

CITY of BEVERLY
Zoning Board of Appeals
March 25, 2026 at 7:00 pm

These minutes are not a verbatim transcript of the public hearing of the Board of Appeals. Reviews of these Minutes or outcome of the public hearing should include an examination of the Board's decision for that hearing.

Members Present: Will Cosmas, Chairperson, Michael Barone, Cory Farinella, Laura Meisenhelter and Benjamin Roy

Others Present: Jim Butler, Building Commissioner
Leanna Harris, Administrative Assistant

Location: Council Chambers City Hall, 191 Cabot Street, Beverly

Will Cosmas began the meeting at **7:03pm** and introduced the Board members present.

EXTENSION REQUEST

Glovsky & Glovsky o/b/o Stilt House-Atlantic Overlook LLC

requests a **Finding** and **Variances** to authorize the construction of a single-family house and elevated driveway where the existing home will be partially demolished and converted to an accessory beach cabana, requiring the following relief: (1) variances from the 20-foot side setback required under Section 300-30(D)(4) to allow a 10.5' side setback for the main residence, a minimum 14' side setback for the pile supported driveway court and a 0' side setback for the pile supported driveway ramp; (2) a variance from the 15' maximum height allowed under Section 300-27E(2) for an accessory structure to allow the converted cabana to be maintained at its current height of approximately 20' and (3) such relief that may be necessary to authorize the proposed project. The property is located at 68 Paine Avenue in the R90 zoning district.

Conor Walsh, Esq. (Glovsky & Glovsky) addressed the Board on behalf of the applicant and stated they were here in April of last year for the underlying application and the Board granted the relief requested. This project is a unique waterfront property, and the prior application involved the Conservation Commission and DEP due to its proximity to the ocean. Atty. Walsh stated that last few months have been spent working towards approval but the applicant isn't ready to pull building permit. The applicant is requesting a 1-year continuance although a 6-month extension is normal and agreed that the allowed duration under G.L. c. 40A, § 10 is 6 months.

Ms. Meisenhelter stated that it appears to her that an extension request can be up to 1-year.

No one from the public spoke for or against.

MOTION: Mr. Farinella moved to close the public hearing.

Mr. Roy seconded the motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Mr. Cosmas stated he would prefer to grant a 6-month extension in accordance with G.L. c. 40A, §10, which limits such extensions to a period not to exceed 6 months.

MOTION: Mr. Cosmas moved to GRANT the request to extend the Variance in accordance with Ch. 40A, Section 10 for 6-months to October 23, 2026.

Mr. Barone seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

NEW PUBLIC HEARING

Julie Sorkin

requests a **Special Permit** pursuant to Section 300-83A.2 of the Beverly Zoning Ordinance to construct a basement, first floor and deck addition on the rear of the existing single family dwelling requiring relief for encroachment into the right side yard setback. The property is located at 28 Ashton Street in the R10 zoning district.

Jeff Tucker (Tucker Architecture) addressed the Board and stated the houses along this very narrow street are similar to cottages. According to Mr. Tucker, the home is a low 1½ story bungalow, and there is an existing garage that the applicant would like to keep. The existing dwelling is 8.1' from the side lot line, the new addition is to the rear of the house and will line up with the existing house. Mr. Tucker stated that the addition will not encroach more into the setbacks and will not be visible from the road. Mr. Tucker stated that due to the narrowness of the lot this is the only option for expansion.

Mr. Barone asked if the existing deck on the right side of the house is being removed and Mr. Tucker confirmed. Mr. Tucker stated they will be reducing the side impact on that side.

No one from the public spoke for or against.

Mr. Sorkin stated a few neighbors came by and inquired about the project.

Mr. Cosmas asked what their lot backs up to and Mr. Sorkin stated it is a flood zone.

Mr. Tucker stated it is a flat roofed addition with a walk out basement. There is a full basement below that they will step down to create more head space and make the space more viable. The new addition will make the house a 3-bedroom home.

MOTION: Mr. Barone moved to close the public hearing.

Mr. Roy seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Mr. Farinella asked the applicant which neighbors were consulted about the project, and the applicant stated the project was discussed with the abutter to their right.

Mr. Barone stated he thinks this is a fair request that it is a really good use of space on a narrow lot. Mr. Barone stated that this part of Ryal Side is tight and he doesn't think they are creating any issues.

Mr. Roy stated he is impressed with the amount of living space they are gaining with such minimal impact. Mr. Cosmas agreed and stated it is a very thoughtful plan.

MOTION: Mr. Barone moved to GRANT a **Special Permit** at 28 Ashton Street pursuant to Section 300-83A.2 of the Beverly Zoning Ordinance to construct a basement, first floor and deck addition on the rear of the existing single family dwelling requiring relief for encroachment into the right side yard setback, subject to the plans submitted.

