



## MEETING MINUTES

Wednesday, January 25, 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 7:04 pm

Roll Call by David Hatfield

### In Attendance:

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

Joe Pride read the Legal Notice

### REQUEST TO CONTINUE:

#### (23-39, 23-40, 23-41, 23-42) 10 BROADWAY – NEW CREEK, LLC

A request from Attorney Brian McGrail to continue this matter until February 8, 2023, they are in the process of revising plans.

A request to extend the time for the Board to render and file any decisions was made until March 31, 2023.

Chip moved to accept the request to continue the hearing to February 8, 2023.

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

Chip moved to accept the request to make or file any decisions until March 31, 2023.

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

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### **REQUEST TO CONTINUE:**

#### **(23-51) 377 MAIN STREET – DANA RODRIGUES**

A request from Attorney Brian McGrail to continue this matter until the Boards meeting on February 22, 2023. The petitioner is in the process of reviewing options.

Chip moved to accept the request to continue the hearing until February 22, 2023.

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

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### **OTHER MATTERS:**

#### **60 AUDUBON ROAD – VCA WAKEFIELD ANIMAL HOSPITAL**

Ed Batten from Batten Brother's Signs represented the petitioner.

Mr. Batten is asking for a minor modification to a prior Variance.

They are proposing two wall signs and a face change on the ground sign. VCA is changing their branding.

The original front wall sign was permitted.

The rear wall sign they received a Variance in 2021.

When they went to the Board in 2021 for the Variance for the rear sign, VCA was already in talks at that time to rebrand, by the time they got the Variance the rebranding was approved so they never constructed the sign. They did in fact get a building permit.

One of the conditions of the Variance was that any sign changes go back to the Board, which is why they are here tonight.

Chip asked when the rear wall sign was approved, Ed said September 22, 2021, and the decision was clocked in October 20, 2021. Chip said their time has lapsed.

Dave suggested that Ed re-apply for a Variance for the rear signage.

Jim and Chip said that getting the building permit started the process, so the Variance may not have lapsed.

At first Greg said there is no clear definition of exercising the Variance, he later found a case that says that when pulling a building permit it does exercise the Variance.

The building permit was pulled in November, 2021.

Dave said the Board is inclined to approve the monument sign and the front wall sign, but would like Ed to look into the door signage – it is on the plan and he also would suggest that the rear sign be tabled.

Chip moved to find the replacement of the monument sign and the front wall sign be minor modifications and the Board approves it as a minor modification.

Joe seconded the motion

Dave proposed that the motion be modified to state that other signage being proposed tonight is being tabled.

Joe seconded the adjusted motion.

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

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### **CONTINUED HEARING:**

**(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 (Architect), Ezra Glenn, Chris Sparages, Elliot Brundage

Joe Pride recused himself and stepped out of the hearing

### **Discussions:**

Attorney Jesse Schomer explained to the Board that since the last hearing they have been working on waivers and a draft decision. They have gotten feedback from the Chair, Mr. McIntosh, Rebecca Davis and VHB consultant and there has been no feedback from Mr. McBain.

Dave Hatfield said there is a minor change from Bill Renault and they did receive Jesse's red line draft decision but it was received too late to review. He also recommended a zoom call to meet with the Town Counsel Tom Mullen before the next hearing.

Jesse thanked Greg, Dave, Jim and Ezra for all their time and feedback and work on this, they will be ready on February 8<sup>th</sup> with a final decision. Dave said that is the intent.

**Public Testimony:**

None

**Plans Presented:**

None

Chip moved to continue to February 8, 2023.

Greg seconded

Voting members all in favor - Chip, Tom, Jim, Greg, Dave

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### **CONTINUED HEARING:**

**(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), Rick Salvo (site/civil engineer)

### **Discussions:**

Attorney McGrail said they are going to go over architecture tonight based on feedback from the Board at the last hearing.

Dan Martinez presented architectural changes since the last hearing.

At the previous meeting 3 different schemes were presented.

Some of the comments were that the brick was too heavy and not residential. The Board thought scheme 1 was the best but needed to be tweaked. So they met with Jim.

The materials are stucco mixed with brick and some of the architectural designs of the bank are incorporated in the building. The cornices match the bank. The height of the building is the same as the bank. Some of the stucco and brick on this building can be seen in some of the buildings on Albion Street.

An aerial view of the site was shown.

Jim explained how he and Dan got to this design.

The bridge will be corrugated metal so that it would be its own element. Jim does not think that is a good idea, they do not want to make it recognizable. It should not be articulated.

Brian asked if the Board is satisfied with the design on the building so far then they can move forward with a materials sheet. Detail on the windows will be called out.

Jim feels the parapet on the new building is not in scale with the bank.

Chip pointed out no mechanicals and vents are being shown on the building.

Chip pointed out that all the sheets need to be coordinated and pulled together to show everything.

Tom Lucey said the front door does not really have a presence. Jim pointed out that the balcony on top of the entrance shadows the front door of the entrance.

They are planning on meeting with TAC in a couple of weeks.

**Public Testimony:**

Chris Carino – 18 Central Street and 10 Albion Street – He represents the Albion Cultural Exchange at 9 Albion Street, he also works with Ralph Penney and Richard Dolan who own 13-15 Albion Street. They have not seen any of the plans. He is worried about their own entrance and the alley and would like it visually pleasing. It seems to make sense to all work together on their concerns. He does not like where the dumpsters are located on their plans. They want to be included in conversations about this building.

Brian said he and his client will get in touch with Chris.

