



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, November 17, 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 7:01 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 December 15, 2021. They have recently met with ZBA member Jim McBain and are now in the process of finalizing the plans for submittal.

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

Regular voting members unanimously voted to approve the request - Dave, Chip, Ami, Jim, Joe



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Ami read the Legal Notice

REQUEST TO CONTINUE:

(22-10) 34 PAON BLVD – NICOLE MCSHANE

Request from Nicole McShane to continue the hearing until December 15, 2021. They have contacted an attorney and are also waiting on architectural drawings to submit to the Board. Chip made a motion to continue the hearing, Ami seconded.

Regular voting members unanimously voted to approve the request - Dave, Chip, Ami, Jim, Joe

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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 January 26, 2022, pursuant to discussions with the Building Inspector and Town Counsel, they have submitted new applications with the Board, which if approved would entirely resolve this matter currently before 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 until February 28, 2022.

Chip moved to continue and extend the time and Ami seconded the motion, the Board unanimously approved the requests – Regular voting members – Dave, Chip, Ami, Jim, Joe

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REQUEST TO WITHDRAW:

(22-21, 22-22, 22-23, 22-24 and 22-25) - 356 LOWELL STREET – NOURIA ENERGY CORPORATION

Request from Attorney McGrail on behalf of his client, Nouria Energy Corporation, to respectfully request that the Board of Appeals allow all of the above referenced pending applications for variances, determinations and/or findings, special permits and site plan approval be withdrawn without prejudice at this time.

Chip made a motion to allow the withdrawal without prejudice.

Ami seconded the motion.

Voting members – Dave, Chip, Ami, Jim, Joe

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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, Joe Boccelli

Discussion:

Attorney McGrail explained - they have continued to work with the subcommittee and the consultant.

They have met with Peter Sandorse, they have gone over colors and materials and it is all a work in progress at this time. The developers agreed to use Hardi Plank Siding.

The project has been reduced to 40 units.

The subcommittee would like some cross sections and more detail done before it is all presented to this Board.

The consultant – Ezra Glenn suggested that a working draft of conditions be prepared and reviewed by the Board.

Those conditions have been prepared and were discussed:

Dave and Gregg want to look at other 40B project conditions to make sure they have captured everything.

Gregg wants to look at the waivers.

Gregg also feels that they could provide a construction schedule and always come back to change it. Brian suggested putting together a timeframe schedule but without dates.

Jim feels that they need to put together a time frame of where construction vehicles will park and when deliveries can be made.

Ami would like them to add in afterhours work and how would the neighbors be notified of afterhours working and what is allowed and not allowed. Brian agrees that some type of notice should be given out when work is being done on weekends and off hours. Another way is to notify on the website and send out messages.

The Board discussed delivery hours, Ami suggested asking Police and Fire if particular times are better.

Brian requested from the Board that the time to close the public meeting be extended to January 21, 2022.

Public Testimony

None

Plans Presented:

- Working Draft Conditions

Chip made a motion to extend the public hearing to January 21, 2022 and Ami 2nd.

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

Chip made a motion to continue the hearing to December 15, 2021

Ami 2nd

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

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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, Scott Thornton, Jay Doherty

Discussion:

Attorney McGrail presented an overview - the residential units are down to 440 and the café has become a full sized restaurant.

They are prepared to present the new plans at the next hearing; tonight they would like to discuss traffic.

They have been to the traffic advisory committee twice, they have met with the Town Engineer several times. November 5th was the final TAC meeting.

Brian reminded the Board that in 2019 when the R&D project was approved a traffic study by VAI provided a trip generation and VHB was not concerned about an increase in traffic.

Scott Thornton from Vannesse and Associates presented his findings:
Residential units 440 units, restaurant space 2,750 sq. feet
Total required parking spaces is 696 total and the total they are providing is 729
Surplus of 33 spaces

Trip Generation Summary has a net change in vehicle trips -3. Compared to having 485 units vs. 440 units and a restaurant.

The trip generation comparison was -
Data Center Project vs. 440 unit's w/restaurant vs. 2019 office R&D project

The project will produce 228 more vehicle trips in and out than the previously approved research and development use, but would result in 92 fewer morning peak hour trips and 31 fewer evening peak hour trips.

The project will have a shuttle service to/from the commuter rail station and downtown, bicycle parking, work from home workspaces, electric vehicle charging stations.

Proposed improvements within the site are being proposed, and future traffic studies and possible improvements include North Ave at Wolcott Street and Linda Road (signal upgrade), and Quannapowitt Pkwy and Lowell Street for pedestrian improvements,
There will be an additional 33 new dedicated public parking spaces for lake visitors.

Jim questioned the fact that residents come and go all day and the restaurant compared to just office use, they come in the morning and leave in the evening. Scott feels that the critical times are still the morning and the evening hours.

