

Marblehead Planning Board
Minutes of Meeting
April 9, 2013

Members present: Ed Nilsson, Bob Schaeffner, Jim Bishop, and Kurt James Others present: Becky Curran – Town Planner – Phil Helmes arrived after the first public hearing.

A quorum being present the chairman was not present so Vice Chairman Nilsson called the meeting to order at 7:30 PM

Public Hearing on the Citizen Zoning Article

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, the Marblehead Planning Board is required to hold a public hearing on any proposed amendment to the zoning bylaw. This year there is only one and it is a citizen sponsored article. The proponent was present to explain the amendment. The article seeks to amend section 200-15B(3), to allow children's play structures to be placed within the yard setbacks five (5) feet from the property line, including those with roofs, and/or platforms more than two (2) feet above existing grade.

Ms. Farida Peters-Abbadi of 4 Mohawk Road the sponsor of the citizen article appeared before the board to present her article. She is interested in changing the zoning bylaw to allow "play structures" within five feet of the property line. She stated that presently the bylaws is vague anything with a roof or platform above 2 feet is considered a structure and therefore must conform to the yard setbacks. She explained that many people are unaware of this and she stated that there are over 60 structures within the required side yard setbacks that she has noticed in the areas where she walks.

Kurt James asked whether she is proposing any height limitation. She said she had not proposed that but could. Mr. James noted that with no height limitation it could be intrusive on neighboring properties but that he was generally in support.

Ed Nilsson suggested that industry standards for size be looked at and some dimensional regulations included. He suggested that otherwise it is too open ended. Bob Schaeffner agreed that some qualifications were needed.

The town planner noted although the next regularly scheduled meeting of the Planning Board is after town meeting, the planning board typically posts a meeting just prior to town meeting at 7:00 PM in the PAC center at the Veterans Middle School. This year that is Monday May 6th.

Phil Helmes joined the meeting.

Mr. Nilsson suggested the petitioner get any information to the town planner prior to May 6th and they will discuss at 7:00 PM on May 6th and make a verbal recommendation at town meeting on whether they recommend adoption or not.

A motion was made and seconded to recommend that the article be amended to include dimensional regulations. The board will discuss on May 6th and make a recommendation at town meeting. All in favor.

Cont. Public Hearing - Site Plan Approval - 8 Follet Street – Goodby

Chairman Helmes continued as Chairman at this point in the meeting.

The applicant has requested to withdraw the application without prejudice.

A motion was made and seconded to allow the applicant to withdraw without prejudice.

All in favor (5-0)

Public hearing – Site Plan Approval – 2 Humphrey Street - Marblehead High School

William Quigley Attorney for Marblehead All sports explained that the School Department is proceeding with an artificial turf field at the High School. A Site plan approval Special permit was issued by the planning board when the high school was built. One condition of that decision Section IV paragraph 5 (e) and (f) of the Specific Conditions limit the number of night time games and requires the school department to return to the Planning Board for any additional use of the athletic field beyond six games.

This application is for a modification to the relevant provisions of the previously issued Special permit. The school department desires to increase the use of the athletic field at night with the use of lights beyond six games per year (4 football and 2 soccer). Mr Quigley explained the proposal and the impact of the modification on the original permit and impacts it will have on the neighborhood generally.

The Special Permit for the Planning Board will need to address the criteria set forth in section 200-37(C), of the zoning bylaw, previously issued Special permit. The condition in Section IV paragraph 5 (e) and (f) of the Specific Conditions of the Site Plan Special Permit dated June 14, 2000 which limit the number of night time games and requires the school department to return to the Planning Board for any additional use of the athletic field beyond six games.

The School Department is proceeding with an artificial turf field at the High School. The school department desires to increase the use of the athletic field at night with the use of lights beyond six games per year (4 football and 2 soccer). The school department application desires to increase the evening use of the game day field from six times per year academic year to twelve times per academic year. The public address system would only be utilized for evening football games.

The Planning Board reviewed the plans and other submission material. Throughout its deliberations, the Planning Board considered the statements of the Applicants and their

representatives and the written memo from Assistant Town Consul and the abutters who attended the meeting.

A motion was made and seconded to approve the Application as complying with the requirements for the issuance of a modification of the Special Permit with the condition that All relevant conditions of the previously issued site plan approval special permit shall remain in effect. All in favor. (5-0) Schaeffner, James, Bishop, Nilsson and Helmes

Glover School

The Glover School Contractor submitted a letter requesting the board's approval to work additional hours from what was originally allowed in the Site Plan Special permit that was issued for this project. The condition allows work from 7am to 5pm. They are requesting that the hours be changed from 7am to 7:30pm. Monday through Thursday until May 10th for the erection of the steel.

The town planner indicated that a letter from the superintendent approving and supporting this request.

A motion was made and seconded that the request for limited additional hours be granted to work additional hours at the Glover School Project as follows:

The site plan approval decision issued for the project at 7/9 Maple Street on February 2, 2013 condition 7.a.i. currently allows work from 7am to 5pm. Monday through Saturday. The board voted to grant work to be performed from 7am to 7:30pm. Monday through Thursday from April 1 to May 10th and further after the building is enclosed inside work of a quiet nature is allowed at other times as long as it is not disruptive to the neighborhood.

The reason for the extension of hours is to allow the steel erector to work 4 – 10+ hour days in lieu of 5 – 8 hour days and to stay within the schedule.

All other conditions remain in full effect. All in favor

Warwick Signage

The applicant's representative Paul Lynch and Architect has made changes to the sign package as discussed at our last meeting. The architect Michael Sinesi was present at the meeting to discuss. The board reviewed the plans dated April 3, 2013. Several changes were made that will be memorialized on a plan to be submitted to the town planner prior to the issuance of a sign permit. The large vertically oriented restaurant Tenant PALMERS sign as follows: Sign shall be vertical the letters shall be individually pin mounted on a 2" pin. The Letters shall be 10x11" and the overall the sign shall not be more than 10.5 s.f. The lighting shall be LED linear lighting fixture.

The patriot property sign shall be horizontal mounted in the located shown on the plan dated and the individually pin mounted with a 1" deep aluminum letters with a height of 1'-2.5" and the logo shall be 2'x2' and also pin mounted to the building. The overall sign size shall be 2 x 6 12s.f

The awning and blade signs 123 Pleasant Street and other signs in the rear of the building approved at the board's March meeting will be incorporated into the record plans to be submitted.

Meeting Minutes

A motion was made and seconded to approve the March 12, 2013 minutes as written. All in favor.

A motion was made and seconded to adjourn the meeting. All in favor

Respectfully submitted,

Rebecca Curran