**Plans Presented:**

- Site/Civil Plans prepared by American Surveying & Mapping, Inc. and Engineering Alliance, Inc. dated – various
- Architectural plans prepared by Khalsa Design, Inc., dated 1/19/23
- Drainage Calculations and Storm Water Management Plans, prepared by Engineering Alliance, Inc., dated 1/13/23

Discussions for the next hearing –

- Fine tune the architectural plans discussed tonight
- Any updates if they meet with the neighbors

Future Discussions - Engineering is looking at the drainage plans and will make their comments, TAC is on their agenda

Brian asked to extend the time to render a decision to March 31, 2023



Chip moved to continue this hearing to February 8, 2023 and extend the time to make a decision until March 31, 2023

Joe seconded

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

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### **NEW 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, Andrew Zalewski (architect), Jim Cook & John Mandel (prospective owners of the property)

### **Discussions:**

Attorney McGrail recapped the last hearing and said they heard loud and clear how the Board was not happy with the massing of the apartment building and the position of the single family in the back of the property.

They had a team meeting, Mr. Zalewski thought he came up with something that the Board may like better, which will be presented here tonight. The new architectural drawings give it a town house streetscape and it helps with the massing.

John Ogren updated the site plan, he moved the position of the new single family dwelling. Now it does not sit in front of the current single family, it has been pushed back into the corner of the lot. New drainage calculations will have to be made.

Andy Zalewski explained that he thinks that this new plan gives it more of a residential feel. It is the same size but it is a much different feel.

Jim McBain said it is much better and in the right direction because it scales it down. He would like to see how the rear is developed and he would like to see how the roof/height elevations fit into the neighborhood. He would also like to see the height of the neighboring buildings in comparison to this one to give it a gauge.

Chip said this building is just too big. 19 units is way too many for this space. Even though this new plan breaks it up nicely they are trying to do too much with this property.

Greg feels the same way. They are trying to pack way too much into this property.

Brian reminded the Board of all the commercial and residential buildings that are there now on the property. This project will provide less traffic and congestion and clean up the site.

Brian asked if this new concept is worth developing the plans. There is an economic factor and the number of units cannot be less. Greg pointed out that even though it is better than what is there now it does not mean it is right for the site. Brian said there is plenty of parking. Brian said that if this project goes away then what other type of project would go there.

Chip asked to go over what was on the property now:

Two-family dwelling – coming down

Two commercial and two residential – coming down

Four residential units in the back and two commercial garages – coming down

Single family home in the back of the property - staying

TOTAL UNITS 13 NOW

Chip is worried about what the two homes in the back will be looking at when this apartment building is built. Chip appreciates what they have done and knows they are still developing the look but it has a large frontage presence. It seems like they are trying to do a lot with this property.

Jim said the rear of the apartment building will be like a 4 story wall that the homes in the back will be looking at. He feels that maybe if the outer edges are lost and horizontal articulation is done then maybe they can work with it, but they may lose a couple of units.

The single family house that they are moving to the back corner also moves the lot line which means they have to go back to the Planning Board.

Chip would like to see the new single family home pushed back just a little bit more.

Jim wants to see the location of the homes around this property.

Tom feels that they do not want to set precedence to areas in town that need rehabilitation to maximize the number of units.

Brian said they have not forgotten about the neighbors' concerns about drainage but they need to figure out what they are doing to the site before they can tackle that problem.

Next hearing

Architecture

**Public Testimony:**

Jane DaDdario – 1 Hope Terrace – she supports this project. She sees the impact in the front of this building with all the traffic, she thinks the traffic will be much better and she is glad the property will be cleaned up.

Brian requested an extension of time to render a decision until March 31, 2023.

**Plans Presented:**

- Updated Site Plan, prepared by John Ogren of Hayes Engineering
- Architectural elevation prepared by The MZO Group, dated 1-17-23

Chip made a motion to continue to February 8, 2023 and to extend the time to March 31, 2023.

Joe seconded

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

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### **NEW HEARING:**

**(23-53) 28 LAFAYETTE STREET – BRIAN PRUE AND LAUREN STERN**

**Purpose:** Determination and/or Finding to construct and addition

**Attendees:** Attorney Brian McGrail, Brian Prue, Lauren Stern, John Ogren

### **Discussions:**

The Prue's have an existing addition on the back of the house that they are having structural problems with. They are proposing to raze the existing addition and construct a new two-story addition.

The site plan and zoning table was presented – they do not need a Variance. Lot width is going down a little that is why they need the Finding, it is the only non-conformity.

Existing and proposed architectural elevations and renderings were displayed. They will put a full basement in, what is there now is crumbling. The second floor will consist of their master bedroom.

Mr. Prue explained that they found there is no actual basement under the addition and the addition has noticeably sank. It is currently being held up by a tree stump and blocks.

Chip asked if they have heard from any neighbors. Mr. Prue said they have talked causally to some of the neighbors.

**Public Testimony:**

None

**Plans Presented:**

- Plot Plan with Zoning Table, prepared by Thomas Winslow of Hayes Engineering, dated 1-6-23
- Architectural Drawings & Elevations, prepared by AJA Engineering, dated 12-22

Chip made a motion to Find based on the plans presented tonight that the existing nonconformity has increased only in one area and although the addition does intensify or increase the existing nonconformities by including a second story it is not substantially more detrimental than the existing nonconformities to the neighborhood.

Joe seconded

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

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GREGORY W. MCINTOSH, ALTERNATE

### **Not Present:**

MICHAEL L. FEELEY, ALTERNATE

Joe Pride read the Legal Notice

### **APPROVED MINUTES:**

Chip made a motion to approve the January 11, 2023 minutes as updated.

Joe seconded

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

The meeting adjourned at 9:14 p.m.