

Marblehead Planning Board

August 18, 2016

Members present Jim Bishop, Ed Nilsson, Barton Hyte, Phil Helms, Bob Schaeffner. Others present Rebecca Cutting Town Planner and Scott Miller peer review Consultant

A quorum being present the board continued the hearing on the site plan approval application and reopened the public hearing on the land disturbance permit.

Scott Burke attorney for the applicant, explained that they have submitted the information the board asked for at the last meeting, specifically; a single plan showing all three houses on one site plan including the house at 93 Beacon Street ; a rendered site plan with landscape notes (Site Plan the Homes at 95 Beacon Street prepared by Parsons & Faia Inc of Lynn, Massachusetts dated July 28, 2016 rev 8/1/2016 scale 1" =30'); information requested on the drainage including calculation for paved driveways and a trench catch basin and driveway and Stormwater plan (Homes at 95 Beacon Street Marblehead MA prepared by Sherwood Consulting & Design LLC of Cambridge MA Sheets: SW-1 Stormwater Plan dated August 15, 2016, SW-2 Sediment & Erosion control plan Sheet SW-1 dated August 9, 2016) and a profile cross section of the site (C1.1 Site Section dated August 10, 2016 in scale 1" = 20)'. This information supplements the original site plan approval application.

The planner noted that at the last meeting the board had also asked for a plan showing of what exactly is being proposed for an accessory structure and was told they no longer were planning an accessory structure which is why that has not been submitted. Mr. Burke elaborated that the accessory structure shown on the plan reviewed at the last meeting has been removed. No accessory structure is being planned at this time. Mr. Burke told the board that they intend to pursue the issue of a buildable 4th lot in court and wants to leave open the discussion of whether a house or an accessory structure is built depending upon the outcome in court. Mr. Helms agreed if they prevail in court then they could come back to the board for a new site plan special permit to deal with the siting of the house on a fourth lot. Likewise if they do not prevail in creating an additional lot and want to build an accessory building, they could come back to the board for a modification and a new site plan special permit application to deal with the siting of any accessory structure but at this time no accessory building is proposed.

Project architect Mr. Porvas of Porvas Design & Consulting of Melrose, Ma explained the buildings and the cross section and how the floors compared to grade. He explained the design of the three homes are similar to some of the newer architecture found in this area of Marblehead. He cited other houses they have built in the area. The overall architectural massing of the residences are characterized by two-story buildings with dormers, cross gables and attached garages which are a lower height and volume than the main structures. The primary materials, shown on the architectural plans and in the case of 93 Beacon Street, in the photographs, include wood clapboard siding, architectural grade shingles,

architectural shingle roofing, standing seam cooper roofing. Materials have been specified to complement the surrounding residential architecture.

Vicky Masone, project engineer, addressed the new drainage information stating they have added a drain and updated the calculations to include paved driveways.

Bob Schaeffner asked her to describe the performance of water effect on any adjacent properties in terms of run off reduced what they designed for run off reduction

Phil Helmes asked where the break is in from the high point.

Joe Burke answered making high rim so it is directed to design a reach drain.

Scott Miller peer review consultant was asked for his comments; He stated the plan was better. The applicant has resolved his concerns. He then went into detail description.

The town planner read into the record the comments from the Water and Sewer, Health Department and Building Commissioner for the land disturbance permit. None had any issues with the plan.

The applicant explained the site plan grading and the ledge they propose to remove.

Bob Schaeffner asked why it was being removed and why it is deemed bothersome. Joseph Burke explained it is not attractive ledge and erratic. Mr. Schaeffner thought it seems odd that it is being removed. Mr. Burke further explained that they want to make it part of the property make it grass to make it attractive. The board discussed whether keeping the ledge would allow more of a buffer. The applicant stated it was not visible from abutting properties.

The applicants went on to explain they have now moved the third house 30 feet to address the concerns of abutters. Scott Burke noted that moving of house back 30 would necessitate another tree being removed.

The Chairman asked if there was anyone in the audience who wished to speak.

Tara Myslinski Attorney for several neighbors requested that in order to conduct and in-depth adequately review the new in storm water and land disturbance information request to have a continuance and engage did not get a chance to do thoroughly review. She referenced the submitted letter from Peter Ogren PE from Hayes Engineering who had some concerns

Barton Hyte stated it was a significant improvement greater comfort level but wanted to hear from the board's peer review consultant.

Mr. Miller and the project engineer Vicky Masone went through the issues raised by Hayes Engineering regarding test holes locations, hydraulic calculations and standards in stormwater management. After a lengthy review, Scott Miller stated that he felt that all the issues had been addressed and he felt nothing to be again by continuing.

A motion was made and seconded to approve the land disturbance permit with the standard conditions. The town planner read the standard conditions. All in favor 5-0

The Chairman asked the applicant to explain the lack of landscaping proposed Mr. Burke explained many larger healthy trees have been retained in order to serve as a natural buffer. Only one additional tree is proposed be removed to accommodate the construction. Aside from a large rock outcropping on lot A, which is not visible from any abutting property, most elevation on the site will stay the same as existing. The Landscape plan includes 8 foot evergreens to help soften the view roots will have a tough time to do a lot of planting due to the site conditions. There is lots of existing ground covers including Vinca and pacasyndra, there is surface drainage around the house. He showed photographs that had been submitted about 100 feet from house taken 2 weeks ago to show the vegetation that exists. The ground cover to remain they feels there is no room to add anything. The existing garage will stay the same.

