



# TOWN OF WAKEFIELD

BOARD OF APPEALS

## MEETING MINUTES

Wednesday, January 27, 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 7:02 pm

Roll Call by David Hatfield, Chairman

### In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

AMI WALL, CLERK

Ami read the Legal Notice

### REQUESTS FOR CONTINUANCES:

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

Request from Attorney Brian McGrail to continue the hearing until February 10, 2021, the petitioner is still in the process of obtaining materials requested by the Board, furthermore, Attorney McGrail requested that Notice & Special Notice, pursuant to MGL c. 40A, s.11 be sent to parties in interest in Lynnfield, MA.

**VOTE:** Chip made a motion that case numbers 21-12, 21-13, 21-14 related to 610 Salem Street Wakefield, LLC and the property known and numbered as 610 Salem Street, Wakefield be continued until the Board's next meeting on February 10, 2021 and that Notice & Special Notice, pursuant to MGL c. 40A, s.11, be sent to parties in interest in Lynnfield, MA who inadvertently may not have received the notice of these hearings.

Ami seconded the motion, the Board unanimously approved the requests.



**(21-22, 21-23, 21-24) 525-527 SALEM STREET – 168 LEXINGTON STREET, LLC.**

Request from Attorney McGrail to continue the hearing until February 10, 2021, the petitioners are still in the process of working on revisions requested by the Board.

**VOTE:** Chip moved to continue and Ami seconded the motion, the Board unanimously approved the request.

**(21-29, 21-30, 21-31) – 500 MAIN STREET – MBAR WAKEFIELD, LLC**

Request from Attorney Brian McGrail to continue the hearing until February 10, 2021, the petitioners are still in the process of obtaining materials requested by the Board.

**VOTE:** Chip moved to continue and Ami seconded the motion, the Board unanimously approved the request.

**(21-35) – 8-10 EMERSON STREET – EMERSON STREET HOLDINGS, LLC**

Request from Attorney Michael McCarthy to continue the yet unopened hearing until February 10, 2021. The petitioner was not able to participate this evening. Also, a request from Attorney McCarthy to extend the time for the Board's consideration and action on the said application for a like period of time.

**VOTE:** Chip made a moved to continue and Ami seconded the motion, the Board unanimously approved the request.

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**CONTINUED HEARING:**

**(21-32, 21-33) 111 GREENWOOD AVENUE – JAMES F. HUTTON AND JOAN H. HUTTON**

**Purpose:**

Variance and a Determination and/or Finding to Allow an Addition

**Attendees:**

Attorney McGrail, Jim Hutton, Peter Sandorse, Ryan Hutton, Steve Defuria

The Hutton's are looking to raze their deck and construct an addition in its place. The addition would be about the same size as the deck.

They are asking for a Finding and a Variance. The Variance is for lot coverage.

The Board pointed out some typos in the Table of Dimensional Regulations at the last hearing – Paul Finocchio has fixed them. The Board could not move forward because of inconsistencies on the plans.

Brian presented the existing conditions plan and the plan with the proposed addition, there is a deck there now and the addition would be almost the same size.

The Table of Dimensional Regulations were presented – required, existing, and proposed setbacks. The addition will bump the lot coverage up to 34.4%

They need a Finding for the non-conformity of the lot.

Peter Sandorse presented that the addition, he said it is exactly what the deck dimensions were so the non-conformity will not change.

The roof will be a gabled with two shed dormers.  
They are doing this to make the master bedroom larger.

A letter from the Fire Department was read into the record.

**Public Testimony:**

NONE

**VOTE:** Chip moved to grant the Variance to increase the lot coverage to 34.4% from 29%.  
According to the plans from PJF Associates with a revision date of 1/14/21 and on the plan of 1/27/21 and part of the package from Phoenix Architects also dated 1/27/21.

Ami 2<sup>nd</sup>.

Regular Voting members - Ami, Dave, Chip, Jim, Joe

**VOTE:** Chip moved to Find that the proposed addition does not make the nonconformity any worse and if they did it would not make it any more detrimental to the neighborhood. Dave pointed out it does make it worse because of lot coverage but does not make it any worse for the neighborhood.

According to the same plans as above

Ami 2<sup>nd</sup>.

Reg. Voting Members - Ami, Dave, Chip, Jim, Joe

Mr. Hutton thanked the Board

And was wondering if the Board could waive the time he would have to wait so he could get started on the project.

**Plans Presented:**

- Revised plot plan prepared by PJF Associated, dated 1/14/21
- Elevation plans and floor plans prepared by Phoenix Architects, dated 1/27/21

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**NEW HEARING:**

**(21-34) 49A CHESTNUT STREET – 49A CHESTNUT STREET, LLC**

**Purpose:** Determination and/or Finding Proposing an Addition

**Attendees:**

Attorney McCarthy, Joe Rosenfield, Julianne and Manuel Tavares (Architects)

Mr. Rosenfield just purchased the property and would like to make it look better.

Attorney Michael McCarthy explained that the parking will not change.

The finding is to the non-conformity.

The Tavares shared the site plan and explained that the footprint will not change.

The parking plan was presented – 2 parking spaces on Emerson Street and the other four are on Chestnut Street.

The elevations were shown, they are adding an addition on the top in the rear.

Correspondence from Town Departments were read into the record.

Conservation, Fire Dept. and DPW/Town Engineer

This is a 3 unit dwelling, they are adding bedrooms but it does not change the parking requirement.

**Public Testimony:**

Joanne Marks – 32 Emerson Street – she lives across the street. She appreciates that work is being done on this property it needs it, but she has a question regarding the 3<sup>rd</sup> floor and extending the roof and gable it seems like a rather large height. Dave asked Michael if it was meeting the height requirement and it is – 34.8 ft. which is the exact peak that is existing. And they are not exceeding the 35 ft. that is allowed, also it is a flat roof.

Joanne Scouler – 51A Chestnut Street – asked what the distance from the sidewalk in the front was – how much frontage is there with the new plan. Julianne explained that she is not going out any further than what is there now. They are just squaring off the bay windows.

Ms. Scouler asked what percentage the building would take up now – the Board explained it stays the same. Attorney McCarthy said they are not changing the footprint that is why they are not asking for a Variance. Floor Area Ratio does not apply in the GR District. Ms. Scouler thought that a flat roof would cause more problems than a sloped roof.

**Plans Presented:**

- Architectural Plans, Landscape Plan, Existing and Proposed Conditions of Floor Plans, Elevation Plans, parking plan, prepared by MJ Tavares Architects, 12/2020.

**VOTE:** Chip moved to Find that the proposed plans that were presented this evening continues the non-conformity as it is and is not more detrimental to the neighborhood.

Ami 2<sup>nd</sup>.

Voting Members - Chip, Ami, Tom, Joe, Dave

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**APPROVED MINUTES:**

Chip made a motion to approve the minutes of January 13, 2021

Ami 2nd

All members voted in favor.

The meeting adjourned at 8:00 pm