



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, March 9, 2022 – 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

AMI WALL, CLERK

JAMES H. MCBAIN

JOSEPH PRIDE

CHARLES L. TARBELL, JR.

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Ami Wall

REQUEST FOR CONTINUANCE:

(22-36) 259 VERNON STREET – DEREK & KRISTA POPEK

A request was made by Derek Popek to continue until March 23, 2022.

Chip made a motion to allow the Popek's to continue and Ami seconded the motion.

Voting members - Chip, Dave, Jim, Joe, and Ami – all were in favor



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REQUEST TO WITHDRAW WITHOUT PREJUDICE:

(22-37 & 22-38) 10 CENTRAL STREET – BRIDIE TAMER

Purpose: Special Permit and Variance to add a second story addition and accessory apartment

Attendees: William Turville (architect), Bridie (owner of the property) & Christina Tamer

A request from Bridie Tamer to withdraw her petitions without prejudice.

Chip made a motion to allow the withdrawal without prejudice.

Ami seconded the motion

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

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CONTINUED HEARING:

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

Purpose: Special Permits to allow a 5 unit Mid-Rise or Garden Apartment Building with a Combination of other uses – (now reduced to 4 residential units and retail space)

Attendees: Attorney McGrail, Robert Paccione (architect), Steven Lee (site/civil engineer from Allen & Major) Saverio Fulciniti (property owner)

Discussions:

Attorney McGrail refreshed the Board on the updates to the plans, and he presented the elevations since the last hearing.

- Revisions to sound attenuation and roof screening are on the plans
- Engineering pipes area being relocated
- WMGLD changes have been updated
- It was noted that one unit will be affordable
- Lighting above the garage door and vestibule is shown and specked

Steve Lee said he has been going back and forth with the Towns Engineer and included all their requirements on the plans.

They asked for conditions in the decision.

Chip reminded Brian that the more they put on the plans the less conditions in the decision there will be.

Greg asked what kind of system the lighting would run on in the garage, will it be a switch or on sensors? Rob Paccione said they will be on sensors.

Greg also asked if the trash would have an enclosure – Rob said no they will be in the corner and rolled out but will be behind the door.

The plans only show one meter on the building but they agreed that there are probably 6 meters.

OUTSTANDING ITEMS

- O&M Plan will be presented
- Draft conditions
- Meter locations
- Final plans with Engineering requirements on them

Updated Site/Civil & Drainage Study need to be put in the file (no one could open the pdf file)

Public Testimony:

Bronwyn Della-Volpe-8 Cyrus Street

Are they asking for parking relief? Attorney McGrail said no – there are 7 parking spaces. Are there renderings of exactly what this would look like? Why does this have to be 3 stories? Jim pointed out the reason for 3 stories is for parking below.

Dominic & Lindsey Magnarelli – 103-105 Water Street – Lindsey, this project is too large for this property. It is too tall and will block out the sunlight on her property. The A/C units will make too much noise. The Chinese restaurant has fans on the roof and they lost a tenant because of that noise – they will be surrounded by noise.

The store will take up too much parking.

Dominic – He agrees that the building is better than where it started but still thinks it is too large. He is concerned about a retaining wall and water coming onto his property if it is removed.

Mr. Lee said the portion of the wall in the back of the property is on their own property and will come down and will be graded, it is only a foot of the wall that will be removed.

Mr. Magnarelli said he would like the front part of the wall taken out also and graded.

Brian suggested that they all meet on the site and discuss the concerns.

Jim said they should discuss planting along the edge when they meet and the plantings should be on the plan.

Chip moved to continue to 3/23

Ami 2nd

Voting Members – Dave, Chip, Jim, Ami, Joe - All 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. (Now at 440 Units with a restaurant)

Attendees: Attorney Brian McGrail, Matt D'Amico

Discussions:

Attorney McGrail said they have nothing to present tonight, he and Matt D'Amico just want to update the Board on what has taken place since the last hearing.

They had a meeting with Jim McBain regarding adjustments and changes to the side of the building facing the highway.

Jim requested that they detail all sides of the building and they are in the process of detailing the many cross sections of the building.

They are in the process of working with the towns Engineering Department and have had a meeting with Chair Hatfield to go over conditions which are so involved they will have Town Counsel be involved because the conditions are so involved.

Brian requested to extend and continue the hearing for two weeks

Jim confirmed they did not have architecture elevations of all of the buildings. The ends of the buildings are not detailed in the previous elevations/plans that were presented.

Greg said one of the major things not discussed is increasing the amenity section of the main courtyard.

