



TOWN OF WAKEFIELD

BOARD OF APPEALS

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

CONTINUED HEARING:

(22-52, 22-53, 22-54, 22-55) – 356 LOWELL STREET – NOURIA ENERGY CORP.

Purpose: Applications for Special Permits, Site Plan Approval, Variance and a Finding to allow the construction of a new gasoline station in conjunction with a retail store and fast food.

Attendees: Attorney McGrail, Michael Durant (Project Manager), Chris Tymula (Site/Civil Engineer), John Selle (Architect), Tony El-Nemr (from Nouria), Pat McClaughlin

Discussions:

At the last hearing they were assigned to meet with Jim McBain to go over the signage. They have done that and have resubmitted all the plans.

John Selle presented the signage plans:

- Two free standing signs – they will be refaced
- Building signage over the entrance
- Two signs mounted on the canopy (one facing Lowell Street and one facing Vernon Street)
- Window signage

The relief they are seeking for signage:

1. Area of the freestanding sign
2. Sign Heights
3. Relief also on logo signs on fuel canopies
4. Canopy logo facing east

Night time illumination renderings were shown

Chip does not think the LED bands on top of the canopy need to be lit. There is enough lighting already. Greg agrees. Dave thinks it looks like a space ship.

Jim does not think they need the Nouria sign on the canopy as you come from Lynnfield (on Vernon Street). Chip agrees it is not necessary with the free standing sign next to it.

Tom, Greg and Joe do not mind the free standing signs to be 6" to 12" thicker in width. But Tom does not think the canopy should be lit and the Nouria sign on Vernon Street needs to be removed.

Jim feels the Nouria sign on the canopy on the Lowell Street sign should be smaller. Chris Tymula said that the sign is only 6" above and 6" below the canopy.

Tony El-Nemr said if they give up the lighting on top of the canopy it would give up the character. It will not be seen at night. Chip said they do not want it to have character; they want it to be dark at night for the neighbors. Also, they are asking to be open 24 hours. Brian said after a certain hour the lighting will be dimmed.

Greg pointed out that if the canopy on the bottom is lit why then do they need the blue/green on top of it to be lit.

Mr. El-Nemr finally agreed and said they will not light the blue/green on the top of the canopy. And they will omit the canopy sign on Vernon Street.

Next the pump illumination was discussed.

They do not have schematics of the pumps.

The pumps will have TV's and sounds and they will lower the volume. Chip asked if there could be a timer on the TV's to shut them off at night. Nouria people were not sure but Mr. El-Nemr said in other communities they lower the volume.

Greg asked if there was a need for them to be open 24 hours. This has not been discussed in other hearings.

Mr. El-Nemr explained that many customers need to get gas to and from their jobs which are second shift jobs and they try to cater to those customers. It is very import to Nouria to be open all night.

Chris Tymula said that all lighting complies with local ordinances. A lighting photometric plan was presented.

All lighting is Dark Sky's compliant.

Chris said they will work with the lighting company to see what can be dimmable during certain hours. Brian said it will become the Boards jurisdiction. Chip feels that they should get it to an

acceptable level now before they open and it becomes a problem. How dimmable can it get at 11:00 pm? Jim agrees they cannot change fixtures after they are installed. Pat McLaughlin said he feels it should be solved in the field rather than on paper. Chip agrees but before they are open. Chip suggested that they look at the Kelvin level and keep it warmer instead of the blue cool LED.

Brian went through the conditions with the Board.

Chip asked for a condition be added to #12 that if the snow hinders site-lines it will be removed.

Chip also wants a note in condition #2 that if they have a change in managers the Town must be notified.

Chip also wants in condition #13 seasonal plantings and color to be added.

Sign plans will be modified according to what was discussed tonight.

Jim would like the samples of the materials be added into the plans.

Site/Civil, Architectural and Sign plans will all be updated with a final revision date of 9/28/22. A full set will be submitted to the building department for the file.

Public Testimony

None

Dave pointed out that the voting members are - Chip, Joe, Jim, Tom and Dave

Plans referenced for the Decisions are:

Site Plan prepared by Greenman Peterson Inc dated October 15, 2021 revised thru August 10, 2022

Architectural and Sign Plans prepared by Phase Zero Design Architects updated through tonight's meeting.

