



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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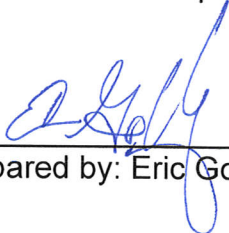
MINUTES
March 22, 2016
(Executive Session)

Attending the meeting held at 7pm in the Selectmen's Meeting Room in Wayland Town Building located at 41 Cochituate Rd. Wayland, were members Eric Goldberg, Chair, Aida Gennis, Thomas White and associate members Shaunt Sarian, Argie Shapiro, and Linda Segal. Also in attendance were Town Counsel, Mark Lanza, and Building Commissioner, Geoff Larsen.

Town Counsel Mark Lanza appeared and updated the Board on the status of the pending Land Court case involving 150 Main Street, LLC's appeal of the Board's decision denying, in part, 150 Main Street's administrative appeal of the Building Commissioner's decision to withhold a building permit for the CVS project. Attorney Lanza stated that the next event is a status conference in May, 2016. He also informed the Board that last month the Massachusetts Appeals Court issued a decision in a case between an abutter, Arlene Martino, and 150 Main Street, LLC as to the status of Hammond Road. He reported that the Appeals Court reversed a Land Court decision in which Judge Sands ruled that Hammond Road is way. Attorney Lanza explained that the Appeals Court reasoned that although Hammond Road is labeled "way" on the Land Court plan, as a matter of law, it is an easement that provides access to the Martino property. Attorney Lanza advised that unless reversed, the Appeals Court ruling resolves an uncertainty about whether the building setback requirements of the Zoning By-Laws apply. Attorney Lanza further discussed options for resolving the litigation.

The Board by roll call vote voted unanimously to exit executive session and return to open meeting.

May 11, 2017
Date Minutes Approved


Prepared by: Eric Goldberg