



MEETING MINUTES

Wednesday, November 16, 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 7:03 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

Joe Pride read the Legal Notice

CONTINUED HEARINGS:

(22-39) – 596 NORTH AVENUE – o NORTH AVE WAKEFIELD, LLC

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

Attendees: Attorney Jesse Schomer, Peter Sandorse and Steven Defuria (Architects), Elliott Brundage, (Landscaping), Chris Sparages (Site/Civil), Derek Roach, Dana Lopez

Joe Pride recused himself and stepped out of the hearing

Discussions:

Since the last hearing they met with the Town Engineer, Bill Renault – it was a very informative meeting.

They will work with the MBTA to move the bus stop.

It is expected that Bill will sign off on the final letter in a few days.

TAC liked the plan modifications to the project and liked the number of spaces being provided.

TAC had recommendations to relocate the crosswalk.

TAC indicated that their memo would be forthcoming to the Board in a few days.

Peter ran through the updates on the architectural plans which were all the changes discussed at the last hearing.

Elliot Brundage – presented landscaping changes

Opaque fence on the Knights of Columbus side of the property

Cut sheets for chain link fence

Added a covered bike pavilion

Integrated a concrete curb and handicap ramp

Decorative pavers in the fire pit area

Jim pointed out that irrigation was not on the plan. Jesse said they could put a condition in the decision. Jim said it is usually noted on the landscape plan – Elliott will add it.

Chris Sparages – updated civil plans

The only changes since last time is the storm water management in front of the building. Bill suggested throwing in small depressed areas to catch more water.

Chip wanted to know what materials the depressed areas were going to be. Elliott demonstrated the areas – Chip questioned the mulch – Chris said it is 3" of mulch over the depressed area. Chip does not like that look. They all agreed to plant something that is green such as grass.

They will submit an updated landscape plan showing irrigation and depressed areas.

Next Hearing:

Draft conditions

Updated landscaping

TAC Letter

Engineering sign-off memo

Public Testimony:

None

Plans Presented:

- Revised Architecture Plans, prepared by Phoenix Architects, dated 9/28/22
- Revised Landscape Plans, prepared by Elliott Brundage, dated 11/11/22
- Revised Civil Site Plan, prepared by Williams & Sparages, dated 10/20/22
- Product Selection Packet dated 10/6/22
- Draft O&M Manual, dated 11/11/22

Chip made a motion to continue to 12/14/22

Tom seconded

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

Jesse requested to extend the time to render a decision to 1/13/23.

Chip made a motion to accept the request.

Tom seconded

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

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Joe Pride read the Legal Notice

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, Steve DeFuria, Giancarlo Tiberi (Owner)

Discussions:

Jim pointed out no detail on bike rack and no fence detail running around the property. John Ogren said they do not have a final product for the bike rack. Giancarlo said he will do what is amendable to the Board.

Chip suggested a stained stockade horizontal fence.

Brian suggested a condition that the Board retains jurisdiction on the fence. They will come back once they decide on what kind of fence.

- Draft conditions were reviewed and revised to 11-16-22
- O&M Plan reviewed
- Added lighting on the decking on the roof
- Fence added on the plan

Public Testimony:

None

Before Chip made the motions he suggested using the conditions discussed tonight and plans presented – Final Site Plan by Hayes Engineering revised November 16, 2022 and Final Architectural Plans by Phoenix Architects dated November 11, 2002

Brian requested an extension to file the decision until January 13, 2023.

Chip made a motion to accept

Tom seconded

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

1. Chip made a motion to grant a Special Permit and Site Plan Approval, pursuant to Section 190-32 and 190-45 of the Wakefield Zoning Bylaw, allowing a 10 Unit Garden Apartment in combination with a Retail Store or Service Establishment or Restaurant use as shown on the Final Site Plan and Final Architectural Plans stated above.

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-there is a dire need for housing including affordable housing in the Town of Wakefield and the surrounding area.
- C. The requested use will not create or add to undue traffic congestion or unduly impair pedestrian safety.
- 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.
- 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.
- 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. This use will put a vacated and blighted property to a beneficial use and add to the affordable housing inventory.
- G. The proposed use will not be detrimental to the neighborhood, and it will not adversely affect the zoning district. Furthermore, the nonresidential uses permitted in the zoning district are not noxious to the residential use.

