



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, September 8, 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 7:06 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:

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

Request from Attorney McGrail to continue the hearing until September 22, 2021, the petitioner is still in the process of finalizing the plans according to the changes made with the Town Engineer. A request to extend the time for the Board to render and file any decisions until November 30, 2021 was also made.

Chip made a motion to continue the hearing and to also extend the time, Ami seconded. The Board unanimously voted to approve the requests.



MEETING MINUTES

Wednesday, September 8, 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 7:06 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:

(21-43, 21-44) 97-99 WATER STREET – SGD MANAGEMENT GROUP, LLC.

Request from Attorney Brian McGrail to continue the hearing until October 13, 2021. The petitioner has resolved issues with the WMGLD and are now in the process of making adjustments to the design for submittal.

Chip made a motion to continue the hearing, Ami seconded.

The Board unanimously voted to approve the request.

MEETING MINUTES

Wednesday, September 8, 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 7:06 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 November 17, 2021, the petitioner is still in the process of working with the Building Inspector and Town Counsel to resolve this matter, they will be submitting new applications with the Board in the near future. Also, a request was made to extend the time for the Board to render and/or file a decision on this matter until December 31, 2021.

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

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

CONTINUED HEARING:

(21-37) 44, 46 and 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, The Boccelli's (Joe and Steve), Ezra Glenn (consultant), Peter Sandorse (architect), Rick Salvo (Site/Civil)

Discussion:

They appeared on September 3rd at the TAC hearing and presented their revised plans with 42 units along with all the changes discussed at the last hearing.

Chief Skory and Chief Sullivan were both present at the TAC hearing.

They addressed VHB (the town's traffic consultants) concerns.

Brian feels it was a positive meeting.

A memo from TAC to the Board submitted tonight, stated that VHB is satisfied with the developers. The current proposal substantially and significantly changed vs. what was initially proposed for the project.

They had a ZBA sub-committee meeting yesterday (9/7).

The concerns of the Board from the last meeting were discussed.

Jim McBain suggested reducing the 4th floor, which will reduce the number of units by a minimum of 2 units which would bring it 40.

At the last hearing the Board was concerned with the massing.

Ezra agreed that a lot of the issues have been resolved. The items left were the massing and that the building was out of character with the neighborhood. Ezra explained that under the States 40B it is not supposed to quite fit into the neighborhood. They have to get to the point to ask is it a level that they can live with, but they have to live within the framework. Ezra suggested to the Board if they are still considering trying to reduce units they should talk to Town Counsel because time is running out.

Ami feels that the design fits into the neighborhood but the massing will always be too big, so she feels this is probably the best it can be.

Chip feels they are running out of time and have the chance to make a bad situation as well as it can be and agrees with Ami. They both feel if something is going to be there let's make it the best it can be. If they disagree the developer can use the cheapest materials and make it look the way they want. Jim agrees they have honed it down as much as possible and they need to concentrate on materials.

Mike Feeley asked Ezra questions about the 10% and percentage of land and the safe harbor rule.

Joe Pride asked Peter Sandorse if he reduced the number of units would they keep the same number of parking spaces. Brian said they would try not to lose any parking that is their goal. But they would keep the same ratio.

Dave is encouraged that the team has made progress and will reserve judgement until he sees the plans that Peter comes up with. He hears Ezra and the rest of the Board and wants to maintain jurisdiction on the way it looks.

The Board decided to go back to the sub-committee working group one or two more times.

Brian is not available for September 22, they cannot come back to this Board until October 13th, and so they are willing to extend the time to render a decision.

Dave felt there wasn't really a need for public testimony because there are no new plans.

Gregg asked if traffic was closed. The Board asked if it was something that can be discussed at the next hearing. They may even invite TAC.

Chip wants a memo from the developer committing to TAC requirements.

Discussion to extend the amount of time to close the public hearing to 11/30, the Board would have 40 days to close the hearing and then 14 days to file the decision with the Town Clerk. Ezra explained that once closed to the public no new evidence can be brought to the hearing.

Plans Presented:

- None

Dave entertained a motion to continue to October 13, 2021.

Topics will be:

- Updated design from the sub-committee hearings
- Traffic as well as extend the public hearing to November 30th.

Chip so moved, Ami 2nd

All in favor - Chip, Ami, Jim, Joe, Dave

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

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: Brian McGrail, Matt D'Amico, Nick Dellacava (Site/Civil from Allen & Major), Jay Doherty

Discussion:

Dellacava gave a little history to the Board regard working behind the scenes with Bill Renault (town engineer) to make sure they are following the town's stormwater management plan and design.

A status update was given.

In April DPW issued a review memo from them, in May a response memo & material memo was given back to Bill. In July they have started finalizing plans that they are updating.

They have filed a notice of intent with ConCom and tomorrow will be their second meeting.

