

Planning Board

Minutes of Meeting

September 11, 2012

Members present: Philip Helmes, Edward Nilsson, Jim Bishop, Russell Beck and Kurt James.
Other present: Becky Curran – Town Planner

Approval Not Required – 10 Adams Street

Robert McCann Attorney for the land owner presented the plan to subdivide the property at 10 Adams St. He explained that this ANR separates two lots (one fronting on Adams and one on Summit) that had merged by common ownership. The separation re-creates the two lots previously shown on the Registry plans with no changes – thus, as in the past, no ANR is required as the plans are already on record and the lots have been separately described on deeds throughout the years. The ANR is for the lot on Summit to be divided into two, and to be transferred to adjacent properties. No new building lots are being created, and this land will become part of 7 and 11 Summit respectively. This requires the ANR as it is combining two lots with adjacent land.

The plan was endorsed by the board

Cont. Public hearing – Incentive Zoning Special permit 151 Green Street – Green Street realty trust

Paul Lynch Attorney for the applicant explained the history of the permitting and the project. The land is approximately 3.65 acres in size. The owner is applying for an incentive zoning special permit and verifies that it meets the threshold to pursue that special permit. The proposal is for 10 buildings each containing 2 units each. 7 of the buildings will have a footprint of 1600 and three will have a footprint of 1512. Each building will have 2 floors of living space and a 2 car garage on the lower level. The front elevation on the street is less than 35'. The site plan allows for guest parking, the layout plan has been reviewed and approved by the fire chief.

A traffic report was submitted and indicates the traffic increase is negligible. Because the property contains significant wetlands the property went through the conservation commission and land disturbance permit process. An order of conditions and land disturbance permit was approved by the Conservation Commission on July 12, 2012

Lisa Eggleston who did the peer review of the environmental information submitted to the planning board and the conservation commission presented her findings to the board. They had been previously submitted in writing and on file with the board She explained she reviewed the proposed plans her primary focus was storm water and drainage and wetlands. She explained based on her initial review the applicant revised their submission which incorporated several design changes to the proposed plan, specifically

pertaining to storm water management. Most significantly, the roof infiltration systems and stormceptor units have been eliminated from the plan and replaced with two detention basin systems intended to attenuate, recharge and treat the storm water runoff from the impervious areas on the site. Ms. Eggleston submitted a list of conditions that should be adopted by the board to ensure compliance. She explained the conditions including requiring a phased construction with inspections at each phase.

Steve Chassion - 165 Green Street – State he was confused about how many meetings have been held on this project. The applicant’s attorney explained that this is the first planning board meeting. They had previously applied but withdrew and re applied to allow for the lengthy environmental permitting process to be completed.

Jim Bishop questioned how much landscaping was being planted, foundation plantings etc.

Project Counsel explained that the landscaping in relation to the units will be typical but has not been specified yet.

Stan Hackey 166 Green Street asked about testing and trucking

Robert Macann 148 green St concerned about retaining walls falling over due to location near wetlands, drainage and traffic.

Lisa Eggleston explained that they would be designed by professional engineer and that this site provides catch basins into storm drain the wetlands will settle filter better than now.

Paul lynch added that there will be no planting within driveway between 4 and 5 set back from street 16 -20'. Traffic control lots of traffic now study sais does fit the capacity of the road will no compound a level of service choice made correctly in location of driveway

Willis Annteneilli 166 Green St – His house was built in 1956 the property is zoned single residence and that is what eh would like to see not duplexes. Had question about guest parking. He feels the rendering is misleading because it does not show telephone poles impact his too much

Paul Gallo Pitman Road – feels the conservation commission scrutinized the project in terms of pollution and drainage concerns he thinks it is a well designed project thinks the driveway opening is in the best location it can be . The project is a benefit to the town. Feels that 20 units will have no impact from a traffic standpoint.

Steve Chassion – 165 Green Street - thinks the project is too dense to aggressive

Mr. Gould Alexander circle pointed out that the drawings sets have a discrepancy

Discussion ensued on this point and the board requesting building plans that correspond to the topography be submitted to the for the board to review and discussed . Also draft

affordable housing restrictions, deed riders and Homeowners association documents for review and approval by town counsel. A motion was made and seconded to continue the hearing until the board's October 9, 2012 meeting.

Public hearing - Section 16 finding – 123 Pleasant Street – Warwick

The public hearing was opened to consider an application for a MGL Chapter 40A Section 16 finding for a change in an application for outdoor seating at the property at 123 Pleasant Street which had been previously unfavorably acted upon by the board of appeals.

