

Marblehead Planning Board

March 9, 2015

Members present Phil Helmes, Ed Nilsson, Rosanna Ferrante, Jim Bishop, Bob Schaeffner and Paul Elser.
Others present Rebecca Cutting – Town Planner

Public Hearing – Site Plan Approval - 33R Bradlee Road – Blue Thalassa LLC

Robert McCann attorney for the applicant explained the proposal in detail and introduced the project team Craig Bosworth, Architect and James Emmanuel Landscape Architect.

Bob McCann explained and reviewed the property boundary lines and zoning setbacks. The lot has frontage on Mooring Road and Bradlee Road and is 60,474 square feet in size. It is a unique shape. He explained that the applicant's architect had confirmed the front rear and side yard setbacks with the Building Commissioner. Mr. McCann acknowledged that a lot of information has been submitted pertaining to the street and where it begins and ends. On the registry plan the street is shown going to the boundary line of Bradlee Road but was never entirely built. He stated that he has gone through all of the deed and plans history and stated that the two properties, Pocharski and Nolan, have the right to use driveway. His thought is that the garage as proposed complies 100 percent will all the dimensional requirements of the by law. Mr. McCann then attempted to address the issues in the letters of opposition.

- The claim that the building on a separate lot – it is one large lot with a driveway easement
- That it is a second dwelling unit - Not a second dwelling it is an exercise room garage accessory building allowed as a matter of right. 1/3 size of main house.

Phil Helmes asked square footage of the structure. Mr. McCann responded that the lot size is the largest lot of any lot in the area and has the 5th largest open space ration 4.2 to 1 from 5/7 to 1

- Impact on view – It does have impact on the Raymond's views

Mr. Nilsson asked to explain the view easement. The owner Mr. Halstead pointed to where the view easement was.

Bob Schaeffer asked about the character and that a building was likely not envisioned in this space and that it seems unusual to build in the center of an island. Rosanna Ferrante agreed.

Phil Helmes asked if there was any written no build restriction. Mr. McCann stated there was not.

Jim Bishop was concerned with the compatibility of the garage to the residence that it serves is not apparent it seems disconnected. He also asked if the applicant would be amendable to widening the way.

Mr. McCann went through the site plan approval criteria – stated that board cannot deny can only approve of approve with conditions.

- Location of utilities
- Storm water runoff ledge will be blasting in full compliance
- Environmental impact study not appropriate for garage
- Asked for a traffic study not appropriate
- Asked for Story poles - small area and existing utility pole

Ed Nilsson asked if they looked at other locations. Craig Bosworth said they did, near the driveway and pool area but they would have to legally change the driveway and they want to maintain the pool

Mr. Nilsson pointed out there was 110' feet from house to driveway and could be used

Mr. Bosworth explained that the existing residence is a Robert Stern house trying to make the façade compatible with that.

James Emmanuel landscape architect – discussed the landscaping. The garage is situated on lot trying to tie the landscaping using pavers which will be the same. A decorative edge and looking at a cobble band to create continuity, there will be a stone pier with down light flowering small tree dogwood or shrubs to buffer the back elevation, shrubs integrate the materials on the existing building site to tie together.

Bob Schaefer asked how wide the existing driveway is.

Phil Helmes asked if the utilities will be underground from main house

Ed Nilsson asked if the building could be closer to the pool stone wall pool and suggested they should look at relocating closer to the building

John Shea Attorney for Raymond, Pocharski and Nolan who are present and for Peter Dunning who wrote letter. He presented their opposition and the abutters merits. He concluded that the proposed massive carriage house is being shoehorned onto Bradlee Road and the area was never intended for such a structure. The mass does not belong there and he does not agree that the building meets the setbacks. The GIS maps shows Bradlee Road ends at a certain point

they think exhibit f shows. It is not in harmony with the neighborhood he feels that is a charade, the character of site not persevered and it is detrimental to vehicular and pedestrian access, has an overall adverse impact. He feels the historic information provided compelling evidence that use was supposed to be limited. The house already has a garage and a pool house. The garage is bigger than a lot of single family homes. It is grandiose for a garage a second floor a decks with water views and bathroom offices. He had requested in his letter an ENF because it requires looking at document alternatives this building won't fit anywhere else. History shows when the circular area was carved up intent was to keep it as open space. Deed restriction he things says not appropriate design and scale is totally outsized for a garage. One must accelerate a vehicle to get up top of slope concerned about the closeness of the garage to the roadway. No longer see an oncoming car, no hydrological analysis, and Mr. Raymond's views eliminated by an oversized building. Agrees the board can't deny the application but can significantly condition it. He feels it could be a better design

Owner John Halstead 33R Bradlee Road takes exception to the idea that this is a road. He believes it is a driveway.

