



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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MINUTES
December 12, 2017

Attending the meeting held at 7:00pm in Wayland Town Building Large Hearing Room located at 41 Cochituate Rd. Wayland, were members Jonathan Sachs Chair, Thomas White, James Grumbach, David Katz, Associate Members Shaunt Sarian and Linda Segal. Carolyn Murray, Town Counsel, from KP Law, Joseph Peznola, Massachusetts Housing Partnership consultant, and David Porter, Executive Assistant to the Town Administrator, were also in attendance. Video and Audio recorded by WayCAM.

Approval of Meeting Minutes: Motion by Jim G., Linda S. second, to approve Sept. 28, 2017 ZBA minutes. Voted approved 6-0. Motion by Jim G., Linda S. second, to amend Sept. 7, 2017 and Sept. 26, 2017 ZBA minutes. Voted approved 6-0. The Board postponed approval of draft Oct. 2, 2017 minutes.

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, 10/2/17, 11/7/17)

Correspondence received:

- Draft Site Plan Revision (11/14)
- Letter from Bret Leifer (11/13)
- Mark Kablack letter to Conservation Commission (11/16)
- Creative Land & Water Engineering letter to Conservation Commission (11/16)
- Metrowest Engineering Septic Design (11/22)

The meeting opened with Attorney Mark Kablack giving an update on the septic design. The mounding analysis is expected in early January. He requests the next hearing date to include this review and septic design review.

Linda Segal inquired whether the Board has received a letter granting a time extension from the applicant.

The Conservation Commission would prefer the mounding analysis be submitted before their next meeting on January 11th. Their opinion is that this review needs to be done nearer to the beginning of the process rather than towards the end. Applicant Chris D'Antonio explains that this report is going

to be much more in depth than the typical mounding report. After discussion about scheduling, Mark Kablack agreed to make the report available by 1/12. Sherre Greenbaum, Conservation Commission Chair, believes the peer reviewer could review the report by the Commission's 1/25 meeting. Sherre inquired whether Brian Nelson would be sharing the storm water report as well. She believes if the Conservation Commission receives this before 1/25 that it could also be peer reviewed before the next ZBA hearing session. Everyone agrees this is a good plan as the next ZBA meeting would be at the end of January.

Joe Peznola suggests that something may come out of tonight's architectural peer review that will warrant a ZBA meeting to be held before 1/30. He points out that the time from 1/30 to 3/1 is short. He recommends that the board, within the confines of the public hearing, discuss openly with the applicant any potential conditions of approval and possibilities of granting waivers or rendering the project uneconomic. This hearing must be before 3/1. The permit decision does not have to be finalized at that time – 40 days are allowed after close of the hearing for the decision. Perhaps a further time extension is necessary.

This opened further discussion as to how the process works. Joe explained in further detail, after which the board agreed to schedule the next meeting for 1/29, with 1/30 being backup snow date.

Cliff Boehmer, from Davis Square Architects, is present and will provide the architectural peer review. Mr. Boehmer explains his background and the task he has been assigned. His presentation includes photos and sketches. It can be found online under the ZBA's website. Thom White asked what the driver is of the existing proposal, noting both buildings look the same.

At the conclusion of the presentation there are citizen questions/comments.

- Michael Thomas, longtime resident at 16 Morrill Drive, former classmate of Boehmer, thinks the project location is ideal, within walking distance to shopping/food, etc. and does not intrude upon the neighborhood. When compared to other 40Bs in Wayland he feels the alternative drawings are possible to integrate into the neighborhood.
- Michelle Galicia, Aqueduct Road resident, does not believe the initial design included vinyl siding. Chris D'Antonio confirmed that the original did have vinyl siding. Boehmer does not recommend vinyl because it does not hold up well.
- George Bernard, E. Plain St., is curious why the brick home directly across at 4 School Street was not shown in photos. It is a small single family home on .8 acres vs. the 12 apartments about to be built on .75 acres. The board feels that other photos represented the neighborhood appropriately.

Mark Kablack spoke about the project parameters required and why the project was designed in the manner that it was. He addressed some of the alternatives proposed by the peer review and why he feels they would not work. The septic has to go where proposed, and there is market demand for garages. There are some suggestions from the peer review to which the applicant is amenable, i.e... the sidewalk on School Street, connectivity with units to sidewalk, lighting, extension of overhangs, window relocations, porch enhancements on School Street. But there are other suggestions with which they do not agree i.e...smaller second story units, which would have an adverse effect on the project.

Chris D'Antonio distributed a handout which addressed design aspects that have been revised to go along with peer review recommendations to soften the appearance from East Plain St. He also spoke to the points which he feels would not work the septic system location predicates where the buildings can be situated.

David Katz mentioned that the number of units could be reduced to change the building locations. Jim Grumbach suggested the massing can be reduced.

Mr. Boehmer mentioned that Fire and Police requirements should drive some of the design and perhaps this needs to be revisited.

Nancy Leifer, a 40 year resident of E. Plain Street, is concerned about the density of this project and would prefer that fewer units be built.

Next was a presentation from Cheryl Salatino of Dancing Shadows Garden Designs, for the applicant's landscaping of the project. Cheryl explained that the purpose of landscape is to provide some barrier to the street and to soften and integrate the building into the neighborhood. It should help to make families and children feel connected. The design presented included evergreens and deciduous trees of varying heights along with perennials at ground level. There were questions and comments at the conclusion.

- Thom White asked where children would be able to play.
- Linda Segal inquired about the percentage of the property to have grass. Cheryl said she would have to research that.
- Molly Upton, Bayfield Road resident, mentioned that during construction of the new CVS a mature tree was identified and included in the landscape design. Can the same be done for this project?
- Carole Plumb, Bald Rock Road resident asked about plant varieties, specifically because many deer have eaten her perennials. Cheryl said she would take this under advisement. She also explained that maintenance would be on the premises to maintain plants.

Joe Peznola spoke next. He feels the applicant has dismissed many of the recommendations being offered. Therefore, there are three scenarios to consider.

1. Will the Board move forward "as is"?
2. Compel the applicant to look further at recommendations.
3. Consider conditions of approval.

He suggested not wrapping up this hearing without making some recommendation to applicant as to what direction to go moving forward.

The Board and applicant had a lengthy discussion. Mark Kablack pointed out that the Board needs to decide if density is the main issue. If so, they will go back and prepare a case and research to back up their design or prepare alternatives. Chairman Jonathan Sachs said he considered that a false dilemma, adding that he favored more collaboration and would like to hear greater cooperation from the applicant.

Jim Grumbach suggested a working session to hammer out some details in an informal setting while the Board waits to receive more environmental information.

The discussion continued with the Board, applicant and peer review consultant as to which direction to move forward. There was a two minute recess for the applicant to confer with his attorney.

Chris D'Antonio requested more direction from the Town. The Board suggested he give more consideration to Boehmer's recommendations. D'Antonio said he was limited by site constraints.

It was decided that a working session would be scheduled to take place before the next hearing and include Thomas White (ZBA), a representative from Board of Health, a representative from Conservation Commission, Joe Peznola, Cliff Boehmer (Davis Square Architects), Civil Engineer (TEC), applicant and his team.

Joe Peznola will coordinate and schedule the workshop. The applicant prefers this session to be closed to the public.

Also discussed was the mounding analysis. It was decided that the Conservation Commission would provide and fund the peer review for this. The peer review can be used by both boards when complete.

The 40B hearing was continued to January 29th at 7 PM.in Town Building (with a Jan. 30 snow date).

Meeting adjourned at 10:40 p.m.

March 20, 2018
Date Minutes Approved


Prepared by: Cheryl Starek