

Marblehead Planning Board  
Minutes of Meeting  
December 13, 2012

Members present: Ed Nilsson, Bob Schaeffner, Kurt James and Russell Beck. Others present: Becky Curran – Town Planner

The chairman was not in attendance, therefore the vice chairman called the meeting to order at 7:30 pm. with a quorum present

**Cont Public hearing - Incentive Zoning Special Permit - 151 Green Street – Green Street Realty Trust**

The town planner reported that due to only four members being present at this evenings meeting the applicant opted to continue until the January 8<sup>th</sup> meeting when five members would be present. A signed extension was submitted.

A motion was made and seconded (4-0) Schaeffner, James, Beck and Nilsson to continue the public hearing until January 8, 2013. All in favor

**Public Hearing – Ste Plan Approval – 28 Foster Street – Kellogg**

Project Attorney Robert McCann submitted to the board several letters of support signed by abutters to the property including: 32 Foster Street -Van Otterloo; 26 Foster Street – Blando; 60 Harbor Avenue –Carlson; 34 Foster Street –Heide; 25 Foster Street-Liptak; 17 Foster Street –Spanos. These letters were entered into the record and marked Exhibit A.

The Petitioner's Attorney explained that the property is located in a shoreline expanded single residence district, and consists of a single lot of land on the northwesterly side of Foster Street which contains 41,100 square feet of land, more or less. The property has 186.49 feet of frontage.

The Petitioner explained that the Conservation Commission has voted to issue an Order of Conditions, with standard conditions and received aSpecial Permits from the Board of Appeals.

Project Architect Skip Kiley explained the building in greater detail. He explained that the Petitioner considered razing the house and constructing a conforming dwelling but elected instead to add a partial second floor because the existing house is in good condition and serviceable and the construction of a partial second floor, over the center portion of the existing house, would have a significantly lower impact on the neighborhood than a new house constructed in conformity with the Dimensional Regulations of the Zoning By-Laws. The house has been designed with as low a roof line as possible, thus no attic, and to work with the existing structure to minimize the impact on the neighbors.

Attorney McCann explained that they recently purchased the property and that, as current residents of Marblehead will be moving into the property as their principal residence. The

addition of the partial second floor will provide the bedrooms that they need for their three children. The other additions are minor in nature or will not, for the most part, be visible from the street, and will have little to no impact on the neighbors.

After the Petitioner's presentation, the Board opened the hearing to the general public for comment. No one spoke in favor or in opposition to the Application.

A motion duly made and seconded, the Board voted to close the public comment portion of the hearing. After discussion amongst the Board Members, the Board made the following findings and decision:

To the maximum extent feasible, whether the following standards are met:

- The architectural and design features are in harmony with the prevailing character and scale of buildings in the neighborhood – the existing building which was built in the early 1960's is being retained
- The character of the site is preserved - existing terrain, minimization of grade changes, tree and soil removal is minimized due to building being expanded upwards
- Vehicular and pedestrian movement within the site are convenient and safe - traffic patterns, circulation, location of driveway openings, parking, loading, access by emergency vehicles, and visibility of and identity of street address numbers are not being changed
- External emissions from the site are minimized or eliminated erosion, surface water runoff, pollution, sewage, disposal of refuse, odors, noise, glare, light and any other environmental impacts re not changing
- The adverse effects on abutting lots, the immediate neighborhood and the Town of Marblehead are minimized. There are no conflicts between residential, commercial and industrial uses, obstructions of views, increases in use of Town services and impact on Town infrastructure.

A motion was made and seconded (4-0) Schaeffner, James, Beck and Nilsson to approve the application as complying with the requirements for the issuance of a special permit subject to the standard conditions and the special condition which reads: This Special Permit is issued with the condition that a final landscaping plan be submitted to the Planning Board and shall show that the shrubbery in the front landscape bed along Foster Street will be maintained at approximately six feet; the crabapple tree at bottom of stairs from rear patio will be pruned annually annual to keep it at its present height. The large tree shown as being removed on the Planning Board Site Plan will be removed. All in favor.

### **Old/New Business**

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

Respectfully submitted,

Rebecca Curran

