



## STAFF REPORT

### Town of Wellesley - Planning Department

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Application: Project of Significant Impact Special Permit Application for Pleasant Street Townhomes

Subject Property: 20, 22, & 24 Pleasant Street (PID 136-96, 136-97, & 136-98)

Applicant: Capital Group Properties/William Depietri (Represented by David Himmelberger)

Property Owner: Elin Paltrineri

Date: Report prepared 10/30/2014 for 11/3/2014 Planning Board Meeting

Staff Contact: Michael Zehner, Planning Director

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#### APPLICATION OVERVIEW

Please find attached a Project of Significant Impact (“PSI”) Special Permit application (and associated materials) for a townhouse development on Pleasant Street. The project site has an area of 1.114 acres (48,525.84 sq. ft.) and 120’ of frontage along the west side of Pleasant Street, and is comprised of three (3) formerly separate parcels, 20 Pleasant Street (PID 136-96), 22 Pleasant Street (PID 136-97), and 24 Pleasant Street (PID 136-98); the parcels were combined through the recording of an 81X/perimeter plan with the Registry of Deeds on September 18, 2014. A single, existing dwelling is currently located on the property.

The property is located within the General Residence District zoning district. The Applicant is proposing to develop six (6) townhomes with a total newly constructed floor area of 15,000 square feet (2,500 sq. ft. per unit). Additionally, the Applicant is proposing to construct and/or install other site improvements, to include an access drive, parking spaces, retaining and landscaping walls, stormwater systems, lighting, and site landscaping

A PSI special permit is required for any construction project (except for one-family or two-family dwellings) having an aggregate total of 1) newly constructed floor area of 10,000 or more square feet, or 2) renovated, altered and/or replacement floor area of 15,000 or more square feet in a building having 15,000 or more square feet of ground coverage to provide for a use which is different from the existing use.” Standard 1 is applicable to the subject project.

#### ZONING DEVELOPMENT STANDARDS

Within the General Residence District zoning district (Zoning Bylaw, Section IV), “town house<sup>1</sup> of three or more units” are allowed, subject to specific dimensional

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<sup>1</sup> “Town House” defined in the Zoning Bylaw as “A dwelling containing two or more dwelling units, each sharing one or more party walls with another dwelling unit, and having at least one floor at ground level with direct access to open space on two or more sides.”

requirements, based on whether the units are “conventional” or assisted/affordable. The applicant has not indicated that any of the units are to be assisted/affordable (which would allow for increased density and reduced dimensional requirements) and has noted compliance with the Category A requirements on the submitted plans<sup>2</sup>.

In addition to compliance with dimensional requirements, the development must also comply with Off-Street Parking and Retaining Wall regulations.

### Parking

Section XXI, *Off-Street Parking*, requires two spaces on the lot for each dwelling unit, for town houses in the General Residence District; therefore, twelve (12) parking spaces are required. The proposal indicates nineteen (19) spaces, twelve (12) within garages and seven (7) exterior spaces. While Section XXI contains development standards for parking areas, these are only required of parking areas (understood to refer to non-garage areas) devoted to the off-street parking of fifteen (15) or more vehicles.

### Retaining Walls

Section XXIID, *Retaining Walls*, regulates retaining walls that retain four (4) or more feet of unbalanced fill. Based on the submitted plans, newly constructed retaining walls will retain less than four (4) feet of fill.

## **PSI REQUIREMENTS**

As previously noted, the proposed development is subject to a PSI special permit based on the total newly constructed floor area. Per the Zoning Bylaw, the Planning Board serves as the Special Permit Granting Authority for PSI special permits.

Section XVIA, *Project Approval*, of the Zoning Bylaw, requires the Applicant to “submit...a Municipal Systems Impact Analysis (MSIA), prepared by professional engineers registered in the Commonwealth of Massachusetts, and identifying the impact of the Construction Project on water, sewer, storm drainage, electric, traffic, intersections, sidewalks and footways, building occupant life safety, refuse disposal and recycling.” The intent of the analysis by the Applicant, Review Departments, and the Planning Board being to “determine the impact on the Town's existing capital infrastructure in order to assess costs of providing or upgrading Town public facilities which will benefit a PSI.”

