



# TOWN OF WAKEFIELD

## BOARD OF APPEALS

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### MEETING MINUTES

Wednesday, October 14, 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 7:06 pm

Roll Call by David Hatfield, Chairman

**In Attendance:**

DAVID W. HATFIELD, CHAIRMAN

AMI WALL, CLERK

JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

**CONTINUED HEARING:**

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

Attorney Brian McGrail requested that this hearing be continued until October 28, 2020.

VOTE: Chip moved to continue and Ami 2<sup>nd</sup> the motion, the Board unanimously approved the request.

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

Attorney Brian McGrail requested that this hearing be continued to October 28, 2020.

VOTE: Chip moved to continue and Ami 2<sup>nd</sup> the motion, the Board unanimously approved the request.



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**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, representatives of the Granitz family-Jim Cooke and Mr. Mandel, Andrew Zalewski (architect)

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

**Discussion:** The architectural plans have been updated. The architectural material booklet was updated, it now shows the correct color trim on the light fixtures – black, and the inconsistency of a V2500 window. Draft conditions have been prepared and even though the Board had not requested a construction schedule the petitioner has prepared it.

- The construction schedule anticipates that the project will take a total of 14-15 months. The "year" columns need to be updated for the record.
- The only change to the elevations was the back elevation, the two doors in the back – revision date 10/7/20.
- The date of the final site plan is 9/18/20. But Jim noted that he did not see anything in the materials regarding the fencing. John Ogren said on the landscape plan they show a 6 foot stockade fence along the WMGLD yard. There was some discussion about this and it was agreed on that a 40 gauge white vinyl 6 foot fence would be installed. The final site plan is dated 6/22/20. The fence is called out on the site plan so that will have to be changed to reflect the vinyl instead of the stockade fence, the terminology will be changed on Page C-4.
- The draft conditions were reviewed and minor wording changes were made.

**Plans Presented:**

- Updated Site Plan, prepared by Hayes Engineering, 9/8/20
- Updated Rear Elevation Plan, prepared by The MZO Group, 10/7/20
- Materials Booklet
- Construction Schedule
- Draft Conditions

**Public Testimony:** None

1. Chip made a motion to grant the Special Permit and Site Plan Approval, pursuant to Section 190-32 of the Wakefield Zoning Bylaw, allowing a 19 unit Mid-Rise Apartment Building at 581-583 and 581-R-583R Salem Street as shown on the Final Site Plan and Final Architectural Plan and all the plans discussed and dated above.

Tom 2<sup>nd</sup> the motion

Dave mentioned the plans will be updated with the minor changes as discussed tonight.

Voting Members – Dave, Jim, Chip, Joe, Tom – all were in favor

2. Chip made a motion to grant the Special Permit, pursuant to Section 190-32.1 of the Wakefield Zoning Bylaw, for reductions and/or alterations to dimensional requirements under Section 190-32D and Table 2 of the Bylaw related to a 19 unit Multi-Rise Apartment Building at 581-583 and 581R-583R Salem Street as shown on the Final Site Plan and Final Architectural Plan including, but not limited to the following:

A. Lot Width

B. Front, Side and/or Rear Setbacks

C. Any other relief required from Section 190-32D and Table 2 of the Bylaw to allow the project to be constructed as shown on the Final Site Plan and Architectural Plan.

Tom 2<sup>nd</sup> the motion

Voting Members – Dave, Jim, Chip, Joe, Tom – all were in favor

3. Chip made a motion to grant the Special Permit, pursuant to Section 190-36C of the Wakefield Zoning Bylaw, for any necessary reduction in the requirements and/or standards for off street parking and loading under Article VII of the Bylaw related to a 19 unit Mid-Rise Apartment Building at 581-583 and 581R-583R Salem Street as shown on the Final Site plan and Final Architectural Plan.

Tom 2<sup>nd</sup> the motion

Voting Members – Dave, Jim, Chip, Joe, Tom – all were in favor.

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**CONTINUED HEARING:**

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

**Attendees for the Petitioner:** David & Holly Stead

**Purpose:** Variance to construct a front porch

**Discussion:** Holly Stead explained that they are looking for a Variance to construct a front porch. They feel the hardship is the lot size and topography. They have small children and are looking for more space. Holly presented the existing and proposed plot plan. A sketch of the proposed porch was presented along with photos of the materials. The old walkway where the stairs now lead out will be taken up and grass will be planted there. The stairs will go off to the side where the driveway is. Dave asked if they would do any landscaping in the front of the new porch – the Steads replied just grass. Dave and the Board feel that they also need a Finding because this is a non-conforming lot.

**Plans/Documents Presented:**

- Existing Plot Plan prepared by David Terenzoni, dated 7/30/20 and updated October 5, 2020.
- Sketch prepared by Joe Bagliari
- Pictures of the property
- Pictures of sample materials

**Public Testimony:**

None

Chip made a motion to Find that this is a continuation of a non-conformity because it is only making the front setback greater and it would not increase or intensify the property or the neighborhood. If it does make it greater it does not make it more detrimental or reduce the integrity of the neighborhood. This is based on the plans dated 10/5/20 by David Terenzoni.

Ami 2<sup>nd</sup> the motion.

