



# TOWN OF WAKEFIELD

BOARD OF APPEALS

## MEETING MINUTES

Wednesday, October 11, 2023 – 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 Thomas Lucey

### **In Attendance:**

THOMAS J. LUCEY, CHAIRMAN

JOSEPH PRIDE, CLERK

DAVID W. HATFIELD

JAMES H. MCBAIN

CHARLES L. TARBELL

KASUMI HUMPHRIES, ALTERNATE

### **Not Present:**

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Joseph Pride Read the Legal Notice

### **REQUEST TO CONTINUE:**

**(23-66, 23-67, 23-68) MEERA LLC & SKYGROUP INVESTMENTS, LLC – 1 AUDUBON ROAD**

A request from Attorney McGrail to continue this matter until the meeting on 12/13/23, 2023 in that the client is in the process of changing building designs at the corporate level, which they desire to utilize in Wakefield.

The current extension for the Board to render and/or file a decision is through 11/30/23, 2023. The applicant has agreed to extend the time for the Board to render and/or file any decisions until 1/31/24.

Chip moved to continue to December 13, 2023 and extend the time to render a decision until January 31, 2024.



Joe seconded

Voting members all in favor – Dave, Jim, Chip, Tom, Joe

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**REQUEST TO CONTINUE:**

**(23-77, 23-78, 23-79) NORTH EAST WAREHOUSE BOSTON, LLC**

A request from Attorney McGrail to continue this matter until the meeting on 12/13/23, in that we are still in the process of working on items requested by the Board.

The current extension for the Board to render and/or file a decision is through 11/30/23.

The applicant has agreed to extend the time for the Board to render and/or file any decisions until 1/24/24.

Chip moved to continue to December 13, 2023 and to allow an extension until January 24, 2024.

Joe seconded

Voting members all in favor – Dave, Jim, Chip, Tom, Joe

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### **CONTINUED HEARING:**

**(23-43, 23-44, 23-45, 23-46, 23-47, 23-48, 23-50) – 314, 330, 336 SALEM STREET – GRANITZ FAMILY TRUST, LLC.**

**Purpose:** Special Permits, Site Plan Approval, Variances to raze some of the structures and create three separate lots with a 19 unit mid-rise apartment building, a single-family dwelling.

**Attendees:** Brian McGrail, John Ogren, Jim Cook, Jim Mandel

### **Discussions:**

Brian explained they met with Mr. Tarbell and their engineering team and also the town engineer Bill Renault, Jim Emmanuel (landscape architect) was also at the meeting.

The concern was the way the wall and building is currently designed, the wall along Salem Street is somewhat high. They were looking at lowering the wall with a sloped landscape that will also hide the foundation. The latest renderings of the building were shown. Not much foundation will be visible.

Chip explained that after the last hearing he had concerns, he did not understand that the 3 ½ feet they said they could lower the building wasn't enough, but now he better understands all the culverts and pipes that are involved he is now satisfied. From the floor of the garage up to the underside of the deck is 8 feet of which is code for getting a handicap van in. The garage has to be slopped in such a way for the van. He feels they have done as much as they can do. But he was not satisfied with a 5 foot stone wall. They thought about how they could make it look less

intrusive. If some of the foundation was exposed and there was a pitch in the front the wall, the wall could then be just 3 feet. Chip feels it will all work.

Dave would like to see updates and new elevations with heights.

Dave asked what the height of the building will be from grade – about 39 ft.

Jim is fine with the direction this is taken.

Joe and Tom said they appreciate this work and look forward to seeing updated renderings and plans. Tom also wants to see the landscaping plan.

**Next Hearing:**

Architectural changes and materials

There was a request to extend the time to render a decision

**Public Testimony:**

Jane D 'Addario – 1 Hope Terrace – happy with the way things are proceeding. Beyond thrilled there will be something charming there.

Dave made a motion to continue to 10/25 and extend the time until 12/31.

Joe seconded

Reg. V/M – Dave, Jim, Chip, Joe, Tom

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### **CONTINUED HEARING:**

**(23-70, 23-71, 23-72) 460-466 & 472 MAIN STREET – A&E REALTY TRUST**

**Purpose:** Applications for Special Permits and Site Plan Approval to allow a 16 unit Garden Apartment Building with other uses including Retail/Service Establishments

**Attendees:** Attorney McGrail, Steve DeFuria, Perter Sandorse

### **Discussion:**

Attorney McGrail explained they had a meeting with Rick Salvo, Jim McBain and the Town Engineer. The meeting went well, Bill Renault said this project will come well before the Envision Project. The Town will look for a contribution from them. Site/Civil Engineer is finishing up his plans and they expect to have the plans at the next hearing.