## **MSIA Review and Minimum Service Standards**

Upon receipt, the application materials, including the MSIA, were forwarded to the four (4) review departments, to review and consider approval of the project with respect to its impact on the following services and minimum service standards:

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<sup>2</sup> See Sheet 1 – Existing Conditions & Layout & Materials

Department of Public Works

Water - There shall be sufficient water capacity to meet the flow demands of the proposed use without causing municipal water flow characteristics off site to fall below the standards adopted by the Board of Public Works.

Sewer - There shall be sufficient sewer capacity to meet the flow demands of the proposed use without causing surcharge in those sewer lines which serve the project and consistent with the standards adopted by the Board of Public Works.

Storm Drainage - There shall be sufficient storm drainage capacity to meet the flow demands of the proposed development site without causing surcharge in those storm drainage lines which serve the project and consistent with the standards adopted by the Board of Public Works.

Refuse Disposal System - Refuse recycling and disposal systems, consistent with the standards adopted by the Board of Public Works, shall be provided.

Municipal Light Plant ("MLP")

Electric - There shall be sufficient electrical capacity to meet the peak service demands of the proposed use without causing the service in adjacent areas to fall below the standards adopted by the Municipal Light Board.

Board of Selectmen

Traffic, Pedestrian and Bicycle Safety - With respect to all signalized impacted intersections<sup>3</sup>, and any unsignalized impacted intersections having 50 or more PH vehicle trips on any minor approach, there shall be no degradation in the overall level of service designation to a level below the level of "C" and, if an impacted intersection is projected to operate at an overall level of service lower than "C" in a design year no-build alternative, then the proposed development shall not degrade the level of service designation below the projected design year no-build levels; and

With respect to unsignalized impacted intersections having fewer than 50 PH vehicle trips on any minor approach, the Applicant shall undertake an evaluation to identify any specific circumstances requiring further action or mitigation, which may be the subject of negotiated improvements at the discretion of the Planning Board. For purposes of clause 1 above, the "overall level of service" for an unsignalized impacted intersection

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<sup>3</sup> "Roadway Impacted by Development Traffic" defined as "A roadway segment, including one or more approaches to an intersection, shall be considered as impacted if traversed by 20 or more vehicles related to the project in a single direction during any single hour and it:

- a. a signalized intersection and ADT or PH will increase by 5% or more; or
- b. is an unsignalized intersection with a minor street approach PH of 50 or more vehicles; or
- c. is substandard, as determined by the Town Engineer, in terms of structure, pavement surface, or other deficiencies; or
- d. exhibits safety problems as identified by the Town Engineer, Town Traffic Engineer or other qualified professional as determined by the Planning Board.

shall be considered to be the worst of the individual levels of service for each of the minor movements.

Pedestrian and bicycle circulation shall be provided in accordance with recognized safety standards; provided in all cases sidewalks within a walking distance of 600 feet of the Project shall be provided and in addition sidewalk connections within such radius to surrounding neighborhoods and to public transportation shall be provided as required by the Special Permit Granting Authority in a safe and convenient condition and consistent with standards of the Massachusetts Highway Project Development and Design Guide.

### Fire Department

Fire Protection and Life Safety - There shall be sufficient municipal fire alarm system capacity to meet the operating requirements of the proposed use under applicable codes, regulations and statutes enforced by the Fire Chief. There shall be off-site fire protection facilities serving the development site in the opinion of the Fire Chief meeting the needs of the project based on the intended use and occupancy including fire flow requirements, location of and access to fire hydrants and access for emergency vehicles. The Fire Chief may require a comprehensive emergency plan which shall include an evacuation plan satisfactory to the Fire Chief and meeting the specifications and standards adopted by the Fire Chief.

### **PSI REVIEWS**

At this time, only the MLP has submitted review comments indicating their approval of the project<sup>4</sup>. While the Fire Department and Department of Public Works have submitted comments, their comments require the submittal of additional information by the applicant before completing their reviews. However, it should be noted that it appears that the DPW is satisfied with the services of and impacts to the Sewer and Refuse Disposal systems.

At this time the Board of Selectmen have not yet reviewed the application. It is understood that the Board of Selectmen will be reviewing the application, with input from BETA, one of the Town's traffic and transportation consultants, at a meeting on November 10, 2014.

### **PLANNING BOARD ACTION**

Per the Zoning Bylaw, the Planning Board is not authorized to make a decision on the application until it has been referred to, reviewed, and approved by the review departments. Therefore, the Planning Board is not able to take an action on the application at this time. The Zoning Bylaw also indicates that the Planning Board shall grant a special permit provided the aforementioned minimum service standards are met.

