



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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Minutes
December 3, 2019

Attending the meeting at 7pm in the The Large Hearing room at the Wayland Town Building located at 41 Cochituate Road, Wayland were members, the chair Jim Grumbach, Aida Gennis, Thomas White, David Katz, Robert Farrington, Evans Huber, and Town Counsel Carolyn Murray. In attendance to take minutes April LeShore. Audio and Video recorded by WayCam.

October 22, 2019 and November 12, 2019 meeting minutes were approved. David Katz moves to approve and Thom White seconds (all in favor) 6-0

Public Comment: Cherry C Karlson (The chair of Board of Selectmen): Made two points as follows:

When the board of selectmen determined its goals in January of 2019. We identified bringing River's Edge to completion as one of our goals. What the board has done, as the landowner, since the start of the year is to work to complete the land disposition agreement. The major component of that is to negotiate variable cost, but also to work toward completing the purchase and sales agreement.

The second point is timing. Please keep in mind the date of January 15, 2020, as you're doing your review. That is the date when our Safe Harbor period ends. After that date, we are subject to receiving unfriendly 40B applications. In order to extend that Safe Harbor, we need to file the ZBA's decision on River's Edge with DHCD before January 15, 2020.

Jim Grumbach reads legal description 412 Commonwealth Rd (Loker Field)

Application of Kenneth Keefe, Town of Wayland's Director of Facilities, on behalf of the Town of Wayland's Recreation Commission for any necessary approvals; including but not limited to Site Plan Approval, findings, special permits, and/or variances as may be required in order to construct an illuminated multi-use rectangular artificial turf athletic field with parking under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to: Sections 104.2, 201, 203, 401.1.2, 501.2, Article 6 Site Plan Approval, 603.2, Articles 7, 8 and the Tables of Dimensional Requirements and Uses. The property is

located at 412 Commonwealth Road which is in the R-30 Zoning District. Case #18-27. (cont.1/22/2019, 3/26/2019, 4/9/19, 5/21/19, 6/25/19, 8/13/19, 10/22/19)

Ben Keefe (Director of Facilities): Asks the Zoning Board of Appeals to continue the hearing to January 14, 2020, because the LSP report must be reviewed by the Board of Selectmen and they are planning to have a meeting with the Recreation Commission next Monday. We will be forwarding the LSP report to the Zoning Board of Appeals.

Continued until January 14, 2020

Jim Grumbach reads legal description

68 Main St (Middlesex Bank)

Application of Douglas Kelly on behalf of Middlesex Savings Bank for any necessary approvals; including but not limited to temporary and conditional permits, findings, special permits and/or variances as may be required in order to locate a temporary Business Use Trailer open to the public with signage in a side yard setback during renovation of the main branch under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to: Sections 104.2, 201, 201.1.2, 203, Article 5, Article 6 Site Plan Approval, Article 8 and the Tables of Dimensional Requirements. The property is located at 68 Main Street which is located in the Business A zoning district. Case #19-14.

Jim Grumbach sets the panel: David Katz, Thom White, Aida Gennis, Robert Farrington, and Evans Huber

Discussion of how long the renovation project is expected to take.

Discussion of the operation of business during renovation and setup of the trailer, for patrons and employees.

Discussion of any hardship to the customers and the Post Office, on the other side of the building, with regard to parking.

Discussion of any abutters' feedback on the proposed renovation.

Discussion of the square footage of the Bank.

Discussion of lavatories available during the renovation.

Discussion of what by- law the temporary trailer falls under, with respect to the grant of a special permit.

The applicant explains the process of the Fire Department and electrical inspections.

Jim Grumbach moves to grant the special permit with conditions, David Katz seconds (all in favor) 6-0

Jim Grumbach reads legal description**490 Boston Post Rd (River's Edge)**

Application of WP East Acquisitions, LLC by Nutter McClennen & Fish LLP (Agent) for any necessary approvals; including but not limited to Site Plan Approval, findings, special permits, modifications to, and/or variances as may be required in order to develop a 190-unit multi-family residential project and associated parking and infrastructure on a conforming parcel owned by the Town of Wayland under the Town of Wayland Zoning By-Laws Chapter 198; including but not limited to: Article 25 River's Edge Housing Overlay District, Sections 104.2, 201, 203, 401.1.2, 504, Article 6 Site Plan Approval, Article 8 and the Tables of Dimensional Requirements and Uses. The property is located at 490 Boston Post Road which is in River's Edge Housing Overlay District. Case #19-13. (Cont.11/12/19)

Jim Lambert (Managing Director of Woods Partners): We are here tonight to request your approval for site plan approval and for the requested variance. Jim Lambert explains the Site Plan Approval Process of the applicant through the multiple meetings with the Planning Board, Design Review Board, and the Zoning Board.