Michael Murphy - Attorney for Charles and Christine Trowbridge 7 Bradlee Road. Explained the Trowbridge's could not be at the meeting. A letter from Trowbridges was read; generally ok with changes made however asked for conditions if board approves that Lot A cannot be subdivided in the future and that no additional structures may be built on Lot A, they consider the revised plan to be the complete vision for development at 95 Beacon. They are very concerned with a new structure could be built on top of the hill abutting their property and that the ledge at the top of the hill abutting 7 Bradlee Road shall remain intact. Lastly asked that the applicant add trees and other screening at the top of the hill abutting 7 Bradlee Road

Tara Myslinski talked about the site plan criteria and building materials. The site does not preserve the terrain and trees it has been cleared already. She stated that the architectural plans section nothing in narrative on materials not a lot of architectural distinction. It is important to see details. Does not feel they have information. Asking for the building to be moved 30' to northwest will have less of an impact also would like to see no utilities from corn point road, no accessory buildings, more screening especially on eastern side.

Perter Schwartenbach 89 Beacon Street asked if they would they need to come back in future if they do add an accessory structure or house. He doesn't think the placing makes sense.

Mr. Burke explained that they had already made an accommodation to move away from border

Mike Velji 4 Cornpoint Road stated that they won't contest if the building can be moved over 30 feet

Bob Schaeffner what is our thought on character of neighborhood, the new houses in the area or older ones, similarity scale is one thing, seems clear regarding the screening seem fair that the whole border could be more heavily vegetated

Discussion ensued on the need for a landscape plan after buildings are constructed showing more screening. The plan should put buffering in sensitive spots, arborvitae should be supplemented with year round foliage on the western boundary, add to gaps to provide privacy this should be memorialized on a plan submitted by a landscape architect prior to either house being occupied.

Jeff Carter 5 Corn point trying to satisfy neighbor shift in house slight amount urge to consider moving further

The Burkes stated that 90 from corn point road 160 feet from house feel they have substantial space between lots.

The board listed the likely conditions based on the discussion neighborhood concerns,

Landscape architect to memorize the landscaping discussed prior to occupancy and approved by planner and board. Prior to the issuance of an occupancy permit on the buildings on Lot A or B a Landscaping and planting plan, prepared and stamped by a Registered Landscape Architect, which shall include but not be limited to, species, quantities, location and sizes of plantings to provide screening to and from the site. The Landscape plan and schedule of plants shall be altered to show the exact location of the required additional plants required by this decision.

Only one additional tree shall be removed on the site to accommodate the proposed construction.

If during construction any vegetation proposed to remain is damaged then the Town Planner shall make a determination for replacement vegetation of the same or similar species and size as the damaged vegetation.

Maintenance condition

No invasive plant condition

The board discussed condition that no additional accessory buildings would be permitted at this time. However when the matter of the fourth lot is decided no assessor building can be built without returning to the board for a public hearing on the proposed modification

The ledge was further discussed Ledge Barton HYTE suggested that since the ledge is not visible from any other property its removal should not be a major consequence. Bob Schaeffner saw no reason for the ledge to be removed.

Construction parking shall be on site

Building materials shall be as specified clapboard 2 /12 and 4 corn point muted color materials.

Lighting on the property is limited to lighting on building and minimal yard lighting that will not be directed toward abutting properties.

Any changes must come back to the board

A motion was made and seconded to close the public hearing all in favor 5-0

A motion was made and seconded to approve the site plan with stated conditions. All in favor 5-0

Public Hearing – Site Plan Approval - 20 Harbor Ave – Katz

Paul Lynch representing the applicants, explained the proposal to construct single-family dwelling on the property at 20 Harbor Ave to replace an existing single family structure on a preexisting non-conforming lot that consists of approximately 10,200 +/- square feet of land and has 123' of frontage Harbor Ave located within an Expanded Shoreline Single Residence District.

Architect Walter Jacobs explained the new house first floor is breakaway enclosed space not heated no electricity or utilities. They have talked to all of the neighbors agreed to an area of landscaping that was of concern will be limited to vegetation that is or maintained to be under 6 feet

Ed Nilsson asked if the stairs in the front yard exceed the minimum egress width and if yes they would be required to go to the board of appeals.

Jim Bishop stated the existing driveway is dangerous and asked if it could be eliminated. Mr. Lynch stated the existing driveway will be maintained in the same location as a secondary overflow parking area. A new primary driveway will be located on the side of the building off of the right of way on the northeast side of the property. This will eliminate the need to back out onto Harbor Avenue which is a heavily travelled roadway.

Ed Nilsson asked where the HVAC units were located. The architect explained there was two options and showed on plans.

Joanne Curtis – 22 Harbor in favor of driveway being relocated.

Steve Peabody - 21 Harbor is concerned with a wall being created on Harbor Ave the new house eliminates any break in roof line and impact views from their lot urges board to look at it closely so a 30 wall isn't created.

Motion close the public hearing all in favor 5-0

Bob Schaeffner expressed that it had a very limited sight impact and fully conforming, modest in scale does not think it is asking too much. He feels it is a responsible design and is comfortable with it.

Discussion ensued on the need for the plan to be revise the plan to eliminate the stairs in the front yard or go to the board of appeals

Ed Nilsson would prefer to see more documentation on view corridors significant impact giving up a floor due to information painting a picture before and after

Mr. Lynch stated that because the lot is small there is really no option and creates a public view corridor. There is no latitude. The new building will conform to all required setbacks. The existing house has several dimensional non conformities. The proposed house has been sited to expand the public view corridors by increasing the side yard setbacks to what is required within the shoreline districts. The proposed residence is replacing an existing home that is with a careful attention to architectural scale and form.

The property is located in a flood zone. The first floor elevation of the proposed building will be located above the flood elevation. It further limits what can be done.

Landscaping was discussed and the limits on the height in areas shown to not further impact views.

A motion was made and seconded to approve the application with the stated conditions. All in favor (5-0)

Respectfully submitted

Rebecca Curran Cutting