Chip moved to continue to 3/23

Ami 2nd

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NEW HEARING:

596 NORTH AVENUE – o NORTH AVE WAKEFIELD, LLC

Purpose: Comprehensive Permit to Allow a 38-Unit Residential Dwelling

Attendees: Attorney Jesse Schomer (Legal Team), Dana Lopez and Raymond Nickerson (Property Owners), Peter Sandorse and Andrew Jones (Architects), Elliot Brundage (Landscape Design), Chris Sparages (Civil Engineer), Scott Thornton (Traffic/Safety)

Joe Pride recused himself – Chair Hatfield put him in the zoom waiting room

Attorney Schomer presented an overview of the project:

- 38 units – 4 stories, all residential
- Parking in the rear and side of the dwelling
- 21-1-bedroom units
- 13- 2-bedroom units
- 4-3 bedroom units
- 58 parking spaces
- 25% will be dedicated to eligible residents but because they are rental units all 38 units will count as affordable and count toward the towns 10% requirement.

Andrew Jones of Phoenix Architect presented an overview of the architecture, elevations, materials and floor plans.

- 8 units on 1st floor
- 10 units on 2nd floor
- 10 units on 3rd floor
- 10 units on 4th floor

Chip made the comment that because Phoenix does a lot of work in Town a lot of these buildings are looking the same. It may be a good thing but it is something for this Board to think about.

Elliott Brundage of Elliott Brundage, RLA presented the landscape plan and he explained that they are trying to create continuity with 598 and 600 North Ave and continue the green space and lawn that exists to link together the 3 buildings.

Chris Sparages of Williams and Sparages, LLC presented the site

- The parcel is a little over 5 acres of land
- About an acre of upland and 2+ acres of wetlands, they are only developing about 1 acre of the property
- Parking spaces were presented – 1.53 spaces/unit; 57 required, they are providing 58
- They are proposing to install a sidewalk in front of their building on North Ave
- They are meeting with Bill Renault the Town Engineer regarding his concerns about deficiencies in the sewer system.
- They will be filing a Notice of Intent with the Conservation Commission
- 8 street pole lights are shown in the parking lot
- Snow storage units were provided and if they get filled up snow will be removed.

Chip asked if the building could be moved back a little.

Chris said because of the uplands the Conservation likes to keep it 25 ft. away and it may be out of line with the other two apartment buildings. Chip is ok with that. He would like to give the front yard more breathing room.

Is there a way to get a few more parking spots, it would be beneficial.

Dave would like the team to add more parking spots for visitors and residents.

Jesse noted that it is up to this Board to be within the 25 foot buffer zone for uplands.

Jim feels more trees to the left of the building need to be added.

Chip would like to see if there are mature trees in the front to be kept. It is pretty swampy and what is there is in poor shape according to Elliott.

Scott Thornton from Vanasse & Associates, Inc. presented traffic study

Tom Lucy – asked if the count was taken in October when a lot of people were working at home at that time. Scott said they take that into account and there is a methodology with MAS DOT that they use.

Chip would like to know how the coordinated shuttle service with the other development is going to work.

Ami suggested having someone from ConCom come to a meeting.

Jesse explained that this board is the permit granting authority for a 40B project. Chip and Jim agree they would like to hear from ConCom.

Jim asked how the footprint of this building compares to the footprint of the two buildings. Chris gave an aerial view of all three buildings. Their building is a little smaller than 600 North Ave, but a little bigger than 598 North Ave. Jim said they need to look at the massing of building.

Greg said he went through the waivers and did not see that this Board had jurisdiction over ConCom. Jesse corrected himself.

Jesse agreed to have a ConCom agent attend the meeting.

Public Testimony:

Vinny DeBenedictis – 7 Wolcott Street – His concern is with the elevation of the building. The rise of the water table in the area. His backyard gets flooded up to 2 feet. How much pressure will it will put on the water and wetlands. Concerns about the culvert that is north of this property and 598 North Ave. It is also very difficult to take a left hand turn onto North Ave this will make it more difficult.

Rob & Nicole Doucette – 7 Fielding Street – Ms. Doucette is concerned with the height of the building. They purchased their house a year ago in the single residential district and feel it will affect their property value. She can look out her front door and see the lights from the two apartment buildings and can't image it being lit up even more than it is now. She is concerned about the parking. When the apartments on the lake are built it will be even worse. Her son cannot cross the street to his bus stop. Trash is a concern. At what point do they stop building in single residential neighborhoods – it is not fair.

Christine Vasapoli – 9 Wolcott Street – She gets water in her back yard also and is concerned about the over-flow that goes straight to her yard. She is concerned about light pollution.

Tyson Vasapoli – 9 Wolcott – please no facing balconies to maintain some privacy.

Lindsay & Jake Connolly – 2 Fielding Street - submitted a letter to the Board and agree with their neighbors' concerns. The privacy and height of the structure, the balconies, light pollution and the water table issue, they get water in their basement.

Next Hearing:

Chip pointed out that they should start with massing and have the team look at privacy of the neighbors and take the comments of the neighbors into account. Unlike the other two projects they are across the street from residential homes.

- Elevations
- Architecture
- Colors
- Jesse suggested included landscaping.

