

## **REPORT OF THE PLANNING BOARD**

### **Membership**

On March 7, 2006, Edward H. Chazen was elected to the Board for a five-year term. Mr. Chazen was originally elected to the Board for a three-year term following the resignation of Patricia Grandieri in 2003. On June 20, 2006, the Board reorganized for the upcoming year by electing Thomas Frisardi as Chair, Rose Mary Donahue as Vice Chair and Frank S. DeMasi as Secretary. The other Planning Board member is M. Sue Wright.

On June 12, 2005 Chris Chan was appointed to fill the Associate Member position for a two-year term. The Associate Member is authorized to vote as a full member of the Board on special permit cases if for any reason one of the elected members cannot participate.

### **Comprehensive Plan**

The Planning Board completed Phase I of the Comprehensive Plan Update for Wellesley and distributed compact disks to Town Meeting members and other Town officials at the 2005 Annual Town Meeting. The Board, with the assistance of a 13 member Steering Committee composed of the members of the Planning Board and precinct representatives, Gerry Hume; Richard McGhee; Jackie Hatch; Joellen Toussaint; Hank Lysaght; Barbara McMahon; and Judith Hull expect to complete Phase II of the Plan in September. The Comprehensive Plan contains recommendations and priorities for municipal planning, including zoning, land use, transportation, housing, open space, recreation and Town services. Maintaining an up-to-date Comprehensive Plan is a requirement under State Law. The Planning Board last revised the Comprehensive Plan in 1994.

A series of three well attended public forums were held at the Town Hall to gather public input (September 29<sup>th</sup> on Natural and Cultural Resources/Open Space and Recreation; November 1<sup>st</sup> on Transportation and Circulation, and January 26<sup>th</sup> on Public Facilities.) The format for each of these forums was similar. The consultant gave a presentation with factual information on the Phase II elements under discussion outlining issues for consideration. Attendees were broken into smaller discussion groups and subsequently reconvened for summary/syntheses. The consultant firm retained to assist in the effort is Goody-Clancy. The Planning Board, Steering Committee and attendees have universally been delighted and impressed with the competence, thoroughness and excellence of the work of Goody-Clancy and the lead planner for the project Larissa Brown. The web site for the Comprehensive Plan Project is [http://www.wellesleyma.gov/Pages/WellesleyMA\\_Planning/CompPlan](http://www.wellesleyma.gov/Pages/WellesleyMA_Planning/CompPlan)

### **2006 Annual Town Meeting**

Under Article 32 the owner of the house lot at #19 Clovelly Road proposed a land swap to rectify a longstanding encroachment (predating his ownership). Proposed but not adopted at the 2005 Annual Town Meeting the original plan was subsequently modified to address the concerns raised. The modified plan satisfied the concerns and was adopted. The owner met with the Planning Board prior to Town Meeting to discuss the plan. Since park land is involved the action must also be approved by the state legislature.

Article 33, sponsored by citizen petition, proposed to rezone the property at 139 Linden Street to the Business District. The property is currently split between three zones, General Residence, Business, and Industrial. There are two buildings on the land, a brick commercial building at the rear of the lot and a wood frame two-family house at the front. The zoning change would have allowed use of the second floor of the commercial building and the lower level of the two-family house for commercial purposes (a hairdresser). Discussions of the details of the proposal were not concluded prior to Town Meeting and there was no motion made.

The owners now intend to seek a mixed-use Comprehensive Permit under M.G.L Chapter 40B. Their current plan would provide four units of rental housing with one affordable unit. Under State Guidelines in a mixed income Chapter 40B rental development all units count toward the Town's 10% quota.

#### Street Acceptance

Three streets were proposed for acceptance; Stonefield Lane (Article 34), Partridge Road (Article 35) and Woodside Avenue (Article 36)

Stonefield Lane, fully completed as a subdivision street, was adopted as a public way.

Partridge Road, a narrow dead-end street with three houses, was not adopted. Although discussed at some length at the Town meeting it was noted that this street was previously reviewed by the Planning Board, as required by the Zoning Bylaw, in conjunction with a project to construct a new house. Improvements, including the new water line and hydrant, were required to be installed by the applicant (one of the three abutting homeowners). Acceptance of the street would have transferred to the Town the obligation to upgrade the street.

