



TOWN OF WAYLAND
MASSACHUSETTS
01778
BOARD OF APPEALS

TOWN BUILDING
41 COCHITUATE ROAD
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Meeting Minutes

Tuesday, October 10, 2023

A public hearing was held on Tuesday, October 10, 2023, in-person and remotely, on the following application(s) at the time indicated:

Attending the meeting at 7:01 pm in-person and via Zoom, Wayland members were in attendance: Adam Hirsh, Doug Levine, Hunter Perry, Shaunt Sarian, Thomas White. Also in attendance: Mike Crisafulli (Building Commissioner), Manny Oliver (Building Department), and Robbie Bullard (IT Support). Audio and video recorded by WayCam. Absent: Chair Joshua Wernig, Aida Gennis.

Thomas White opens the meeting and reads the following:

One may watch or participate remotely with the meeting link that can be found at <https://www.wayland.ma.us/public-body-meeting-information-virtual-inperson-and-hybrid>

Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted in person and via remote means, in accordance with applicable law. This meeting may be recorded which will be made available to the public on WayCAM as soon after the meeting as is practicable.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by in person attendance (if allowed), or by accessing the meeting remotely, as noted above. We request public comment be limited to two minutes per person.

Everyone in attendance should be aware that face masks are now optional for Town Buildings according to the new Face-Covering Guidance dated February 24th, 2022. <https://www.wayland.ma.us/home/news/face-masks-optional-town-buildings>

Thomas White reviews the agenda and gives instructions to all present.

Public Comment:

None.

Review/Accept Minutes:

There are no minutes to review at this meeting.

Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any:

None.

Thomas White reads the legal description:

Continued: Application of **Henry Maclean (applicant) on behalf of Elizabeth Demers & Ralph Pahlmeyer (owner)**; to construct a Single Family dwelling with an in-law suite within a new connecting barn/garage while remaining in existing home & utilizing existing barn during construction, existing home & barn to be removed after construction. The property is located at **23b Bayfield Road** which is in the R-20 Zoning District. **Case #23-15.** (Cont. 9.12.23)

In attendance for the application are: Ralph Pahlmeyer (owner).

Mr. Pahlmeyer reviews the application. He notes that, at the previous ZBA meeting for this case, they did not yet have Board of Health approval. He says that, unfortunately, they are still awaiting this approval. He anticipates that they will be ready to proceed with the case at the next ZBA meeting. He is therefore requesting a further continuance.

Doug Levine moves to continue Case #23-15 until November 14, 2023 at 7:15 pm. Shaunt Sarian seconds. Voted (5-0-0 by roll-call vote).

Thomas White notes that Case #23-17, originally scheduled to be heard at this point in the agenda, has been withdrawn without prejudice.

Thomas White reads the legal description:

Application of **Ted Gowdy (attorney/agent) on behalf of Martin & Nicole Cissell (owners)**; to expand the existing non-conforming single-story single family dwelling by adding living space on the first floor in the rear and adding a new second floor. The property is located at **32 Pequot Road** which is in the R-30 Zoning District.
Case #23-18.

In attendance for the application are: Ted Gowdy (agent), Martin and Nicole Cissell (owners).

Mr. Gowdy reviews the application. He says that the Cissells want to expand their living space, as they have two children and they both work from home. The plan is to add a second story to the building, in order to construct a second master suite and bedrooms for the children. Mr. Gowdy says that the final building height will be 26 ft, well under the 35 ft maximum. He notes that the Board of Health has granted conceptual approval for the plans.

Mr. Gowdy highlights the existing and proposed nonconformities on the lot, saying that the main issue is one side yard setback, which has a requirement of 20 ft. He notes that the existing setback is only 10 ft, and the proposed is 9.8 ft. The gross floor area will increase by 77%, making the proposed area 3,663 sq ft in total.

Mr. Gowdy emphasizes that the design is in keeping with the character of the neighborhood. He has provided photographs of similarly styles homes in the area. He says that four abutters have submitted letters of support for the project.

Public Comment:

None.

Discussion ensues regarding the side yard setback and increase in gross floor area. Members note that there have been many similar projects in Wayland

Thomas White constitutes a panel of himself and all other Members present at this meeting.

Adam Hirsh moves to approve a special permit, subject to the plans on file as of September 8, 2023, and conditioned on approval from all other necessary boards. Doug Levine seconds. Voted (5-0-0 by roll-call vote). Thomas White will write the decision.

Thomas White reads the legal description:

Application of **Linda & Dave Mead**; to construct a second story addition in the same footprint as existing home on a pre-existing nonconforming lot. The property is located at **215 Lakeshore Drive** which is in the R-20 Zoning District.

Case #23-19.

In attendance for the application are: David Mead (owner) and his daughter Heather Mead (resident on the property).

Mr. Mead reviews the application. He says that they are planning to add a room on top of their flat roof, which will increase the living area by 309 sq ft. This is less than the 20% maximum increase, but they are concerned that the nonconforming nature of the property means that they need ZBA approval.

Mr. Mead says that they reached out to the Board of Health, though they are uncertain whether they need BoH approval, as the space will be unheated, and there are no plumbing or septic impacts. The Meads note that all immediate abutters have expressed support for the project.

There is discussion about whether ZBA approval is necessary for this project. After discussion with the Building Commissioner, Members decide to err on the side of caution and proceed with considering a special permit.

Public Comment:

None.

Thomas White constitutes a panel of himself and all other Members present at the meeting.

Adam Hirsh moves to approve a special permit, subject to the plans on file dated September 7, 2023, conditioned on Board of Health approval, and with a maximum height of the addition not to exceed the maximum height of the current structure. Doug Levine seconds. Voted (5-0-0 by roll-call vote). Adam Hirsh will write the decision.

Thomas White reads the legal description:

Continued: Application of **Ilson Machado on behalf of Ramiro Millan (owner)**; to construct an addition on a pre-existing nonconforming lot in a nonconforming location. The property is located at **9 Simpson Road** which is in the R-20 Zoning District. **Case #23-10.** (Cont. 6.13.23, 7.11.23, 8.8.23, 9.12.23)

In attendance for the application are: Ramiro Millan.

Mr. Millan requests a continuance, saying that unforeseen events in his family necessitate delaying construction until Spring 2024 at the earliest.

Doug Levine moves to continue Case #23-10 until April 9, 2024, at 7:05 pm; Adam Hirsh seconds. Voted (5-0-0 by roll-call vote).

Adjourn:

Shaunt Sarian moves to adjourn the meeting; Adam Hirsch seconds. Voted (5-0-0 by roll-call vote).

Meeting adjourned at 7:51 pm.

Date Approved _____

Prepared By _____