Jim is concerned about people taking a left to go toward the rotary and how they will do that with people coming off the ramp from 128. Jim wonders if this should be "entry only". Scott feels they have an option to get on the highway by exiting on the North Ave side.

Tom asked how they leave this open, the Board would have to come up with a sum for a study to be done and that would have to be before the Board makes a decision on the project.

Tom asked how growth from 2010 was factored in. Tom Thornton said they look at 7 year projections. And several other factors.

Tom asked why they did not want to look at the North Avenue/Church Street intersection and could the lights be adjusted.

Tom asked how many cars are looked at from Wakefield vs. regional. Tom Thornton said that is hard to look at but probably 60% is from Wakefield the rest are vehicles coming through.

Tom Lucey says that this analysis says we do not have to upgrade the traffic lights on North Avenue and he feels they should understand the study at that location more. Scott said it was part of the study and looked at and showed it did not need an upgrade.

Gregg questioned slide 9 and asked how the data center of 2010 could be included in the study.

Gregg also does not agree with the 2019 comparison study.

Some of the questions the Board would like to get answers on:

How much money for a study and how would it be coordinated with the Town and the State

They would like to ask TAC and VHB about the study.

Public Testimony

None

Topics for the Next Hearing:

Traffic questions to TAC and VHB - Dave will reach out

Go through updated program and new plans

Chip wants to talk about the daily life of the 440 units and how the residents are being serviced.

Plans Presented:

- Traffic presentation prepared by Vanasse & Associates, Inc., dated November 17, 2021

Chip moved to continue to December 15, 2021

Ami seconded the motion – Regular voting members were in favor – Dave, Jim, Chip, Ami, Joe

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CONTINUED HEARING AND NEW HEARING:

(22-14, 22-15 & 22-26) 6 NELLY STREET – NELLY STREET NOMINEE TRUST

Purpose: Special Permit, Variance and a Determination and/or Finding 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:

This proposal was before this Board two hearings ago to convert from a two-family dwelling to a three-family dwelling.

The Board was satisfied but wanted more clarification of the square footage of each unit. And there was a request that the parking area be shown on the plan that 6 cars could park on the property.

Another application was filed for a determination and/or finding because it is an undersized lot and also because there is an addition on the third floor, this relief will give belts and suspenders.

The sq. footage of each apartment is as follows:

- 1st floor 815 sq. feet
- 2nd floor 835 sq. feet
- 3rd floor 677 sq. feet

Public Testimony:

None

Plans Presented:

- Architectural Plans, Site Plan, Floor Plans, Structural Plans, prepared by MDJ Incorporated, dated November 8, 2021.

Chip made a motion to find that the 3rd floor addition as presented on the plans by MDJ Incorporated, dated 11/8/2021, although it increases the non-conformity it is not more detrimental to the neighborhood

Ami second the motion

All were in favor - Regular voting members – Dave, Chip, Jim, Ami, Joe

Chip moved to grant the variance based on square footage and other lot size and requirements as needed including increasing the volume of the structure according to the same plans as presented.

Ami seconded the motion

All were in favor – Regular voting members – Dave, Chip, Jim, Ami, Joe

Chip made a motion to grant the special permit to convert a two-family at 6 Nelly Street to a three-family dwelling as presented here tonight according to the same plans mentioned above.

Ami seconded the motion

All were in favor – Regular voting members – Dave, Chip, Jim, Ami, Joe

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OTHER MATTERS:

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

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

At the last hearing the Board did not want Efis so Bob Santonelli dropped off samples of materials to the Building Department for review.

The accent color is not a perfect match, but the silver is a perfect match.

Jim suggested the lighter color be used for both bands.

Ami agrees that they need to be the same color

They agreed on the omega panel and the color is bright silver the exact name is on the back of the sample.

The Board agreed

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OTHER MATTERS:

101 Cedar Street – Micah Canestaro

Present - Attorney McGrail, Micah Canestaro, John Crowell (architect)

Micah hired a new architect and had much better plans to present tonight which showed all the changes that have been made compared to the elevations that were previously approved by the Board.

Brain presented every update – mostly window and door changes.

The landscape plan was presented.

Chip and Jim would like a larger planting against the bland wall. They will look at it when they go out.

1. A letter and updated plans to the Building Department explaining the minor modification will be done.
2. Sheet A-1 will be corrected (interior stair case)
3. Chip wants a spec on the pavers on the plan - 3 piece paver

John Crowell will put his name on the plans and also include paver specs on the materials plan.

Chip made a motion to approve the changes as a minor modifications as presented tonight and allow the Chair to write a letter to the Building Inspector once the plans are updated.

Tom seconded the motion

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

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APPROVED MINUTES:

Chip moved to approve the minutes of October 27, 2021,

Ami seconded the motion

All were in favor

The meeting adjourned at 9:58 pm