



# TOWN OF WAKEFIELD

BOARD OF APPEALS

## MEETING MINUTES

Wednesday, October 13, 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:

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

Request from Attorney Brian McGrail to continue the hearing until October 27, 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.

Regular voting members unanimously voted to approve the request.



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### **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), Steve DeFuria, James Emmanuel (landscape architect)

### **Discussion:**

The subcommittee (Jim & Ami) has met with the petitioner twice since the last hearing.

One of the goals was to not lose any parking spaces, they have reduced the massing on the 4<sup>th</sup> floor level and they will lose 2 additional units. They are down to 40 units. The parking count stays at 70. The requirement is 62.5 spaces.

Peter Sandorse presented a 3D massing and how it changed the 4<sup>th</sup> floor. Floor plans are similar as before, but some of the 4<sup>th</sup> floor units have been pushed back with some community deck space.

The right side of the building will show a lot of the exposed foundation. Jim Emmanuel (landscape architect) presented his ideas on how to mask the slope and topography with

different landscaping and a series of terraces/wing walls and 3 foot retaining walls. It will create structure and organization to the space.

More shrubs, plantings and trees around the building were presented.

Jim said they have had at least 8 meetings over time to address concerns from neighbors and the Board. He feels it has stepped into the neighborhood. They have also addressed TAC concerns to the point that TAC does not have any more concerns. Jim feels that street trees will be nice if they can be added. He personally feels comfortable to where they are now. There is plenty of resident parking and guest parking. No guest parking will come off of Crescent Hill. He feels they have made progress and it is up to this Board to make a decision where they go from here.

Ami still does not like the location and size of the building. But she is comfortable that TAC has no concerns.

Ezra feels that the subcommittee has worked very hard to get it to this point and a clean set of plans should be presented. And his hope is that these plans present things like a cross-walk and street trees and other items that have been discussed in previous hearings all put on the plans.

Tom said he thinks this has come a long way and appreciates what the applicant has done but he is still struggling with the mass like Ami is. Jim explained the reasons why for him it fits in better, it is the turn of the century building.

Chip would like to see it move forward at this point, thanks to all the subcommittee's hard work and Gregg feels comfortable moving it forward at this point.

Dave appreciates all the work to try to find common ground and appreciates all the hard work of the applicant and the subcommittee. Dave does not feel it is an unsafe project and understands the neighbors' point of view, but they are put in a hard spot being a 40B.

Brian suggested going back to the subcommittee to make the plans more detailed, go over materials, transformer location and bring them back to the Board.

Jim wants to follow through with the detail in the sections of the building to make sure they get the character of the building.

Ezra asked Brian if he would submit waivers, since the building units have been reduced. Ezra feels that Mass Housing should be notified of the reduction and changes in the plans. Brian said their 40B consultant will certainly do that.

Brian said he will be working with Bill Renault on the Engineering changes to be put on the plans.

### **Public Testimony:**

Joe Boccelli – 31 Cedar St – North Reading – He wanted the neighbors to know that his mother and grandfather owned the homes on Crescent St, he is not a fly by night developer. He is from the Town and cares.

Bronwyn Della-Volpe – 8 Cyrus Street – she thanked the Board and subcommittee – Jim & Ami. She does not recall this Board really rustling with a project as much with this one. She disagrees that this building is a turn of the century building, it does not fit in. This is an abuse of a 40B.

Katie Kulaga – 9 Crescent Hill – She said it is too bad Mr. Boccelli does not see all the trash and rats the property brings in. She is not confident that trash removal will be adequate. Brian said the trash removal will be in the O&M Plan.

**Plans Presented:**

- Landscape Plan, prepared by James K. Emmanuel, dated October 4, 2021
- Massing, proposed Floor Plans and Elevations Plans, prepared by Phoenix Architects, dated October 13, 2021
- Memo from VHB Matt Kealey to Lt. Joseph Anderson, dated September 8, 2021

The subcommittee will plan on meeting one more time before coming back October 27<sup>th</sup>, but Chip feels that is not long enough – they will need more time.

Ezra feels that more time is needed to make a more complete package to present to the Board. The Board agreed and Brian suggested extending the public hearing until the end of December.

Dave made a motion to extend the time for the Board to conduct the public hearing for this Comprehensive Permit application from November 30, 2021 to December 31, 2021 and the Board will also have forty (40) days after the termination of the public hearing to render a decision.

