


**TOWN OF MARBLEHEAD
SITE PLAN APPROVAL APPLICATION
PLANNING BOARD**

1. Property Address: 7-9 Rolleston Road Marblehead, MA 01945
2. Assessor Map 27 Lot 13A 3. Zoning District SR/SSR
4. Applicant: 7-9 Rolleston LLC, Steven P. Rosenthal, Manager
5. Applicant's Address 40 Bartlett Street Marblehead, MA 01945
6. Telephone Number: _____ (Daytime) _____ (Evening)
7. Email address: spr@west-shore.com
7. Applicant's Representative Matthew Wolverton matt@lausierlaw.com
8. List other permits required and status (e.g. Old & Historic Districts, Conservation, Board of Appeals, etc., obtained, scheduled, etc.) _____
zoning board of appeals - to be scheduled



(Signature of Owner)

8/12/2024

(Date)

By: Matthew Wolverton, attorney for

9. Name and mailing address and phone number that the legal advertisement should be billed to
Name Lausier & Lausier, LLC

Address 2 Hooper Street

Marblehead, MA 01945

Phone: 781 631 8830 x 2

FOR TOWN USE ONLY

Application Received _____ Submittal Deemed Complete _____

Waivers _____

Scheduled Hearing Date _____ File Number _____

**SITE PLAN APPROVAL CHECK LIST
PLANNING BOARD**

Each Site Plan Approval Special Permit shall be accompanied by the following information:

- (1) x Five (5) copies of a Site Plan which shall be a certified plot plan at a minimum scale of 1"=40' and a maximum scale of 1"=20'. The Site Plan shall contain:
- (a) x Date of Plan with all revisions noted and dated
 - (b) x Title of Development/Project
 - (c) x North Arrow
 - (d) x Scale of Plan
 - (e) x Name and Address of record Owner
 - (f) x Name and Address of person preparing the Site Plan
 - (g) x The names of all owners of record of adjacent properties and the map and lot number of the properties and all buildings
 - (h) x Zoning District Boundaries and Flood Zone Boundaries
 - (i) x Boundaries of the property and lines of existing streets, lots, easements and right of ways
 - (j) x A locus map
 - (k) x A table indicating all calculations necessary to determine conformance to Bylaw regulations including current required and proposed regulations
 - (l) x Square footage of property
 - (m) x Location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways
 - (n) x Location and dimensions of all utilities
 - (o) x Location, type and dimensions of landscaping and screening
 - (p) x Location of significant site features
 - (q) x Contours
- (2) x Five (5) copies of dimensioned schematic drawings of all proposed buildings. Scale not to exceed 1/4"=1' nor less than 1/8"=1'.
- (3) x A narrative describing the proposal

The narrative must address the following: The extent to which:

- (a) The architectural and design features are in harmony with the prevailing character and scale of buildings in the neighborhood and Town (such as but not limited to: building materials, screening, breaks in roof and wall lines, adequate light, air, circulation and separation between buildings).
- (b) The character of the site is preserved (such as but not limited to: protection of historical and natural resources and existing terrain, minimization of grade changes, tree and soil removal).

- (c) Vehicular and pedestrian movement within the site are convenient and safe (such as but not limited to: traffic patterns, circulation, location of driveway openings, parking, loading, access by emergency vehicles, and visibility of and identity of street address numbers).
- (d) External emissions from the site are minimized or eliminated (such as but not limited to: erosion, surface water runoff, pollution, sewage, disposal of refuse, odors, noise, glare, light and any other environmental impacts).
- (e) The adverse effects on abutting lots, the immediate neighborhood and the Town of Marblehead are minimized including (such as but not limited to: conflicts between residential, commercial and industrial uses, obstructions of views, increases in use of Town services and impact on Town infrastructure).
- (4) x A completed application form
- (5) \$1000 An application fee (the fee is calculated by taking the construction cost and multiplying by .001. *Example 350,000 construction cost x .001 = \$350 FEE*
The minimum fee is \$200 and the maximum fee is \$1000)

Applicants should refer to the Marblehead Zoning Bylaw 200-37 – Special Permit for Site Plan Approval for more detailed information on Site Plan Approval.