It was noted that the Site Plan and updated Architectural and Sign Plans will be consolidated into one set of plans for the decisions with a final revision date of September 28, 2022.

VOTE: Chip made a motion to grant a Finding under Article IX, Section 190-SoB of the Zoning Bylaw as it relates to the proposed changes, extensions or alterations of the legal non-conforming buildings, structures or gasoline station use that will now operate in conjunction with a retail store and fast food as shown on the Plans, I move that the Board Finds, under Article IX, Section 190-SoB of the Zoning Bylaw, that said proposed changes, extensions, or alterations are not substantially more detrimental than the existing nonconforming use to the neighborhood.

With said Finding being made with reliance on the Conditions as presented tonight, which shall be part of the Finding.

Joe seconded the motion - Chip, Joe, Jim, Tom and Dave – all were in favor

VOTE: Chip made a motion to grant a Special Permit and Site Plan Approval under Article IV, Section 190-23 and Article VIII, Section 190-45 of the Zoning Bylaw to Allow a Fast-Food Use in conjunction with the gasoline station and retailstore.

FINDINGS

- A. The use requested is listed in the Table of Use Regulations as requiring a special permit in the district for which application is made.
- B. The requested use is essential and/or desirable to the public convenience or welfare. The Property will be significantly improved.
- C. The requested use will not create or add to undue traffic congestion or unduly impair pedestrian safety. The TAC has reviewed and commented and has no issues with the diesel fuel sales. Furthermore, the Applicant is making a \$25,000.00 contribution to improve the traffic lights at the intersection of Lowell Street and Vernon Street.
- D. The requested 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. DPW has commented.
- E. The requested use will not impair the integrity or character of the district or adjoining districts nor be detrimental to the public health, convenience or welfare. Significant landscaping improvements will be made.
- F. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

Section 190-45 - Wakefield Zoning Bylaws

The Board has also reviewed this section of the Bylaw, which in pertinent part states that: "In reviewing a site plan, the special permit granting authority and the other applicable agencies shall consider, among other things, the following:

- (1) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets, properties or improvements.
- (2) Adequacy of the methods of disposal for sewage, refuse and other wastes and the methods for surface and storm water drainage.
- (3) Provision for off-street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the lot or tract.

The Board has considered all of the above-referenced criteria and is satisfied.

CONDITIONS - as presented tonight

Joe seconded the motion - Chip, Joe, Jim, Tom and Dave – all were in favor

VOTE: Chip made a motion to grant a Special Permit, under Article VII, Section 190-36C of the Wakefield Zoning Bylaw, for reductions in the requirements and/or standards for off street parking and loading under Article VII of the Bylaw including:

1. Section 190-37E(l) of the Bylaw-Allowing the open parking areas to be separated from the street line by a landscaped strip less than 15 feet as shown on the Final Site Plan.
2. Section 190-371 of the Bylaw--Allowing the width of the driveway serving parking facilities to be as shown on Plans and allowing the driveways serving parking facilities to be spaced closer than 100 feet to one another.
3. Allowing other reductions from the requirements and/or standards for off street parking and loading under Article VII of the Bylaw necessary to allow construction of the Project as shown of the Plans.

FINDINGS

The Board finds that the application of the standards for off-street parking and loading under Article VII proves to be infeasible and the reductions are supported by evidence of infeasibility due to lack of suitable land, design considerations or other similar factors. The granting of such special permit will not adversely affect the health, safety, convenience, character or welfare of the neighborhood or district or of the Town.

Furthermore, the Board determined that the spaces at the fuel dispensers qualify as parking spaces under the Bylaw and the location of the structure will not restrict visibility in such a way as to hinder the safe entry or exit of a vehicle from any driveway to the street or restrict visibility at a corner of two streets.

CONDITIONS - as presented tonight

Joe seconded the motion - Chip, Joe, Jim, Tom and Dave – all were in favor

VOTE: Chip made a motion to grant a Variance pursuant to Section 190-50G of Wakefield Zoning Bylaw to the extent necessary to allow the signage depicted on the Plan, including, but not limited to, a Variance from the following sections:
Sections 190-76 and 190-77.