Chip move to continue to 3/23

Ami 2nd

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

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NEW HEARING:

(21-40) 21 MANSFIELD DRIVE – LYDIA CICCONE

Purpose: Special Permit for an Accessory Apartment Use

Attendees: Attorney Tim Doyle, Lydia Ciccone

They are here tonight asking for a Special Permit for an accessory apartment

Attorney Doyle presented a plot plan.

They are working within the footprint of the house.

Lydia will live in the lower level and her daughter will live in the unit above

Chip pointed out that the lot width was not correct and suggested they needed a variance. Another question came up because the square footage of the apartment is greater than the allowed 25% and they are wondering if this also needs a variance.

After some discussion it was confirmed that more relief was necessary and they needed to apply for two more variances.

Chip moved to continue to 4/27

Ami 2nd

Voting Members - Ami, Chip, Dave, Jim, Joe – all in favor

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NEW HEARING:

(22-41, 22-42) 1 UNION STREET – WAKEFIELD PERMANENT BUILDING COMMITTEE

Purpose: Special Permits to Allow the Proposed Renovations and Additions to the Public Safety Building

Attendees: Attorney Brian McGrail, Joseph Bertrand (Chair of Permanent Building Committee), Lynn Stapleton, Scott Woodward, Jan Slemenda (architect)

Chip Tarbell Recused himself – Tom Lucey will be a voting member

Discussions:

Attorney McGrail said they are looking for dimensional relief and relief from parking and loading. This property is in the Municipal District

Attorney McGrail presented a power point showing where the renovations and additions to the Wakefield Public Safety Building were proposed.

The last renovation was in 2003 and was integrated into the 1950's fire station.

This is a spin off which is part of the renovation of 2003.

Joe Bertrand presented the changes being proposed on the Civil Plan

- 3-story addition on Union Street
- An addition in the back of the building on Crescent Street
- New entry addition on Union Street

Some individuals are now working in closets.

A police officer will be present 24/7 to dispatch and readily be available to the public.

There will be minor work in the fire station, but the major work is for the police station.

Some landscaping is being done in the front of the building

The monument will be relocated, decorative light fixtures and flag pole will also be relocated and will be reused.

Jan Slemenda (from HKT Architects) presented the elevations

All the materials including masonry are being repeated so it will blend in and match what is there now.

Brian explained the municipal district – implemented into the bylaw in 2000 and approved by Town meeting.

This Board granted relief in 2001.

Brian presented the Zoning Table and pointed out what is required and provided.

Parking requirement in 2001 was 135 spaces, now it is 152 due to the large public safety meeting room.

They are losing 1 garage space and two outdoor parking spaces.

Some spaces are closer than 7 ½ ft. - they need relief for that

There will be 28 parking spaces; 19 in the garage, 2 in the sally port, 7 surface parking and there is also a number of parking spaces on Union Street in front of the building.

Joe Pride – asked what the total square footage of all the additions would be - the reply was a total 3,676 square feet.

Dave Hatfield said it is pretty straight forward and many of them have seen these plans from other Town Departments.

Other Town Boards have responded that they have no issues with this project.

Plans Presented:

- Existing Conditions Survey, prepared by WSP USA Inc, dated 1/14/22
- General Plan, prepared by HKT Architects Inc, dated 1/14/22
- Exterior Building Elevations, prepared by HKT Architects Inc., dated 1/14/22

Public Testimony:

Bronwyn Della-Volpe – 8 Cyrus Street

Ms. Della-Volpe asked when the site plan was first submitted. Brian said they were submitted to this Board 2/18/22. She asked Ms. Slemenda when the plans were finished. Ms. Slemenda said they have been working on these plans for many years. They have been developing and finalized them in 2021. Ms. Della-Volpe asked at what point during the process it was known that relief from the ZBA would be needed. Della-Volpe reminded Ms. Slemenda that she is very concerned about light pollution and requested Dark Sky lighting to be used.

Tom made a motion to move to grant a Special Permit according to the plans prepared by WSP Inc., dated, 1/14/22 to allow the variation of dimension relief which are applicable in the Municipal District.

The findings are:

- The use is essential and/or desirable to the public convenience or welfare;
- The use will not create or add to undue traffic congestion or unduly impair pedestrian safety;
- The use will not overload any public water, drainage or sewer system or any other municipal system for such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare;
- The use will not impair the integrity or character of the district or adjoin districts nor be detrimental to the public health, convenience or welfare; the use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.

Ami 2nd

Voting Members, Dave, Jim, Ami, Joe, Tom – all were in favor

Tom made a motion according to Section 190-36C to grant the Special Permit based on plans prepared by WSP and Architectural plans prepared by HKT, dated 1/14/22 to allow reductions in the requirements and/or standards for off street parking and loading.

Ami 2nd

Voting Members, Dave, Jim, Ami, Joe, Tom – all were in favor

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OTHER MATTERS:

- The Board voted to approve the 2021 Annual Report.

APPROVE MINUTES:

- Chip made a motion to approve the minutes of March 2, 2022.
Tom 2nd
All members were in favor

The hearing adjourned 10:36 p.m.