Ami seconded the motion – All were in favor

Chip moved to continue the hearing to November 17, 2021

Ami seconded the motion - All were in favor

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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:** Brian McGrail, Matt D'Amico

### **Discussion:**

Attorney McGrail said that they have a TAC meeting 11/5 either 8 or 8:30 am.

The results of the traffic meeting will be discussed at the 11/17 hearing.

Brian said they have agreed to expand the café to a full size restaurant that will serve the residents and public and they are also reducing the number of residential units.

There will be an adjustment to the plans and they will give the adjusted plans to TAC so they can have their hearing on the correct number of units and the restaurant. Erin Kokinda has been speaking and working with them and is in full agreement with this.

Chip is glad they are looking into more commercial space.

Dave made the Board and petitioner aware of memo's that came in today from the abutter at 100 Quannapowitt Pkwy.

**Public Testimony:**

None

**Plans Presented:**

- Letter from Bayside Engineering, Inc., dated October 12, 2021
- Letter (previously submitted) from RJ Kelly, dated June 22, 2021

**Topics for the Next Hearing:**

Traffic

Updated Plans

Chip moved to continue to November 17th, Ami Seconded the motion – all were in favor.

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### **CONTINUED HEARING:**

#### **(22-10) 34 PAON BLVD – NICOLE MCSHANE**

**Purpose:** Special Permit for an accessory apartment

**Attendees:** Gary Lopresti, (contractor), Nicole McShane

### **Discussions:**

At the last hearing Chip notified Mr. Lopresti that he has to present square footage of the house vs. the sq. footage of what the apartment will be.

Mr. Lopresti presented the plans from the last hearing and also had hand written calculations of square footage – the Board said that is not acceptable. They need a plan certified and stamped by a professional, not calculated from measurements that Mr. Lopresti came up with.

Also, Dave pointed out that new information should be shared the Friday before the hearing with the Board.

### **Public Testimony:**

None

Chip moved to continue to October 27th

Ami 2<sup>nd</sup>

Chip, Ami, Jim, Joe, Dave all in favor



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### **New Hearing:**

**(22-13) 2 SUGAR HILL LANE - ADITYA BONDAL, PUNAM DIVADKAR, ANIL SINGH, DEBASHREE MUKHERJI**

**Purpose:** Variance to allow a deck

**Attendees:** Attorney Brian McGrail, Aditya Bondal, Punam Divadkar, Anil Singh, Debashree Mukherji

This is a two family dwelling – a condominium and the petitioners all own the property.

Brian presented the site plan prepared by Paul Finocchio.

They are seeking a variance to put a deck on the rear. This property has lot shape and topography hardships.

The right side and rear is where the deficiencies are.

A letter of support from the direct abutters on Vernon Street was presented.

Jim said about 50% of the backyard is asphalt and asked what would happen to that. Brian said the deck will be above it. Jim was worried that it would take away access.

Mr. Bondal presented exactly how the access to the garage would work in relation to the deck.

Town Correspondence were read into the record

No objection/jurisdiction or concerns

**Public Testimony:**

None

**Plans Presented:**

- Letter from direct abutters
- Plot Plan prepared by PJF Associates, dated 9/21/21

Chip moved to grant the variance to allow the deck to be built as presented by the plan prepared by PJF and Associates, dated January 20, 2021 and revised on 9/21/21.

Ami seconded the motion

Reg. voting members – Dave, Jim, Chip, Ami, Joe all were in favor

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Ami read the Legal Notice

### **New Hearing:**

#### **(22-14, 22-15) 6 NELLY STREET – NELLY STREET NOMINEE TRUST**

**Purpose:** Special Permit and Variance for a Conversion of a Two-Family Dwelling into a Three-Family Dwelling

**Attendees:** Attorney Brian McGrail, Dr. Maid Pourshadi (owner of the trust)

### **Discussion:**

The property has been used as a 3 family dwelling, Brian has gone back to see how it became a three family and could not find anything. He did present some Assessors records.

He is asking for a Special Permit to convert from a two family dwelling into a 3 family dwelling and extend the 3<sup>rd</sup> floor to make it more functional.

Brian presented the floor plans and elevations.  
They will build over the second floor.

There is plenty of parking.

They also need a variance from the requirements of 190-32G. Lot requirement of 13,000, the lot is 5,451 sq. ft. Each dwelling unit should be 650 sq. feet, Brian will breakdown the individual unit sizes on the plans.

Comments from Town Boards –

DPW – No comments at this time

Conservation – Will not require further review

Fire Dept – See Letter dated 9/4/21

Mike Feely – he would like more information on the parking. Can there be some evidence from an architect on how many spaces are there now and confirmation on how it works. Brian said he will confirm that.

