

Marblehead Planning Board

June 13, 2023

Minutes of Meeting

Board met in session at 7:30 p.m. in person in Abbot Hall 188 Washington Street

The Chair called the meeting to order. The following members were present; Mr. Nilsson; Mr. Hyte; Mr. Christensen, Ms. Ferrante, and Mr. Schaeffner and Mr. Leverone – Associate member. Others present: Rebecca Cutting – Town Planner

9R Spray Ave – MGL Ch 40A Sec 16 finding – Garnitz.

The town planner explained that after an application is denied by the Board of Appeals it may not come back to the board unless, pursuant to M.G.L. c. 40A §16, a finding that specific and material changes are made by both Planning Board and the Board of Appeals by a super majority. The board is determining whether changes that have been made are specific and material changes.

Matt Wolverton, the petitioner's attorney explained the resubmission. He explained on January 24, 2023 The Board denied the application with a vote of three in the affirmative and two in the negative. There was considerable objection from abutters at the hearing. The Petitioner filed an appeal with the Land Court pursuant to M.G.L. c. 40A sec. 17 to preserve their rights on the first application. The Petitioner then substantially revised their proposal and has worked extensively with the abutters most impacted by the proposal to obtain their support of the revised plans.

They are here to obtain the Board's finding that the changes are specific and material so they may reapply to the Zoning Board pursuant to M.G.L. c. 40A sec. 16,

The Petitioner's Architect, Tom Saltsman of SaltmanBrenzel then presented the architectural drawings to the Board highlighting the specific and material changes made to the prior application. These included, but are not limited to, moving the bulk of the proposed addition to the opposite side of the existing structure, thereby reducing the impact on views; eliminating the pitched roof and replacing it with a flat roof design; and reducing the size of the proposed addition from an additional 320 square feet to 241 additional square feet.

The Chairman asked if anyone wanted to speak on the application. No one spoke in favor or opposed.

A motion was made and seconded to decide that the changes are specific and material. All in favor.

Public Hearing – Site Plan approval - 11 Kenneth Road -Chmara

Attorney for the petitioners Matt Wolverton explained the proposal. 11 Kenneth Road is a single-family home located in the Shoreline Single Residence District, with less than required Front and Side Yard Setbacks, and exceeds the allowed height, on a Lot with less than required Lot Frontage and Lot Width. The Applicant has obtained an Order of Conditions from the Conservation Commission.

The Petitioner's Architect Craig Bosworth then presented the architectural drawings to the Board pointing out the unique topography of the lot with sloping and terraced lawn areas creating a twenty foot change in grade from the front of the lot to the rear of the lot.

The board noted that this has been before the board several times in that past and the last special permit was very careful review and approved.

The chair asked if anyone in the assembly wished to speak. The board heard in person or writing from the following persons in opposition to the plan, Wendy Fermon 15 Kenneth Road, Carleton Whittaker 10 Kenneth Road and Hector Lopez- Comacho 14 Kenneth Road.

The Board discussion ensued and agreed they were interested in the addition being no larger than what had been approved previously in 2022. Not the design itself but the bulk and massing. This is because a lot of time and effort was put into getting to the point of what was reasonable for the site.

A motion was made and second to continue the public hearing until August 8, 2023. All in favor.

It was noted that this would be Rossana Ferrante's last meeting. She made the decision not to seek reelection to the board. The board expressed their gratitude for Rossana many years on the board and excellent contributions.

A motion was made to adjourn. All in favor.

Submitted,

Rebecca Curran