

## Planning Board Meeting

May 19, 2015

Members present Ed Nilsson, Phil Helmes, Bob Schaeffner, Barton Hyte and Rossana Ferrante. Others present Town Planner Rebecca Cutting

The board welcomed new member Barton Hyte who replaces Paul Elser who did not seek reelection.

### **Cont. Site Plan Approval - Public Hearing - 33 Bradlee Road – Blue Thalassa LLC**

Robert McCann Attorney for the project requested a continuation with no evidence taken until the board's July meeting since his applicant will not be here in June.

A motion was made and seconded to continue the public hearing until July 14, 2015. All in favor. Unanimous vote

### **Public Hearing - Site Plan Approval - 10 Harborview – Christian**

Bob McCann attorney introduced the project and Diane Christen appellant and Craig Bosworth architect.

He explained the property was previously owned by Don and Betty Seamans. There are two lots one with a conservation restriction plus granted rights to use the dock for residents in the area. The Christians have purchased the lots held in separate ownership. 10 Harbor View is in the shore residential district and has total square footage of approximately 25,264. They are leaving the other lots as is and adding to the existing house. Presently there is a single family house, a detached garage there is a large rock outcroppings. They wish to preserve the beautiful landscape and want to maintain the existing house and connect it to the existing garage. The view corridors that exist presently will be maintained. They have tried to design the building without encroaching in the existing view corridors. They will also be going to board of appeals for dimensional relief. The sidelines are presently less than 25' existing house 17.3' at one end and 13.8' at the closest point. The gross floor area goes from 4490 to 6295 and exceeds open space ratio. The access for vehicles is not changing and it was approved by conservation commission.

Craig Bosworth architect went through the building design in more detail.

The height of the building is 28' and the design maintains that so no relief in height is required. The design tries to take advantage of water views; the owners love the landscape and wanted to retain it. They wanted to attach the garage to the house and the 1400 square feet first floor house is being updated and a series of additions are being. On the water side the octagonal form maximizes views punches out in kitchen for water view. The area

between the existing dwelling and the garage is a hall way and then become a two story addition. Small addition underneath the porch on the waterside.

He went through the elevations. He explained that he wanted the front door to be visible

Ed Nilsson asked if thought had been given to moving the garage closer to the house to minimize that length.

Bob Schaeffner noted that at the walk through is long the distance from the garage to the house and that the second floor extension is adding a large mass and questions whether it is needed. He noted that the volume of the original house is appealing and this long mass makes it less appealing. He wondered if they had explored other options even if needed a 12/12 roof with gets bigger at the end. He felt this slowly effect character the length felt with this design.

Phil Helmes stated that he like the design from the street scape. It keeps the views and likes the step back even if does not comply with setbacks. Ed Nilsson agreed and sites Doak's Lane grows by accretion and more historical. He likes the tucking down.

Letters of support from 5 Harborview and 11 Harborview were submitted

Paul Lynch attorney represent Kevin and Holly Crosby who own the property next door stated that the Crosby's tore down an existing house and built new house is 2009 that complies with all setbacks.

Paul Lynch sites the 25' setback should be adhered to and that the designer is paying no attend to the setbacks. He stated this lot could comply more than enough land it the existing house was torn down. He thinks it is being done this way for convenience and why should it encroach they should be made to make a conforming house.

Ed Nilsson stated that the intention of the increased sideyard setbacks in the shoreline district was not light and air the purpose of the increase side yards was to maintain the view corridor could be relaxed.

Phil explained that the board of appeals will make that determination and the planning board is looking at the siting.

Bob McCann addressed the concerns raised: He does not agree with the argument that a person has to tear down a house in order to comply. The big difference between this and the Crosby is that the Crosby was new construction. The owner's landscape want to preserve the landscape. Too many houses torn down. Could there be other designs? of course this is the best alternative. The wants to maintain the house.

Bob McCann stated it costs more to maintain and renovate an existing structure and it is not for their convenience, rather it makes good design sense.

Phil Helmes stated he thinks the design makes good sense.

