

Marblehead Planning Board

Minutes of Meeting

April 11 2017

Members present: Philip Helmes, Edward Nilsson, Robert Schaffner, Rossana Ferrante and Barton Hyte. Other present Becky Cutting – Town Planner.

7:30 PM Public Hearing – Site Plan Approval - 5 Redstone Lane - Shanmugam Muthian

This public hearing was originally scheduled for the planning board's March 14 meeting which was cancelled due to a snow storm which closed all town offices. It was continued until this evening.

Paul Lynch Attorney for the Applicant Mr. Shanmugam Muthian explained that his client received a building permit to do work on his house. In order to close in an area they found out they had to go to the zoning board of appeals because the area was in the side setback. They went to board of appeals and received approval a special permit for the work. The decision has been filed at the Registry of Deeds.

Walter Jacobs explained the plans removed an entrance and enclosed the space. The additional square footage was kept less than 500 square feet. When a decision was made to add an overhanging porch on the front of the house it amounted to the addition of 549 square feet which put it over the 500 square feet and triggered the need for a site plan approval special permit.

Bob Schaeffner asked for clarification that the steps are removed but bump out exists now? The architect responded that that is correct.

The chairman commented that it seemed pretty straightforward and asked if any members of the assembly wished to speak.

Ken MacAskill 6 Redstone Lane stated that he lives across the street and is concerned with the ROW down to the Boat yard and the fact that they started the work before they had zoning board approval objected at the board appeals wanted the bump out reconfigured because it would change his view he asked consideration to refigure – they had been working 6 weeks. He has an objection to the front porch exceeds the 10% expansion not one house that has an open porch on the street.

No one else from the assembly wished to speak.

A Motion was made and seconded to close the public hearing. All in favor.

Ed Nilsson asked if anything intrudes within the right of way. The applicant's attorney answered that it did not.

Ed Nilsson asked if it met the open space requirements meets the open space. Answered that it did

A Motion was made and seconded to approve the application all in favor usual conditions

7:30 PM Public Hearing – Site Plan Approval – 2 and 4 Coolidge Road - Wedel

Bob McCann attorney for the applicants the Wedel's explained that the Applicants propose to construct additions to an existing single family home including the removal of existing porches and roofed patio enclosing and incorporating into the main structure. Additionally there will be changes to the exterior siding windows doors and other remodeling. The lot will be treated as one lot the house went to board of appeals for an enclosed porch within side new addition of deck.

The chairman asked in there was anyone from the public that wished to speak on this application.

Mr. McCann submitted to the Board to be made a part of the record four (4) abutters who supported the Application together with copies of letters and e-mails in support. Letters in support from neighbors; 3 Grant Road - Frankel, 8 Coolidge - Turkanis, 2 Greystone - Krauter and 3 Coolidge Road - Kenski.

It was agreed that it was a straightforward application and there should be a reference in decision that the two properties will voluntarily become one lot. A motion was made and seconded to close the public hearing. All in favor. 5-0

A motion approve was made and seconded to approve the application the plans as submitted with the standard conditions and a notation that 2-4 Coolidge will become one lot. All in favor 5-0

Approval not required (ANR) - Colgate Rd

Robert McCann Attorney presented plan explaining that this was as a result of the sale of land from the Town to the Tower School. The board found that the division of the tract of land shown on the plan is not a "subdivision" because it shows a proposed conveyance, which adds to/takes away from lots in such a manner so that no lot frontage is affected. A motion was made and seconded to endorse the plan. All in favor

Approval not required (ANR) - 33 Bradlee Road/ 7 Mooring Road

Robert McCann Attorney presented plan explaining that this was as a result of the purchase of a contiguous house to 33 Bradlee and a reconfiguration of the lots. The board found that the division of the tract of land shown on the plan is not a "subdivision" because it shows a proposed conveyance, which adds to/takes away from lots in such a manner so that no lot frontage is affected. A motion was made and seconded to endorse the plan. All in favor

Request for process for changes - Site Plan approval - 20 Harbor Ave – Katz

Last August the board approved a site plan approval and issued a decision for a 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 on Harbor Ave located within an Shoreline District.

Paul Lynch representing the applicants explained they now wish to bump out two feet into the setback towards the road and reconfigure the deck. They will have to go to the board of appeals for approval since the structure will now be in the setback. He would like to know if they have to come back to the planning board.

Phil Helmes suggested the changes were not contrary to what was approved and since it will have review at the board of appeals it would be appropriate to grant an administrative change. Other board members agreed a motion was made and seconded to approve admin change support 5-0. The town planner was directed to write a letter to the building commissioner.

Recommendation on Tioga Way

The town planner explained that the board needed to make a recommendation on adoption of Tioga way that is before town meeting as Article 30 on the Town Meeting warrant is to accept Tioga Way as a public way. This came to the town meeting in the past and was indefinitely postponed since the pavement was in poor shape. The road was completely repaved in the fall of 2016 and is now in good shape. Typically a roadway is accepted by the town if it was laid out in accordance with town standards and is in good condition with no encroachments, the town adopts it. It was laid out in accordance with town standards, is in good shape and we are waiting for a final letter from the new town engineer to let us know if there are any encroachments. The town engineer reviewed the plan and asked for additional information. He did note an encroachment of a step into the ROW (not roadway) and the plan was attached modified the layout to exclude that. A motion was made and seconded to make a recommendation to the selectmen for their public hearing on the 26th to adopt with any changes made by the town engineer in his further review. All in favor. 5-0

A motion was made and seconded to approve the previous meeting minutes

The board noted that this was the last meeting of Chairman Phil Helmes who has been on the board since 2001 and this year at the end of his term has decided not to run again. The board expressed their thanks and wished Phil the best of luck with all he does. He will be missed.

Respectfully submitted,

Becky Cutting