Mr. Farinella seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Alan Synenki

requests a **Special Permit** to construct a building addition with a front yard setback of 12.7' where 14.8' exists and 20.0' is required [§300-83A(2)]. Also, in accordance with §300-83A(1)(b), the building footprint, gross floor area, and volume will be expanded by more than 25% (50%, 29% and 33%, respectively). The property is located at 13 Butterworth Road in the R10 zoning district.

Bob Griffin (Griffin Engineering) addressed the Board and stated the applicants are both present. According to Mr. Griffin, the applicant seeks to move to this property in North Beverly because the applicant believe that it is a perfect spot to age in place. It is a nonconforming lot and building. It is an 18,000 sq. ft. lot with about 90' of frontage where 100' is required. The building is nonconforming because it doesn't comply with the front or side yard setbacks.

The proposal is to add a small front porch to create a place for the applicants to get into the house out of the weather. Mr. Griffin reviewed the plans and elevations. There is a 16'x 20' deck in the backyard. There will be a 1-car garage. It is currently 14.8' and will be reduced to 12.7'. The applicants do not propose to increase the height of the building.

A petition was submitted with abutters who have signed in favor.

Mr. Barone asked for clarification that the front porch currently exists and the proposal is to cover that porch. Mr. Griffin confirmed and stated there is an uncovered entrance. The porch is not being enclosed, the request for relief is for the roof.

MOTION: Mr. Barone moved to close the public hearing.

Mr. Roy seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

MOTION: Mr. Roy moved to GRANT a **Special Permit** at 13 Butterworth Road to construct a building addition with a front yard setback of 12.7' where 14.8' exists and 20.0' is required [§300-83A(2)]. Also, in accordance with §300-83A(1)(b), the building footprint, gross floor area, and volume will be expanded by more than 25% (50%, 29% and 33%, respectively), the building footprint and overall volume will be expanded more than 25% subject to the plans submitted. Mr. Barone seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Glovsky & Glovsky o/b/o Guy Bouchard

requests a **Special Permit**, and, in the alternative as to the right side of the house, a **Variance**, to allow for the construction a shed dormer to the back half of their legally nonconforming house to add a bathroom and enlarge the livable bedroom space on the second floor to accommodate the homeowner's future needs. The addition will be no closer to any lot line than the existing structure, which is nonconforming as it relates to both side setbacks. The property is located at 32 Pratt Avenue in the R10 zoning district.

Correction: The applicant is "Guy Bouchard" not "Gary Bouchard" as advertised.

Conor Walsh, Esq. (Glovsky & Glovsky) addressed the Board on behalf of the applicant and stated they are seeking to construct a shed dormer on the rear of the dwelling, which they claim will allow for more viable space and the construction of a second-floor bathroom. According to Atty. Walsh, the applicant's lot is narrow and it is nonconforming with both rear and front setbacks. The applicant has been considering this project for some time. There is only one bathroom on the first floor, and recently, a tree fell and left the second floor uninhabitable.

Atty. Walsh provided to the Board a map of the abutters who have signed off on the project.

Steve Kranish, 30 Pratt Avenue, stated he was before this Board decades ago to discuss a similar project for his own property. The homes are both on modest lots with the same issues relating to setbacks. Mr. Kranish stated he went through this process to have the same shed dormer permitted and constructed on his house. Mr. Kranish stated he thinks it's a good addition to the home and is keeping with the neighborhood. He sees nothing to object to.

MOTION: Mr. Roy moved to close the public hearing.

Ms. Meisenhelter seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Mr. Barone stated he thinks this is a fair request and he thinks a Special Permit under 83A(1)(b) would be sufficient relief for this request. Mr. Barone doesn't think a Variance is needed.

Ms. Meisenhelter stated the houses are in such close proximity that she is questioning where the construction equipment will go.

Mr. Cosmas stated he agrees that the applicant only needs a Special Permit because the footprint isn't changing.

MOTION: Mr. Farinella moved to GRANT a **Special Permit** at 32 Pratt Avenue to allow for the construction a shed dormer to the back half of their legally nonconforming house to add a bathroom and enlarge the livable bedroom space on the second floor to accommodate the homeowner's future needs. The addition will be no closer to any lot line than the existing structure, which is nonconforming as it relates to both side setbacks, subject to the plans submitted. Mr. Roy seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

David Veritas

requests a **Variance** to construct a single detached accessory structure that consists of a 2-car garage and accessory dwelling unit (ADU) in front of the existing single-family home. The variance will be from section 300-27B(2) of the zoning ordinance. The proposed accessory structure will meet all setbacks and height requirements. The property is located at 6 Greenleaf Drive in the R15 Zoning District.

