



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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MINUTES
OCTOBER 10, 2017

Attending the meeting held at 7pm in the Senior Center room in Wayland Town Building located at 41 Cochituate Rd. Wayland, were members Jonathan Sachs, Chair, Aida Gennis, Thomas White, and Associate Members Jason Drori and Shaunt Sarian. Liz Reef was in attendance to take the minutes. Audio recorded by WayCAM.

Jonathan reads the legal description for Case #17-25:

91 Oxbow Road – Trustees of the Residences at 89 Oxbow Condominium, et al.

Application of **Trustees of the Residences at 89 Oxbow Condominium, et al.** of the grant of a site plan approval issued by the Wayland Planning Board to the Town of Wayland, Decision No. 02-2017, concerning the Oxbow Meadows Parking Lot and Athletic Fields located at **91 Oxbow Road** in Wayland, MA. This appeal is filed pursuant to the Town of Wayland Bylaws Section 302-24(D) and G.L. c. 40A, Sections 8 and 15. The property is located in the Residential Zone: 60,000 SF/210 ft. frontage and the Aquifer Protection Overlay District as shown on Assessors' Map 1, Parcel 47.
Case #17-25

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

Jonathan questions whether the Board has jurisdiction to hear this matter at all because there is no building permit connected with this.

Thom says if the Board were to render a decision when they don't have jurisdiction, it would make things more complicated. Jonathan says if they render a decision that states lack of jurisdiction then it clears the way for the applicant to go to Superior Court.

The applicant's attorney, Timothy Schofield, speaks. He says it wouldn't make sense if the Board doesn't have jurisdiction. He says then there is no avenue for residents to appeal site plan approval.

Jonathan says the Board doesn't have jurisdiction in this case because there is no building permit. He says it will most likely end up in Superior Court.

Brud Wright, Vice Chair of the Recreation Commission, speaks. He says he hopes the Board does weigh in on this case because there are many people who expect them to move forward in an appropriate way. He says the Recreation Commission has worked on this new athletic field project for the last two years, and there are a lot of people in favor of it.

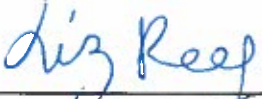
Jonathan makes a motion stating that the Board lacks standing based on By-Law 302-24D and that there is no issued building permit upon which to approve or deny this appeal. Aida seconds. Voted approved 5-0.

Documents submitted with application: Exhibit 1 titled Appeal to Zoning Board of Appeals Pursuant to Town of Wayland Bylaws 302-24(D) and G.L. C.40A 8.15, Supplement to Appeal of Planning Board Decision No. 02-2017 by Schofield Law Group dated September 27, 2017.

Other business: review draft minutes from 8/3/17. Jonathan moves to approve minutes with edits. Jason seconds. Voted approved 5-0.

Meeting adjourned at 7:41 p.m.

October 24, 2017
Date Minutes Approved


Prepared by: Liz Reef