



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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MINUTES
JANUARY 12, 2017

Attending the meeting on January 12, 2017, in the Selectmen's Meeting Room in Wayland Town Building located at 41 Cochituate Rd. Wayland, were members Eric Goldberg, Chair, Aida Gennis, Jonathan Sachs, Thomas White and Associate Members Jason Drori and Linda Segal. Liz Reef was in attendance to take minutes. Geoff Larsen, Building Commissioner & Zoning Enforcement Officer also attended, as well as Carolyn Murray, esq. from KP Law, Town counsel for Wayland. The meeting started at 7pm.

During Public Comment Gretchen Dresens gave hardcopy of Zoning Enforcement Communications regarding 150 Main St. to board members.

Discussion with Town Counsel of open meeting law complaint filed by George Harris. Carolyn speaks about open meeting law. Board has 14 days to respond to formal complaint, she then submits the response to the Attorney General's office. She asks for a motion to have one board member be a liaison between Town Counsel and ZBA.

Eric discusses the 58 page transcript from the Nov. 29, 2016 meeting that the building department received from a transcription service they used to help facilitate drafting minutes for that meeting. Eric asks if that transcript is insufficient because names weren't mentioned. The transcript just makes reference to he/she. Carolyn suggests a coversheet to put with transcript to satisfy requirements of minutes.

Minutes need to site documents & exhibits that are used at meeting. Eric suggests applicant should be required to submit a list of documents & exhibits they are providing with application so burden doesn't fall on building department. The list could then be included with the application and handed over to board members in their packets.

Linda asks what the specific complaint filed was as she didn't receive it. Carolyn reads the three items on complaint. Eric asks if 60 days is realistic to supply missing minutes. Geoff said he would love to say yes but doesn't know if he can because it's a staffing issue. Eric says he thinks we need more time and whatever is practical that the law allows.

Eric asks what if each board member takes two meetings to listen to and takes minutes.

Aida suggests that someone from the town's tax write off program could listen to meeting tapes and do the minutes for the missing minutes.

Board asks if there is money in budget to hire someone to solely focus on listening to meeting tapes and doing minutes from those.

Eric thinks it would be ideal to have someone like Norma going forward. Eric suggests again that each board member take 2 ½ meetings from missing meeting minutes and listen to tapes to get those minutes done. He doesn't think it's a good use of town's money to pay for someone to do the missing minutes. Eric says they will divide them among board members.

Eric says he needs agendas of each missing meeting, and list of documents that comprise application.

Eric acknowledges that there are missing minutes from past meetings.

Carolyn needs vote and needs to know who will be her liaison. Jason volunteers to be liaison for Carolyn.

Motion to make Jason liaison and for Carolyn to prepare response to Attorney General's office. All are in favor, no one opposed. Eric asks Carolyn to buy the board as much time as possible to produce missing minutes.

George Harris, resident and filer of complaint, speaks. He asks board what they would have done about missing minutes if he hadn't filed complaint. George says this shouldn't fall on building commissioner. George suggests that board should go to Fin Comm and tell them they need money for staffing to produce missing minutes. He says they should go to Selectmen and tell them they need money because they were in violation of law.

Eric says he takes responsibility for what happened.
George says he filed complaint to get the board's attention.

Jason asks Carolyn if they get minutes done in allotted time would Attorney General's office consider not finding a violation against the board. Carolyn says probably not.

Linda asks that a topic be added to January 24th meeting. Linda wants board to look at handouts she has. Linda says that Planning would benefit from outside counsel and funding for their complete phase two zoning by-law revision. Eric says he doesn't mind having it on agenda.

Eric has concerns about changes to zoning. It makes him uncomfortable to discuss this with planning. Eric says they as a sitting board are not supposed to be policy makers. Eric asks Linda what she wants the board to do regarding the planning by laws.

Planning board chairman discussed five zoning amendments. They had a meeting on January 3, 2017 and they dropped four.

Aida suggests planning board and Eric discuss this. She said it's a planning board issue not a zoning board issue. Eric tells Linda that Dan (planning board chair) can call him.

Meeting adjourned at 8:45pm.

January 24, 2017
Date Minutes Approved


Prepared by: Liz Reef