Woodside Avenue was proposed for acceptance with betterments to be assessed to the abutters. No motion was made.

The street acceptance discussion at the Town Meeting has prompted the Planning Board and Board of Selectmen to initiate work to develop a town-wide policy for the improvement and acceptance of substandard private ways. (see also Review of Unaccepted Streets below)

### **Projects of Significant Impact**

#### Linden Square

In February the Planning Board voted to conditionally approve the PSI special permit. This vote culminated a series of events which began with the sale of the "Diehl's" property to the Eastern Development company in September 2004. An overlay zoning district was adopted at a Special Town Meeting in June of 2005. Immediately prior to the Special Town meeting a multifaceted development agreement providing, among other things, approximately 2.5 million dollars to the Town primarily for traffic mitigation was finalized.

The project involves the redevelopment of the 18.4 acre industrially zoned site currently consisting of 225,496 square feet of retail and office space in fifteen buildings on both sides

of Linden Street. The project will result in 276,200 square feet of retail and office space and involves the relocation of the Roche Brothers Supermarket to a new building on the north side of Linden Street. The project also includes seven units of affordable housing (three units on land adjacent to the site and four units on-site) to satisfy the Inclusionary Zoning requirements.

This project will be the most significant commercial development in Wellesley in recent decades.

#### Wellesley Inn

In June of 2004 the White family sold the Wellesley Inn to Westbrook Partners after having owned and managed the property for approximately 40 years. No rooms were rented after February 2005 and the restaurant closed in June of 2005. Demolition of the building began in April of 2006. The Plans were developed by Westbrook's partner Spaulding and Slye for a new complex to house 18 condominium units and approximately 8,000 square feet of retail space. The new complex would total 69,262 square feet of building floor area. Six affordable housing units will be provided by the applicant to satisfy the Inclusionary Zoning requirements. The public hearing on this project was opened in March of 2006 and is continuing. The latest version of the plan does not include any restaurant space due to concerns about insufficient off-street parking.

#### Wellesley Country Club

In December an application was received from the Wellesley Country Club to build a new clubhouse building. The approximately 54,000 square foot building would be located east of the present clubhouse which is to be demolished. The public hearing on this project was opened in January 2006 and is continuing.

#### Department of Public Works – Municipal Light Plant facility

In February an application was received from DPW/MLP for a new municipal facility at 455 Worcester Street consisting of a 16,000 square foot Highway Department garage an 18,000 square foot office building to house DPW administrative offices (as well as several departments to be relocated from the Town Hall including the building, zoning board and planning) and a 24,000 square foot MLP garage. On June 6, 2006 the Planning Board voted to conditionally approve the PSI application.

#### **Wellesley Motor Inn**

The planning staff have met with the owner to discuss development plans for this approximately two acre site on Worcester Street (Route 9) near the Natick town line. The Motor Inn and restaurant were closed in 2005. There are two buildings on the site, a two story motel with restaurant and a three story motel building. The current proposal calls for elimination of the two story building, with construction of a new two story retail and office building and conversion of the three story motel building to condominiums.

### **27 Washington Street**

In the fall of 1994 the Grossman's hardware store and lumber yard closed its doors. The approximately five acre property on the Charles River in Wellesley Lower Falls was acquired by Wellesley Truman Realty Trust to develop a Stop and Shop supermarket. Area residents concerned about traffic and the intensity of the use have opposed the supermarket proposal.

Notwithstanding several pending court cases the land owner applied to the Planning Board for approval of a Project of Significant Impact (PSI). The hearing had been kept open for many months pending receipt and review of traffic data. On October 10, 2000 final comments were received, the hearing was closed and the Planning Board voted to deny the application without prejudice. On December 22, 2000 the applicant appealed the decision of the Planning Board. As of this writing this case has not come to trial.

### **Wellesley Manor Nursing Home**

The Planning Board reviewed and made comments to the Zoning Board of Appeals concerning a proposal to convert and expand the Wellesley Manor Nursing Home to provide 28 units of age-restricted (55+) housing under the M.G.L Chapter 40B Comprehensive Permit process. This condominium project will provide that seven units (25%) will be affordable. At the end of the fiscal year this project was under construction.