Jim Lambert explains all four variances that they are seeking, as follows:

1. §198 – 2505.4 Maximum Number of Dwelling Units, to increase count from 190 units to 218 units
2. § 198 Attachment 1 – Table of Dimensional Requirements as to Maximum Lot Coverage, Side Yard Setbacks, Front Yard Setbacks, and Right of Way Centerline Setback, Zoning allows for maximum lot coverage of 20%, the project proposes lot coverage of approximately 24.6%.
3. § 198 – 2505.1 Minimum Building Setbacks, A bus shelter, as required by the Planning Board, is currently located on the plan within the 50 ft. front yard setback.
4. § 198 – 2505.2- Maximum Building height: The building heights, outside of the NW quadrant, exceed the 45 ft. limitation allowed in those areas, though the overall building heights remain below the maximum 55 ft. allowed on the site.
5. Pursuant to § 198-2505.2, on certain north – facing facades of buildings, not more than six feet of a parking level may be exposed and allow natural ventilation as long as this façade area is screened and buffered with landscape. The Project proposes a foundation on the north facing façade with approximately 11 feet of exposed parking and foundation.

All variance requests are a direct result of site restrictions related to location, shape, size and topography of the site

Discussion of the location of the bus shelter

Geoff Larsen brings to the attention of the Zoning Board what plans to looking at and new submittals of the Land Scape plan and the plans that are dated November 12, 2019

Discussion of the drafted Advisory Report and the final Advisory report signed by Albert Montague

Discussion of the Land Scape Plan submitted on December 3, 2019 by the applicant's civil engineer Carlton Quinn and discussion of the views from units and question in regards to the placement of the affordable units and the top two floors facing the Sudbury Land field?

Carolyn Murray (Town counsel): Asked and discussed the follow questions with the Applicant.

1. How does the grading change for building one?
2. Where exactly are the building heights variances needed?
3. Where are the additional units going too placed?
4. Can we have a better understanding of the soil and grading issues and how the relate to these variances?
5. What can't you dig lower into the ground to comply with the 6ft. facade limitation?
6. How close would you be to wetlands if you had to dig down 3 ft.?
7. How many parking spaces would be loss?
8. How many more unit will be put in building one or the others?
9. Are you looking to exceed the lot coverage by 4%?
10. Is the grade forcing out to spread out more?
11. You have three stories along route 20. Is that 70 ft. the height it goes up?
12. Do we have on the revised plans where the retaining walls are located?
13. Is the height variance unique to all three building and all three going up 52ft and going 70ft back of the building?
14. Is the height variance simply to accommodate the additional units or something else that is unique as grade or soil that requires the height variances?

Discussion of all questions above asks of Town Counsel Carolyn Murray

Discussion of voting procedures in regards of the site plan and four variances

The Board Member gives their individual stands on the site plan approval and 4 variances
Discussion of the retaining wall being a foundation or not

Documents submitted and considered by the Zoning Board: The following documents were submitted and considered by the Board, and are part of the record of the hearing:

1. Planning Board and Conservation Peer Review BSC Letter (Dated October 31, 2019)
2. Allen & Major Associates INC – Response to Peer Review Letter (dated November 12,2019)
3. The final Advisory Report & Recommendations on Site Plan Review (Dated December 2, 2019)

Jim Ward (Attorney of the applicant): Motion to continue to December 17, 2019 and The Chair of The Wayland Zoning board of Appeals Jim Grumbach Seconds.

The hearing is continued until December 17, 2019

Jim Grumbach Motion to Adjourn meeting at 9:37 and David Katz Seconds (all in favor) 6-0

Date Approved January 14, 2020
Prepared by David Katz