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 ALREADY PRESENTED

Tom seconded

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

2. Chip made a motion to grant a Special Permit, pursuant to Section 190-32.1 of the Wakefield Zoning Bylaw, allowing reductions and/or alterations to dimensional requirements under Section 190-32D and Table 2 of the Bylaw related to a 10 Unit Garden Apartment in combination with a Restaurant use as shown on the Final Site Plan and Final Architectural Plans including, but not limited to, the following:

- A. Allowing a reduction in the required Lot Area on the Final Site Plan
- B. Allowing a reduction in the required Lot Frontage and Lot Width as shown on the Final Site Plan
- C. Allowing a reduction in the required Front, Side and Rear setbacks to be that as shown on the Final Site Plan;
- D. Allowing a maximum height of 41 feet and as shown on the Final Site Plan;
- E. Allowing open area of 28.3% and as shown on the Final Site Plan;
- F. Any other reductions and/or alterations from the requirements of Section 190-32D and Table 2 of the Wakefield Zoning Bylaw to allow the project to be constructed as shown on the Final Site Plan and Final Architectural Plans.

Same Findings as the last Special Permit and furthermore these reductions and/or alterations will enhance the multifamily project as a whole and allow it to benefit the neighborhood in which it is situated.

CONDITIONS ALREADY PRESENTED

Tom seconded

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

3. Chip made a motion to grant a Special Permit, pursuant to Section 190-36C of the Wakefield Zoning Bylaw reducing the requirements of the standards for off-street parking and loading under Article VII of the Bylaw as follows:

- a. Section 190-37C of the Bylaw----Allowing 2 of the parking spaces to be 9 X 16.5 feet wide as shown on the Final Site Plan.
- b. Section 190-37D of the Bylaw ----Allowing 4 of the parking spaces to be tandem resulting 2 of the parking spaces not having direct access to an aisle of driveway as shown on the Final Site Plan.
- c. Section 190-37E(1) of the Bylaw----Allowing the landscape strip as shown on the Final Site Plan.
- d. Any other necessary reductions in the requirements and/or standards for off street parking and loading under Article VII of the Bylaw related to the project as shown on the Final Site Plan and Final Architectural Plan.

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 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 ALREADY PRESENTED

Tom seconded

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

4. Chip moved to grant a Variance from the requirements and/or standards for off street parking and loading under Article VII of the Wakefield Zoning Bylaw as follows:

- a. Section 190-37C of the Bylaw - Allowing 2 of the parking spaces to be 9 X 16.5 feet wide as shown on the Final Site Plan.
- b. Section 190-37D of the Bylaw - Allowing 4 of the parking spaces to be tandem resulting 2 of the parking spaces not having direct access to an aisle of driveway as shown on the Final Site Plan.
- c. Any other necessary reductions in the requirements and/or standards for off street parking and loading under Article VII of the Bylaw related to the project as shown on the Final Site Plan and Final Architectural Plan.

FINDINGS

Unusual Circumstances Affecting Land or Structures. The Applicant has agreed to reduce existing curb cuts that will be a benefit to the neighborhood. The Property currently houses two large box shaped vacant buildings formerly used as a warehouse and a lumber yard. The existing buildings will be razed and the Project will result in environmental remediation that will be a benefit to the Property and the neighborhood as a whole. This situation provides a unique circumstance relating to the land and structures.

Hardship. The Board finds that the application of the standards for off street parking and loading under Article VII of the Bylaw proves to be infeasible and reductions are supported by evidence of infeasibility due to access and egress limitations and design considerations.

Substantial Detriment and Derogation. The Board finds that the requested relief can be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Bylaw.

CONDITIONS ALREADY PRESENTED

Tom seconded

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

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Joe Pride read the Legal Notice

REQUEST TO CONTINUE:

(23-14, 23-15, 23-16, 23-17) 369-371 MAIN STREET – KINGMAN BLOCK, LLC

Purpose: Request for a Determination and/or Finding, Special Permits and Site Plan Approval to allow a 20 unit Mid-Rise Apartment Building with a Mix or combination of other uses including restaurant, professional and business offices.

Attendees: Attorney Brian McGrail and Dan Martinez (architect)

Discussions:

Brian explained that Jim McBain was the designated Board member to work with them to cut some of the massing on the apartment building.

They had reduced the 4th story and stepped it back.

But Jim did not think it looked good – he did not think a 4th story would work at all.

So they looked at using some of the bank for residential units and got rid of the 4th story.

Dan Martinez presented the new architect plans.

Jim spoke to the Board and explained after the last hearing he looked at the space on the upper floor of the bank that they did not know what to use it for. They realized that the back of the building could be used for residential units which allowed them to omit the 4th floor of the apartment building.

