

MARBLEHEAD PLANNING COMMISSION MEETING

September 6, 2023

Meeting called to order by Chairman Tim Feller at 6:00 PM. Members answering Roll Call: Members Richard Zembala, Council Member Matt Kovach, Mayor Jaqueline Bird, and Chairman Tim Feller. (Cher Monak was excused). Motion made by Mayor Jaqueline Bird and seconded by Council Member Matt Kovach to approve the August 2, 2023 minutes as presented. Motion carried by unanimous roll call vote.

Public Comments: None

Old Business: None

New Business: Variance request by Dan Russell – larger accessory building at 510 E Main St. Mr. Russell submitted his variance application too late to meet the Public Notice requirements for today's meeting and will be heard at the October 2023 meeting.

Informal meeting for setbacks by Pat Aubry – rebuild house on existing lot and asking for variance from the new zoning side setbacks. The Aubry's had an existing house that they demolished in order to build a new house. The new setback requirements for their lot are 15 feet to both sidelines. This would not allow a house as wide as the old house and centering the new house on the lot would require two variances for, one for each sideline, so the Aubry's are asking for relief for one sideline setback. If they locate the house at 10 feet setback on one side then the other side of the house will be 20 feet setback from that sideline (drawing on file). After some discussion with the Board, it was decided that they would be in favor of such a variance because the old house was less than one foot setback to the sideline, and the new location would be better even with the variance. The Aubry's will contact the Zoning Administrator, Mr. Hruska for the variance paperwork. Mr. Hruska informed them of the deadline for the variance application to be returned in order to be heard at the October meeting.

Informal meeting for setback by Gary Desmond at 4084 Memorial Shoreway – accessory on Affidavit lot. Mr. Desmond would like to put an accessory building on his empty lot across the street from his house. To build on an empty lot that is within 50 feet of the house lot, an affidavit must be obtained which ties the two lots together. The accessory building for an affidavit lot must be located 5 feet from the rear property line. The accessory storage building being proposed is 16 feet wide by 40 feet long. Mr. Desmond would like to locate the building 32 feet from the road which would result in a rear setback of 128 feet from the rear lot line instead of the required 5 feet. Mr. Desmond is asking for a variance for that location because he did not want to walk that far from his house to get to his garage. The Board was willing to provide some relief but not that much. After some discussion, the Board said they would agree to 75 feet setback from the road, which would result in a rear setback of 85 feet. Mr. Desmond said he will think about that and get back to the Board.

Discussion about the Legends/Waterview fence – one required by Planning.

A request was made by a Legends resident that the Village require a fence next to the retaining wall at the Waterview road, Crane Way (also #7, on the plat) which is the road next to the Legends. That road is mostly below grade varying from 1 to 7 feet. The Planning Commission does not require fences at retaining walls. A fence at this location would be at the discretion of the land owner.

Zoning Administrator's report

- A. Review condominium rules, specifically as regards to South Passage rear lot. How to proceed with the permit process. After some discussion, the Commission asked Mr. Hruska to get an opinion from the Solicitor and review at the next meeting.

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Meeting adjourned at 7:20 PM

I hereby certify these minutes to be true and accurate



Secretary, Robert Hruska