Meeting Minutes, Zoning Board of Appeals

Town of Whately, MA

April 6, 2023

Remote Meeting via Zoom

Members Present: Debra Carney, Kristin Vevon, Bob Smith, Fred Orloski

Members Absent: Roger Lipton

Attending:

Robert Obear

Donna Wiley (Historical Commission)

Angelica Perfido

At 6:40 Acting Chair Debra Carney opened the meeting.

PUBLIC HEARING: Application by Robert Obear to renovate the Whately school house located on

premises at 219 Christian Ln., and owned by Whately School House, LLC. into nine upscale residential housing units

The secretary read the legal notice and the applicant agreed that it was accurate. Robert Obear explained that in 2019, Whately created a zoning change allowing the town to sell historical buildings, and he bought the former East School building. Now, it is listed on the National Register of Historic Places and has been approved for tax credits and financing. He had planned to build ten apartments in the building, but changed the number to nine in order to keep the interior halls and ceilings as they were, in accordance with requirements for the history of the building. He plans no changes to the outside of the building, he said – just restoration – and he mentioned a letter of support for the project from the Whately Historical Commission dated March 21, 2023, noting their vote of March 20 to designate the East School “historically significant” as defined in Article V Section 171-21.2 of the town’s zoning bylaws, and their hope that the designation will be helpful to the productive and successful redevelopment of the school.

Debra consulted Article V Section 171-21.2 of the bylaws and read through all its requirements, noting that site plan review is required and that the property is not in the Aquifer Overlay. Mr. Obear said the septic system condition is being overseen by the Board of Health and that he plans more than the 22 required parking spaces, all of which are on the property, with no new curb cuts planned. He said trash dumpsters would be screened. Bob Smith said it was hard to decide without seeing the site plan or the septic system sign off. Debra commented that the Zoning Board of Appeals would want its own site viewing of the property.

Debra screen-shared the Whately Schoolhouse plan posted on the town website, which showed Drawing No. A-9, titled Basement Proposed and dated December 6, 2019, and Drawing No. 11, titled 1st Floor Existing and dated October 23, 2019. Bob Smith asked to see the basic construction timetable from the application, and Debra screen-shared that document.

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Mr. Obear said the building will use town water and it was noted that the matter of town water will be addressed, but not by the ZBA. He noted that the plans are conceptual, preliminary drawings, adding that the construction drawings will come later. He said that nine apartments are too few to fall under the Americans with Disabilities Act (ADA) requirements regarding accessibility.

Abutter Mike Bechta told the board that he did not receive a notice about this hearing. He said his name and address were not on the abutters list, but are there now. Abutter Angelica Perfido said the same, and someone mentioned that a woman whose name is on the list is now deceased. Debra recommended that the abutters consult the assessors office about this, saying it appeared that Mr. Obear had made a good faith effort to comply with the abutters list requirement.

Robert Obear was asked about sheet A-11 of the plan, and whether the upper left apartment was really three connected. He replied that these are historical effects and that they wouldn’t appear on the building permit construction plans. He said they would be sealed. Mr. Obear said the building’s apartments would be rented through his rental company, whose fifteen maintenance/operator employees already serve Greenfield and Montague.

Mike Bechta asked whether the color of the building will stay the same, and Mr. Obear said he didn’t know, but that it hadn’t crossed his mind to change it. Asked about the historical commission’s opinion, chair Donna Wiley said the commission supports the project and referenced the letter cited above by Robert Obear. She said that in 2018 the historical commission had worked with Mr. Obear and that she had read the resulting impact statement. She noted that things will be kept the same as much as possible, and added that blue may be the building’s original color since everyone calls it the “blue school”. Two attendees remembered the building as formerly being a color other than blue.

Fred noted that the tall windows’ size and shape will be retained, and that in most apartments the plans call mostly for the addition of a bedroom and bathroom. Fred observed that there is no view of how the plan fits on the lot. Donna Wiley, who had a copy of the site plan, emailed it to Debra immediately. The ZBA will wait until the next meeting to discuss this in order to allow people to study it. Debra will email the site plan to the secretary, and on Monday the secretary will ask the town clerk to post the site plan as soon as possible for the next meeting, to be held April 20 at 6:40 pm. A site viewing was scheduled for April 15 at 10 am. The board asked whether there were any other questions, and there were none.

Minutes of November 17, 2022

Debra moved to approve the minutes as amended, Kristin seconded, and the motion carried.

Minutes of March 2, 2023

Fred moved to approve the minutes, Debra seconded, and the motion carried.

The meeting was adjourned at 7:43

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*Documents Reviewed (kept in the ZBA files)*

1. A letter from the Whately Historical Commission dated March 21, 2023, noting their vote of March

 20 to designate the East School “historically significant” as defined in Article V Section 171-21.2 of

 the town’s zoning bylaws, and their hope that the designation will be helpful to the productive and

 successful redevelopment of the school.

2. A document titled, “Impact Statement for the Whately Schoolhouse Special Permit Application”, a part of

 the application whose second page contains the project’s basic construction timetable.

Mary C. McCarthy

Secretary,

Zoning Board of Appeals and Planning Board

Town of Whately, MA