The Board would also like to see the sq. footage of each apartment on the plans.

### **Public Testimony**

None

### **Plans Presented:**

- Mortgage Plot Plan, prepared by Gary Laurie, dated 12/22/20
- Existing and Proposed Floor Plans, prepared by MDJ Incorporated, dated 8/24/21

Brian requested to continue to 11/17 to have adequate time to update the plans and present a proper plot plan.

Chip moved to continue to November 17, 2021

Ami seconded the motion - All in favor – reg. voting members – Dave, Chip, Jim, Ami, Joe

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### **New Hearing:**

**(22-16, 22-17, 22-18, 22-19) – 347 MAIN STREET, 357 MAIN STREET, 348-350 MAIN STREET AND 3 CHESTNUT STREET – THE SAVINGS BANK**

**Purpose:** Special Permits and a Determination and/or Finding to Construct an Addition onto an Existing Bank

**Attendees:** Attorney Brian McGrail, Bob DiBella (president of the bank), Samantha Veldhu, Peter Ogren of Hayes Engineering, Tom Galvin (architect), James Emmanuel (landscape architect)

The bank bought the building in back of their property.

Some of this project required getting a zoning change at town meeting. (190-31L – new bylaw)  
Part of the process included defining a bank and bank building. (See definitions in by-law)

The site plan was presented.

The proposal consists of razing the old Hartshorne building and building an addition onto the bank and also making the Odd Fellow Building all one building – it is now considered as two lots but it is connected.

The addition will be pulled away from the abutter.

The direct abutter is in favor and has participated in the planning of the addition. They have proposed taking out the shrubs and roots and installing a fence. Jim Emmanuel will be the landscaping architect.

They do not have to go to the Planning Board because it is all in one ownership. They will do a parameter plan.

Brian presented the Zoning Table and requested relief.

The employees have their own parking – they lease spaces plus they own spaces across the street in a lot.

Tom Galvin is the architect – 28 Grafton Street – Tom presented and explained the addition. It will be approx. 2,800 sq. feet. It will be used for a new commercial lending and HR space.

The same window characteristics will be used as the main branch. They are blending in seamlessly to the old building. They will salvage the slate roof.

Chip asked why the crown molding of the old building wasn't carried over to the new building. Galvin explained that they wanted to expand the windows.

Jim asked why he didn't return the brick around the corner along the alleyway. Galvin explained that with the fence and landscaping it will not really be noticed. Jim asked if there was any signage on the new building, Galvin said at most it will be lettering on the door stating it is the lending department. Jim pointed out they are in the sign overlay district and it will have to go to the DRB.

Materials were presented.

There will be mechanical units on the roof that will be screened.

Chip asked if they had a spec on sound, Galvin said there is a 6 ft. parapet around the top so it should not disrupt the neighbors. Chip suggested a sound attenuation package. Galvin will look into that.

Jim Emmanuel presented his landscape plan.

Jim McBain asked how much light the plantings would get in the alleyway.

Chip asked if the landscaping would be irrigated – Jim Emmanuel said yes on the Savings Bank side of the property.

Dave said he would like it noted on the plan.

Brian said they met with the Town Engineer and they will remove and replace some of the sidewalk because of grading.

There will be no lighting except under the canopy.

**Public Testimony:**

None

The only issue that Mike F. and Tom L. had was the parking.

Bob DiBella said there will be a total of 18 employees to the site, but many work remotely and hybrid. They lease spaces from Jack Palano, The Wakefield Item, and McDonalds Funeral Home. Brian pointed out that the previous owner Hartshorne Insurance had employees that they brought downtown.

1. Chip moved to Find that the proposed changes to any preexisting changes are not more detrimental to the neighborhood.

Ami seconded the motion

Amended motion –

All motions are according to the following plans presented tonight:

- Existing and Proposed Site Plans prepared by Hayes Engineering, dated 10/7/21
- Architectural plans prepared by LYFarhitects, dated 9/9/21
- Landscape Plan, prepared by James Emmanuel
- Materials Package, prepared by Lagrasse Yanowitz & Feyl

Ami seconded the amended motion – all were in favor

Chip, Ami, Joe, Dave, Jim

2. Chip moved to grant the Special Permit and Site Plan Approval to allow the reduction of floor area ratio (FAR), maximum building coverage, minimum open area and front yard setback requirements of Table 2 (Table of Dimensional Regulations).

