and/ or variance to construct a deck at **8 Angle St., Map 2, Lot 37** in the R-5 zoning district.

Attorney Joel Favazza, Seaside Legal Solutions, 123 Main St. is present representing his clients.

Mr. Favazza states that the proposed decks would be located within an existing corner of the structure and would not extend closer to the property line than the existing building. Each deck would be less than approximately 45 square feet and would include a privacy screen.

Mr. Favazza stated that the decks were intended for limited personal use and not for parties or gatherings. Several neighboring properties submitted letters of support.

The chair open Public Testimony.

Speaking in favor: none

Speaking in opposition:

Jose and Mary Duran of 17 Middle Street, the closest abutters

Their concerns included:

- Increased fire risk due to the close proximity of the properties;
- Noise, odors, and possible flying debris;
- Privacy concerns associated with the proposed decks;
- Potential impacts on their bedroom and sunroom windows; and
- The belief that the proposal would further undermine the intent of the zoning setbacks.

Dominic Barbagello of 4 Deacon Farm Lane. He expressed concerns regarding fire spread from decks located in close proximity to neighboring structures and stated that the existing configuration of the building appeared to serve the purpose of preventing encroachment, fire spread, and privacy impacts.

The chair closes Public Testimony.

Rebuttal:

Mr. Favazza emphasized that the decks would not create additional setback encroachment, would include privacy screening, and would be very limited in size. He offered to accept a condition prohibiting grills or cooking elements on the decks.

Some board members felt the proposal was not substantially more detrimental to the neighborhood, while others expressed concerns regarding the direct impact on the closest abutter, privacy, and fire safety. One member stated that they could not vote in favor but also did not feel comfortable voting against the application and indicated they would abstain.

Mr. Favazza requested a continuance rather than withdrawing the application, stating that the applicants were willing to consider an alternative design and submit supplemental materials.

Mr. Nimon moves to continue the application of R. Bartholemew M Driscoll and Heather E M Driscoll seeking a special permit and/ or variance to construct a deck at **8 Angle St., Map 2, Lot 37** in the R-5 zoning district to the August 27, 2026 meeting.

Ms. Norton seconds
All in favor, 4-0

Application of Phillip and Carolyn Coplas seeking a special permit and/ or variance to construct a second story addition to **5 Dune Ln., Map 256, Lot 42** in the R-20 zoning district.

Craig Herrmann, 10 Highland St., Gloucester was present

Mr. Herrmann stated that the addition would remain within the existing footprint and would provide additional living space, including a primary bedroom, bathrooms, closets, and office space.

The Board clarified that the requested relief was a Special Permit rather than a variance because the existing nonconformity was not being expanded horizontally.

The chair opens Public Testimony.
Speaking in favor: none
Speaking in opposition: none

The chair closes Public Testimony.

Mr. Nimon moved to approve the Application of Phillip and Carolyn Coplas seeking a special permit to construct a second story addition to **5 Dune Ln., Map 256, Lot 42** in the R-20 zoning district.

Mr. Wilson seconds
All in favor, 4-0

Application of Richard and Donna Tadler seeking a special permit and/ or variance to construct a pool at **40 Eastern Point Blvd., Map 135, Lot 10** in a RC-40 zoning district.

Attorney Deborah Ellison, 470 Washington St., was present representing her clients.

Ms. Eliason stated that the proposed pool would be located approximately 98 feet from Eastern Point Boulevard, while the principal residence would be approximately 120 feet from the street. The property has three front yards and is located in the RC-40 district. The pool otherwise met the applicable accessory structure setbacks but required:

1. A variance allowing the pool to be located closer to Eastern Point Boulevard than the principal structure; and
2. A three-foot variance from the required distance between the pool and the principal structure/garage.

Ms. Eliason argued that the property's configuration, including its three street frontages and portions within the AE zone, created a practical difficulty and that the proposed location would not negatively affect public health, safety, or welfare.

Letters of support were received from two nearby neighbors.

The chair opens Public Testimony.
Speaking in favor: none
Speaking in opposition: none
The chair closes Public Testimony.

Ms. Norton moves to approve the application of Richard and Donna Tadler seeking a variance to construct a pool at **40 Eastern Point Blvd., Map 135, Lot 10** in a RC-40 zoning district.

Mr. Wilson seconds
All in favor, 4-0

Application of Seaver Properties LLC seeking a special permit and/ or variance to exceed maximum building height at **3 Deacon Farm Ln., Map 109A, Lot 91** in the R-10 zoning district.

Sal Frontiero, 46 Middle St., is present representing his clients.

Mr. Frontiero states that they are seeking a Special Permit for a **3.15-foot height increase** above the maximum 30-foot building height at 3 Deacon Farm Lane.

Mr. Frontiero proposed a two-family dwelling on a dimensionally compliant lot. During the excavation for the foundation they encountered ledge, resulting in the request for additional building height as an alternative to additional blasting.

Mr. Frontiero argued that the remainder of the project complied with zoning requirements and that the additional height would not substantially affect neighborhood character, views, or neighboring properties.

The chair opens Public Testimony.

Speaking in favor: none

Speaking in opposition:

Keith Waters, 6 Deacon Farm Ln.

Concerns included:

- Potential obstruction of views;
- Overshadowing of neighboring properties;
- The size and scale of the proposed two-family structure;
- Whether the building was consistent with the character of the subdivision;
- Whether the request could establish an undesirable precedent for height relief when ledge is encountered; and
- The relationship between the proposed construction and the subdivision's homeowner's association/deed restrictions.

John Dionne, 1 Deacon Farm Lane, the directly adjacent neighbor, expressed concern regarding additional shadowing of his home and yard.

The Board noted that the HOA restrictions were a separate civil matter and were not controlling for the zoning application. The Board's consideration was limited to the requested height relief.

The chair closes Public Testimony.

Mr. Wilson moves to continue the application of Seaver Properties LLC seeking a special permit and/ or variance to exceed maximum building height at **3 Deacon Farm Ln., Map 109A, Lot 91** in the R-10 zoning district to the September 10, 2026 meeting.

Mr. Nimon seconds

All in favor, 4-0

Discussion by Board:

Adjournment:

Ms. Norton moves to adjourn at 8:14 PM

Mr. Wilson seconds

All in favor, 4-0