Town of Marblehead
ZBA-APPLICATION
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Revision Date: 12-02-2020

Project Address 7-9 ROLLESTON ROAD

Map(s) / Parcel(s) 13A

NET OPEN AREA (NOA)

Lot area = A

Area of features

footprint of accessory building(s)

footprint of building

footprint of deck(s), porch(es), step(s), bulkhead(s)

number of required parking spaces 2 x (9' x 18' per space)

area of pond(s), or tidal area(s) below MHW

other areas (explain) _____

Sum of features = B

Net Open Area (NOA) = (A - B)

GROSS FLOOR AREA (GFA)

accessory structure(s)

basement or cellar (area > 5' in height)

1st floor (12' or less in height) NOTE: [for heights exceeding

2nd floor (12' or less in height) 12' see definition

3rd floor (12' or less in height) of STORY §200-7]

4th floor (12' or less in height)

attic (area > 5' in height)

area under deck (if > 5' in height)

roofed porch(es)

Gross Floor Area (GFA) = sum of the above areas

Proposed total change in GFA = (proposed GFA - existing GFA)

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100

Existing Open Area Ratio = (existing NOA ÷ existing GFA)

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA)

This worksheet applies 1. plan by/dated _____

to the following plan(s): 2. plan by/dated _____

3. plan by/dated _____

Building Official _____

Date _____

EXISTING

22,900 SF

887.75

1435

187

324

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2833.75

20066.25

887.75

--

1435

824

--

--

--

--

--

3136.75

PROPOSED

22,900 SF

754

3,425

600

324

--

--

5103

17,797

754

1,500

3,425

1,913

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--

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--

600

8192

= 5055.25

= 1.61 %

= 6.39

= 2.17

Narrative

Site Plan Special Permit for Approval

7-9 Rolleston Road Marblehead, MA 01945

The Applicant will be required to obtain a Special Permit from the Zoning Board of Appeals for Dimensional Relief.

The proposed construction, without limitation, includes in part the following:

- Demolition of an existing single-family dwelling and four existing accessory structures;
- Removal of existing stone driveway, brick patio, pool and concrete patio;
- Construction of a new two-story single-family dwelling and one single-story single-family dwelling;
- Exterior work and landscape as shown on the Site Plan, including but not limited to construction of a new driveway and retaining wall.

The plans and proposed construction meet the criteria of the Planning Board for Site Plan Approval as follows:

- (a) The architectural and design features are in harmony with the prevailing character and scale of the buildings in the neighborhood and Town (such as but not limited to: building materials, screening, breaks in roof and wall lines, adequate light, air, circulation and separation between buildings).**
- The architectural and design features, as well as materials to be used, are intended to meet the prevailing character and scale of other buildings in the neighborhood.
 - The design is intended to minimize visual impact of the proposed construction on the abutters and public.
 - Existing dimensional non-conformities will be reduced, improving separation between buildings, light and air circulation.
- (b) The character of the site is preserved (such as but not limited to: protection of historical and natural resources and existing terrain, minimization of grade changes, tree and soil removal).**
- The general character of the site will be preserved.
 - The slope and grading of the site will remain generally unchanged, with the construction designed to work with existing grade.
 - Replacement plantings are incorporated in the design to offset removal of existing plantings during construction.
- (c) Vehicular and pedestrian movement within the site are convenient and safe (such as but not limited to: traffic patterns, circulation, location of driveway openings, parking, loading, access by emergency vehicles, and visibility of and identity of street address numbers).**

- There are no additional traffic patterns on the property presently or after construction.
- There will be no impact to the ability of emergency vehicles to access the property as presently exists.
- Street address numbers will remain visible and identifiable.