With the following conditions -

- Note on plan for irrigation
- Retain jurisdiction on signage

Ami seconded the motion – all were in favor

Chip, Ami, Joe, Dave, Jim

3. Chip made a motion to grant the Special Permit pursuant to Article VII, Section 190-36C to allow the reductions in the requirements and/or standards for off street parking and loading.

Ami seconded the motion – all were in favor

Chip, Ami, Joe, Dave, Jim

4. Chip made a motion to grant the Special Permit pursuant to Article VII, Section 190-37A to allow off street parking areas to be provided on another lot in the same ownership as the principal use.

Ami seconded the motion – all were in favor  
Chip, Ami, Joe, Dave, Jim



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Ami read the Legal Notice

### **OTHER MATTERS:**

#### **(21-29 to 21-31) - 500 MAIN STREET – MBAR WAKEFIELD, LLC (SANTANDER BANK)**

**Attendees:** Brian McGrail, Bob Santonelli, Tom Chiudina (architect)

Attorney McGrail explained that they are in the process of starting the project but some of the materials are not available. They are looking to replace some of them.

Mr. Chiudina presented what was originally identified as metal panel's item number 3 and 4, on the plans. The metal ran along the band on the top of the building down the side of the building, as well as a section in the front of the building. They would like to change to an EIFS which is readily available. This is going from metal to synthetic stucco.

Bob Santonelli said he has a sample that could be dropped off at the building department. The Board is not on board with stucco. They believe that other kinds of metal material can be accessed.

Mr. Chiudina said it is a common swap on other banks. The color is almost the same. But Chip pointed out that metal and EIFS material is very different.

The samples will be dropped off at the Building Department for the Board to look at. But Board members still do not think they will approve of it.

**Plans Presented:**

- Exterior Elevations Sheets# -201 & A-202, prepared by DRL Architects PC, dated 9/27/21

Chip made a motion to continue to October 27<sup>th</sup>.

Ami seconded and all regular voting members approved.

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### **OTHER MATTERS:**

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

**Attendees:** Attorney Brian McGrail & Micah Canestaro (owner of the property)

Attorney McGrail presented the changes that Mr. Canestaro would like to make to the previously approved Decision of January, 2021. They feel they are minor modifications.

1. Stone – from Southern Ledge Stone to American Granite – the granite is a better product. The stone is on the front entrance and the basement entrance. Board wants delineation on the plan between clapboard and stone.
2. Added another front door for an entrance and eliminated the top deck with the slider and added a bay window. Micah said he assures the Board that it will be the same front door as the door next to it.
3. Get rid of side entrance and going from 4 to 3 windows.
4. Removed back staircase and adding a bay window. Adding a bay window on top floor and got rid of a door; added a door for the bottom unit.
5. Right hand side of the house lower level will change what was approved but will keep the windows; adding a double window on 2<sup>nd</sup> level and a smaller window for a bathroom.
6. They will stick with the Hardie Clapboard

7. Micah said he is in agreement with putting the railing on the top back deck.
8. Weatherproof trash barrel unit
9. Landscape plan was updated.
10. Need specs on entry door and windows.

Gregg and Dave discussed if all these changes are just minor modifications?

To Chip it is the presentation that is haphazard.

Brian suggested that they take another shot at a better presentation and work with the architect.

Chip made a motion to continue to October 27<sup>th</sup>.  
Ami seconded and all regular voting members approved.

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### **OTHER MATTERS:**

#### **465 WATER STREET – AT&T**

Kimberly Revak is the agent from Centerline Communications & American Tower

AT&T would like to improve cell service in this area

All antennas will be concealed inside the existing tower.

The ground equipment will be placed inside the current cabinet. A small generator will be added and a small fence will be added.

Dave made a motion that adding three antennas and six remote radio heads within the existing flagpole and adding a walk-in cabinet and generator on a concrete pad within the existing fenced compound is in accordance with the plans prepared by NB+C dated July 23, 2021. This satisfied the standards for an "eligible facilities request" in accordance with §6409 of the Middle Class Tax Relief and Job Act of 2012. At the location of 465 Water Street.

Chip so moved

Ami seconded

All Regular Voting Members were in favor.

Dave, Chip, Jim, Ami, Joe

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### **APPROVED MINUTES:**

Chip moved to approve the minutes of September 22, 2021, Dave pointed out an error that had to be fixed. Gail will fix the error and e-mail the Board the updated minutes for approval.

Ami seconded

All were in favor

The meeting adjourned at 11:19 pm