- Sign type A (Free Standing Sign)
 - Update 2016 decision for larger format
- Sign Type B (Building Occupancy Sign)
 - 5'6" height requested, 3'0" allowed
 - Variance for 190- 77E.l

- Sign Type C & D (Occupancy sign for future tenant)
 - Complies with code
 - Board requires submission of future signs for their approval
- Sign Type E (Sign on Canopy)
 - 4'0" height requested, 3'0" allowed
 - Variance from 190-77E.1
 - Allow one occupancy sign on Lowell Street side attached to the canopy structure
 - Variance from 190-76 Definitions (Occupancy Sign)
- Windows Signage (Entry/Exit doorway to business)
 - Sign area and layout as shown on Drawing SP-01
 - Variance to 190-77A.5
 - Variance to 190-77E.3
- Hours of Lighting of Canopy
 - 24/7 canopy lighting requested
 - Variance from 190-77F.3 (note the later part of the paragraph F.3 section below)

CONDITIONS:

All previous conditions discussed tonight will go along with this Variance, and all changes discussed tonight will be shown on the updated plans.

Joe seconded the motion - Chip, Joe, Jim, Tom and Dave – all were in favor

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

CONTINUED HEARING:

(23-5, 23-6, 23-7, 23-8) 198 ALBION STREET – 198 ALBION STREET REAL ESTATE LLC

Purpose: Special Permits, Site Plan Approval and Variance to Allow a 10 Unit Garden Apartment Building with a Combination of Other Uses Including retail/service establishments and/or restaurant

Attendees: Attorney Brian McGrail, John Ogren, Peter Sandorse and Steve DeFuria, Giancarlo Tiberi (Owner)

Discussions:

Before the discussion tonight Mr. Tiberi told the Board that after the last hearing he has decided to use all brick on the building, it is the right thing to do.

Steve DeFuria presented proposed lighting on the building.

They looked at the new development down the street (Grayson Lofts) and wanted to do something similar.

They went from 22 fixtures to 11 on the building, they are goosenecks

Jim thinks the lighting is a little over-kill.

Jim asked that Steve look at the left side of the building on the first floor near the retail space to see if he could balance it more – maybe brick around the two windows, Steve said he will take a look at it.

Chip likes the lights around the building.

Discussions for the Next Hearing:

Lighting in the parking lot

Options on first floor

Comments from TAC (They are going on 10/21)

Draft conditions

Relief needed

O&M

Public Testimony:

None

Plans Presented:

- Proposed elevations and floor plans prepared by Phoenix Architects, dated 9-28-22

Chip made a motion to continue the hearing to October 26 and extend the time to render a decision to December 31.

Joe seconded

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

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

CONTINUED HEARING:

(23-22, 23-23, 23-24) 184 WATER STREET – ONE SYLVAN, LLC

Purpose: Special Permits and Site Plan Approval to allow a 7 unit Garden apartment building with a combination of other uses including retail service establishments and/or restaurant

Attendees: Attorney McGrail, Saverio Fulcinti (principal of the property), Carlton Quinn, Robert Paccione (architect), Steven Lee (site/civil), Jacqui Trainer (Landscape architect)

Discussions:

Saverio Fulcinti presented an updated power point

- Food use and parking requirements
- Signage and lighting on the building for the apartments and the name of the building
- Signage and lighting for the retail space
- Rooftop mechanicals and hood exhaust for the restaurant use
- Rooftop screening
- Rooftop ventilation
- Civil updates to address DPW feedback, Fire Dept. feedback, shifted EV spaces, storefront patio added

Jim thinks it looks great; they covered all the issues he had.

Greg asked if the outdoor seats were counted as the 12 seats for the parking spaces. Saverio said in the summer the seats inside will be placed outside so it would not go over 12 seats. Gregg wants it as a condition.

Brian explained to the Board that he filed a new application this week for a retail/service establishment in conjunction with the multifamily applications that have been filed.

They are going to TAC on 10/21

Jacqui Trainer – the landscape architect presented the landscape plan. The plan does not show the patio, the plan will be updated for the next hearing.

Joe asked about snow storage – Saverio said it will have to be hauled out.

Jim asked about the hedges in the rendering on the side of Nasella Playground and wondered if they would plant something similar. The land belongs to the Town but they agreed to work with the Town to see what could be done on that side of their building.