### **St. James Church**

A group of Town officials representing the Board of Selectmen, Planning Board and Community Preservation Committee has met to discuss alternative future use of this approximately eight acre property on Route 9 west of Weston Road. The single residence zoned parcel is partly within the Flood Plain District and wholly within the Water Supply Protection District. This area will be the subject of a planning study which is to include all of the land along Route 9 from Weston Road to the Natick line. It is expected that this study will begin in the fall of 2006.

### **Rockland Street Bridge**

Six bridges over the MBTA Commuter Rail have been rebuilt over recent years. Rockland Street Bridge is an original structure dating to 1921 and is in poor condition. Last year the allowable weight limit was reduced to three tons (less than some SUV's.) Frank S. DeMasi, the Town's representative to and Vice-Chair of the Regional Transportation Advisory Committee has worked with other Town officials, Representative Alice Peisch and the Metropolitan Planning Organization (MPO) in encouraging that this needed bridge reconstruction project is designed and bid as soon as possible.

### **Inclusionary Zoning**

On a motion jointly developed between the Housing Development Corporation and the Planning Board the 2005 Annual Town Meeting adopted Inclusionary zoning as a requirement for Projects of Significant Impact in commercial districts. This requirement was extended to residential subdivisions at the 2006 Annual Town Meeting. These projects are required to

provide for a ratio of affordable housing units based on the size of the proposed development. The Planning Board works closely with the Housing Development Corporation in the administration of this new provision.

Under the adopted Inclusionary Zoning provision the Planning Board hears and decides requests for special permits to allow the required affordable units to be provided on a site other than the development site and to allow a cash payment to the housing trust fund in lieu of providing the affordable units. The Board reviewed and approved special permit requests in conjunction with two projects, Linden Square and Wellesley Inn. As a result there are developer commitments to build 13 affordable housing units (seven in conjunction with the Linden Square development and six in conjunction with the Wellesley Inn project.)

### **Affordable Housing Policy**

In the spring of 2005, the Town was approached by the owners of Ardmore, a 36 unit (nine affordable) Chapter 40B mixed income apartment building at #4 Cedar Street, concerning a proposal to convert from rentals to condominiums. The nine affordable units are mandated by law to be maintained as such in perpetuity. In response a task force of Town officials representing the Board of Selectmen, Planning Board, Housing Development Corporation, Housing Authority, and the Board of Assessors came together in August 2005 to commence discussion of the implications of the conversion. The major concern was the affordable count. (All Massachusetts communities are to have 10% of their dwelling units as affordable units) Under current rules all of the Ardmore units, as rental units, count towards the affordable housing quota. If a conversion to condominiums were to occur the count would be reduced from 36 to nine units. The group met seven times through the fall and with the assistance of Town Counsel drafted a policy statement regarding conversions of Chapter 40B rental developments to condominiums.

The Task Force's main objectives were to ensure, at a minimum, that there will be no reduction in either (1) the number of units in the project that are "countable" towards the Town's c.40B "quota", or (2) the length of time the affordable units will remain affordable (preferably, "in perpetuity"). The policy sets forth prerequisites including specific required submission materials for the Town to consider conversion to condominiums ownership of a 40B rental development. The Task Force submitted its findings and proposed policy statement to the Board of Selectmen in December 2005. The Board of Selectmen agreed with the Task Force finding and voted to accepted the policy on December 19, 2005.

### **Review of Unaccepted Streets**

Since 1985 Section XIX of the Zoning Bylaw has provided that prior to the issuance of building permits for new houses on unaccepted streets the Planning Board must review and determine whether the street providing access to the lot is adequate. There are 105 unaccepted streets in Wellesley comprising approximately 12 miles of roadway. A number of inadequate ways have been upgraded at no cost to the Town since this provision was adopted. On a motion by the Planning Board under Article 37, the 2003 Annual Town Meeting adopted a change which requires that this determination of street adequacy now also be made prior to major residential reconstruction or additions (adding 50% or more coverage).

Under this review consideration is given to, public safety, availability of utilities, storm drainage and access for emergency vehicles. If the Board determines that the way is not adequate it will, with input from the Town Engineer, identify needed improvements. The process allows the residential project to proceed if the identified improvements are guaranteed by a bond or surety, filed with the Board, sufficient in amount to cover the cost of the improvements.