Mr. Paul Lynch attorney for the applicant explained that the original proposal was for 40 outdoor seats. This proposal is for 32 seats. He explained that it is his opinion that the bylaw established 10% as substantial.

Phil Helmes explained to the board and audience that the board was considering only whether or not the change was material and specific in order for the application to proceed to the board of appeals for approval or not. The board is not considering the merits of the proposals.

Michael Alkonis 137 Pleasant St – stated that he did not understand the sec 16 process. He is opposed to the outdoor seating.

Bob Hugo owner of the adjacent building on the corner of Pleasant and School Streets is in favor of the proposal.

Jim Bishop wondered if 10% was truly substantial and wondered if 20% would be more appropriate.

A motion was made and seconded to make a finding that the changes made to the application which was denied by the board of appeals on July 24, 2012 were specific and material changes. The board's vote was unanimous.

Public hearing – Site plan Approval - 34 Atlantic Ave - Katsis

The public hearing was opened. Attorney Paul Lynch and Architects Paul Tucker of Walter Jacobs Architects presented the plans to demolish an existing building. The property is located at 34 Atlantic Avenue on the corner of Barnard Street consists of approximately 5717 square feet of land and is located in a B-1 district. Presently there is an existing 2342 square foot one story commercial building with three parking spaces in front of the building and six on the side. The applicant proposes to build a 2876 square foot one story square foot building with two retail units. The location of the new building is at the front of the lot. The proposed building meets dimensional requirements including front and rear setbacks, height and open space but lacks the required number of parking spaces. The building will be clapboard or shingle siding, an asphalt shingle roof and a small metal roof

The proposal includes 6 parking spaces which includes a handicap accessible space. The applicant will seek a special permit from the Board of Appeals for a reduction in the

number of required parking spaces.

The building will be served by a single curb cut driveway off of Barnard Street.

Discussion ensued on the appropriate conditions and it was decided that a signage package including the location, size, color, materials and wording of the entrance sign shall be submitted to the design review board for review and approval prior to installation and prior to the issuance of an occupancy permit.

Parking stops shall be installed within each of the head on parking spaces. An additional tandem space shall be located at the rear of the parking space indicated as lot

The landscaped island shown on the plan will contain at a minimum one shade tree and a variety of shrubs and other vegetation, size and species will be submitted to the town planner for review and approval prior to installation.

The owner has agreed to make associated improvements offsite improvements including re pave the sidewalk surrounding the building in conformance with the Town of Marblehead's standards for sidewalks in the business one district. The brick soldier courses on four foot wide sidewalk be constructed of concrete for the length of the property on Atlantic Ave. Any sidewalk plan shall be submitted to the board of selectmen for ADA compliance and review prior to construction

If a dumpster is to be located on the site, it shall be in the back of the property

This plan is subject to the design review board review. Any minor changes suggested by the DRB will be incorporated into this decision and any substantive changes that result in the shape or placement of the building shall come back to this board for review.

A motion was made and seconded (5-0) Helmes, Bishop, Schaeffner, James and Nilsson to approve the application as complying with the requirements for the issuance of a special permit subject to the standard conditions plus the conditions discussed.

Cont. Public Hearing - Site Plan Approval - 12 Coolidge Road – Riccio

Previously The Applicant requested a continuance to give them time to meet with the neighbors and address some of their concerns.

Paul Lynch attorney for the applicant explained. Jonathan Pour architect presented the existing building lot is only 70' wide con com and zoning requirements lead

Bob Schaeffner asked if it was a guest house to 10 Coolidge Road. Mr. Lynch explained that it was owned by the same owner but would be a separate house on a separate lot. House is located 25' back from the street

Improves the public view corridor by removing all of the vegetation on either side of the house. It is a compact and efficient house.

Rick Rockett – Coolidge Road concerned with view impact and would like the house to be located back further where the present house is and the lot is lower.

Adam York 11 Coolidge Road is concerned about the landscaping want to know if it will be a condition to limited planting.

Attorney Paul Lynch ran through the planning board criteria

Phil Helms asked what he height of the exiting house was.

Mr. and Mrs. Johnson 14 Coolidge Road concerned with project

After a lengthy discussion of what could be done to minimize the negative effects of on the abutting properties the board requested that the applicant make more of an effort to look at the overall impact and not just the conservation commission regulations and zoning and see if there is any solution.

A motion was made and seconded to continue the public hearing until the board's October 9, 2012 meeting. All in favor.

The meeting was adjourned at 11:30 pm

Respectfully submitted,

Rebecca Curran