(d) External emissions from the site are minimized or eliminated (such as but not limited to: erosion, surface water runoff, pollution, sewage, disposal of refuse, odors, noise, glare, light and any other environmental impacts).

- As a residential property, external emissions are not a concern.
- Surface water runoff will be improved due to the removal of the existing accessory structures, concrete and brick patios.

(e) The adverse effects on abutting lots, the immediate neighborhood and the Town of Marblehead are minimized including (such as but not limited to: conflicts between residential, commercial and industrial uses, obstructions of views, increases in use of Town services and impact on Town infrastructure).

- The proposed construction will have minimal impact, if any, on Town services or infrastructure.
- Residential use is permitted by right in the district and will remain unchanged.
- The proposed construction is designed to improve impact on the existing primary view corridors.

Please see also the Special Permit Decision of the Town of Marblehead Zoning Board of Appeals dated July 5, 1978, filed herewith.

Rec'd
7-5-78
10:30 A.M.
Betty
Town Clerk

TOWN OF MARBLEHEAD

BOARD OF APPEALS

Decision on the Application of Alfonso Maiellano
for a Special Permit to Allow Two Existing Single
Family Dwellings on a Single Lot with Less than
16 foot Set Back on Rolleston Road

Pursuant to notice mailed to the petitioner, abutters and other persons to whom notice is required to be given, and advertisements published in the Marblehead Messenger on May 31, 1978 and June 7, 1978, the Board of Appeals held a public hearing on the application in the Selectmen's Room on June 27, 1978 at approximately 7:30 P.M.

Present were regular members Spiess, Dodge, Portnoy and Moxham and alternate member Martin. The applicant was present and was represented by counsel, Lawrence Markell.

Mr. Markell spoke in favor of the application.

The applicant owns Lots 13 and 14 on the Assessor's Map on Rolleston Road. Lot 13 is unimproved land and is only capable of being subdivided to create lots large enough on which to construct single-family homes which meet all existing zoning requirements. Lot 14 is another large lot on which there are located three single family structures. One of the structures is a main house, located on Atlantic Ocean. The other two structures are single family residences. Formerly these buildings served the main house and have been single family structures for several years at least.

The applicant proposes to divide Lot 14 into two lots, one of which would contain the main house and would conform to all zoning requirements. The other lot, proposed Lot 3, would contain the two existing single family houses and would conform to zoning except for the fact that there would be two single family houses on a single lot and there would be insufficient rear yard distance. Proposed Lot 3 contains 23,000 square feet and the buildings are located approximately 175 feet from Rolleston Road. It has frontage of 110 feet. Both buildings on proposed Lot 3 have been used as rental property for over twenty years. One of the single family structures has three rooms and the other six rooms.

There was substantial opposition from the neighbors who indicated that the area was single family residential character who did not want two single family houses on the same lot be legalized, particularly where it appeared that additional single family structures would be created on the subdivision Lot 13. There arose a discussion concerning the adequacy of sewer facilities. The town is not satisfied with the sewer discharge facility of the main house, into which line one or both of the houses on proposed Lot 3 empty. The houses on Lot 3 also empty into an independent septic system and Mr. Maiellano is working with town officials to develop a proper sewer system for proposed Lot 3.

As a result of the discussion a majority of the Board felt that the proposed site, being in a single family residence area,

the neighborhood being established, was not appropriate for use of a lot on which there was two single family structures, unless the structures were occupied by the same family. After hearing the evidence the Board voted unanimously that it would grant the application upon the following conditions:

1. That a sewer system be constructed or operable on proposed lot 3 which is acceptable to the Town of Marblehead;
2. That the exterior dimensions of the buildings on Lot 3 not be changed structurally;
3. That no more than one family occupy proposed Lot 3.

BOARD OF APPEALS

By

Daugherty Moplin