Brian Stein (Vance Stein Architects) stated that the applicant seeks a Variance for a new accessory dwelling unit (ADU) and a garage in the property's front yard. According to Mr. Stein, the applicant has an elderly parent with mobility issues, the ADU will be accessible. Mr. Stein stated that the lot is oddly shaped and it drops off significantly in the back, and the applicant requests to construct the ADU in the front yard due to the grade. According to Mr. Stein, the lot is also fairly steep in the front; it is about 17' feet above street level with a lot of trees. Mr. Stein stated that the area is very wooded and the ADU would not be visible to their neighbors or from the street, and applicant would face a significant cost increase to connect the ADU to the house

Mr. Barone asked if the home has an existing garage and Mr. Stein stated there isn't, there is a small shed.

No one from the public spoke in favor or against.

MOTION: Mr. Farinella moved to close the public hearing.

Mr. Barone seconded the motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Mr. Cosmas asked if the applicant could build the proposed structure by right if it was connected in some way. Mr. Butler confirmed and stated if it connected to the house, they could build it by right. The architect, Mr. Stein, stated it would look odd to connect the structures.

Mr. Barone stated given the number of windows on the front of the house he can appreciate not wanting to adjoin to the front of the house. Mr. Barone stated given the size of the lot and the wooded area it will be no less visible to the street than the existing house and he is not opposed to it. It is a well thought out plan.

MOTION: Mr. Farinella moved to GRANT a **Variance** at 6 Greenleaf Drive to construct a single detached accessory structure that consists of a 2-car garage and accessory dwelling unit (ADU) in front of the existing single-family home. The variance will be from section 300-27B(2) of the zoning ordinance. The proposed accessory structure will meet all setbacks and height requirements, subject to the plans submitted on the basis of the special conditions of the land and the shape of the lot. Mr. Roy seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Albert Turner

requests a **Variance** to construct a new detached single-car garage with an Accessory Dwelling Unit (ADU) above, in accordance with Sections 300-36 D(6) and D(8) of the Beverly Zoning Ordinance. The property is located at 26 Mason Street in the RMD zoning district.

Bill Nolan (Nolan Savoie) addressed the Board on behalf of the applicant and stated it is a 4,000 sq. ft. lot containing a 3-story home. According to Mr. Nolan, in the rear of the home is a foundation wall and concrete slab that they believe was for a garage. The applicant, Mr. Turner, bought this property in its current state, and they do not know when the garage was removed. The applicant is looking to reconstruct that garage with a small ADU studio apartment (285') above. The existing rear setback is 0.8' where 20' is required.

The applicant would like to make the new garage narrower and move it forward a bit to accommodate the egress staircase from the ADU unit. The idea was to connect the second story balcony with the new egress stairway but that would likely cause issues with sprinkling. Mr. Nolan stated that it is likely it will just be a solo staircase leading from the ADU down to grade. The applicant is considering creating an internal staircase down through the garage and believes that if they use a sprinkler system they can have one egress.

The applicant would like to renovate the existing house and stay in the ADU.

Mr. Nolan stated that the hardship is that the existing topography in the rear is a full story up and also in the back of the property is a retaining wall for the property behind it. Due to the site-specific conditions, the garage would need to be in the same location.

Ms. Meisenhelter asked if the applicant received any feedback from neighbors. Mr. Nolan stated the applicant did speak to the neighbors, but they did not receive any letters in support.

Lauren Stafford, 25 Lyman Street stated she lives directly behind this property and if there are any windows in the back of the ADU he will be able to see directly into their backyard. The houses are very close together. Ms. Stafford stated she is fine with him building a garage she is not ok with an apartment above it because she believes it would affect their privacy.

Mr. Nolan stated there aren't many windows in the rear. There is a small window above the kitchen sink that they could remove if it is a concern.

Dana Marfongelli, Lyman Street stated he won't be affected too much by it, but he is concerned that they will be setting a precedent. Mr. Cosmas stated nothing this Board does sets a precedent.

Gloria Pobiedzinski, 29 Lyman Street stated visually this doesn't affect her but stated that she is concerned that this now makes the property a 4-family dwelling and the neighborhood is already so crowded. She is concerned that some day they could turn the garage into a house. Ms. Pobiedzinski stated she doesn't have a problem if it is just the garage.

Brennan Postich, 205 Cabot Street, Apt. 10 stated this is the type of use that he needs to be able to live inside this City. Mr. Postich stated ADUs are allowed by right and this would allow the applicant to save significant cost.

Mr. Cosmas read the email received from Thomas Brennan opposing the proposal into record.

Mr. Roy stated it's a tight lot that will have 80% coverage.