Voting Members – Chip, Ami, Joe, Tom Greg - All were in favor

Chip made a motion to grant the Variance for a front yard setback to 5.8 feet from the road to build a porch as shown on the site plan dated 10/5/20 by David Terenzoni. The Variance is granted due to the hardship of topography and shape of the lot.

Ami 2<sup>nd</sup> the motion.

Voting Members – Chip, Ami, Joe, Tom Greg

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**CONTINUED HEARING:**

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

**Attendees for the Petitioner:** Attorney Brian McGrail, Micah Canestaro, Lee Maserian (architect), James Emmanuel (landscape architect) and Mr. Ferrick (the abutter was present)

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

**Discussion:** Brian explained that the site plan has been revised to shift the parking and they hired Mr. Emmanuel to do the landscape plan. Town Engineer William Renault came out to the site, the Town was unaware of the flooding problem in the area, and they never received complaints. There are catch basins in the area that should be able to handle the water, Mr. Renault thinks there may be a clogging issue down the line. The area is going to be paved in the near future so this issue needs to be addressed.

Mr. Emmanuel also met with Mr. Ferrick to go over the landscaping. Paul Finocchio revised the site plan. The parking is now away from Mr. Ferricks property. Tom pointed out that there should be a note on the plan that the hot top on Mr. Ferricks property should be removed. Brian will have Paul Finocchio insert a note. The landscape plan was presented by Mr. Emmanuel. The old fence and gate will be removed and there will be irrigation. Chip suggested that the front walk match the pavers that are in the rear, everyone agreed.

Lee Maserian presented the Materials and Color Selections - The materials booklet needs to be modified to include exact colors and also where it says 7 feet hardie clapboards it should say 7 inches.

The roof deck in the back will not be occupied, but will have a railing around it. It would only be used for maintaining the roof. Brian said it can be conditioned.

Ami asked where the snow would go, Chip feels there is enough space available for snow.

**Public Comments:**

David Ferrick – 269 Albion Street – Mr. Ferrick thanked Brian and the Town for addressing the water/drainage problem, he really appreciates having the meeting and is positive that the Town will address this. He asked if there was a maintenance plan now that this is shifting from a single-family dwelling into a four-family dwelling. He also asked about the front porch/deck in the rendering, currently there is not a deck over the front porch. Jim pointed out that the renderings do not show a sliding door going out to the top deck, it shows a bay window. Micah said it would be a nice amenity to the second floor unit but if it will cause a problem they can take it out. Dave was wondering if by putting the deck on top, it would increase the footprint and the volume. Chip said it is not increasing the interior volume. The Board did agree that there should be an O&M Plan and include snow, trash, landscaping etc.

Brian will also get a memo from the Town Engineer regarding what they are doing will not increase the water problem.

Dave read a letter from an abutter – Jared Mullane – 259 Albion Street – He is against the project (see the letter in the file.

**Plans Presented:**

- Plot Plan prepared by PJF & Associates, revision dated 10/8/20
- Landscape Plan prepared by James K Emmanuel Associates, dated 10/9/20
- Materials and Color Selections Booklet, dated 10/7/20 prepared by Lee Maserian

**Discussions for the Next Hearing:**

- O&M Plan
- Updated Plans
- Draft Conditions
- Deck access

Chip moved to continue to October 28, 2020

Ami 2<sup>nd</sup> the motion and all were in favor.

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**CONTINUED HEARING:**

**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:** At the last hearing the Board designated Jim McBain to work with Mr. Lander and sign maker. A basic belt sign was proposed for the front door on Tuttle Street and a bracket sign was suggested by Jim so people looking from Albion Street could see the sign.

Mr. Lander pleaded with the Board to have a backlit sign on the North Avenue side of the building because he has more exposure on that side and it would really help his business. He explained to the Board that he is doing significant work to the building and has invested a lot already. Chip said that this Board is here to help him with his signs and having a backlit sign goes against everything this Board has worked so hard against. There are other ways to light the sign and help that are more tasteful. Mike said he agrees with Chip and hasn't been on the Board long enough to understand the history regarding backlit signage but this building is on the National Historic list and it would be inappropriate to go on this building. Ami agrees, there are other alternatives to make it a nice sign, she does not like backlit signs and thinks it would be just for someone to find his business when going there, most of his business is done on social media. Mr. Landers argued that the back of the building is totally different than the front of the building. The sign maker and Mr. Landers agreed to work on other proposals for the North Avenue side of the building.



**Plans Presented:**

- New Sign Proposal

**Public Testimony:** None

Chip moved to continue to October 28, 2020

All were in favor.

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**CLERK/BOARD MATTERS/COMMENTS**

The Board moved the tentative hearing date of December 9<sup>th</sup> to December 16<sup>th</sup>.

69 Foundry Street – the Board discussed roof screening and whether or not they were going to have the developer screen the mechanicals. Jim pointed out that he has observed them from quite a distance and does not feel the need for screening. He also said that sometimes roof screening looked more obvious. Chip disagreed and wanted the screening. After a brief discussion the rest of the Board members agreed with Jim and felt that screening was not necessary.

**APPROVED MINUTES**

Chip made a motion to approve the minutes of September 23, 2020.

Ami 2<sup>nd</sup>.

All members voted in favor.

The meeting adjourned at 9:52 pm