TAC memo has been presented. The Board had some concerns with some of the recommendations. Bill Renault can come to the next hearing to explain the recommendations to the Board.

Tonight they will go over architecture.

Mr. DeFuria ran through the floor plans and details of the way the building is set up. Details of the windows, banding, materials and colors – khaki brown, were also presented.

Kasumi said she likes the colors of the materials. But had a question regarding the apartment on the second floor facing the parking lot – she wondered if someone could look into the apartment window, she asked what the window height was. Steve does not know what the height is but did say they shrunk that window, he will look into the height and have an answer at the next hearing.

Jim does not like the open bracket – birds live in them. He suggested a closed bracket.

Tom asked if the building will be full or partial demo – Brian said they would like it to be partial.

**Next Hearing:**

- They need more detail on the garage door.
- Chip suggested alarms on the building to alert people walking on the sidewalk when cars pull out from the back of the building (from the alley). Brian said they will discuss this at the next meeting with the Town Engineer and also discuss parking and the sidewalk.
- Height of second floor window in the back.

**Public Testimony:**

None

Dave moved to continue to 10/25/21

Joe seconded

Reg. V/M – Dave, Jim, Chip, Joe, Tom

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### **NEW HEARING:**

**(24-9) 90 BAY STATE ROAD – JEFFREY MANNING, TRUSTEE OF THE CHARLES E. KNOFF JR. CHARITABLE REMAINDER UNITRUST**

**Purpose:** Determination and/or Finding to alter the parking layout

**Attendees:** Attorney McGrail, Jeff Manning, John Ogren

This is a finding, no request to change the physical property. They want to document the parking and be in sync with Town records.

There are two business on the property -

Liberty Chevrolet is on one side and Power Products Company on the other side and Power Products has been sold but is still operating. At some point the property will be condominiumized. They want to document the parking that goes with each property.

John Ogren displayed the existing site with parking outlined and explained the parking calculation chart. There is more than enough parking on the site.

The Board was comfortable approving the site plan.

### **Public Testimony:**

None



Dave made a motion to grant a finding and determination that the proposed changes and alterations to the parking at the property known as 90 Bay State Road as shown on the plans from Hayes Engineering dated August 28, 2023 is not more substantially detrimental to the neighborhood.

Joe seconded

Voting members all in favor – Dave, Joe, Chip, Jim, Tom

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### **OTHER MATTERS:**

#### **(20-4, 20-5, 20-6) 259 Water Street – Anthony Arcari**

This property has been on a temporary occupancy due to landscaping issues.

Chip Tarbell and Jim McBain went to the site and there were some arborvitaes and trees that were not at the correct caliber and need to be replaced, most are going to be planted next week, but the 3 ½ caliber trees cannot be done until spring. There are also dead plants that need to be replaced.

7 trees need to be planted

The Board will go back in the spring

They would like a final Occupancy going into the winter.

It was suggested that Mr. Arcari will sign a letter that he is committed and by a certain date the landscaping will comply with the landscape plan.

Some of the Board members would like a bond.

Dave feels there has to be a financial obligation/penalty.

Attorney McGrail made the point that Mr. Arcari owns this building and also owns the building at 4 DelCarmine and the two family behind this building and is not going anywhere.

It was decided that a letter to the building inspector stating that this board is satisfied for a permanent occupancy to be issued and a letter from Mr. Arcari committing to finish the landscaping, the board gave a deadline of June 15<sup>th</sup> for the work to be done. Mr. Arcari would have to pay any legal fees that would be incurred by Town Counsel.

Mr. Arcari brought to the attention of the board that one of the trees to the left of the building is big enough and suggested it not be replaced, the board took a look and agreed it is a tight corner and the tree at the left of the building is big enough and does not have to be replaced, it is a gingko tree.

Dave made a motion that this board authorize the Chair to work with the applicant to compose a letter to note the landscaping deficiencies and they have to be completed by June 15<sup>th</sup> except for the gingko tree.

Dave made a motion that this board authorizes the chair to write a letter to the Building Inspector acknowledging the landscaping deficiencies but authorizes a certificate of occupancy.

Joe seconded

All in favor – Chip, Jim, Dave, Joe, Tom

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### **APPROVE MINUTES:**

Dave made a motion to approve the September 27, 2023 minutes as written.

Joe seconded

All members were in favor.

The meeting adjourned at 8:30 p.m.