



TOWN OF WAYLAND  
MASSACHUSETTS  
01778  
BOARD OF APPEALS

TOWN BUILDING  
41 COCHITUATE ROAD  
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MINUTES  
AUGUST 22, 2017

Attending the meeting held at 7pm in the Large Hearing Room in Wayland Town Building located at 41 Cochituate Rd. Wayland, were members Eric Goldberg, Chair, Aida Gennis, Jonathan Sachs, David Katz, and Associate Members Jason Drori, Shaunt Sarian, and Linda Segal. Amy Kwesell of KP Law, Town Counsel, and Liz Reef was in attendance to take the minutes. Video and Audio recorded by WayCAM.

Eric opens the discussion of the reorganization of the Board. Aida says that the Chair has to be a full member of the Board, not an associate. She comments on the virtues of Jonathan Sachs who is a full member.

Aida nominates Jonathan as Chair. Shaunt seconds. Eric moves to appoint Jonathan Sachs as Chair. Linda seconds. Voted approved 7-0. Jonathan acknowledges Eric's work on the Board for the past 15 years.

Eric reads the legal description for Case #17-18:

**2 CHARLES STREET – Albert and Sandra Berardi**

Application of **Albert and Sandra Berardi** for any necessary approvals, findings, special permits and/or variances as may be required in order to construct an addition to a single family residential dwelling that increases the gross floor area by more than 20 % on a nonconforming lot (lot less than 20,000 square feet) 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 Article 8, Table of Dimensional Requirements. The property is located at **2 Charles Street** which is in an R-20 Single Residence District. **Case #17-18**

Panel: Eric, Aida, Jonathan, Jason, Shaunt. Aida will write the decision.

The applicant talks about the project. Linda asks about the Leach Field. She says the Board of Health approval form notes the basement is not to be finished. Eric says there is no change to setbacks.

Eric makes motion to grant special permit subject to conditions. Jonathan seconds.  
Voted approved 5-0.

Documents submitted with application: Certified Site Plan by John R. Hamel dated 6/30/2017, Architectural Plans A1-A4 by S.W. Design Services dated 6/7/2017, Photographs of Exterior of House.

Eric reads the legal description for Case #17-06:

**150 MAIN STREET - Gretchen Dresens**

Application of **Gretchen Dresens** for an appeal of Permit #B20170104 issued by the Town's Building Department for the demolition of an existing structure commonly known as the former Finnerty's restaurant, pursuant to M.G.L. Chapter 40A, Sections 8 and 15, with regard to the property owned by Washington Street Business Center LLC (formerly owned by 150 Main Street LLC), located at **150 Main Street** in Wayland and in the Business District A and the R20 Residential Zoning District, as shown on Assessors Map 51B, Parcel 073. **Case #17-06** (Cont'd from 4/25/17, 5/11/17, 5/23/17, 6/27/17)

Ms. Dresens requests a continuance because the attorneys are close to finalizing a settlement. She anticipates submitting a withdrawal.

The case is continued until September 26, 2017. Ms. Dresens signs an extension form.

Eric reads the legal description for Case #17-19 (40B):

**113-119 BOSTON POST RD. - Eden Management, Inc.**

Application of **Eden Management, Inc.** for a comprehensive permit pursuant to G.L. Chapter 40B filed for sixty (60) units of rental housing, of which fifteen (15) are proposed to be restricted as affordable to households under 80% of the area median income (AMI), to be constructed on the property located at **113, 115, 117 and 119 Boston Post Road, Wayland, MA** (the site of the Mahoney's Garden Center), containing 6.49 acres +/- of land area. This property is located in the Single Residence (40,000 SF area and 180 feet of frontage) Zoning District as shown on Assessors' Map 30, Parcel Nos. 70-71.

**Case #17-19**

Eric says the room has reached maximum capacity for fire safety and there are still people waiting to enter the room.

The applicant's attorney, Paul Haverty (BBH Law), requests a continuance for the hearing and says they'll give the Board a 30 day continuance of the 180 day period {760 CMR 56.05(3)}, so it will be no hearing time loss for the Board.

Eric moves to continue the hearing until September 26, 2017 at 7pm at Wayland High School, 264 Old Connecticut Path, Wayland.

Voted approved 7-0. The applicant signs an extension form.

Documents submitted with application: Complete comprehensive permit application, Certified Architectural Plans by Maurice N. Finegold dated 7/21/2017.

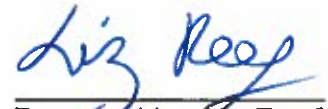
**Other business:** The Board discussed record keeping challenges of having two concurrent 40B hearings along with normal business, including meeting minutes, responsiveness summary memo, cataloguing all documents, sharing them with 40B applicants, and posting them on the town website. Linda agreed to review draft meeting minutes through August 22. The role of Board clerk is

still vacant. Who will be responsible for preparing minutes for 40B hearings (which Liz will not be attending) has not been determined yet.

**Public comment:** Doug Levine, a member of the Board of Selectmen, speaks about forming an Advisory Group for the 40B process and distributes a handout to the Board for discussion purposes. Selectmen discussed the idea the night before and wanted to know what the ZBA thought of it. The thinking is to improve communication among staff during the hearing process. Amy, Town Counsel, says she sees value as plans evolve over time but the applicant shouldn't be communicating with ad hoc committees. Jonathan says the Advisory Group would be adding another layer to the process and that could be harmful. Aida says it would be more helpful for the ZBA to receive firsthand information and not have it filtered. Eric agrees the information and comments should be provided directly to the Board. The Board appreciates the intent but the consensus is not supportive.

Meeting adjourned at 9:03 p.m.

November 29, 2017  
Date Minutes Approved

  
Prepared by: Liz Reef