Next Meeting

TAC findings

Update from DPW

Updated landscape plan

Cut sheets on patio wall and patio pavers

Draft O&M

Public Testimony:

None

Plans Presented:

- PowerPoint Presentation – which included:
 - Site/Civil Plans, prepared by Alan & Major, revised through 9-20-22
 - Architectural Plans, prepared by RP Architectural Studio, LLC, dated 9-23-22
 - Proposed Signage Elevation and Lighting Specs
 - Dining Area Sketch, prepared by Allen & Major, dated 9-22-22
 - Canopy Elevation prepared by Boston Sign, dated 9-21-21

Chip moved to continue to 10/26, with an extension to render/file a decision until 12/31

Joe seconded

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

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

NEW HEARING:

(23-27) 226 MAIN STREET - ALEXANDER A. COVIELLO & ANNE F. COVIELLO, INDIVIDUALLY & AS TRUSTEES OF THE ALEXANDER A. COVIELLO 2004 REVOCABLE TRUST & THE ANNE F. COVIELLO 2004 REVOCABLE TRUST

Purpose: Application for a Special Permit to allow an accessory apartment

Attendees: Attorney Brian McGrail, Alex Coviello

Discussions:

Attorney McGrail explained they are here for a Special Permit for an accessory apartment

They would like their daughter to live with them.

The lower level already has a kitchen in it.

Brian presented the plan.

Lower level is 744 SF – 22% (accessory apt)

First floor is 2,462 SF– 74%

Lower Landing = 125 SF

TOTAL HOUSE = 3,331 SF

Brian ran through the requirements of the bylaw and they met all of them.

A neighborhood support letter was signed by many abutters.

Public Testimony:

None

Plans Presented:

- Plan of Land, prepared by Willard Perkins
- Floor Plans, prepared by The MZO Group, dated 7/27/22
- Signed letter of support from abutting neighbors

Chip moved to grant permission for the Special Permit as presented tonight because it meets all the criteria of the bylaw.

A letter must be given to the Building Department as surety on a yearly basis.

Joe seconded

Voting members - Chip, Joe, Jim, Tom, Dave – All in favor

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

NEW HEARING:

(23-28) 35 CHESTNUT STREET – KERWICK LLC

Purpose: Determination and/or Finding to do renovations for use as a three-family dwelling

Attendees: Attorney Brian McGrail, Ed Kirby (principal), John Ogren, Andrew Jones (Phoenix Architects)

Brian pointed out that the property is right in back of Anton's Cleaners

The property is in disrepair.

The bottom floor was converted into a law office years ago.

Ed wants to restore this property and demo the inside and do a total rehab to the property and add a sprinkler system.

He wants to convert the office use on the first floor and make it a 3 family dwelling.

They believe a residential use is a less intense use.

Andrew Jones presented the new elevations, architectural plans and floor plans.

Siding, roofing and window materials were shown.

Ed said he will do all new piping, electric and HVAC. He will also do a new water line and fire line as well as replacing the sewer line.

John Ogren presented the existing and proposed site plan.

They have 3 parking spaces. The office use required 2 spaces, having the residential use requires 1 space.

John showed a way to add two more tandem spaces.

Chip asked how the parking spaces would be managed, Brian said by the tenants.

The Board agreed they would like the two extra tandem spaces added if they could make it work.

Public Testimony:

None

Plans Presented:

- Site Plan, prepared by Hayes Engineering, dated 9-8-22
- Elevations, Floor Plans, Proposed Materials, prepared by Phoenix Architects, dated 8-24-22

Chip made a motion to grant the Finding with respect to a continuation and extension of a non-conforming use related to certain proposed renovations and additions for use as a three-family dwelling as presented on the plans tonight. The non-conforming use is not more substantially detrimental to the neighborhood.

John Ogren will update the plan to put the extra parking on the plan.

Joe seconded - Chip, Jim, Joe, Tom, Dave – all in favor

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN
JAMES H. MCBAIN
JOSEPH PRIDE, CLERK
CHARLES L. TARBELL
THOMAS J. LUCEY, ALTERNATE
GREGORY W. MCINTOSH, ALTERNATE
MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

NEW HEARING:

(23-29) 10-12 CHESTNUT STREET – JOSEPH A. CURLEY, TRUSTEE OF THE MICRO REALTY TRUST

Purpose: Appeal from a Decision from the Building Inspector

Attendees: Attorney McGrail, Joe Curley, Peter Sandorse

Discussions:

Attorney McGrail explained to the Board

- This building had a number of different uses.
- The Curley's bought it in 1997.
- In 2020 the building had a catastrophic fire.
- This building had 8 units in it.
- The Curley's would like to restore it as 6 units.
- There will be an alteration to the structure.