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<sup>4</sup> See letter from Debra Healy, MLP Assistant Director, dated October 14, 2014

### Authority for Design Alternatives, Negotiated Improvements, and Conditions

As provided in the Zoning Bylaw, following the review of the MSIA, the Applicant or the Planning Board may propose specific design alternatives and/or off-site Negotiated Improvements to municipal facilities to meet minimum service standards. The Planning Board is authorized to incorporate these design alternatives and improvements as conditions in special permit PSI approval.

### **FUTURE REVIEWS**

If the subject PSI special permit is approved, as a Major Construction Project the project will require Site Plan Review by the Zoning Board of Appeals (with a review and recommendation by the Design Review Board) prior to the issuance of building permits.

### Design Review Board Preliminary Reviews

The Applicant presented the proposal to the Design Review Board on October 22, 2014 for a preliminary review. The DRB requested that the Applicant consider addressing the following prior to submitting for review under Site Plan Review:

1. Elevation drawings for each side of project;
2. Substitution of grass pavers with another type of permeable paver;
3. Incorporation of real stone material on façade;
4. A photometric plan;
5. And increase of the shrub heights shown in planting plan;
6. Cedar material for fence along Pleasant Street; and
7. An illustrative rendering showing realistic view of the project from Pleasant Street.

### **STAFF RECOMMENDATION**

Since the reviews of 3 of the 4 review departments are incomplete, Staff recommends that the Planning Board continue the public hearing until November 17, 2014. The Planning Board should consider noting their acceptance of the MLP review and recommendation, and/or whether they wish to give any direction to the Fire Department and DPW based on their initial comments.

#### *Attached Documents:*

1. *Area Map;*
2. *Public Hearing Notice;*
3. *Application Form for Review of Project of Significant Impact, dated "Received September 24, 2014;"*
4. *Application Letter from David Himmelberger, dated "Received September 24, 2014;"*

5. *Municipal Systems Impact Analysis Letter prepared by Walter Lewinski, P.E., Engineering Design Consultants, Inc., dated September 19, 2014 and "Received September 24, 2014";*
6. *Traffic Impact Evaluation Letter prepared by Rebecca Brown, PE, PTOE, The Engineering Corp., dated September 9, 2014 and "Received September 24, 2014";*
7. *Traffic Impact Evaluation Letter prepared by Rebecca Brown, PE, PTOE, The Engineering Corp., dated September 18, 2014 and "Received September 24, 2014";*
8. *Drainage Calculations for a Proposed Residential Development located at 22 Pleasant Street, prepared by Engineering Design Consultants, Inc., dated September 5, 2014 and "Received September 24, 2014";*
9. *Letter from Debra Healy, Municipal Light Plant, dated October 24, 2014;*
10. *Fire Department Comments from Maurice Pilette, PE, CFPS, CET-IV (Fire Department Consultant), contained in email dated October 6 , 2014;*
11. *DPW Comment Memorandum from George Saraceno, dated October 29, 2014; and*
12. *The following 11 x 17 Project Plans:*
  - a. *Plan of Land (81X/Perimeter Plan) prepared by Engineering Design Consultants, Inc., dated January 8, 2014 and recorded September 18, 2014;*
  - b. *Sheet 1 - Existing Conditions & Layout & Materials Plan prepared by Engineering Design Consultants, Inc., dated September 5, 2014, last revised September 26, 2014;*
  - c. *Sheet 2 - Grading & Utilities Plan prepared by Engineering Design Consultants, Inc., dated September 5, 2014, last revised September 26, 2014;*
  - d. *Sheet 3 - Details Plan prepared by Engineering Design Consultants, Inc., dated September 5, 2014, last revised September 26, 2014;*
  - e. *Sheet 4 - Lighting Plan prepared by Engineering Design Consultants, Inc., dated September 5, 2014, last revised September 26, 2014;*
  - f. *Sheet 5 - Landscaping Plan prepared by Engineering Design Consultants, Inc. and William Fleming Associates, Inc., dated September 5, 2014, last revised September 18, 2014;*
  - g. *Sheet 6 - Landscaping Plan (color rendering) prepared by Engineering Design Consultants, Inc. and William Fleming Associates, Inc., dated September 5, 2014, last revised September 18, 2014; and*
  - h. *Architectural Rendering*