



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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MINUTES
October 2, 2017

Attending the meeting held at 7:00pm in the Senior Center in Wayland Town Building located at 41 Cochituate Rd. Wayland, were members Jonathan Sachs Chair, Aida Gennis, Thomas White, James Grumbach, David Katz and Associate Member Linda Segal. Carolyn Murray, Town Counsel, from KP Law was in attendance. Joseph Peznola, Massachusetts Housing Partnership consultant, was in attendance. Audio recorded by WayCAM. Linda Hansen from the Conservation Department, Sarkis Sarkisian from the Planning Department, and David Porter from the Town Administrator's Office were also in attendance.

Continuation of 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** (cont'd from 8/3/17, 9/7/17)

Attorney Mark Kablack and Chris D'Antonio gave an update and presentation on design elements.

Linda Segal notes documents received to be posted to website.

Chris D'Antonio – Project is 12 townhouses. He reviewed with fire/police. Made some adjustments accordingly for access and parking. He showed layout. Septic will be under parking area. Trash removal – each unit has a trash barrel...weekly pickup. No dumpsters. Lighting is standard lampposts.

Linda Miller, 30 School St., Resident strongly opposed to lampposts. Suggests another means of lighting that will not cause bright lights shining into her home, perhaps down lighting. Chris says 6 ft. lamppost should not cause a disturbance. Per board chair, Resident will review info posted on website in regards to lighting.

Chuck Samiotes, 65 East Plain St., Civil Engineer, suggests another type of review (photo study) to show impact of lighting, and also asks if Fire Chief has reviewed to see if there is adequate turning radius for emergency vehicles. Segal says 9/20 email from Fire Chief speaks to access and lighting.

Per Joe Peznola, when the Building Permit is submitted there is a separate requirement for Fire review with specific items to be addressed. Kablack says they will do a photometric analysis.

Samiotes expressed concern about problem with queuing of traffic in regards to entrance access.

There is a discussion about square footage of lot. There are two plans which do not agree on the square footage. Sarkis Sarkisian (Town Planner) speaks to this. Research shows assessor record was incorrect. Sarkis went back to original records and found original deed shows 38,000 sq. ft. Discussion continues and chairman suggests further research to resolve such may be requested by a private resident, or by the Town, depending on the boundary in question.

Josh Hyman, 17 Caulfield Rd., Resident reports there is a 1927 deed showing 190 feet of frontage.

Nancy Leifer, 73 East Plain St., Resident mentions an email that town surveyor wrote suggesting a professional title search and boundary determination. This email will be submitted to Building Department. She referred the Board to the Sept. 19 WayCAM recording of a Planning Board meeting when changes to town records were mentioned.

Michelle Galicia, 20 Aqueduct Rd., raised concern that the lot as designed doesn't have enough room for septic and storm water. She showed on the plan possible effects of property line discrepancies. Member David Katz asked how to get to the bottom of the title issue. Peznola indicated there may be no clear answer and could end up in court. Chair takes under advisement, but notes that all of these issues will be addressed by reports in the future.

Samiotes questioned if there is enough room on site for septic and stormwater management for the proposed project.

Betsy Brigham, 78 Rice Rd., Resident asked where construction vehicles will park during construction. D'Antonio responded on site.

David Miller, 30 School St., Abutter asked what materials will be used for the new retaining wall. Also asked how his property will be screened from lighting. D'Antonio said a strong green buffer would be created.

D'Antonio showed four renderings, shingle style clapboard, with shutters, farmer porches, with every two units stepping down two feet. Building height is reduced to 32 feet by using 8 foot ceilings.

Dana Tanimoto, 2 Melville Place, Resident asked why applicant has not responded with fewer units. Kablack responded that 8 units would be uneconomic.

There was a discussion about landscaping. The applicant states it will be easier to finalize this after excavation. He plans to work with abutters.

Linda Miller questioned the parking design and said the number of spaces is unrealistic and insufficient. The chair suggests she look at the data on the website. Applicant states he has exceeded the parking requirements and received approval from both fire and police.

Samiotes inquired about whether the existing neighborhood homes/styles were taken into account when the architectural design was created. There is concern about the structure fitting in. Joe Peznola addressed this, and explained how the Mass Housing agency looks at this.

Linda Grubstein, 19 Joyce Rd., Resident expressed concern about the proposed height of the buildings, as it will now be the tallest structure in the neighborhood. Is this necessary? Town Planner Sarkis Sarkisian suggested a balloon test to get a sense of elevations.

Keith Barber, 29 School St., Abutter said given the dangerous intersection, this is the worst possible location for the project, suggesting the intersection would need to be redesigned.

Michael Smith, 20 Leary St., Resident asked why it has to be a three-story project, noting the proposal is 9 feet higher than the barn.

Member Aida Gennis asked what grade changes would be made to the property. The western side of the property will be raised for the 32 ft. building heights.

Due to all the questions from neighbors, there is an explanation of how the 40B process works, and the ZBA's role in this process. To reiterate, the ZBA is compelled to review all 40B applications, regardless of their opinion about the project and whether or not they are in favor of it.

Several residents asked questions about the building design – about porches, shutters and property management. The questions were addressed by the chair and the applicant. D'Antonio said he would retain ownership; there will be a management company.

Sarkisian, presented his Design Analysis presentation that was previously given at the Planning Board meeting on 9/5/17. Summary: proposed project too large, not in keeping with Cochituate village, requires large septic system, 70 galleys to hold stormwater. Showed alternative concept with fewer units, saving the barn. He disclosed knowing the applicant. Questions answers followed.

Joe Peznola mentioned a workshop scheduled for November 14th to informally discuss the other 40B project (Cascade) in process. One member of the ZBA will be in attendance. Again, this is planned to be just a discussion and no decisions are made at such a session.

A peer review for Windsor Place is being done by Davis Square Architects. There was a discussion about what will be covered in the peer review. Attorney Kablack thinks the scope of this review is too broad and voiced his opinion. The chair disagreed. Kablack stands by his objection.

Member Thom White said the site plan seems to be an engineered solution, not an architectural one, and a work session could consider other architectural configurations. Chair asked applicant if a work session is a worthwhile idea. Kablack responded they are not inclined to participate.

Kablack made a recommendation that two board members comply with the Mullin rule sooner than later. The chair says the members will follow the appropriate requirements to do so.

Applicant questioned whether he needs to present the storm water report to both ConCom and ZBA and whether another peer review consultant is required. Chair said that all information needs to be presented to the ZBA.

A question was raised about how to make inquiries to Davis Square Architects. All questions should be submitted to Liz Reef at the Building Department.

Housekeeping – The 53B fund needs to be supplemented. Will applicant do so? Applicant doesn't agree. Per town counsel, if applicant doesn't agree to supplement the fund, such refusal is a permissible reason to deny the permit. The applicant will supplement the fund, reserving its right to object.

The public hearing was continued to Tuesday, December 12th at 7 PM. in Town Building.

Meeting adjourned at 10 p.m.

December 20, 2017
Date Minutes Approved


Prepared by: Cheryl Starek