Mr. Cosmas stated he is concerned that there was no outreach to the rear abutter who is most affected by these plans. Mr. Cosmas stated the applicant could request a continuance and use the time to reach out to abutters to alleviate concerns.

Ms. Meisenhelter stated she is in favor of ADUs, but she thinks there are concerns that need to be addressed.

Mr. Barone stated his biggest concerns are the additional cars, the density and the double height of the structure. Mr. Nolan stated they are below the 35' height restriction.

Mr. Nolan stated he would like to request a continuance to the April meeting.

MOTION: Mr. Barone moved GRANT a continuance to the April 22, 2026 meeting, subject to signing the Waiver and Agreement. Mr. Roy seconded the motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Paul Clermont

requests a **Variance** to construct a two-car open-air carport within the required 20 ft. front yard setback, seeking 7.2 ft. of relief per section 300-34-D3. The property is located at 8 Upland Road in the R10 zoning district.

Bill Nolan (Savoie Nolan) addressed the Board on behalf of the applicant and stated the lot is 11,205 sq. ft. and it contains an existing 1-story single family ranch built in 1983. The applicant seeks to construct a new open air 2-car carport with a covered entry into the house. The covered portion can be done by right because it is within the setbacks, but the 20' set back is required and they are asking 12.8' they are asking for 7.2' of relief for the carport. The existing wood ramp is also within the setback. According to Mr. Nolan, the house is almost conforming in every way.

Mr. Nolan stated that this is the applicant's retirement home, they are looking to age in place. They are looking to park their car and be able to get in and out of their home while out of the elements. According to Mr. Nolan, it would be very difficult to have an enclosed garage in this space, and the property will still be conforming on the right side setback. It is well below the height requirement.

Mr. Nolan stated that the very narrow lot creates a hardship. He stated that the applicant's lot is a good size lot but its narrow and deep and a lot of it is unusable, there is a slope in the rear of the property.

Mr. Farinella asked if this location is where they currently park their cars and Mr. Nolan confirmed.

Mr. Cosmas stated it is certainly a tough lot, and the neighborhood is full of them.

Sharon Marescalchi, 12 Upland Road, stated she is a direct neighbor on the side of the proposed carport. They did speak with the applicants and went through some of the proposed plans. Ms. Marescalchi stated that she and her husband are not for or against the application, they are really here on a fact-finding mission. They are concerned whether the car port will ever be enclosed in the future. Additionally, she noted that the street is a little higher than what is shown as the grade in the pictures and she is concerned about run off onto their property.

Mr. Butler stated the applicant would need to come back before the Zoning Board if he ever wanted to enclose the carport.

Mr. Nolan stated they will marry the carport in with the grade of the driveway. He added that they do have the opportunity to create gutters on this carport to control the water.

MOTION: Mr. Roy moved to close the public hearing.

Mr. Barone seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Mr. Barone commended the applicant for putting this application forward as a carport and not trying to put a garage there. It's a tricky lot, it's a very thoughtful application. Mr. Cosmas agreed.

MOTION: Mr. Farinella moved to GRANT a **Variance** at 8 Upland Road to construct a two-car open-air carport within the required 20 ft. front yard setback, seeking 7.2 ft. of relief per section 300-34-D3 with the condition that there will be gutters to divert the water down and around to the rear of the house and on the basis that the special conditions and shape of the lot create a hardship, subject to the plans submitted.

Mr. Barone seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

CONTINUED PUBLIC HEARINGS

Jason Irving/21 Bridge Street LLC

request a **Variance** to subdivide the lot, retain the existing single-family home and subdivide the existing lot to create a new second lot for the construction of an additional single-family home. The addition of another single-family home to the lot would be consistent with the general character and other lot sizes in the neighborhood. The property is located at 21 Bridge Street in the R10 zoning district.

The applicant submitted a written request to continue the application at 21 Bridge Street to the April 22, 2026 meeting of the Board of Appeals, along with the required waiver and agreement.

MOTION: Ms. Meisenhelter moved to accept and GRANT the request to continue the application at 21 Bridge Street to the April 22, 2026 meeting, subject to signing the Waiver and Agreement. Mr. Roy seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

OTHER BUSINESS

A. Approval of February 25, 2026 Meeting Minutes (Cosmas)

MOTION: Ms. Meisenhelter moved to approve the ZBA Meeting Minutes from February 25, 2026, as written. Mr. Roy seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

MOTION: Mr. Cosmas moved to adjourn the meeting at **9:10pm**.

Ms. Meisenhelter seconded the Motion.

Votes in favor: 5-0 (Cosmas, Barone, Farinella, Meisenhelter, Roy)

Motion carries.

Leanna Harris, Administrative Assistant
Board of Appeals of the Zoning Ordinance