- Current stormwater backup was presented after a rainstorm.
- Proposed Stormwater Management Goals were presented.

- Improve quality of stormwater entering the lake
- Reduce onsite flooding
- Promote ground water recharge
- Peak rate attenuation

Nutrient Loading will be down 80%. The Town Engineer has suggested this.

Performance Standards of Volume runoff and peak rates were provided.

Best Management Practices

- Underground Chambers
- Infiltration Basins
- Vegetate Filter Strips
- Wet Basin

They are working closely with WMGLD regarding utilities. Gas will only be available for the amenities building not for the residential units.

Jim asked Mr. Dellacava about the underground chambers – are they effective because of the ground level and ground water. How do they expect the chambers to work in this environment? It was explained the only way to get these chambers to work is to raise the elevation and that is what they are going to do. Chip asked how much of a filler they will need – it varies across the site. Fill will have to be brought in. It will be raised about a foot.

Chip asked if the water would be stagnant in the basins which would be filled with mosquito breeding areas. There will be standing water anyway because it is in the flood plains. Chip asked if it could be sprayed for mosquitos – they have a mosquito program and it will be in the O&M Plan.

Chip asked what the maintenance of all these gardens would be when they get filled with leaves.

Dellacava said twice a year – Spring & Fall the basins will be cleaned out. A maintenance schedule for the chambers will be at least 4 times a year.

Chip asked Brian who would inspect the installation and make sure it was built as specified – would it be the engineering department? Do they hire a consultant for the Town? Brian said whatever Renault needed – maybe an outside inspector. Dellacava said an as-built plan will be presented and certified that it was built as designed.

Ami was curious to review the O&M regarding mosquito mitigation and would also like ConCom's comments on it and the standing water.

Chip asked about the location of the transformers being right across the roadway and in front of the building - why. Dellacava said the locations were dictated by WMGLD. Chip asked them to push back. Dellacava said he will look into it and they will also be covered with landscaping. Chip said they will not fully be covered and they have been down this road before.

Tom asked if this Board needed to wait for ConCom conditions to move forward. Brian explained the meetings will run in conjunction with each other.

Dave asked how the Performance Standards were calculated – Dellacava said he came up with the calculations based on national standards and the town engineer peer reviewed them.

Joe Pride – asked about the roof run-off.

Gregg reiterated making more retail/restaurant space to make it more inviting to the public.

Mike agrees with Gregg there should be more amenities to the Town.

Matt D’Amico said they are actively looking at more retail/restaurant space.

VHB is asking for a lot of information from CCF’s traffic consultant. They should be ready on October 13th to present traffic.

Tom Lucey said it would be helpful to know about the TAC meeting so that maybe some Board members could attend.

Joe pointed out that all the trucks bringing in fill during construction should be discussed with TAC.

Public Testimony:

None

Plans Presented:

- Power Point Presentation by Nick Dellacava (Site/Civil from Allen & Major)
- Site Development Plans, prepared by Allen & Major Associates, Inc. dated 9/1/21
- Response Memo from Allen & Major to the Town of Wakefield, dated 9/1/21
- Drainage Report, prepared by Allen & Major dated 8/3/21

Topics for the Next Hearing:

Traffic

Chip said they need to talk about massing

Chip moved to continue to 10/13, Ami Seconded the motion – all were in favor.

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

NEW HEARING:

(22-8) 60 AUDUBON ROAD - VCA WAKEFIELD ANIMAL HOSPITAL

Purpose: Variance to allow Signage

Attendees: Ed Batten from Batten Brothers Signs and Sarah Norton from VCA

Discussions:

Ed presented the proposed signage.

The signage is facing the Route 95, unless you were driving down Audubon Road you would not know that the business is there, they would like more exposure.

Ms. Norton explained how they moved from a location near the lake which was on the highway, they now have no exposure. It is important for pet emergencies and the business.

Jim explained how he met with them and pointed out the sign regulations.
Ed said they are looking to expand the regulations.

Ms. Norton said if the sign were any smaller it could not be read.

Jim said it is bigger because it has two lines of text which makes it 4.5 ft. and that is not allowed.
The signs are also back lit but there are regulations as to when they can be lit.

The Board needs a site plan to determine how long and big the building is to be able to determine how much signage is allowed and what the proper relief will be, they also want to make sure that the proper relief is being requested.

Information Needed for the Next Hearing:

- Length of the property along the property frontage
- It has to do with total signage including theirs and the other tenant's signage.
- Measurement of all the existing signage, including freestanding/monument signage.

Public Testimony:

None

Plans Presented:

- Neighborhood buildings with backlit signs
- Visibility on Main Street Vs. Audubon Road
- Proposed and existing signage elevations, prepared by Superior Electrical Advertising

Chip moved to continue to 9/22

Ami 2nd

All in favor

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

NEW HEARING:

(22-9) 134 WATER STREET – I.D. SIGN GROU, INC (FOR SHAWS SUPERMARKET)

Purpose: Variance to allow Signage

Attendees: ID Sign Group – Jamie Fisher – South Eastern Mass

Discussions:

They would like to install a roundel to the front of the supermarket to inform customers of their Drive-up and Go service.