Phil Helmes stated that there does seem to be a difference in opinion on the status of road.

Richard Spencey 6 Broadmere Way had submitted a letter. He has an issue with the impact on density and the visual impact and welfare and precedence sets or future goes against shoreline objectives. The impact on the structure and the Raymond views huge impact it is a concerned it is going to be used as another single family home.

Alan Raymond 32 Bradlee Road concerned with view impact they never contacted him to discuss. They are vehemently opposed to this proposal.

Kimon Pandapos 53 Evans Road and owner of 10 Mooring Road most points have been made already open space calculating is misleading carriage house is misleading wanted to know if there was a fireplace because it shows a chimney. There was no advance discussion at all with owner Kimon & Christine Pandapas owners of 10 Mooring Lane and thinks it is affront that this is not before zoning. He thinks it should go to the zoning board of appeals for dimensional relief.

Daniel and Janet Nolan of 37 Bradlee Road thanked the board for the site visit. They feel the house is enormous they want story poles to be installed. The width and length creates a visual obstruction and fear they won't be able to see if a vehicle is coming. It would obstruct towards their house concerned about construction trucks. The intent should be to keep open.

Louis and Nancy Pocharski 35 Bradlee Road represented by their children Susan 1 Broadmere and Mark 6 Cornpoint Road. This house will tower over their parents' house. They are speaking for their parents who are 82 years old. The proposed house will impact their privacy,

run off there is flooding currently. The land slopes down. They bought the home because they liked the openness. Also concerned with safety, it will create blind spots on left on left and right and fear there will be an accident. They are also concerned with construction trucks during the construction period. He feels there was never meant to be a house in the circle. He is concerned about the safety of the pinch point; it is very narrow in summer and worse in winter, he fears it will impact the response time of ambulances and fire trucks and very concerned about construction and building materials during construction. The Halstead's are not here often the kids in the neighborhood use this spot for bike riding.

Elaine Spencely 6 Broadmere road stated that the building is out of character, concerned with blasting and the integrity of the neighborhood is impacted. Also noted that the applicant will now have three driveways.

The town planner read a letter from Carl Hyam treasurer Fleun Point into the record

Bob Schaeffner agreed that it goes against the identity of the area.

Rossana Ferrante stated if it is a road there is a setback but it functions as a road.

Phil asked if we could require a blasting plan peer review fire dept. requirement

Drainage verified through engineer Jim Bishop ask for drainage study and wonders about traffic there and it that should be a traffic study major intersections concerned about cars and kids and site distance

John Hallstead 33R Bradlee Road stated that safety is incrementally damaged by any house worried about people on his property - the association benefits from his property.

Ed Nilsson stated that all the technical problems can be solved safety issues, negative impact on abutter, but thinks we first have to look at the broader issue and thinks the structure can be relocated to a better location to find a solution meets the requirements of the neighbors. He would like to make a motion to continue the hearing that other solution that can be looked at.

Phil Helmes asked if the wall can be pulled back to create a better site line did they think of that look at that to alleviate safety concerns make it shorter.

Mr. Halstead stated they looked at other locations, one can widen the roadway and would help Raymond's, it pushes against fence shift toward rhododendrons. It would widen the road for the fire dept. and improve the view corridor for Raymond's. It is an option but would need the neighbor's permission. This option does get closer to Pandapos property. Material may be different to what is being proposed but these alternate needs the consent of two people. He stated he was willing to look at different locations.

Bob Schaeffner also suggested he should reexamine his programmatic need; two cars and exercise room that is the stated need. Try looking inside out location reaching out of the bounds of the house location away from the house causes the identify to be lost. It is an aggressive move. The proposed building is 2/3 of the footprint of the other houses blocs view. Phil suggested they look at no blasting alternate site safety the wall to turn to right no on coming straight towards you

Mr. Halstead said he is willing to have a conversation about that program agreed this would be something to look at.

Sandy Porchaski 6 Corn point road suggested one month might not be enough time. Discussion ensued on this point and the board decided to extend for one month and grant another extension if more time is needed.

A motion was made and seconded to continue the hearing until April 14th 2015. All in favor 5-0 Helms.

The meeting was adjourned.

Respectfully submitted,

Rebecca Cutting