



**TOWN OF WAYLAND**  
MASSACHUSETTS  
01778  
**BOARD OF APPEALS**

TOWN BUILDING  
41 COCHITUATE ROAD  
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Minutes

September 8, 2015

Attending the meeting was Eric Goldberg, Chair, Aida Gennis, Thomas White, Michael Connors, Linda Segal and Argie Shapiro

Application of JOHN and RANIA BARTICK for any necessary approvals, special permits and/or variances as may be required to change, alter, extend a pre-existing, non-conforming structure (demolish existing enclosed porch and construct a new extended family room) within required front yard under the Town of Wayland Zoning By-Laws Chapter 198 Sections 201, 203, 401.1.2, 401.1.3, 702, and 801 – Table of Dimensional Requirements (front yard) The property is located at 11 MAGUIRE ROAD which is in a SINGLE RESIDENCE DISTRICT. (15-18)

Panel hearing the matter: Eric, Aida, Thom, Mike and Linda. Mike will write the decision.

The applicants John and Rania explained that they wanted to do an addition and renovation. There is an existing 3 season porch and garage and would like to demolish and rebuild toward the front of the yard. It showed on the plot plan that this addition would encroach on the setback. Eric said it would not encroach more than what is existing. Eric said he didn't view it as an extension of being more nonconforming. Mike read section of the front yard bylaw. Thom said he would see it as an extension as a nonconformity. Linda asked if they shared plans with neighbors. Applicants said yes.

Public: No comment.

Mike made a motion to grant the special permit with conditions and plans that it is not detrimental to the neighborhood.....Eric second. All in favor 5-0

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)

Panel hearing matter: Eric, Aida, Mike, Linda and Argie. Argie will write the decision.

Applicant did not show for the hearing. Matter was continued from August 25, 2015 per the applicant's request and had no further communication with the Building Department.

Much conversation about what to do with this hearing. Eric looked through the rules and regulations to see what it is to do.

Mike made a motion to dismiss without prejudice....much conversation with what to do with this application. Aida said try to accommodate the applicant. Eric said they opened the hearing and need to continue the hearing and may need to have them sign another extension form at the next hearing. Linda said they have an attorney representing and no communication has been made. Eric said they could continue it to September 29, 2015 and then have them sign an extension form.

Mike made a motion to withdraw without prejudice since the applicant is not here. Linda second the motion. And if they reapply the fees will be waived. All in favor. 5-0

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)

Panel hearing matter: Argie, Mike, Thom, Aida, and Eric. Thom will write the decision. This was continued from August 25, 2015 and the issue was the property was in Zone I protection and what can and cannot be done in that area. Eric mentioned they received a memo from Don Maillet DPW, indicating the area is within Zone I and attached was a memo from the Board of Public works from another recent case. It is the opinion of the Board of Public Works that understands this Zone and is within the best practice of the area and no substantial concern. Kara explained to the board that they walked Don through the property and explained that the dumpster will not be in that corner in the area of the Zone. Linda asked if the decision from last year had mentioned the letter and conditions of DPW. Eric said they could include a narrative description of what was mentioned by the DPW and include a condition that the work be performed within the conditions of the DPW.

The applicant Kevin said they have shed dormers on the front and back and would like to bump them out 3-4 feet and would not be affecting the floor plan, so they could have more room to have closet space.

Public: No comment.

Mike made the motion that although it will increase the nonconformity and not be more detrimental to the neighborhood or against the public interest.....and grant special permit with conditions and any other approvals and boards, Eric second, All in favor 5-0.

Other Matter: Eric Goldberg spoke about his conflict with an upcoming case and also spoke with Mark Lanza. Thom also spoke with Mark regarding his issue with the case and both situations do not create a conflict and Eric and Thom do not have to recuse themselves. Aida said she is a neighbor. Linda said she would not be here.

Eric motioned to adjourn, Argie second. All in favor.

*January 12, 2016*

Date Minutes Approved

*Norma Badger*

Prepared by: Norma Badger