



**TOWN OF WAYLAND**  
41 COCHITUATE ROAD  
WAYLAND, MASSACHUSETTS 01778  
**PLANNING DEPARTMENT**

SARKIS SARKISIAN  
WAYLAND TOWN PLANNER  
TEL: (508) 358-3615  
FAX: (508) 358-4036

**DRAFT MEETING MINUTES**

**July 8, 2014**

The Wayland Planning Board met on **Tuesday July 8, 2014 at 7:30PM** in the Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

**7:30 Review Agenda / Public Comment**

**7:35 150 Main Street – Public Hearing for Request for Revision to Planning Board Decision 02-2013**

The Wayland Planning Board will hold a public hearing on Tuesday evening, July 8, 2014 at 7:35 PM, in the Wayland Town Building, 41 Cochituate Road for a revision and amendment of the Planning board site plan approval 150 Main street case No. 02-2013 under the Zoning Bylaws, Article 6. The applicant is specifically requesting that Condition 30 be removed from Site plan Approval No. 02-2013. the public is invited to attend and offer comments regarding this application.

**8:25 Correspondence, Wireless Communication Cell Tower legislation, Approve Minutes for 6/17/2014.**

**9:00 Adjourn**

Attendance:

Ms. Colleen Sheehan, Chair

Mr. Kevin Murphy, Clerk

Mr. Andrew Reck, Vice Chair

Mr. Ira Montague, Member

Mr. Kent Greenawalt, Member - Absent

Mr. Dan Hill, Associate Member

Also present was Mr. Sarkis Sarkisian, Town Planner. Minutes taken by K. Murphy

**7:30PM Open and Public Comment:**

C. Sheehan opened the meeting and reviewed the agenda.

**Public Comment:**

Mr. Paul Bernotas, Center Street. Mr. Bernotas asked the Board who enforces Planning Board decisions. He was informed that Building Commissioner does.

**7:35 PM 150 Main Street:**

A. Reck read the Public Hearing notice.

S. Sarkisian informed the Board that the Massachusetts State Land Court had requested a meeting with interested parties on July 29<sup>th</sup>. Town Counsel recommended that no decision be reached tonight and that the hearing be continued to a date after the hearing.

Public Comment:

Jeff Horan, Center Street: Questioned why the Town didn't have legal representation at the meeting. S. Sarkisian reminded Mr. Horan that no vote will be taken and counsel had not been asked to attend.

Arleen Shuler, King Street: Asked why the developer is asking to amend the decision now and wanted to know if the appeal period had expired.

S. Sarkisian stated that the request to amend is a result of a change in Wayland Town Counsel's assessment of the status of the way. Since he has now determined that the way is a private way not open to the public, set-backs are not needed and the condition that the applicant is asking to remove is no longer applicable. S. Sarkisian also noted that this is a request to amend and not an appeal.

Finally Ms. Shuler noted that C. Sheehan had, in the past, worked for a public relations firm of which CVS is a client. She questioned if there is a conflict of interest.

C. Sheehan responded by noting that she has not represented CVS is more than 7 years and that she left the PR firm 3 years ago. Ms. Sheehan also offered to provide a non-conflict statement if needed.

Nancy Liefer, Main Street: Ms. Liefer noted that there are still articles "on the web" that mentioned CVS and Ms. Sheehan so they "still might be connected".

Mr. Leanoard Davidson, representative for the Martino family: Stated that the Martino's feel the way is a 'public way' and that they have access to the full way (length and width). He also stated that installing signs and eliminating town maintenance does not make the way 'private'.

Mr. Charles Le Ray, representative for the applicant: Stated that the Martino's do have an easement by deeded right. This allows the Martinos and their guests and invitees to pass and repass at will. There is no intent to change this. However, this does not make the way 'open to the public'.

Mr. Dan Hill, assoc. member, noted that the Land Court is only considering a request to combine parcels at the site. The court is not being asked to determine if the way is public or private.

Paul Dale, 18 Parklawn Drive: Asked if the Board could insert a new condition or deny the Applicant's Site Plan Approval if it is determined that the way is not open to the public. S. Sarkisian noted that the Board would need to have a basis for denying it. The plan has already passed site plan review and the only open issue was the applicability of setbacks. Mr. Dale asked that members of the public be allowed to comment before any approval is granted.

Mr. John Mancini, Old Ct. Path: Requested to see a plan that clearly shows registered land, private land [sic], and the location of Hammond Way.

Ms. Elizabeth Smith, Leary St.: Asked if Leary Street could be designated as a private way not open to the public. S. Sarkisian responded that Leary street is already a town street and is open to the public.

Motion: Continue hearing to Tuesday August, 5 at 7:35pm in the Town Building.

Move: K. Murphy

Second: I. Montague

Vote: 4-0

**8:45 PM Correspondence and minutes:**

FinCom: The Fincom will be holding a meeting on July 16 re: long range capital planning. The Town's existing plan was prepared 5 years ago. Since this dovetails with our proposed facility review, C. Sheehan will attend the meeting. If others want to attend, please inform Sarki so we can post if necessary.

Duane Galbi, Stonebridge Road: Mr. Galbi has proposed revising the proposed STOP bylaw to address concerns raised at Town Meeting. He proposes to circulate a draft of a new bylaw to Stonebridge area neighbors to determine the degree of support for moving forward with this. If he finds that there is still strong support for a bylaw, he will approach the Board to plan for re-submitting the article.

Wireless Communications Cell Tower Legislation: New legislation being considered at the state house will allow communications companies to bypass local zoning requirements when siting new facilities. S. Sarkisian will follow up on the progress of the legislation and with crafting an official response/comment.

Review minutes for 6/17/2014.

Motion: Approve minutes, as amended, for 6/17/2014

Move: A. Reck

Second: I. Montague

Vote: 4-0

**9:05 PM ADJOURN**

Motion: Adjourn.

Move: K. Murphy

Second: A. Reck

Vote: 4-0

Respectfully submitted,

---

Kevin Murphy, Clerk

---

Date