



# TOWN OF WAKEFIELD

BOARD OF APPEALS

## MEETING MINUTES

Wednesday, February 10, 2021 – 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 7:04 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:

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

Request from Attorney McGrail to continue the hearing until February 24, 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.



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**CONTINUED HEARING:**

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

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

**Attendees:** Attorney Brian McGrail, Peter Sandorse (architect), John Ogren (site/civil engineer), Paul Cashiano (principal)

**Discussions:**

After the last hearing they were asked to work with Board member Jim McBain and also gather some more information.

The changes –

Revised site plan – the Town Engineering Department required some items as conditions, John Ogren has addressed all of the issues on the plans pursuant to Bill Renaults request. Final notes that Bill wanted have been put on the plans. John aligned the parking a little to give more of a buffer in the front. John said most of the changes were utility connections and a new hydrant in the front of the building was added per the request of the Fire and DPW Department. A handicap ramp was added.

Jim pointed out that this Board should ask them to put another handicap ramp in so people won't have to go down the curb. Brian said it makes since for the project and for the Town and as long as the Town lets them do that they will do it.

Tom Lucey reminded the Board that they had talked about the trees, is there going to be anything to try to save them. Brian said there is a condition in the decision, but pointed out they are on private property.

The Landscape plan has been revised to account for the 3 feet John moved the parking. He put landscaping around the transformer. Bollard lights in the parking area have been added as accent lighting for the plantings. The tree sizes have been increased.

Peter Sandorse presented the renderings and detailed sheets of all the materials and colors. Lighting in the garage will be motion sensitive. The meter room is on the plans. Roof plans were presented. All the details of the building are all tied in so that the building will be built exactly the way it is presented on the plans. It is not just a rendering.

Jim verified that the detail has been locked in – it is what they have been working on.

Revisions in the O&M Plan were presented by Brian.

The general lighting in the garage for safety may be on as required by code.

Appendix A was added.

Construction Schedule was presented

The project is estimated to take about 15 months to complete

Draft conditions were presented

Revised tonight (February 10, 2021) because there were a few corrections/additions.

Dave asked that the requested relief be reviewed – which Brian did.

Dave pointed out who the voting members were going to be - Chip, Tom, Jim, Joe, Dave

#### **Public Testimony:**

Bronwyn Della-Volpe – 8 Cyrus Street – Asked about outdoor lighting and asked if the Board reviewed the actual fixtures that are going to be used. Bronwyn asked where the lighting detail could be reviewed – Dave replied in the Building Dept. Ms. Della Volpe asked if they were Dark Skyes compliant fixtures.

Ms. Della-Volpe commented that an awful lot of light spillage is in this Town.

Ms. Della-Volpe also asked what the durability of the conditions is – Dave said they last forever – perpetuity.

She also asked about the bedroom count and asked what units would be affordable units.

She advised the Board to keep an eye on lighting.

#### **Plans Presented:**

- Final Site/Civil Plans
- Final Architectural Plans
- Final Landscape Plans
- Construction Schedule
- Draft Conditions
- O&M Plan
- Materials Booklet

#### **VOTE:**

Chip moved to grant the Special Permit and Site Plan approval under Article VI, Section 190-32 of the Wakefield Zoning By-law allowing a 30 unit mid-rise condominium building at 610 Salem Street as shown on the final site plan dated 2/5/21 and prepared by John Ogren of Hayes Engineering, final architectural

plans dated 2/10/21 prepared by Peter Sandorse of Phoenix Architects and Final landscape plan dated 2/21 prepared by James Emmanuel. The use requested is essential and desirable to the convenience and welfare of the Town and also the Town is in dire need for housing including affordable housing.

The requested use will not overload any of the public utilities.

Will not impair the integrity of the district or any adjoining districts and will not gravely add to the character of the neighborhood.

According to the final plans presented tonight.

Tom 2<sup>nd</sup> the motion and all voting members were in favor - Dave, Jim, Chip, Joe, Tom

Chip moved to approve the Special Permit according to Article VI, Section 190-32.1 of the Wakefield Zoning Bylaw reducing the required front, rear and side setbacks to allow the project to be designed according to the same site plans mentioned above and presented tonight.

Tom 2<sup>nd</sup> the motion and all voting members were in favor - Dave, Jim, Chip, Joe, Tom

Chip moved to grant the Special Permit pursuant to Article VII, Section 190-36C of the Wakefield Zoning Bylaw reducing the landscape strip requirements and parking setback requirements to be 7.5 feet.

Tom 2<sup>nd</sup> the motion and all voting members were in favor - Dave, Jim, Chip, Joe, Tom

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**CONTINUED HEARING:**

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

**Purpose:**

Special Permits & Site Plan Approval – to allow a drive in bank, reductions in the requirements and/or standards for off street parking and to allow off street parking on another lot in the same ownership as principle use.

**Attendees:**

Attorney Brian McGrail, Robert Santonelli (owner of the property), Paul Finocchio

**Discussions:**

Attorney McGrail said they have been updating the plans and meeting with the Towns Engineering Department.

They have a meeting with TAC coming up next week to discuss traffic.

They have discovered an easement that is an underground drainage culvert that runs through the property, it runs from Crystal Lake under North Ave and the DPW yard and past the Galvin Middle School and under Main Street. Brian said the Towns Engineering Department had no record of the easement through the private property so they are working with Bill Renault (the Town Engineer) to locate exactly where this easement is.

In the meantime, Mr. Santonelli hired a contractor to dig and find out exactly where the drainage line is on his property. Because of these findings the building has been relocated a little bit and a new site plan was presented tonight. Mr. Santonelli is going to add structural reinforcements to the building near the

culvert and place footings under the drainage line in case the line has to be dug up so it will not damage his building.

Chip reminded them that they need to see how the vacant lot will be treated, they do not show any landscaping, and the lot needs to be kept clean.

Mr. Santonelli pointed out that Rails to Trails and Main Street projects will be in conjunction with this plan

**Public Testimony:**

None

**Plans Presented:**

- Site Plan – prepared by PJF Associates, revision date 2/1/21.

**Topics for the Next Hearing:**

Power lines

Landscape

Signage

Traffic

Chip moved to continue to 2/24

Ami 2<sup>nd</sup>

All were in favor

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**CONTINUED HEARING:**

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

**Purpose:** Determination and/or Finding to permit a proposed addition to a non-conforming structure

**Attendees:**

Attorney Michael McCarthy, Ray Guertin – architect, Steven Lafferty (property owner)

8-10 Emerson Street

**Discussions:**

Attorney McCarthy explained to the Board that in a 2011 Decision from the ZBA it recognized the 6 units as a legal 6 family dwelling and gave the owner the chance to reconfigure the layout.

They are looking for a Finding to add an addition in the rear of the dwelling. The only increase is to expand the back right side of the building that is a mess. There will be no added bedrooms so the parking will not change.

Chip asked if the previous decision stated no additions to the dwelling, Attorney McCarthy read the decision to the Board.

Ray Guertin presented the deteriorating building, the concrete foundation, the south wall line will be maintained but the rear will be extended – only to make the rooms larger and a reasonable size for two of the units and make the building more stable.

Jim explained to the Board that additions have been put on this dwelling with no foundations. There is a whole section that is compromised. The chimney settling has pulled down the walls.

**Public Testimony:**

None

Town Memos were read into the record

**Plans Presented:**

- Plot Plan prepared by PJF & Associates (Paul Finocchio) rev. 2/10/21
- Elevations & Floor Plans prepared by Raymond Guertin dated 11/23/20

**Vote:**

Chip moved to Find that the site plan as presented by Paul Finocchio, final dated 2/10/21 and the architectural plans presented by Raymond Guertin dated 11/23/20 represent the fact that an addition is being constructed and the number of units or bedrooms will not increase and the right side will stay at 7.8 feet from the lot line.

The work being proposed is not more detrimental to the neighborhood.

Voting members

Dave, Chip, Ami, Jim, Joe



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**NEW HEARING:**

**(21-36) 404 LOWELL STREET – CHARLES REALTY, LLC, CHARLES J. DOHERTY, MANAGER**

**Purpose:**

Modification of Previous Decisions to Construct an 8-Unit Multi-Family Dwelling

**Attendees:**

Michael McCarthy, CJ Doherty (property owner), Shane Losi (architect), Paul Finocchio (land surveyor)

**Discussions:**

Attorney McCarthy explained this project has been before the Board before.

Rocco Skippa owned the property and went through the ZBA process and was approved, then CJ Doherty bought the property and came back to the Board and modified the project and was approved.

When CJ bought the property it was not permitted through the Conservation Commission. When they went through ConCom and hired an engineer they discovered that the water table was not what they thought it was. The project has to be changed.

Shane Losi reviewed with the Board what had been approved and what is being changed. The number of units are staying the same. The number of parking spaces is staying the same but are rearranged. Total number of parking spaces is 16.

Chip said other than what they have to do to the building because of the water table nothing else should be changed to the building. There has been hours and hours of discussion on colors and design – nothing on the building should be changed.

CJ does not mind if the parapet is there.

Need updated plan showing parapet.

Chip asked if any materials or colors had changed – they replied no.

Jim said yes, plantings and other items have been changed. Mike asked if Jim could work off line with them.

The material sheets were presented – nothing changed.

Attorney McCarthy said they reached out to the neighbors and shared the plans.

**Public Testimony:**

None

**Plans Presented:**

- Architectural Plans, Planting Plan, Site Plan, Elevations, prepared by Choo & Company, Inc, dated 4-2-20.

