

WALPOLE ZONING BOARD OF APPEALS MINUTES OF AUGUST 17, 2020

A meeting of the ZONING BOARD OF APPEALS was held remotely (via Zoom Webinar) on MONDAY, AUGUST 17, 2020 AT 7PM. The following members were present on the Zoom Webinar:

John Lee (Chair), Susanne Murphy (Vice-chair), Bob Fitzgerald (Clerk), Jane Coffey, Drew Delaney Ashley Clark (Community Development Director), Amy Messier

Also Present: Judi Barrett (40B Consultant), George Pucci (Town Counsel of KP Law)

Lee opened the meeting at 7:00PM

Case No. 05-20, Wall Street Development Corp., Dupee Street (Map 35; Parcel 380-1), Comprehensive Permit:

Lee opened the hearing. The Applicant (Lou Petrozzi of Wall Street Development Corp.) was present. Clark stated that a proposal for peer review has been re-submitted to the Board for traffic review with a reduced quote that better reflects the scale of the proposed project. Petrozzi agreed that he is willing to reconsider the proposal that has been resubmitted, however, stated that he believes the \$2,500.00 quoted for the peer review consultant to attend two (2) ZBA meetings is unacceptable. Clark stated that the new proposal ranges between \$4,000.00- \$7,000.00, and recommends that the applicant provide the ZBA with an additional \$4,000.00 in funds for design peer review within the next seven (7) days, along with \$5,000.00 for engineering peer review. Petrozzi stated that he doesn't mind paying additional funds for technical review of the project, however believes that peer review for the redesigning of the project is unacceptable, and voiced that the proposal is completely out of bounds. Petrozzi then stated that "it isn't the amount of money, it's the principle", when referring to the amount of funds that the board feels appropriate for the peer review of the project's scale. Pucci stated that under the valid regulations of 53G, he agrees that the scopes of service being requested are in line with the DHCD, and reiterated to the Board that the Applicant does not have the power to dictate the scopes of the peer review to the board. Barrett echoed Pucci and is in support of what Pucci has stated, and believes that everything the board is requesting is well within the statute. Petrozzi asked the Chair how many firms were contacted for the projects peer review, who recommended the firms, and if those firms were hired due to a prior established personal relationship between the peer review firms and Clark. Lee replied by stating that two (2) firms were contacted, including; Tetra Tech (recommended by Town Counsel, and Davis Square Architects (recommended by Judi Barrett, the 40B Consultant), solely due to the both firms having a reputable reputation within the field. Murphy motioned to accept the newly resubmitted peer review proposal that also includes the applicant to submit a total of \$9,000.00 to the ZBA within seven (7) days, and continue the hearing to August 26, 2020 at 7PM via Zoom Webinar, seconded by Coffey, roll call vote: Lee-aye; Murphy-aye; Fitzgerald-aye; Coffey-aye; Delaney-aye. The motion carried 5-0-0.

Case No. 03-20, 55 SS LLC., 51-53-55 Summer Street, Comprehensive Permit:

Lee opened the hearing. The following were present; Dave Hale (Applicant), Leslie French, Mark and Brooks. Lee updated the board that on 8/12/20 a working group session was held, Clark stated that it was a productive and positive first meeting session. Hale questioned if his team will be meeting with Tetra Tech this week to go over items, Clark stated that she is more than willing to talk to Hale regarding the scheduling of this meeting in the future. Hale voiced his objection to and dissatisfaction of the hearing for the project being continued to a date and time, where no substantive testimony will be taken, and expressed his opinion that the treatment of his 40B project is unfair in comparison to the 40A cases that the board is taking substantive testimony from, Lee expressed his disagreement with Hale, and added that the scale of the projects of 40A and 40B, along with the public interest of the community are vastly different. Murphy motioned to continue the hearing to 8/26/20 at 7PM via Zoom Webinar, seconded by Coffey, roll call vote: Lee-aye; Murphy-aye; Fitzgerald-aye; Coffey-aye; Delaney-aye. The motion carried 5-0-0.

Minutes:

7/15/20: Murphy motioned to accept the minutes of 7/15/20, seconded by Coffey, roll call vote: Lee-aye; Murphy-aye; Fitzgerald-aye; Coffey-aye; Delaney-aye. The motion carried 5-0-0.

7/27/20: Murphy motioned to accept the minutes of 7/27/20, seconded by Coffey, roll call vote: Lee-aye; Murphy-aye; Fitzgerald-aye; Coffey-aye; Delaney-aye. The motion carried 5-0-0.

Murphy motioned to adjourn, seconded by Coffey, Roll Call Vote: Lee-aye, Fitzgerald-aye, Coffey-aye; Murphy-aye, Delaney-aye. The motion carried 5-0-0.

The meeting adjourned at 7:25 PM

Accepted 8/19/20