They are two parking spaces short of the requirements.
30 spaces are required and they have 28 spaces.

The two buildings will be connected with a bridge.

The Board members all had different views of what material should be used for the new building to try to make it blend better.

Some suggested all brick, some clapboards, some cement.

Some suggested carrying the parapet in one line.

Tom wants to see the building from Albion Street

The traffic report is almost finished. They are going to go on the TAC agenda soon.

They are going to work with the Town Engineer on storm water.

Tom asked if the owner has thought about partnering with the surrounding businesses about parking. Brian said yes, they are going to talk with the neighboring businesses.

Attorney McGrail requested extending the time to render a decision until February 15, 2023.

Public Testimony:

None

Plans Presented:

- Updated Architectural Plans, prepared by Khalsa Design, Inc., dated 11/11/2022

Chip moved to continue to 12/14/22 and extend the time until February 15th

Tom seconded

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

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Joe Pride read the Legal Notice

CONTINUED HEARINGS:

(23-22, 23-23, 23-24, 23-30) 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

Discussions:

Draft conditions were reviewed.

All the plans have been updated – Final Site Plan by Allen & Major revised November 16, 2022. Final Architectural Plans by RP Architectural Studio, dated November 11, 2022.

Public Testimony:

None

Attorney McGrail requested an extension of time to file the decision - Chip moved to extend the time to file the decision until 1/13/23

Tom seconded

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

1. Chip made a motion to grant a Special Permit and Site Plan Approval, pursuant to Section 190-32 and 190-45 of the Wakefield Zoning Bylaw, allowing a 7 Unit Garden

Apartment in combination with a Retail Store or Service Establishment or Restaurant use as shown on the Final Site Plan and Final Architectural Plans.

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-there is a dire need for housing including affordable housing in the Town of Wakefield and the surrounding area.
- C. The requested use will not create or add to undue traffic congestion or unduly impair pedestrian safety.
- 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.
- 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.
- 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. This use will put a vacated and blighted property to a beneficial use and add to the affordable housing inventory.
- G. The proposed use will not be detrimental to the neighborhood, and it will not adversely affect the zoning district. Furthermore, the nonresidential uses permitted in the zoning district are not noxious to the residential use.

Section 190-45 - Wakefield Zoning Bylaws

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- (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 ALREADY PRESENTED

Tom seconded

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

2. Chip made a motion to grant a Special Permit, pursuant to Section 190-32.1 of the Wakefield Zoning Bylaw, allowing reductions and/or alterations to dimensional requirements under Section 190-32D and Table 2 of the Bylaw related to a 7 Unit Garden Apartment in combination with a Restaurant use as shown on the Final Site Plan and Final Architectural Plans including, but not limited to, the following:

- A. Allowing a reduction in the required Lot Area as shown on the Final Site Plan
- B. Allowing a reduction in the required Lot Width as shown on the Final Site Plan
- C. Allowing a reduction in the required Front, Side and Rear setbacks to be that as shown on the Final Site Plan;
- D. Allowing open area of 14.2% and as shown on the Final Site Plan;
- E. Allowing a building coverage of 52.3% and as shown on the Final Site Plan;
- F. Any other reductions and/or alterations from the requirements of Section 190-32D and Table 2 of the Wakefield Zoning Bylaw to allow the project to be constructed as shown on the Final Site Plan and Final Architectural Plans.

Same Findings as the last Special Permit and furthermore these reductions and/or alterations will enhance the multifamily project as a whole and allow it to benefit the neighborhood in which it is situated.

CONDITIONS ALREADY PRESENTED

3. Chip made a motion to grant a Special Permit, pursuant to Section 190-23 of the Wakefield Zoning Bylaw allowing a Retail Store or Service Establishment:

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-there is a dire need for housing including affordable housing in the Town of Wakefield and the surrounding area.
- C. The requested use will not create or add to undue traffic congestion or unduly impair pedestrian safety.
- 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.
- 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.
- 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. This use will put a vacated and blighted property to a beneficial use and add to the affordable housing inventory.
- G. The proposed use will not be detrimental to the neighborhood, and it will not adversely affect the zoning district. Furthermore, the nonresidential uses permitted in the zoning district are not noxious to the residential use.

CONDITIONS ALREADY PRESENTED

Tom seconded

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

Attorney McGrail requested to withdraw without prejudice the Variance application under Article X, Section 190-66. (Application number 23-24)

Chip made the motion to accept the request to withdraw the Variance without prejudice and Tom seconded the motion.