**Discussions for Next Hearing:**

Engineering – door

Parapets

Floor Drain

Landscaping meets the architectural plans

Town Board memos were read into the record

They have already met with DPW/Engineering.

Chip moved to continue to 2/24 – Ami 2<sup>nd</sup>, All were in favor

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**NEW HEARING:**

**(21-37) 44, 46, 48 CRESCENT STREET – CRESCENT COMMONS DEVELOPMENT, LLC.**

**Purpose:** Comprehensive Permit Pursuant to M.G.L. Chapter 40B to Build a Multifamily Dwelling with 56 Rental Units.

**Attendees:** Attorney Brian McGrail, Steve Boccelli (property owner), Joe Boccelli (property owner), Toni Hall (40B advisor), Rick Salvo (site/civil), Peter Sandorse (architect), Vanesse and Associates (traffic),

**Discussions:**

Attorney McGrail gave an overall presentation of the project:

This is a 40B Comprehensive Permit Application

A 56 unit rental apartment building

A project eligibility letter has been issued

Property is in the General Residential District

Total land area is approx. 25,000 sq. ft.

The surrounding properties are mixed use

14 units would be affordable and the preference to Wakefield Residents

Rick Salvo from Engineering Alliance presented the site

178 feet of frontage along Crescent and 87 feet on Crescent Hill.

Two levels of parking under 4 stories of wood frame construction

The property entrance will be on Crescent Hill

The upper level of parking will be off of Crescent St

Peter Sandorse demonstrated an overview of the architecture  
30 One Bedroom Units  
19 two bedroom Units  
7 three bedroom Units

Front, side and rear elevations were shown.

Ami asked how many parking spaces – there would be 67 and 87 are required – 20 short  
Greg pointed out that 88 parking spaces are required.

Ami asked if a sub-committee with the Board could be formed as was with Tarrant Lane.

Chip pointed out that being 20 spaces short is a safety problem.  
No shingles – this building is huge it dwarfs everything around it, putting shingles on it doesn't make it look better.  
Size and density is too big

Jim said this does not scale with the surrounding neighborhood.  
It needs to be broken down in scale and height.

Mike said he thinks we are over by 2% for our affordable housing requirements and maybe this can be delayed. Dave pointed out that two of the projects have not been permitted with the building department.  
Brian confirmed.  
Brian said their goal is to work with this Board to try to make it fit and work within reason.

Tom Lucey agrees with everything. He said this building dwarfs the surrounding houses.

Correspondences from Town Boards were read into the record

Chip feels they could come back with a mass plan. He said they have heard from the Town Councilors and they also think the project is too big, he does not want to see this done to Wakefield especially with not enough parking. They need to get in-line with this project.

Tom said he wants to see the massing next to the buildings next door. And why would you have the access to the garage right next to the neighbor, no consideration has been given.

Gregg said they went to Town Council 7 months ago and nothing has changed with the project. He would like to see some good faith and see some changes made to this.  
This building is not going to do it. They should not even come back with massing with this building.

**Public Testimony:**

Angelo Salomone – 40 Crescent Street – Mr. Salomone asked for clarification of the height of the building, it would put them in the dark most of the day. The answer was that the proposed height is 65 feet.

Katie Nastou – 9 Crescent Hill - Concerned about traffic, safety and parking. Concerned about emergency access. Way to dense for this area

Mark Mitchell- 14 Crescent Hill – echo what everyone is saying – this project is too large. The entrance to the building being on Crescent Hill will bring too many cars onto this little dead end street.

Michael Wade – 5 Crescent Hill – lives across from this project. He shares the concerns of what has already been said about this project. Emergency services will not be able to get into these residential homes with all the overflow of parking.

Brian pointed out the letter from Mass Housing and that they consider density of these projects and they feel this is eligible for a project this size on a lot this size in the location that is being proposed.

Greg pointed out that in the same letter from Mass Housing it is pointed out that the applicant should take into consideration concerns of the Town.

Brian requested a sub-committee – to try to find something that might work instead of them guessing what might work.

Jim and Ami volunteered to work with them.

Joe Boccelli – he pointed out the height of the building is 45 feet on the Crescent Hill side – he wanted the neighbors to know that.

Chip moved to continue to 3/10/231  
Ami 2<sup>nd</sup> – all were in favor

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**OTHER MATTERS:**

**(17-39, 17-40, 17-41) - 69 FOUNDRY STREET – MELANSON DEVELOPMENT GROUP**

Attorney Brian McGrail told the Board that this project is about 85% complete.

They want surety from the Board for completion.

They are looking for occupancy for the common area and some units.

Some items on the outside are not complete.

An itemized list will be brought to the Board at its next meeting so that finished units can be held back.

Chip made a motion to continue to 2/24/21, the Board will go through the list then.

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

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**APPROVED MINUTES:**

Chip made a motion to approve the minutes of January 27, 2021

Ami 2nd

All members voted in favor.

The meeting adjourned at 10:49 pm