

# MARBLEHEAD PLANNING COMMISSION MEETING

April 6, 2022

Meeting called to order by Chairman Tim Feller at 6:00 PM. Members answering Roll Call: Members Richard Zembala and Cher Monak, Council Member Marryann Sauvey, Mayor Jackie Bird, and Chairman Tim Feller. Motion made by Mayor Jackie Bird and seconded by Member Cher Monak to approve the March 2, 2022 minutes as presented. Motion carried by unanimous roll call vote.

**Public Comments:** Lance Woodworth, the owner of a lot at 314 James Street, was not on the Agenda, but wanted to discuss a possible variance for his house remodel project. Chairman Feller said the Planning Commission would discuss this issue immediately following the regular agenda items.

**Old Business: None**

**New Business: Public Hearing for Administrative lot split at the corner of Ottawa Street and Prairie Street, Parcel #0150183102308000.** Bill and Margaret Klaehn are the owners of the lot. Margaret was present to explain the application. Chairman Feller asked Mrs. Klaehn if there were any changes to the split since the application was submitted. Mrs. Klaehn said there were no changes. The lot will be split into two parcels of approximately the same size. Chairman Feller asked Zoning Administrator Hruska if both resulting lots comply with the regulations for lot size. Mr. Hruska said one lot was 70 feet wide and the second was 66 feet wide and both were longer than the required minimum of 120 feet and therefore both lots did comply. Mr. Hruska also said that Bill Klaehn informed him that he has talked to the water plant and found that there is a water tap on the property. Chairman Feller asked the Planning Commission if there were any questions. There were none. Chairman Feller asked if there were any questions from the visitors. Deb Lautermilch, the owner of the lot across Ottawa Street from the property was present but had no comments or questions for the Commission. A motion was made by Mayor Jackie Bird and seconded by Chairman Tim Feller to approve the Klaehn Administrative Approval application number 01-22, for a lot split at 0 Memorial to allow two buildable lots to be created from one lot on the corner of Prairie Street and Ottawa Street, parcel number 0150183102308000, subject to review and approval by the Board of Public Affairs. Motion carried by unanimous roll call vote.

**Informal meeting to determine the averaging setback for an empty lot at 2003 Pleasantview, owned by Kevin and Shelley Maiberger.** The surrounding land features of this lot including the curve in the road, make determining the average setback line from Bayshore Road difficult based on the written language of the rule. Because of this, the Zoning Administrator suggested that the Maibergers talk to the Board of Zoning Appeals for this determination. Shelley Maiberger was present to discuss this. The Board reviewed the aerials of the lot and the neighborhood (on file) supplied by Zoning Administrator Hruska. The averaging rule would put part of the setback line only 10 feet from Bayshore Road, a state road, which would not be acceptable. When the averaging rule cannot be used because of special circumstances, the setback rules can default to the original written setbacks as determined by the Board. This lot is a corner lot with frontage on Bayshore Road and Pleasantview Drive. The setback for Pleasantview can be determined by using the standard averaging formula to line up the setback with the house to the south along Pleasantview. The default setbacks to the remaining 3 sides would be 10 feet to the side line (south), 25 feet to the rear (east side towards Pointe Falls) and 35 feet to Bayshore Road (north). This would leave a buildable area of approximately 2500 square feet as depicted on one of the aerials prepared by Zoning Administrator Hruska. This setback arrangement would not require any variances. The Board agreed that this would be acceptable to them. After asking clarifying questions to the Board, Shelley Maiberger said this was also acceptable to her. Mr.

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Hruska gave a copy of the aerials showing the setbacks and buildable area, to Shelly Maiberger for her future reference. Chairman Feller asked Mrs. Maiberger to contact the Zoning Administrator when they are ready to build.

**Lance Woodworth, the owner of a house at 314 James Street** has applied for a zoning permit to remodel his house. The Zoning Administrator did not issue the permit because the resulting house violated the setback between the house and accessory garage and also exceeded the 30% allowable lot coverage. Mr. Woodworth is here to see if he could get a variance for these issues. The Board reviewed the drawings and asked Mr. Woodworth some questions. The lot is 6,808 square feet. The allowable lot coverage is 30% which would be 2,042 square feet. The existing home with the new addition and including the accessory garage would be 2,679 square feet. This exceeds the allowable lot coverage by 637 square feet resulting in nearly 40% lot coverage. After discussion, the Board was not in favor of allowing the density of this residential lot to be increased so much. Chairman Feller noted that the accessory garage is 440 square feet and if it was removed, the resulting square footage of lot coverage would be 2,239 square feet, which would then exceed the 30% rule by only 197 square feet. Chairman Feller asked the Board what they thought of this proposal noting that this would also remove the other violation of the dwelling being too close to an accessory structure. The Board agreed that this would be an acceptable compromise. Mr. Woodworth said that the garage is non-conforming because it is setback too close to the sidelines and if he removed it, he would not be able to put another one that close to the lot lines again. Zoning Administrator Hruska confirmed that this was correct. Mr. Woodworth said that he would like to talk with his wife to determine if they would like to remove the garage or decrease the size of the proposed remodel. He will get back to the Zoning Administrator with a new plan.

**Zoning Administrator Hruska gave his zoning report.**

Meeting adjourned at 6:55 PM

I, hereby certify these minutes to be true and accurate



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Secretary, Robert Hruska