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

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Joe Pride read the Legal Notice

CONTINUED HEARING:

(23-20, 23-21) – 123 PLEASANT STREET – SANDERSON RIBEIRO DO NASCIMENTO

Purpose: Request for a Variance and a Determination and/or Finding to allow and addition onto the existing two-family dwelling.

Attendees: Attorney Brian McGrail, Sanderson Ribeiro

Discussions:

Mr. Ribeiro recently purchased the property and his desire is to put an addition onto the property.

There is an easement on the property, the easement was supposed to be moved by the previous owner and was approved at Town Meeting but was never done.

Sanderson has hired a company to locate the pipes and they are working with the Town Engineer to resolve moving the easement. The Town Engineer is ok if the Board approves the addition because they will add a condition in the decision.

The site plan was presented along with the zoning table.

This is a legal non-conforming two-family house.

The variance is for the 3rd floor. In the single residential district only 2 ½ stories are allowed.

A letter of support from the abutters was presented.

Public Testimony:

None

Plans Presented:

- Letter of support from abutters
- Plot Plan prepared by David Terenzoni, dated July 15, 2022
- Floor Plans and Elevation Plans prepared by Peter Tummino, dated 10/31/21

Brian requested an extension of time to file a decision until January 13, 2023.

Chip moved to Find that the change in the addition dimensionally to go to 9.6 feet and lot width getting smaller does intensify the use but is not more detrimental to the neighborhood, as presented tonight - with the condition made by the Town Engineer.

Tom seconded

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

Chip moved to grant the Variance to allow a 3rd story in this district as presented here tonight.

Tom seconded

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

Chip moved to extend the time for a decision to January 13, 2023.

Tom seconded

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

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Joe Pride read the Legal Notice

NEW HEARING:

(23-32) 5 RICHARDSON STREET – ANNA P. MORELLO

Purpose: Special Permit and Site Plan Approval for reductions in the requirements and/or standards for off street parking

Attendees: Attorney McGrail, Anne Morello

Attorney McGrail explained the property is situated in the Business District, the property was a hair salon at one time then sold to a religious organization. In 2013 the use as a church was brought to this Board, even though it is allowed under the Dover Amendment because it needed a special permit for parking requirements and driveway requirements. The Church required a number of parking spaces rather than a business. The decision also allowed a handicap ramp which was never installed.

Anne Morello and her husband own a plumbing company and would like to use this property for their offices and the basement as storage. The 2013 decision was solely for a religious use. That is why they are here tonight. No relief is needed for the parking spaces. The Board also retains jurisdiction on signage. They are requesting a new special permit.

The business is a family owned business – the hours of operation are 7-3. They have 5 employees and a fleet of 4 or 5 vans that will stay on-site overnight. One employee will be in the office.

Jim asked if customers stop by the office – the answer was no. They will want to install a sign, but do not know what yet and Brian said there could be a condition that the Board have jurisdiction – Jim agreed.

Anne does not want to construct a handicap ramp. Jim reminded her it may be a building code issue. Brian said if that were the case it should be left in the condition.

Public Testimony:

None

Plans Presented:

- Site Plan, prepared by ABV Survey (Richard J. Mede, Jr.), dated 9/28/22

A motion was made to grant the Special Permit and Site Plan Approval under Article VII, Section 190-36C of the bylaw for reductions in the requirements and/or standards for off street parking and loading and to allow for an office use. Conditions – handicap ramp and signage.

Joe so moved

Tom Seconded

Voting Members all in favor - Greg, Tom, Jim, Dave, Joe

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Joe Pride read the Legal Notice

NEW HEARING:

(23-33) 888 MAIN STREET – HALLMARK HEALTH PROPERTIES

Purpose: Modification of a Special Permit and Site Plan Approval

Attendees: Attorney McGrail, Ryan Fay, Ryan Fuller, Justin Mosca, Steve McCarthy

Discussions:

Attorney McGrail reminded the Board that they approved this project in 2017.

There has been a demand for pet scans in the health industry.

They are looking to expand the option to do the pet scans, but the inside of the building does not have room for the equipment.

They are requesting a mobile unit to come to the site a couple times a week.

Their Special Permit and Site Plan Approval would need to be modified because this service would take up a couple of parking spaces and a couple of trees would have to be moved.

Justin Mosca presented the site plan and presented other changes

- Building addition
- Concrete pads to support the weight of the trailer
- The trailer is about 40 feet long
- They will lose 4 parking spaces and an additional 3 spaces when the trailer is on the site.

