



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, May 12, 2021 – ZOOM HEARING

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law, this meeting was conducted by remote participation.

Call to Order 7:00 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
AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

REQUEST TO CONTINUE:

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

Request from Attorney McGrail to continue the hearing until June 9, 2021, the petitioner is scheduled to be back before the Wakefield Traffic Advisory Committee on May 21, 2021. Also, a request was made to continue meetings with the Board's appointed sub-committee

VOTE: Tom moved to continue and Ami seconded the motion, the Board unanimously approved the requests.



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GREGORY W. MCINTOSH, ALTERNATE
AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

REQUEST TO CONTINUE:

(21-43 & 21-24) 97-99 WATER STREET – SGD MANAGEMENT GROUP LLC.

Request from Attorney McGrail to continue the hearing until June 9, 2021, the petitioner has been notified by the WMGLD and will need to make some revisions to the design of the building to account for the close proximity of overhead electrical wires.

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

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

REQUEST TO CONTINUE:

(21-54, 21-55, 21-56, 21-57) 13-15 ALBION STREET – ALBION STREET REBORN, LLC

Request from Ralph Penney, Manager to continue the hearing until May 26, 2021. Mr. Penney is seeking legal counsel.

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

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GREGORY W. MCINTOSH, ALTERNATE
AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

REQUEST TO CONTINUE:

(21-69) 7 DAVEY LANE – BRIANNA (SEMENZA) BISHOP

Request to continue this new hearing until June 9, 2021, the petitioner is working with her architect on a final design of the project.

VOTE: Tom moved to continue and Ami seconded the motion, the Board unanimously approved the requests.

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

NEW HEARING:

(21-70, 21-71) 11 COOLIDGE PARK – JOSEPH E. MARTIN & MARY K. MARTIN

Purpose: Determination and/or Finding & Variance allowing a one-story addition

Attendees: Attorney Michael McCarthy, Joseph and Mary Martin, Chris Crump (Designer)

Attorney McCarthy presented the plot plan and described the lot as a hammer shape with lots of angles.

The Martins would like to build a sunporch on the right side in line with what is there now.

On the left side they would like to add on and because of the side line there is a slight increase from 11.1' to 11.0'.

This is just a one-story addition; a Google earth map was presented.

Attorney McCarthy pointed out that this request is de minimis .

Mr. Crump walked through the plans.

Elevations of the existing and proposed rear and side were shown.

Attorney McCarthy said that Mr. Martin had a face to face discussion with the four abutters and they have no objections to the project.

Dave sees no issue with the additions.

Public Testimony:

None

Plans Presented:

- Plot Plan, prepared by Edward Farrell, dated 4-1-21
- Floor Plans and Elevations, prepared by CWC Design, dated 1-15-21

Tom moved to grant a Finding and Determination that based on the plans by CWC, dated 1/15/21 shall not increase the nonconformity of said structure.

Ami 2nd.

Voting Members – Tom, Ami, Joe, Jim, Dave

Tom moved to grant the Variance based on the plan from CWC design dated 1/15/21 to allow the side yard variance because of soil, topography and it would provide substantial hardship if not allowed.

Ami 2nd

Voting Members – Tom, Ami, Joe, Jim, Dave

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

CONTINUED HEARING:

**(21-50, 21-51, 21-52) 200-400 QUANNAPOWITT PARKWAY – CCF QUANNAPOWITT
PROPERTY COMPANY, LLC.**

Purpose: Applications for Special Permits for a multi-family mixed-use apartment community with 485 residential units, associated parking and a restaurant use.

Attendees:

Attorney Brian McGrail, Allie Adams (Architect Cube 3), Jay Doherty, Matt D'Amico, John Sullivan (Development Team from Cabot, Cabot & Forbes), Donald Briggs (Eastern Real Estate), Ian Ramey (Landscape - Copley Wolff Design Group), Nick Dellacava (Civil Engineer –Allen & Major), Attorney Peter Tamm (Goulston & Storrs), Scott Thornton (Traffic - Vanasse & Associates), Scott Goddard (Wetlands Scientist – Goddard Consulting)

Discussions:

Attorney McGrail – Tonight's main focus is on architecture and design.

Allie Adams of Cube 3 is presenting tonight.

Before Allie presented Attorney McGrail presented the requested relief for this project.

A summary of dimensional regulations for multifamily dwellings was presented (see chart)
Parking requirements and the breakdown of the bedrooms were presented (see chart)
The breakdown of units is as follows:

57 - Studio units
275 – One bedroom units
133 – Two bedroom units
20 – Three bedroom units

A total of 747 spaces are required, and they are proposing 747 spaces with 23 existing to remain – they have not counted the parking lot near the Fred's Frank Stand.
Out of the 747 spaces 543 are in the garage.

87 units will be affordable and be spread-out through the project.

Allie Adams

- Introduction to Design Objectives
- The site was outlined
- Surrounding large buildings were also outlined
- Proposed site plan
- Vehicular circulation – how the building would operate
- Trash will be stored internally
- There will be many sidewalks on the site
- Rooftop mechanical units were presented on all the buildings.
- Sustainable Initiatives –
 - All electric
 - Rain Gardens
 - Water/plants
 - Windows will be energy efficient
 - Operations – bike storage and repairs, water conservation & recycling

Exterior Design

- All the materials are representative of nature to represent the site/area
- Building 3 will be more contemporary
- Renderings & conceptual elevations were shown.
- There will be lush landscaping starting from day 1.

Chip asked if any of the units will be accessible. He thinks it is something that should be looked at.

Allie said they will be meeting all of the accessibility codes from day one and also units will be adapted for a later date. 5% will be built as accessible and other units will be accessible ready in case it is needed. 5% of the units calculates to be 24 units that will be built right off the bat as accessible units.

Gregg commented that it was mentioned that there was an agreement with the Friends of the Lake in the form of protecting 12 acres of the lake. Peter Tamm explained that protecting 12 acres of land is a positive. Currently there is no protection and it is CCF's intention to protect the lake. Some wetlands could be deeded to the Town, or through conservation. There would be certainty of no development to those areas in perpetuity.

Gregg wants to know what the elimination of 12 acres would do to zoning.

Mr. Tamm said that the donation of 12 acres has no bearing on zoning compliance.

Brian said even with taking the 12 acres out there would be 525 allowable units.

Ami said she feels that these buildings do not belong in Wakefield. She thinks it is too dense and will bring more traffic and add to the schools that are already overflowing. She thanked Allie for such a thorough job and thinks the buildings are beautiful. She cannot get past what the impact will be to this Town.

Tom Lucey – asked them if they could estimate how many people would live at this location if it existed. Matt D'Amico said he does not have that number tonight but will get that.

Brian said they are going to be submitting an economic impact report in a future hearing.

Brian said before the Board makes a decision on what they what changed they should look at all the facts. Tom said that this would be a significant impact to the Town's population. Tom said a significant amount of trees are going to be removed – 18.

Tom feels the scale is too big for the property.

Joe Pride – any thought of a fitness center – Allie said 1 fitness center for the residents.

Joe asked if there would be any other kind of restaurant – no.

Ami asked if the residents in Building 3 would be looking at the mechanicals on the rooftops of Buildings 1 and 2. Allie said residents on the 4th floor of Building 3 could see the mechanicals.

Chip – suggested making sure that economic impact and traffic should be the next discussion. CCF thinks they can get the economic impact report to the Board for the next hearing. Chip wondered who in the Town could verify the report. Brian said the consultant talks to the school department and members of the Town for his report.

The Planning Board submitted a letter to the ZBA making some recommendations.

Dave pointed out the new web site on the towns ZBA page for anyone who would like to see what is going on.

Dave talked about other correspondence in the file from residents.

Public Testimony:

Jackie MacKinnon – 15 Pine Hill Circle – serious concerns with traffic. A traffic study will not change her mind. The traffic in town has been insane the last couple of years. Taking a bike to go do errands is unrealistic. She said a lot of people that she knows in Town do not want 3 buildings put on the lake. She feels it will be very detrimental to the town.

Bronwyn Della-Volpe – she strongly object to the elephant in the room – the size. She is having a hard time with CCF not being able to tell us how many people will live here. The building is unattractive and is not suited to the area. Very little charm to the building. It is not suited to our lake and our Town – she urges the Board to not grant the special permit.

Matt Tyhach – 2 Stoney Hill Lane – he would like them to take into consideration making the lake swimmable again.

Chris Kroon – 114 Main Street – when focusing on design elements, exterior lighting was not discussed here tonight. The renderings showed each unit having its own exterior lights. 485 lights is quite significant. Elevator shafts were not depicted. The board should consider that CCF hire a consultant on behalf of the Town.

Allie will submit a copy of tonight's presentation to be included on the Towns web site.

Brian pointed out the environmental benefits this project would have on the lake. They will present that with landscaping and design and could do that at the next meeting. The Board wondered if they should see the economic impact next. Brian really would like to tackle landscaping/design.

Plans Presented:

- Meeting Agenda
- Zoning Compliance, including summary of dimensional regulations, parking & loading Additional requirements
- Design Objectives
- Existing and Proposed Site Conditions
- Material Samples
- Elevations/Renderings

All Dated May 12, 2021

Next Hearing:

Environmental Benefits

Chip moved to continue to 5/26

Ami seconded the motion and all were in favor

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GREGORY W. MCINTOSH, ALTERNATE
AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

NEW HEARING:

(21-64, 21-65, 21-66, 21-67, 21-68) – 400 MAIN STREET - CREATIONS COFFEE

Purpose:

Special Permit and Variances for signage

Attendees:

Jonathan Spees is the new owner of the business.

Mr. Spees presented his sign plans.

Mr. Spees is presenting the following signage –

- On the front façade
- Brackett sign
- Door sign with the logo

Chip commented that the name is being displayed several times – is it really necessary?

Jim and Mr. Spees said it is only being displayed two times.

Jim explained that Mr. Spees had gone in front of the DRB and the Board is in favor and recommends these signs.

Public Testimony:

None

Dave read letters from Town Boards into the record and they had no comments.

Chip recused himself

Jim made a motion to grant a S/P to allow 9 sq. foot bracket sign.

Ami 2nd

Voting Members – Ami, Jim, Dave, Joe, Gregg

Jim made a motion to grant permission to erect an open bracket sign.

Ami 2nd.

Voting Members – Ami, Jim, Dave, Joe, Gregg

Jim made a motion to grant a variance to allow a wall sign to exceed the required 2/3 width of the business store front by 5.25' to a total width of 12.75'.

Ami 2nd

Voting Members – Ami, Jim, Dave, Joe, Gregg

Jim made a motion to grant a variance to allow door window signs to exceed the required 10% glass area and to allow it to be set at 14% of the glass area.

Ami 2nd

Voting Members – Ami, Jim, Dave, Joe, Gregg

Jim made a motion to grant a variance to allow for an aggregate area of 16.6 sf. (10% of business façade) and allow it to be 24 sf.

Ami 2nd

Voting Members – Ami, Jim, Dave, Joe, Gregg

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

CONTINUED HEARING:

(21-40, 21-41, 21-42 - 62 & 76 FOUNDRY STREET – 62 FOUNDRY LLC

Purpose: Special Permits & Site Plan Approval to Construct a 58 Unit Mid-Rise Apartment Building with Mixed Use

Attendees: Brian McGrail, Chris Mulhern

Discussions:

Chris Mulhern presented options for the trash/recycling locations and finish materials

- Option 1 on the south end of the site
- Option 2 on the southeast
- Option 3 on the northeast
- Option 4 the rear of the southeast

Mr. Mulhern said the preference of the design group would like option 1 or 3, they believe that options 2 and 4 are too far away.

The concern at the last hearing was that it was too close to the neighbor (128 Plumbing) because of this they have proposed an enclosure with a pergola.

Option 3 would also be enclosed and the complication of this is parking vehicles so they adjusted the spaces for motorcycles and bikes.

They would like to make one adjustment to the court yard towers – they want to change the color – they did not like the color blue when they got it. They are proposing a gray color. The booklet was prepared before they got the fiber samples – Benjamin Moore macadamia nut is the color they are now proposing.

The sample board was delivered to the building department for the Boards review.

Chip feels that the trash area is too big.

The Board feels that Option 1 for the trash is the best option.

Topics for the Next Hearing:

Traffic

O&M

Draft Conditions

Public Testimony:

None

Plans Presented:

- Exterior Materials Booklet
- Trash Options Plans

Chip made a motion to continue to June 9, 2021

Ami 2nd and all were in favor

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THOMAS J. LUCEY, ALTERNATE
GREGORY W. MCINTOSH, ALTERNATE
AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

NEW HEARING:

(21-63) 28 SWEETSER STREET – MICHAEL CASOLI

Purpose: Variance to construct an in-ground swimming pool in the side yard.

Attendees: Attorney Brian McGrail, Michael Casoli

Discussions:

The site plan was presented.

If the pool is in the backyard it will encroach on the neighbor but more importantly if the pool is situated in the side yard it will be safer for his 4 kids. The garage is in the back of the house. The neighbors are ok with what is being proposed.