Jim feels this is a pedestrian sign

Tom does not see any adverse effects of this sign.

Dave feels it looks out of place.

Gregg does not care about company standards.

The Board feels it should be a pedestrian sign and at eye level

Joe agrees it is out of place where they want to place it.

The Board agreed that it should be in the inset panel.

Jamie asked if they could move forward with the agreement that it be put in that space.

Gregg wants to see a new drawing.

Public Testimony:

Bronwyn Della-Volpe – 8 Cyrus Street - she lives across from Shaw's, she appreciates the Board's thoughts on moving the sign down. The light pollution is very bad and adding more light would not make her happy. The area glows. She feels a new mock-up and a digital image that would be great.

Plans Presented:

- Cut sheet of materials, colors and size of sign, prepared by i.d. Sign Group Inc., dated 4/30/21

Jamie will check with the corporate office and get new renderings, and be able to make an electronic presentation at the next hearing. He also agreed to give this Board the new renderings on Friday September 17th.

Chip moved to continue to 9/22

Ami seconded the motion and all were in favor.

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

OTHER MATTERS:

(19-71) 1188 MAIN STREET – SOLIMINE REALTY TRUST

Purpose: Request for a minor modification on a decision filed September 3, 2019

Present: Paul Vieira (contractor) represented the Solimine's

Discussion:

At the last hearing the Board wanted plans from Mr. Vieira explaining exactly what had been changed from what they had previously approved.

Mr. Vieira presented plans and explained that most of the changes are either eliminating windows or moving them and adding transient windows over the top floor windows, also, some doors were moved over.

Dave pointed out that the date of the plan stayed the same but the plans have been updated.

There was a lot of discussion from the Board because these plans were changed by Mr. Vieira using the plans that were prepared by Phoenix Architects.

Chip said he understands what the changes are and it is pretty clear.

Mr. Viera explained the multiple plans that have been submitted over the course of the past few years because the architect and homeowner kept changing the plans and the building department asked for the plans that the Board had approved in 2019.

In the end the Board felt they needed something from Peter Sandorse certifying that these are the correct plans with these minor modifications.

Chip asked if Jim could go to the Building Department and look at what was given out for a building permit and Peter should be comfortable with these changes.

The Board thinks they should check with Peter to make sure he is ok with the plans and see if he will stamp them.

Plans Presented:

- Narrative for proposed changes, prepared by Contemporary Contracting, Inc., dated 9/2/21
- Proposed and existing floor plans and elevations prepared by Phoenix Architects and updated by Contemporary Contracting, Inc., dated 3-18-21

Chip moved to continue to September 22, 2021 and Ami seconded the motion – all were in favor

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

OTHER MATTERS:

(21-16) 101 CEDAR STREET – MICAH CANESTARO, TRUSTEE – MINOR MODIFICATIONS

Micah Canestaro (owner of the property, represented himself.

As Mr. Canestaro ran through his proposed changes and the Board looked at elevations, floor plans and materials they discovered that this was more than just a minor modification.

Some of the changes were as follows:

- Remove awning over back stairs
- Remove railing around roof
- Remove deck in the front
- Remove rear deck
- Materials have significantly changed

Chip does not think these are minor modifications by any means. All the quality of materials and architectural changes do not make it minor. These modifications have cheapened the project. And if it came to the Board like this they would not have approved this. Also, the landscaping and other aspects of the project have to be presented.

Dave agrees the whole quality and look of the building have changed.

Joe agrees the vinyl siding cheapens it.

Jim feels it is a stretch beyond what they approved.

Tom said by definition this is not a minor modification.

Gregg said once the materials were changed on the whole entire building it is not a minor modification.

Dave said he will have to reapply for a modification to the previous granted relief it would have to be a new application.

If he makes fewer changes (not with materials) it may be taken into consideration that it would be a minor modification.

Public Testimony:

David Ferrick - 269 Albion Street, Mr. Ferrick is the direct abutter and said he will hold his comments until he sees what Micha is going to do.

Chip wants a site plan to see where landscaping would go in place of stair cases.

Dave suggested bringing materials to the building department for review by this Board as an option.

Dave also made Mr. Canestaro aware that he will have to decide himself how far he wants to go with this, moving a window or a door around is one thing but changing the whole look of the building and the materials from what the Board had approved is more than minor and he would have to file a new application.

MEETING MINUTES

Wednesday, September 8, 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 7:06 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

APPROVED MINUTES:

Chip moved to approve the minutes of August 18, 2021 as written.

Ami seconded

All were in favor

The meeting adjourned at 11:16 pm