During the course of the year the Planning Board received six applications from residents or builders proposing to build new or expand existing houses whereupon the above described review was triggered. As a result of these reviews and the subsequent decisions upgrading of the following unaccepted streets or portions was required: Partridge Road, Beechwood Road (unaccepted portion), Edgemoor Circle, Sabrina Road, Twitchell Street and Woodside Avenue.

### **Scenic Roads**

There are six roads in Wellesley that have been designated by vote of Town Meeting as Scenic Roads under state law; Benvenue Street, Cartwright Road, Cheney Drive, Pond Road, Squirrel Road, and Waterway/Brookway. The provisions of this law require the Planning Board to hold a public hearing and to review the proposed removal of trees, stone walls or portions of stone walls along any designated Scenic Road. Two applications were filed, reviewed and approved for projects on Scenic Roads; Construction of two new houses on Cartwright Road; and removal of a public shade tree on Benvenue at Cartwright Road.

### **Review of Zoning Board of Appeal Petitions**

The Zoning Bylaw provides that the Planning Board review all petitions which come before the Zoning Board of Appeal and offer comment. Recommendations are made on cases based on planning principles, legal requirements, fairness, maintaining the integrity of the Zoning Bylaw and Map, and what it believes to be in the best interest of the Town. The Board submitted comments recommending approval, conditional approval or denial regarding 54 petitions during the year.

### **Subdivision Control**

The Planning Board continued its administration of two active subdivisions which are in various stages of development, Stonefield Lane, and Burnett Lane. The Board approved two subdivisions, a seven lot subdivision called Polaris Circle off Cedar Street and a five lot subdivision off Pembroke Road.

Every year there is less land available for subdivision development. The tracts that remain are often characterized by having steep slopes, ledge or other constraints. These factors add to the burden of the Board and staff by increasing the number and complexity of the meetings, the concerns of abutters and necessitate more frequent site visits.

The Planning Board reviewed and endorsed 12 plans as “Approval Not Required” (ANR) under the Subdivision Control Law.

### **Street Construction Bonds**

The Planning Board requires surety bonds for work to be done by private contractors in conjunction with new subdivision streets and for work to improve unaccepted streets to minimum standards. The Board is currently holding \$35,360 in street construction surety bonds.

#### **Submission Fees**

The Planning Department receives project submission fees. The fees offset the cost of review of impact reports, plans and other submission materials. The Planning Department received \$167,509 in submission fees which was submitted to the Town Treasurer for deposit.

#### **Citizen Inquiries**

The Planning Department Office is open weekdays from 8:30 a.m. until 4:30 p.m. The staff assists citizens with questions concerning zoning requirements, setbacks, the process of project approval and scheduling of meetings with the Planning Board, Design Review Board and Historic District Commission. Frequently people are referred to the Planning Department by other Town Departments. It is estimated that the Planning Department handles approximately 100 such inquiries per week with approximately 25 % of these being involving in-office visits.

#### **Regional Liaison**

Member Frank S. DeMasi is Wellesley's representative to the Regional Transportation Advisory Council (RTAC), the Metropolitan Planning Organization (MPO), and the MBTA Advisory Board. He also serves as the Town's representative to the Metropolitan Area Planning Council (MAPC).

Member M. Sue Wright serves as one of the two Wellesley representatives to the Metro West Growth Management Committee (MWGMC). Planning Board members and staff periodically attend seminars and workshops conducted in the area concerning legislation and programs relative to town and regional planning. The Town has renewed its MWGMC membership in order to better keep up to date on state legislation and programs affecting our communities and to participate collectively with neighboring communities in promoting our interests and needs before State agencies.

#### **Other Liaison Assignments**

Members Tom Frisardi and Rose Mary Donahue coordinate planning activities and projects with the Board of Selectmen and other town boards. Mr. DeMasi is the liaison with the Design Review Board. Ms. Donahue serves as the Planning Board member on the Community Preservation Committee replacing member Edward H. Chazen who formerly served in that capacity on behalf of the Board.

#### **Transportation Task Force**

Member Frank DeMasi has formed a local Transportation Task Force consisting of representatives of the boards and staffs of the Planning Board, Board of Selectmen, School Department, Police Department, