



# TOWN OF WAKEFIELD

BOARD OF APPEALS

## MEETING MINUTES

Wednesday, May 26, 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 7:03 pm

Roll Call by David Hatfield, Chairman

### In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

AMI WALL, CLERK

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Ami read the Legal Notice

### REQUEST TO CONTINUE:

#### (21-38) 611 SALEM STREET – ELITE METAL FRAMING & CONSTRUCTION, INC.

Request from Attorney McGrail to continue the hearing until July 14, 2021, the petitioner is in the process of filing related applications with the Board of Appeals. Also, a request was made to extend the time for the Board to render and/or file a decision on this matter.

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



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**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 June 9, 2021. Mr. Penney is seeking legal counsel.

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

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**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, Matt D'Amico, John Sullivan (Development Team from Cabot, Cabot & Forbes), Ian Ramey (Landscape - Copley Wolff Design Group), Scott Goddard (Wetlands Scientist – Goddard Consulting)

**Discussions:**

Brian McGrail presented the meeting agenda

They will present environmental and landscaping aspects of the project tonight.

**Environmental presentation - by Scott Goddard of Goddard Consulting**

Contributing Factors to the Water Quality of the Lake are -

Mr. Goddard explained the net result of this project to the lake is a better quality lake.

69% of the development is an impervious surface. The water on that surface is forced to run off and run into the lake. 31% is open green space.

The water quality studies show hyper eutrophic conditions in the summer time – a green film which makes the lake un-swimmable. It is caused by a water shed of nutrient shedding/loads. 80% of this discharge will be gone when this project is developed.

A hydrologic connection on the left and one on the right will be collected from a perennial stream, also on the right is discharge from the vegetation portion of the site.

There is an absence of stormwater.

Heavy sediment contains pollutants and nutrients are going right into the wetlands.

To eliminate the pollute discharge to the lake they have to reduce the amount of water going into the lake. They will remove existing bituminous concrete and pavement resulting in an additional 40,000 sq. feet of pervious surface.

Replace invasive species of plants. Increase the amount of green/open space.

All of the stormwater running off will be treated and captured before it goes into the lake by increased infiltration, reduced nutrient runoff, reduce adverse impacts to wetland areas.

Slow-release of organic fertilizer.

They are also proposing to manage the invasive species of vegetation along the lake.

#### **Landscaping presentation - by Ian Ramey of Copley Wolff Design Group**

- Expand and enhance open spaces
- Low impact development – nature based solutions, ecologically restorative approach, native shade trees.
- The proposed lake path and expanded parkland
- 1,300 foot new lake path with public seating and expanded parkland – 1.3 acres
- Just under 13 acres are being proposed to be protected open space with the Conservation Commission.
- Rain gardens offer a place for the runoff to go.

Existing trees were presented – many are dead or damaged.

There are potential transplants.

They will retain or transplant 21 trees and are proposing 191 new trees.

Landscape design slide was presented.

#### **Matt D'Amico presented their Main Street Contribution**

- They are proposing a 1.3 million contribution to the Main Street Corridor Reconstruction
- On the eastern side (Main Street) there is 68 acres of watershed supplied to the lake their contribution would stop 68% of this water shed.

Attorney McGrail commented that because their property is on the lake they have a vested interest in helping the water quality along the lake. This project will have a significant improvements to that water quality.

Jim asked who would follow up and take care of the species of plants along the town owned portion of the lake.

Attorney McGrail said they are proposing an ongoing program for those species, it is in perpetuity. They will have to stay on it every year; they have to get rid of the bad species and then maintain it. Scott Goddard said they will have future discussions and CCF cares and is in the game to stay. They are also willing to take care of the public park as long as they get permission from the town and make regular contributions to the town.

Chip asked how they quantify the stormwater on site and Main Street, how they know the percentage that is being cleaned up as far as watershed. Mr. Goddard said that is hard to do but when they take the acreage they are cleaning up they are making substantial changes in that direction. Chip feels that this is a significant clean-up.

Attorney McGrail said the Town Engineer would like to address this issue at the next hearing.

Chip also said rain gardens do not look great in the winter months so how would they be maintained to look good. Ian said they would have winter looking shrubs in the mix.

