



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, September 23, 2020 – ZOOM HEARING

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting was conducted by remote participation.

Call to Order 7:05 pm

Roll Call by Ami Wall

In Attendance:

AMI WALL, CLERK – AMI CHAIRED THE MEETING

JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

CONTINUED HEARING:

(21-4, 21-5, 21-6) 581-583 SALEM STREET & 581-583 SALEM STREET (REAR)-GRANITZ FAMILY TRUST

Attendees for the Petitioner: Attorney McGrail, John Ogren, representative of the Granitz family-Jim Cook and Mr. Mandel, Andrew Zalewski (architect), Jim Emmanuel (landscape architect)

Purpose: Request for a 19-unit multi-family dwelling

Discussion: After the last hearing the Board asked for –

- TAC meeting – a memo was submitted from Lt. Anderson, there are no concerns and they are satisfied. The memo was read into the record.



- Jim McBain wanted architectural details, Mr. Zalewski submitted them to the Board on Friday, Jim said he looked at them and he is fine.
- John Ogren updated the site plan to show the sidewalk, hydrant, transformer location, electric meters and fencing. John gave a detailed presentation. There is also a minor change to the back exterior of the building due to the above changes. WMGLD is fine with the location of the transformer.
- The Board is satisfied with the O&M Plan.

Brian suggested a condition regarding tree protection and to assign a Board member to come to the site before construction. The petitioners are not ready to discuss signage yet, Brian asked if signage could be tabled for now. The Board agreed. Chip suggested that Attorney McGrail put together a list of relief and conditions to have at the next meeting.

Tom asked how many units would be affordable – 3 affordable units was the answer.

Plans Presented:

- Updated Site Plan, prepared by Hayes Engineering
- Updated Rear Elevation Plan, prepared by

Public Comments: None

Chip moved to continue to October 14, 2020

Tom 2nd

All were in favor

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JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

NEW HEARING:

(21-11) 8 WALNUT STREET – DAVID AND HOLLY STEAD

Attendees for the Petitioner: David & Holly Stead (represented themselves), Joe Bagliari (contractor)

Purpose: Variance to construct a front porch

Discussion: Holly briefed the Board, they have no backyard and would like to build a front porch. Their contractor Joe is also here tonight. Holly presented the plot plan, she said it would not extend any greater than were the front stairs end now. The new stairs would be on the side where the driveway is. Holly showed pictures of the house and a sketch that Joe drew of how he would build the porch. Chip asked what kind of materials would be used – Joe said composite and Azak materials. Jim said he has a problem with this because all the houses on the street are in line with each other but this will now stick out 6 feet beyond the other houses. Also, the drawing is not a true picture of how this will turn out. Joe said he understands and will get a better drawing when it comes time to pull the permit. Greg would like to see the exact setback on the plot plan. Chip asked for a certified site plan showing the proposed porch with the setbacks. Tom agrees, the variance is a high hurdle and he has not heard why they need this variance, they do not even know what the setback is to the front, it is a little rough and a lack of information. Chip explained how they have submitted the existing conditions but they need a proposed plot plan showing what they are asking for a variance. Chip also wants to know how close the stairs come to the driveway to.

Ami read correspondence from Town Departments/Boards – no objections.

For the next hearing the Board requested the following items:

- Proposed Plot Plan
- Jim wants them to show the sidewalk in relationship to the curbing.
- Better image/sketch of what the porch will look like.
- The Board suggested to the Steads that they walk around the neighborhood to get ideas of exactly what they want.
- Tom suggested that they read the criteria for granting a variance.

Plans/Documents Presented:

- Existing Plot Plan prepared by David Terenzoni, dated 7/30/20
- Sketch prepared by Joe Bagliari
- Pictures of the existing house

Public Testimony:

None

Chip made a motion to continue to 10/14

Jim 2nd

All were in favor

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JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

NEW HEARING:

(21-12, 21-13, 21-14) 610 SALEM STREET, 610 SALEM STREET WAKEFIELD, LLC

Attendees for the Petitioner: Attorney McGrail, John Ogren (Hayes Engineering, John (from JPL Consulting Architectural), Paul Cashiano (principal)

Purpose: Special Permits & Site Plan Approval to Allow a 30 Unit Mid-Rise Apartment Building

Discussion: A preliminary overview was presented of the project. First, Brian presented the property and its location, it is the old rental equipment building, located on the Lynnfield line on Salem Street. They are proposing all new public sidewalks with granite curbing in front of the property frontage. The lot is 44,500 sq. feet. Under the zoning calculations 35 units would be allowable, they are proposing 30. 18% will be affordable which would add 5 units to the Towns affordable housing. (7) one-Bedroom units and (23) two-Bedroom units is being proposed. Required parking spaces is 45 and they are proposing 56, (39 spaces in the building and 17 outside). John Ogren gave a site plan overview. John explained that they are bound by the Conservation Commission on the placement of the building. Chip wanted to know details of how they ended up with the building being this way – he does not like the way it looks now. He is disappointed to hear that this is what we are getting because of it being vetted through ConCom. Chip does not like the parking in the front of the building, he feels it should be in the back. Tom agrees, they could do better than having parking in the front. Jim kind of likes the L-shape, but maybe it could be flipped and more of a courtyard landscape. He would not want it flipped so there is a continuous wall in the front. Ami agreed with Jim. Ami said the building looked like a hospital. Jim commented that right now it is a square flat box and does nothing for him. Ami listed the Town Department/Board letters in the file. Brian also pointed out that they have been to TAC and a memo has been submitted for the file. TAC

does not see any issues from this project. John explained the complications of the wetlands to the Board and didn't mean to implicate that the Commission was telling them where and how to build this building. Part of the property is also in the SR District which also restricts them. Brian also explained how they are not allowed to use the road to the apartment building in the back. They do not have any legal rights to use it. Tom does not understand why an easement could not be negotiated to access the road. Tom also said maybe the massing is just too large. Brian asked how the board felt about going up a story and shrinking the footprint. Jim said he would not like to see it towering up more. Chip feels that at the next meeting they look at all of the ConCom's comments, look at massing and constraints and look at the site and see how they can fit this better.

Plans Presented:

- Renderings, Prepared by J.P.L. Consulting, dated 7/14/20
- Site Plan, prepared by Hayes Engineering, dated 12/11/2019

Public Comments:

No public comments

Chip made a motion to continue to 10/14/20

Tom 2nd the motion and all were in favor

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JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

NEW HEARING:

(21-15) 37 CENTRAL STREET – BRIAN G. FENOCHIETTI

Attendees for the Petitioner: Attorney McGrail, Brian Fenochietti

Purpose: Seeking a Variance to construct a detached garage

Discussion: Brian presented the Fenochietti property and the site plan. Brian explained the setbacks of a detached garage. Because of the way the house sits on the lot Mr. Fenochietti cannot construct a detached garage under the bylaw. Mr. Fenochietti will meet the 7.5 setbacks but will not meet the rear yard requirement – it must go on the side of the house. Architectural plans and elevations were presented. It is a one car garage with storage space on the top. Mrs. Fenochietti confirmed that they have talked to the neighbors and they support this project. No issues with Town Boards/Departments either. Chip wondered if the garage could be moved a little forward or maybe the height could be reduced. Chip suggested giving the Fenochietti's and Ms. Ciriello's a chance to work it out and come back to the next meeting. Maybe they can come to an agreement.

Plans Presented:

- Plot Plan prepared by Edward Farrell, dated 5-12-20
- Architectural plans and elevations prepared by CME Architects, Inc., dated 6-24-20

Public Comments:

Marilyn Sharon Ciriello - 34 Cordis Street – Ms. Ciriello’s backyard abuts the Fenochietti’s backyard. She said the Fenochietti’s misguided the Board. She is not in favor of this. When they put the addition on the house it blocked her in – it is a monstrosity. She will feel closed in. She doesn’t like how close it is coming to her fence. She said the garage is too high.

Chip made a motion to continue to 10/14/20

Jim 2nd

All were in favor

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CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

NEW HEARING:

(21-16) 101 CEDAR STREET – MICAH J. CANESTARO, TRUSTEE

Attendees for the Petitioner: Attorney Brian McGrail, Micah Canestaro, Lee Maserian (architect)

Purpose: Seeking a Special Permit to convert a single-family dwelling into a four-family dwelling

Discussion: Attorney McGrail gave an overview of the property. The property is on a corner lot – Albion & Cedar Streets. The house has always been used as a single family dwelling and also as "The Children's Gathering" a day care center. Brian read the bylaw, they meet the requirements. The building would be sprinkled and meet all building codes if approved. There is no need to increase the volume or footprint. The house is too big to be used as a single-family dwelling. The area has condominiums across the street and multifamily dwellings all around. Chip pointed out that according to the plot plan their driveway & shed was on the neighbor's property. Brian said they will be talking to that neighbor, but they do not need that little strip and the shed is coming down. Parking was presented, Chip wants to know distances. The floor plans were presented and each apartments square footage and layout. Chip feels like it does fit the neighborhood but because the use is being changed he wants more detail on what they will be getting – landscape plan, materials, colors all the things that they would normally do, let's make sure we are not coming back for minor modifications. Ami asked if these units would be rentals or condos, Brian responded that Micah has not decided but was leaning toward rentals. Town Boards did not have any comments at this time.

Plans Presented:

- Plot Plan prepared by PJF & Associates, dated August 14, 2020
- Proposed Floor Plans prepared by Jane Estella, dated 2-1-20

Public Comments:

David and Anna Ferrick – 269 Albion Street – their property abuts the shed that will be taken down. He has a couple of concerns – conversion of the landscape, by removing grass and mulch in the back and paving it may cause more flooding in heavy rains, there are sandbags there now. The other concern is there looks like there is a back rooftop deck on the rendering and it would be in the direct line of site into their whole property. Brian ran through the site plan and they discussed how the flow of water was affecting them, they will look at it and find a resolution, they may have to talk to the Town. Micah explained that he had intended to make the rooftop deck some outside space for the tenant. Brian suggested working with the Ferricks offline to address these issues. Chip said in his opinion if it is not being used as a rooftop deck now then it cannot be expanded, it will not be within the scope of the bylaw, it would be expanding the current footprint.

Ami – addressed people in the chat that had questions -

- Issue regarding sewer and drainage – Brian will reach out to DPW
- How will the parking line up between the field and the property – it will be straight in parking.
- Brook Bend's sewer line runs under this property – they will look into it.
- Cedar Street floods because of poor drainage.

Chip moved to continue to October 14

Jim 2nd and all were in favor.

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JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

NEW HEARING:

(21-17, 21-18) 27 WEST WATER STREET – BENJAMIN R. DIMATTIA

Attendees for the Petitioner: Attorney Brian McGrail, Benjamin, Dave DiMattia and Peter Sandorse (architect)

Purpose: Seeking a Variance and a Special Permit to Convert a Two-Family Dwelling into a Three-Family Dwelling

Discussion: Brian familiarized everyone with the property. Benjamin purchased the property in May 2020. The property is in the Business District. The property was in disrepair. The building would be completely sprinkled. The abutter is a parking lot on one side. There is an industrial type building across the street, a couple of single family homes, down the street is the new Maggiore project. Mixed commercial and Industrial uses. Brian pointed out it is near the train station which is the goal of our bylaw – to get more housing near transportation. This house is unique because one of the units is a 5 bedroom unit and is not an easy thing to rent. They want to divide the 5 bedroom and make it three units. Dave spoke to the neighborhood. Brian ran through the relief – they need the variance because the lot size does not meet the requirement – it is only 4,550 s.f.

Peter Sandorse gave a presentation of the floor plans and elevations.

Dave DiMattia said they have chatted with the neighbors and they have all been very supported and are encouraging them to move forward with the renovations. Ami asked if they would be rented or sold – the DiMattia's said they would be rented.

Chip asked are they changing windows – what is the scope of the work.

Dave said the windows and roof have been new and the stucco is being repaired. All the work will be interior, new electrical, plumbing. Chip asked about the double wide curb cut – it was already there. Jim was surprised that there was no dormer being installed at the top floor. They pointed out it would add to the volume and that is not allowed – Jim suggested a Velux.

Plans Presented:

- Plot Plan prepared by PJF & Associates, dated July 28, 2020
- Proposed Floor Plans and elevations prepared by Phoenix Architects, dated 7-30-20.

Public Testimony:

Tiana Veldwisch of 28 West Water Street – She wanted to confirm that the property is already looking good with the repairs the DiMattia's have done and she is a supporter of the project.

Chip moved to grant a variance for the project as represented by Peter Sandorse dated 7-30-20 and the site plan prepared by Paul Finocchio dated 7-28-20. Based on the size of the lot and the size of the building they grant a variance for the lot area.

Tom 2nd.

Voting members - Chip, Tom, Joe, Jim, Ami

Chip moved that they grant this Special Permit now that they have the Variance for lot area and that they meet all the requirements and should be allowed to convert from a two-family dwelling to a three family dwelling based on the drawings mentioned for the variance.

Tom 2nd

Voting members - Chip, Tom, Joe, Jim, Ami

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THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

NEW HEARING:

(21-19) 25-29 TUTTLE STREET, UNIT 3 – DAVID J. LANDER, TRUSTEE

Attendees for the Petitioner: Attorney Brian McGrail, David Lander

Purpose: Seeking a Variance to Allow Signs on Both Sides of the Building

Discussion: Attorney McGrail introduced the owner David Lander, the property is a condominium, it is the old train station. There is a barber shop next to him. David owns and runs Re/Max Harmony in this property. These properties have frontage on Tuttle Street and also on the railroad side of the building and on North Avenue side. Under our bylaw you need a variance to have the two signs. Chip suggested that they work with Jim McBain off line to present something more decent, because this is not what they want facing either side. Jim pointed out that this area has come a long way as far as signage goes and they would like to continue. Mr. Lander said he is vested in this location and already planning on being here for decades and he is also going to be cleaning up the exterior of the building and painting the building and look much better, it will be maroon and gray and once the signs are up it will be a whole new building. Bert Kendrick and the other owners are in an association and have discussed executing these plans, they have vetted contractors already. Jim pointed out that the Barber Shop never got a permit for his signage.

Plans Presented:

- Sign Proposal

Public Testimony: None

Chip moved to appoint Jim as their representative and continue working with Brian and Mr. Lander and continue this hearing until 10-14-20.

All were in favor.

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GREGORY W. MCINTOSH, ALTERNATE

Absent

DAVID HATFIELD, CHAIRMAN

MICHAEL L. FEELEY, ALTERNATE

Ami Wall read the Legal Notice

APPROVED MINUTES

Chip made a motion to approve the minutes of September 9, 2020.

Ami 2nd.

All members voted in favor.

The meeting adjourned at 10:05 pm