Ed Nilsson reiterated that the purpose of increased sideline setbacks in the shoreline districts was to maintain the view corridors the minimum is 14 or 18 closest point.

Barton Hyde Crosby they are most affected won't impact the any one's views of the ocean the bone of contention is the decks.

Wayne Sheridan Harborview spoke stating that the project doesn't impact them but when the trees come down he would have concerns. He appreciates trying to save the house. He is concerned with losing the vegetation during construction.

The Planner suggested that we have a condition that requires replacement when vegetation slated to remain are damaged during construction. Phil Helmes thought the board could further condition to have an arborist develop a plan to ensure trees will not be damaged during construction by protect the root ball evergreen along the property line no patio or outdoor space

Discussion ensued on whether there was a landscape plan. There was a plan submitted that shows vegetation to be planted and vegetation to remain.

Craig Bosworth stated that the idea is to have an evergreen privacy screen

Bob Schaeffner stated that he felt that the impact does not feel drastic

Phil regardless of the technicality of setbacks it is a good design.

Paul Lynch the volume of the house is closer to the house. He believes the volume is unnecessary and thinks the setbacks should be adhered to.

Bob Schaeffner felt massing is the concern not the setback. Rosanna Ferrante agreed and felt to move the house for the sake of the 12' to reach 25 does not do anything to improve the design.

Paul Lynch would like to discuss plan further. Ed Nilsson stated we could tweak the plan as a gesture but that the concept is sound.

Phil Helmes stated that the property will be maintained as a single family dwelling in a neighborhood of single family residences. The existing house and gardens are being retained rather than torn down. The sidelines in the shoreline district are in place to retain view corridors which this development does and the existing view corridors remain and the sideline where non-conforming are minimally encroached.

Conditions were discussed.

Construction vehicles will park on site as much as practical and other construction vehicles will drop off material and park off site and not on Harbor View.

Landscaping shall be in accordance with referenced Landscape Plan #10 Harborview dated April 4, 2015,

Prior to any construction, a certified arborist shall submit a survey of trees slated to remain to the planning board prior to the issuance of a building permit. This survey shall contain methods of protection during construction. Those trees slated to remain shall be indicated in the field with clear markings of root systems shall be identified and be marked clearly with stakes indicating where the root systems begin; and a temporary silt fence be placed around them so the measure of the radius of half their height is visibly marked and the trees are protected from excavation, blasting, grade changes, and from compaction by heavy machinery or debris from excavation.

The existing vegetation indicated on referenced plan to remain shall be maintained by the applicant, his successors or assigns and if vegetation in this area is damaged during construction or after it shall be replaced, replacement will maintain same height and maintenance requirements.

This project is subject to board of appeals approval. Any minor changes to the project as a result of the board of appeals review shall be submitted to the planning board for administrative approval and substantial changes shall be submitted for a modification with public notice.

Barton Hyde asked if windows will look directly into Crosby bedroom. The Crosby's house is 25' from the sideline and the Christian is 13 to 17 giving 38 to 42 feet between the buildings.

A motion was made and seconded to close public hearing. All in favor 5 -0 Unanimous vote.

A motion was made and seconded to approve the application with the standard conditions and the conditions discussed. All in favor 5 -0 Unanimous vote.

**Cont. site plan approval special permit - 22 Foster Street – Sevinor**

Paul Lynch Attorney for the applicant explained that they were working on revised plans to address the concerns of the board and the abutter and they need more time to develop the plans and therefore requested a continuance.

A motion was made and seconded to continue the public hearing until June 9, 2015. All in favor. Unanimous vote.

10 Tioga Way – Extension – Pastios

Last June the board issued a site plan special permit for a nonresidential boat storage building at 10 Tioga Way. This permit expires on June 25, 2015. They are requesting a six month extension. They have been dealing with changes to the building interior.

A motion was made and seconded to grant a 6 months extension from date of expiration  
All in favor Unanimous vote 5 -0

Vote to approved the April meeting minutes with correction of Ed Nilsson name and spelling and edits by bob Schaeffner 5-0

Respectfully submitted

Rebecca Cutting