The proposed fence and arborvitaes will be a buffer to the neighbor.

The unique circumstance is the shape of the lot. The hardship is a safety issue. There is a letter in favor from one of the abutters in the record.

Tom Lucey – asked if this pool is an epiphany - a house was knocked down and the new house is being built so why wasn't a pool planned so it could go in the back. Mr. Casoli explained that his

design of the house and trying to fit into the neighborhood, he also said the living space is in the front of the house the garage is in the back.

Dave feels that it is very close to the neighbor and would like to see it further from the lot line and meet the setback, Greg agrees it should be set back to 15 feet.

Joe pointed out that at the other end it is showing 7.5 feet he would have to come in more than 5 feet.

Mr. Casoli said he can move the pool closer to the house.

Public Testimony:

None

Plans Presented:

- Proposed As-Built Plot Plan, prepared by Edward Farrell, dated 3/30/21
- Proposed Fence materials
- Letter of support from Arianne & Bill Kidder – 115 Pleasant Street

Chip moved to grant the petitioner permission to build a pool in the side yard based on the site plan from Ed Farrell based on the safety issues, with the condition that the pool be moved back to 15 feet and a new plan be presented at the time of the building permit.

Gregg seconded the motion

Voting members - Dave, Gregg, Jim, Chip, Joe - were all in favor.

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GREGORY W. MCINTOSH, ALTERNATE
AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

OTHER MATTERS:

168 ALBION STREET – NRP GROUP (HARVARD MILLS)

Present - Mark Shraiberg, and Janice Carroll, Attorney Brian McGrail

Janice presented an updated signage design. They have talked with Jim McBain and now understand his calculations. They feel strongly about the signage that they have presented and that it really shows the building very nicely.

Chip wondered if the Boit plaque should be considered a sign.

Ami said even though she was not on board with this project she does appreciate the thoughtfulness of everything they have done regarding signage.
She loves the signs and especially the reclaimed wood.
Dave and the rest of the Board like all the signs.

NRP will file for a variance for the signage.

Gregg McIntosh raised a question regarding the tidiness of the site. Brian explained that after this concern was mentioned at the last hearing he got in touch with Tom who runs the site.

Tom K. heard about the cleanliness of the street and agreed with them. He explained that the wind comes down Foundry Street and blows drywall out of his dumpster and it has been very windy out this year. He has a guy full time out on the street making sure it is clean.

Chip asked what the schedule is for reopening Foundry Street. Tom explained that he would really appreciate if they could keep it closed until September until school reopens in the fall. They still need to install windows, siding and the sidewalks. Ami asked if emergency vehicles could get down the street – Tom explained that they could in-fact get down the street because it is not 100% shut off.

Chip feels that they should be getting updates on the construction schedule.

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

OTHER MATTERS:

301 North Ave – Wakefield Investments, Inc

Present - Attorney Brian McGrail & Jeff Schelzi

They are not fully done with the affordable component of the project because the State is behind. There is a condition in the decision that states no occupancy shall be given until the affordable paperwork has been done.

Brian reached out to Maureen O'Hagan a consultant to contact the DHCD, it will be about 6 months before the regulatory agreement is all approved. Erin Kokinda, the Towns Economic Development Director wrote a letter to this Board, that the Town has no problem issuing an occupancy. It is not practical to wait for the State to approve all of this.

The Board still has not been invited to do their inspection.

Tom and Ami volunteered to go out to the site.

They will report back to Dave and he will write a letter to Ben.

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

OTHER MATTERS:

7 Glendale Ave

Present - Attorney McGrail and Joe Suriello

The Board holds jurisdiction on the retaining wall for the one lot development that was approved by this Board.

Joe explained that he wants to use natural stone that they have taken off the site. Photos of the wall Mr. Suriello is building in the same neighborhood were presented.

Brian will attach the photos for the file and a letter will state that the wall is under 4 feet and will be a natural blasted flat faced wall.

The Board agreed that this was all ok.

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

OTHER MATTERS:

69 FOUNDRY STREET

Jim asked if anyone knew if the landscaping and the 2nd floor deck was completed.
Attorney McGrail will send the superintendent an e-mail that the Board wants an updated status on the project.

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AMI WALL, CLERK

Absent

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

APPROVED MINUTES:

Chip made a motion to approve the minutes of April 28, 2021
Ami 2nd
All members voted in favor.

The meeting adjourned at 11:05 pm