



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3600
FAX: (508) 358-3606

Minutes

August 25, 2015

Attending the hearing was Eric Goldberg, Aida Gennis, Argie Shapiro and Linda Segal.

Application of BIN JIA for any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure by more than 20% (construct a second story addition) under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 401.1.2, and 401.1.3. The property is located at 4 LAWRENCE ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-16)

Per the applicant's request the hearing has been continued to 7:15p.m. on September 8, 2015. No panel was set.

Application of KEVIN and KARA BRITTAN for any necessary approvals, special permits and/or variances as may be required to extend dormers for increased bedroom and closet spaces within side yard setback under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 301, 302, 401.1.2, 703.2, 1604.2 and 801-Table of Dimensional Requirements (side yard). The property is located at 18 GLEZEN LANE which is in a SINGLE RESIDENCE DISTRICT and AQUIFER PROTECTION DISTRICT. (15-17)

Eric explained to the applicants that tonight there were only 4 members here and if they wanted a vote they would have to get a 4-0 vote with no one voting against it. Linda Segal also mentioned that this house was in Zone 1 of the Aquifer Protection District which regards the water supply. Linda mentioned that there was an existing deck that seems to be on the Town of Wayland property and has not been permitted. Linda said that in all fairness this was not in front of them tonight but just wanted to mention that to the applicant. The applicant said they bought the house 2 years ago and they had the survey done and it was found that it was there before but on Town property. Kevin Brittan showed the plot plan that was given to them at their closing and deck was not on there. So he feels they have two issues now, the deck and wanting to do the dormers. Linda made it aware that not that long ago there was an applicant that went to the board and was on the same street and the same zone and had a hearing but was within in zone 1 the board required them to have input from the sister boards, conservation, board of health and dpw, etc. It is an area of land that is in zone 1 and have some obligations to follow and also in the Aquifer Protection. Eric felt that this was a different application from the last one which they were constructing a new garage, new construction because they were disturbing the grounds, so they did continue the matter in order for the applicant to go to other departments to get guidance of what the other entities required would be. Eric could not image a dormer making a concern of the water table. Linda said also looking at a deck that is on different property. Eric said they are looking at what is in front of them and not the deck at this time. Eric said it creates this monkey wrench, but the deck is not relative to this application, but it may be prudent for the applicants to continue and place a call over to the Department of Public Works to show they are protecting the Zone 1 area. Aida asked what authority do they have over the deck. Eric said there is no application referring to

the deck, it is pre-existing. What is relevant before them are the dormers. Aida feels it is an enforcement from another municipal department, could be the DPW. Eric said we are not the zoning police and would be highly improper because they are deciding something that is irrelevant to the case that is in front of them. The only issue before the board is the dormer extension, is that an issue within the dpw and if it is send them to dpw or if it is not. Linda said she would like to have some guidance from the DPW and have the applicants show the dpw the plot plan. Linda said controlled water department. Arjie said reading the Aquifer Protection, says structure that it is affect. What constitutes the existing structure and if the deck was an issue and if that was in front of them. Eric said they could look at the whole house as the structure but what is it in front of them. Linda said doesn't that give them a teaching to help the owner understand, or the dpw an opportunity to protect the water supply. Linda said the whole property is in Zone 1. Eric said is this the kind of work that is raised for the piece of the zone. Linda said perhaps the Board of Public works could give us a list of conditions. Eric said the only thing for applicants to pursue is if the proposed work affects this zone, if yes, then go get conditions or no they can go ahead and make the finding. Eric said for the purposes for Zoning Board, is what is in front of them, which is the dormer. Argie said her concern is if anything is impacted; i.e. where all the construction trucks and material will go. Eric agreed.

Applicant said it already had been approved without the part not within the setback. Linda mentioned to the applicant about the Wellhead and spoke about the other application which they sent to the Department of Public Works. Linda suggested to the applicant to find out what the board of public works would like to have the project be protected while in construction in Zone 1.

Applicant just said any kind of guidance they could give them would be great such as if going to DPW or etc. Linda said they could do the same, and ask the Board of Public Works their advice, and what conditions they would like to see. Eric said it would be a matter of continuing tonight's hearing and then presenting the proposal to someone, Linda said go to the Water Superintendent. Argie explained the options to the applicants. Linda told the applicant to speak with the Water Superintendent. Eric said to reach out to these folks and let them know they have been before them and the property is in the Zone 1 and is it something that would trigger their concern and if no issue have them send the board a memo saying that.

Applicant said they would contact the water department and continue the hearing.

Aida said they could also withdraw and do what they are allowed and then come back for the other dormer if they are in a hurry to build.

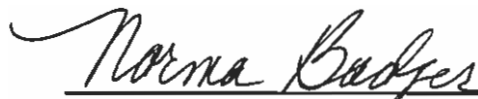
Eric asked applicant what they would like to do, continue or withdraw.

Eric wanted to make it on the record that this has only been a discussion whether to go on with the panel 4-0 or to continue it, so therefore no actual panel has been set.

Continued to September 8, 2015 at 7:30 p.m.

Eric voted to adjourn at 7:55 p.m. Aida second, unanimous

January 12, 2016
Date Minutes Approved



Prepared by: Norma Badger

