



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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MINUTES
AUGUST 3, 2017

Attending the meeting held at 7:30pm in the Large Hearing 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, Linda Segal and Jason Drori. Carolyn Murray, Town Counsel, and Melissa McCarthy, both from KP Law were in attendance. Joseph Peznola, Massachusetts Housing Partnership consultant, was in attendance. Video and Audio recorded by WayCam.

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

24 School Street – Windsor Place LLC

Application of Windsor Place LLC for a comprehensive permit pursuant to G.L. Chapter 40B filed for twelve (12) rental units, of which not less than 25% or three (3) units shall be restricted as affordable for low or moderate income persons or families, to be constructed on the property located at **24 School Street**, containing 37,865 SF +/- of land area. This property is located in a R20 Single Residence District as shown on Assessors' Map 52, Parcel 189. **Case #17-17**

Documents submitted with application: Certified Transportation Impact Assessment by Vanasse & Associates, Inc., dated 6/1/17. Certified Structural plans submitted by John Ciccariello. Certified Existing Conditions Site plan submitted by Metrowest Engineering, Inc., dated 5/23/17. Certified Proposed Layout Site plans submitted by Metrowest Engineering, Inc., dated 1/23/17.

Eric opened the meeting and explained the original date set for the meeting was August 8th. It was legally changed to August 3rd. A panel was set; Eric Goldberg, Aida Gennis, Thomas White, Jason Drori, Linda Segal.

Eric is stepping down as chair. Someone will take over for him. Jonathan Sachs has ability to listen to transcript and step in as 5th member under MA law.

Eric explained that 40B is a long process and can last several months. There are a lot of issues to contend with. The steps require peer review with consultants hired by the town. There will be a lot of attendees with interest and comments. All will be heard as part of the process but not all tonight. The process is incremental and the board will address subjects incrementally and schedule accordingly.

Eric mentioned that, in the past, the town has used a "responsiveness memo" which is created to collect input from all boards and related departments. He suggests keeping this format to collect feedback. The burden falls to the applicant to keep this memo up to date with issues.

Wayland has brought on a 40B consultant – Joe Peznola - through a MA Housing grant. Joe introduced himself and gave a brief overview of 40B, Affordable Housing law, requirements for developer, town, definitions of affordable housing. He explained that applicants can ask for relief from local requirements but not from State requirements. He will be available for technical assistance with this process.

The board has 3 ways to approve a 40B – **as submitted, with conditions or denied**. The project could also be rendered uneconomical.

The board has 180 days to close the hearing, 40 days to render a decision.

Eric reminded the board that a site visit should be scheduled for a walk through before the end of the meeting.

The applicant for the School Street project, Chris D'Antonio, was introduced. He is a member of Windsor Place LLC. Mr. D'Antonio named the team he is working with; Mark Kablack (counsel), John Ciccariello (structural engineer), Curtis Construction (HUD projects), MCL Housing (lottery agent), Equity Partners (will manage property), Metrowest Engineering, Duschene Witt.

Mr. D'Antonio described current property and proposal for 12 rental units, consisting of 10 two bedroom and 2 three bedroom units. Three units will be considered affordable. Sketches of proposed project were shown and all aspects of the buildings, septic, landscape, etc. were discussed.

Per Mark Kablack – all 12 units will count towards Wayland's SHI going forward.

Eric spoke about peer review consultants. Applicant must fund them. There will be one consultant for each issue – ex. civil engineer, wastewater management, traffic engineer. A deposit is needed from applicant to retain consultants. Wayland has used consultants for past projects that board would like to work with again. TEC for traffic, Marchionda Associates for storm and waste water management, etc.

Consultant may be needed for environmental issues. Mr. D'Antonio asked about conservation concerns. Eric stated Mr. D'Antonio should work directly with the Conservation Commission as this is not a ZBA matter.

Linda Segal explained that Joe Peznola has created a tentative schedule covering the next 6 months.

Resident George Bernard spoke about a letter he dropped off. He has hired an attorney, Mike Wiggins, to represent himself and his neighbors. Mr. Wiggins addressed board urging attention to wetland, storm and wastewater issues. He is concerned that property is dangerously close to wetlands. Eric affirmed that this matter is of great concern and will be addressed with appropriate consultants in the future.

Linda Segal mentioned a lot of overgrown areas may need clearing in order for board to view the site during site visit.

Mark Kablack stated that applications would be submitted to Conservation and Board of Health to address wetland/storm and wastewater. Mark said he and applicant will take under advisement what consultant the board recommends for such matters.

A site visit is scheduled for Wednesday, August 16th at 8 AM. This is simply to view the property.

No deliberations or Q&A take place during site visit.

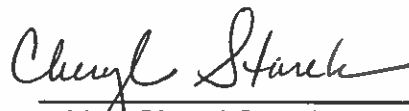
Suggested topic for the next hearing is traffic. September 7th is suggested for hearing date. Nancy Leifer handed out documents and read aloud. Her concern is over historical measurement for boundaries of property and discrepancies. Eric agreed this is concerning and will be addressed. Mark Kablack responded. The data used is a current survey. He will review. Mark reminded that ZBA does not decide on title issues.

Other Business: Eric moves to approve minutes from 6/20/17 and 7/25/17. Voted 6-0.

Meeting adjourned at 9:34 p.m.

October 10, 2017

Date Minutes Approved



Prepared by: Cheryl Starek