- They have to remove a landscape island so the truck can turn into the parking lot, they will replace the island with striped bituminous pavement
- The tree in the island will have to come out along with another tree but they will replace them in another area.
- Reducing landscaping area by 200 sq. feet.

Dave the original architect
Presented the changes to the building

The zoning table was presented – they need 122 parking spaces – they need a Special Permit for a reduction to 118.

Tom asked what they meant by off hours - 7 am to 5 pm service. It was explained they would come in early evening probably 6 to 8:30 pm to set up the trailer, it takes 2 ½ hours to dock and plug in all the services.

The trailer does have a beeping noise when backed up.

Tom said that he gets complaints about the amount of lighting at night on/in the building, it is excessively lit.

Public Testimony:

None

Plans Presented:

- Site Plan and Elevations, prepared by Cannon Design October 17, 2022

Chip moved to allow the modification of the Special Permit from 122 parking spaces to 118 parking spaces and the modification of the Site Plan with the removal of the island and the trees taken down and replaced.

Tom seconded

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

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MICHAEL L. FEELEY, ALTERNATE

Joe Pride read the Legal Notice

NEW HEARING:

(23-34, 23-35) 12 NELSON AVENUE – EDWARD & LISA MATHEWS

Purpose: Special Permit and Variance to add an accessory apartment

Attendees: Brian McGrail, Ed Mathews

Chip recused himself

Attorney McGrail explained they are requesting an accessory apartment and they are also adding on to the house.

Brian presented the site plan – they are not seeking any relief for the addition.

Part of the addition is a garage.

They will move the driveway to the other side of the house.

The architectural plans were presented.

The accessory apartment will be in the back.

Calculations were presented – Total Square Feet of the house is 3,229 of which 894 square feet will be the in-law. This equals 27.6%.

Neighbor support was presented.

Lisa Mathew's parents are going to live in the accessory apartment – the Langone's.

Public Testimony:

None

Plans Presented:

- Signed Letter of Support from 14 abutters
- Square Foot Calculations, prepared by Gerald Zingariello, Professional Engineer
- Plot Plan, prepared by Paul Finocchio, dated 11/12/22
- Elevations, prepared by Gerald Zingariello, dated 9-30-22

Tom made a motion to grant a Variance under 190-22, #5 & #7 to create an accessory apartment according to the plans dated 9/30/22 by Gerald Zingariello and the site plan dated 9/16/22 revision date 11/12/22.

Joe seconded

IN favor Dave, Tom, Joe, Mike

NOT in favor – Jim

Tom made a motion to grant a Special Permit under Article IV of the bylaw for an accessory apartment as shown in the plans mentioned in the Variance

Joe seconded

IN favor Dave, Tom, Joe, Mike

NOT in favor – Jim

MEETING MINUTES

Wednesday, November 16, 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 7:03 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

Joe Pride read the Legal Notice

NEW HEARING:

(23-36) 45 ALBION STREET – ROBERT HAMM & MARTHA HAMM

Purpose: Determination and/or Finding to construct an addition onto the existing building

Attendees: Attorney Brian McGrail, Peter Sandorse, Andrew DeFuria, Robert Hamm

Discussions:

This building was before the Board in 2013. The property meets the number of parking spaces but the business has grown and they would like to add a second story. The Building Inspector wanted them to come back to the Board because they were granted a Finding.

Andrew presented a rendering of what is existing and they are proposing adding a conference room, little kitchen area and a bathroom and enlarge the two existing offices. They would be adding a dormer to both sides. They will rip off the roof and reframe the gable.

Public Testimony:

None

Plans Presented:

- Plot Plan, prepared by Vineyard Engineering, dated 10/10/22
- Elevation Plans, prepared by Phoenix Architects, dated 9-13-22

Tom moved to grant a Finding and Determination pursuant of Section 190-50 of the bylaw based on the plan dated 9-13-22, from Phoenix Architects, this is not more detrimental to the neighborhood.

Joe seconded

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

MEETING MINUTES

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Call to Order 7:03 pm

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CHARLES L. TARBELL

THOMAS J. LUCEY, ALTERNATE

GREGORY W. MCINTOSH, ALTERNATE

MICHAEL L. FEELEY, ALTERNATE

Joe Pride read the Legal Notice

APPROVED MINUTES:

Chip made a motion to approve the October 26, 2022 minutes as written.

Joe seconded

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

The meeting adjourned at 11:08 p.m.