Ami asked Scott if the green on top of the lake was algae, he had mentioned nitrogen. It is a rapid growth of bacteria. She asked how long the improvements would take. Scott said as soon as they cut off the runoff it will make a difference.

Tom – is very supported of what he has seen tonight. Is there a reason why they don't shoot for 100% improvement instead of shooting for 80%?

Thank you for trying to save the 5 trees and replanting them.

He said 1.3 million for the Main Street project is significant and thanked CCF.

Mike – asked if the 80% improvement is just on their property – yes. Mike asked if the town would cut their portion and CCF cut their portion of the grass. CCF wants to maintain the town owned grass also. They will talk to the DPW Director, but the Board feels it will not be a problem to him.

Joe – He asked if there was any plan for the highway runoff. Scott said they can handle the water that comes into their property, it can be treated.

Chip asked if they will test and monitor to make sure it is working the way they want it to work. Scott said there is a manual with standards that have to be met.

Dave read letters in the file that have come in since the last hearing.

Jason Kaminsky – 19 Lafayette Street – Mr. Kaminsky's concerns were the town owned sidewalks and improvements on the public way, and overhead poles and consideration of underground electrical facilities.

- Meeting Agenda & Introduction
- Environmental Presentation
- Landscape Presentation
- Main Street Contribution

All dated May 26, 2021

- E-Mail from Jason Kaminsky-19 Lafayette Street, dated May 12, 2021.
- E-Mail from Bill Conley, dated May 26, 2021
- Letter from Erin Kokinda – Town of Wakefield Community & Economic Director, dated May 25, 2021.

**Topics for the Next Hearing:**

Presentation & Input from the Town Engineer

Chip moved to continue to June 9<sup>th</sup>, Ami seconded the motion and all were in favor

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**NEW HEARING:**

**(21-72) 109 FARM STREET – JOHNATHAN BELYEA**

**Purpose:**

Special Permit to construct an addition

**Attendees:**

Attorney Jay Talerman, Jessica the homeowner

They are squaring off the corner of the house with an addition. They went to the Building Department and the Building Inspector directed them to come to the Board.

Chip asked how close the addition will come to the neighbor and if they had discussed or had a letter from the neighbor to see if they were in support of the project.

Joe asked if it was a split entry – Jessica said it is a single story ranch. The addition will be on stilts – no foundation.

Town correspondence were read into the record.

Conservation – has determined that the proposed work is within the commission’s jurisdiction. Not only for the addition but also for the pool.

**Public Testimony:**

PJ deBernardo from Gibraltar Pools - he said he got the permit for that pool and it had circulated the Town Departments.

**Plans Presented:**

- Plot Plan prepared by Gloral Associates, dated February 22, 2021
- Architectural Sketch
- Photographs of the Property

Chip made a motion that what is being presented increases the non-conformity however it is not more detrimental to the neighborhood and they find that they should be allowed to do the addition.

Ami 2<sup>nd</sup>.

Reg. voting members – Dave, Jim, Chip, Ami, Joe



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**NEW HEARING:**

**(21-73) 340 WATER STREET – LORETA MITKO**

**Purpose:**

Requesting a Variance for an Above Ground Swimming Pool

**Attendees:**

Peter deBernardo – From Gibraltar Pools

Mr. deBernardo gave his presentation of the odd shaped lot and the utility easement. The Board did not have many questions and agreed this is a hardship.

Dave read Town correspondence into the record and there was no jurisdiction.

**Public Testimony:**

None

Gregg made a motion to grant a Variance based on the drawings from Gloral Associates, dated April 19, 2021 and submitted to town hall today to allow a 6 foot set back on the side yard on the drawings as stated.

Ami 2<sup>nd</sup>

Discussion – The hardship is the easement, odd shape lot and infeasibility of putting it anywhere else.

Amended motion

Ami 2nd

Voting members Ami, Joe, Greg, Dave, Jim – all were in favor

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**OTHER MATTERS:**

The Board discussed the "tentative" summer dates of the hearings on the schedule. After some discussion they agreed to leave the schedule as is and have the July hearing on July 14<sup>th</sup> and the August hearing on August 18<sup>th</sup>. All board members were in favor.

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**APPROVED MINUTES:**

Chip made a motion to approve the minutes of May 12, 2021

Ami 2nd

All members voted in favor.

The meeting adjourned at 9:40 pm