



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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MINUTES
APRIL 11, 2017

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 and Linda Segal. Liz Reef was in attendance to take the minutes. Audio recorded by WayCam.

Public Comment: George Harris of 8 Holiday Rd. raises issue with Eric using the phrase "Hyper Technical" in the February 28, 2017 meeting when discussing Mr. Harris' OML complaint from February 21, 2017. Mr. Harris said that Town Counsel told the Attorney General's office that his OML complaint wasn't filed properly with the board because he had emailed it directly to Eric Goldberg. Mr. Harris explained why he disagreed. Mr. Harris said that he had emailed with Eric several times since October 2016 and Eric responded to him and never once told him to please not email him directly so Mr. Harris didn't know this wasn't proper procedure.

Eric reads the legal description for Case #17-03:

5 Sycamore Road – Mokema Realty LLC

Application of **Mokema Realty LLC** for any necessary approvals, findings, special permits and/or variances as may be required in order to construct a proposed vertical 2nd story addition with renovations to a preexisting non-conforming single family structure on a pre-existing, non-conforming lot (lack of frontage and square footage) that is less than 30 feet from the front yard property line and less than 55' from the centerline of the right of way that also changes (increases) the existing gross floor living area by more than 20% under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to, Sections 104.2, 201, 203, 401.1.2, 401.1.3, 401.1.3.2, 401.1.6, Article 8 and Article 16. The property is located at **5 Sycamore Road** which is in a R-20 Single Residence District and the Aquifer Protection District. **Case #17-03 (Rescheduled: Town Building closed due to weather)**

Panel: Eric, Aida, Thomas, Shaunt, and Linda. Thomas will write the decision.

Public Comment: Judy Bennett of 66 Hawthorne Road submits a handout to the board titled Reasons to not approve the Proposed Variances for 5 Sycamore Road. She says it is a high density area and wants the board to consider not allowing proposed height expansion for this project and future projects like this in the area. She also has concerns that Beech Trees will be removed to do this expansion.

Cindy Turner of 6 Sycamore Road expresses concern about parking in the area. Therefore, she is happy to hear that there won't be an expansion of bedrooms with this project.

Kurt Seifel, the contractor, says that the renovation is only to build up in height and not to expand the foundation which is sound. He says he won't be cutting down any Beech Trees.

Eric tells the applicant that it would be prudent for the board to see the house and the existing and proposed height. Eric says the board would also like to see the view from Judy Bennett's house to get a better idea of her concerns about the proposed height.

The board schedules a Site Visit for April 21, 2017 at 8:15am. The case is continued until April 25, 2017 at 7:15pm. Eric has the applicant sign an extension form until May 9, 2017.

Eric reads the legal description for Case #17-04:

5 Crest Road – Paul and Leslie Morette

Application of **Paul and Leslie Morette** for any necessary approvals, findings, special permits and/or variances as may be required in order to remove an existing single family dwelling and reconstruct a single family dwelling on a pre-existing, non-conforming lot (lack of square footage) that is less than 30 feet from the front yard property line and less than 55' from the centerline of the right of way that also changes (increases) the existing gross floor living area by more than 20% under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to, Sections 104.2, 201, 203, 401.1.2, 401.1.3, 401.1.3.2, 401.1.6, and Articles 8 and 16. The property is located at **5 CREST ROAD** which is in a R-20 Single Residence District and Aquifer Protection District. **Case #17-04 (Rescheduled: due to meeting conflict with Town Elections)**

Panel: Eric, Aida, Thomas, Shaunt, and Linda. Aida will write the decision.

Eric says since this project is a complete teardown the board wants to do a Site Visit before hearing the case. The board schedules a Site Visit for April 21, 2017 at 8:45am. The applicant says he'll have a Structural Engineer present for the Site Visit.

The case is continued until April 25, 2017 at 7:30pm. Eric has the applicant sign an extension form until May 9, 2017.

Eric reads the legal description for Case #17-05:

62 Sedgemoor Road – David R. Burnside and Anna M. Corti

Application of **David R. Burnside and Anna M. Corti** for any necessary approvals, findings, special permits and/or variances as may be required in order to enlarge an existing residential garage that is located in a side yard setback as well as to construct a lateral addition to an existing single family dwelling where the addition is partially located in a side yard setback that also connects to the same garage under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to, Sections 104.2, 201, 203, 401.1.2, 401.1.3 and Articles 8 and 16. The property is located at **62 Sedgemoor Road** which is in an R-40 Single Residence District and Aquifer Protection District. **Case #17-05**

Panel: Eric, Aida, Thomas, Shaunt, and Linda. Eric will write the decision.

Eric says he doesn't see any issues with what the applicant wants to do.

Eric makes a motion to grant special permit subject to the usual conditions. Aida seconds.
Voted approved...5-0.

Documents submitted with application: Certified Plot Plan by David Humphrey dated 3/2/17 Sheets 1 & 2, Photographs and Sketches of Exterior of house and garage, Square Foot Calculations for Setback.

Other business:

Joseph Strazzulla, President of Main Street Property, Inc. discusses pylon signs on street.

Eric says it doesn't appear that the Board approved pylon sign the way it is illuminated. Eric says the 110 Grill sign is problematic because it's internally lit and an oscillating sign isn't allowed. He says, in fact, the Board didn't approve any signs for 110 Grill.

Eric says the signage on the property exceeds what the by-law permits so any sign that is added has to be permitted by the Board.

Eric says Condition #2 in the Board's decision (case 15-22) was approval of the 11/6/15 corrected sign plan, not the 9/9/15 plan. Therefore, the signs that are there were not what the Board approved in the decision. Design Review Board input was silent on new signage and its lighting.

Joseph says he'll talk to lighting company about the ghosting effect and what can be done about it. He says the 110 Grill sign is fixed to the building but the "flutters" move. Eric says the problem is the by-laws, 501.1, say signs shouldn't move.

Eric says the 110 Grill box sign violates 501.1, the moving part, and 501.2, the illumination part. Eric tells Joseph he would like to speak with the tenant if the tenant was responsible for getting the sign permit. Eric asks Joseph to tell the tenant that the Board wants to discuss this with them.

Other business:

Discussion about OML complaint filed by Mr. George Harris on March 20, 2017. Town Counsel will write and submit the Board's response regarding this OML complaint. Linda requested the Board be able to review the response prior to submittal.

Review past meeting minutes for approval. Minutes reviewed were 12/15/15, 2/23/16, 5/24/16, 6/14/16, 7/12/16, 7/26/16, 9/26/16, 10/25/16, 11/17/16, 11/29/16. Eric moves to approve all of the above minutes as amended. Voted 5-0.

Review 2/28/17 minutes. Linda expressed preference for resolving OML complaints locally when possible. Eric moves to approve these minutes. Voted 4-0-1. Linda abstains.

Meeting adjourned at 9:55 p.m.

June 27, 2017
Date Minutes Approved

Liz Reef
Prepared by: Liz Reef