Peter Sandorse presented existing floor plans vs. proposed.
On the 3rd floor they are raising the mansard to give more head room.

The units range from 630 to 750 sq. feet.

Peter explained that it has been really hard to determine the layout because of the fire and that the floor plans and mansard size may change once they start demolishing the inside.

Public Testimony:

None

Plans Presented:

- Plot of Land, prepared by Paul Finocchio Land Surveyor and John Sullivan Civil Engineer, dated 2-1-22
- Proposed floor plans prepared by Phoenix Architects, dated 9-24-22
- Letter from the Building Inspector, dated 9-8-22

Chip moved to override the building inspectors appeal to allow the alteration from 8 units to 6 units and the proposed restoration is not more non-conforming than the existing.

And under 190-50B according to the plans by Peter Sandorse this is not more substantially detrimental.

Joe seconded

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

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

OTHER MATTERS:

(21-16) 101 CEDAR STREET – MICAH CANESTARO – Asking for a minor modification

Representing the petitioner is Attorney McGrail

Chip and Jim walked the property.

Brian also walked the property.

The neighbors are very happy with the way it turned out.

They are here tonight because there are a couple of changes in the landscape plan.

They want to put another paver walkway in.

They would like to change the species of one of the trees.

The trash bin is going to be moved to a better location.

Chip agrees they did a very nice job.

Brian requested a letter from Dave to Ben after the Board is satisfied with the landscaping. The letter will include the architectural plans and a signoff that the landscaping has been done. Chip offered to be the designee to go by after the plantings are in.

Chip moved to accept the changes in a new walkway, change in a tree and change in the garbage area be a minor modification according to the plan presented tonight and dated 9/26/22.

Joe seconded

Chip, Joe, Jim, Tom, Dave

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

OTHER MATTERS:

(23-9) 3 NELLY STREET – JCG INVESTMENTS, LLC. – Minor Modification

Representing the petitioner is Attorney Brian McGrail

The Board approved a Finding to raze a single-family dwelling and rebuild a two-family dwelling at their July 13, 2022 hearing, but the Board expressed that they really did not like what was being built (the design) so the principal of JCG Investments redesigned the building.

Attorney McGrail presented the new design and site plan – there are no new non-conformities.

Chip moved to approve the new plans, the change in the plans is not more substantially detrimental according to the plot plan prepared by Paul Finocchio and revised 9/13/22 and the architectural plans prepared by MAC Design LLC, dated 9/12/22.

Joe seconded

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

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

OTHER MATTERS:

(20-4, 20-5, 20-6) 259 WATER STREET – ANTHONY ARCARI

Attorney Brian McGrail and Peter Sandorse represented the petitioner

Peter Sandorse explained to the Board that Anthony Arcari (principal) is having a hard time finding the granite curbing. Peter asked if they could use concrete curbing.

Chip is not convinced that he cannot find it. He wonders how hard he looked. And if it is because of the costs.

The Board wants to know from them how hard he looked and said they are not prepared to make a decision tonight until they have more information.

Attorney McGrail said they will come back with the information in two weeks.

The Board agreed

MEETING MINUTES

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

OTHER MATTERS:

63 BAY STATE ROAD – DISH WIRELESS

Representing Dish Wireless is Lamar Freeman

Lamar explained to the Board that they are proposing to add 3 antennas, 6 RRU's, 1 OVP box and associated cables to the tower.

Chip moved to grant the modification to the telecommunications facility at 63 Bay State Road according to the plans prepared by Hudson Design Group LLC, dated March 29, 2022. This modification satisfies the standards for an "eligible facilities request" of an existing wireless tower or base station in accordance with 6409 of the Middle Class Tax Relief and Job Act of 2012.

Joe seconded

Chip, Jim, Joe, Tom and Dave – all in favor

Wednesday, September 28, 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

In Attendance:

DAVID W. HATFIELD, CHAIRMAN

JAMES H. MCBAIN

JOSEPH PRIDE, CLERK

CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Legal Notice Read by Joseph Pride

APPROVED MINUTES:

Chip made a motion to approve the September 14, 2022 minutes.

Joe seconded

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

The meeting adjourned at 11:22 p.m.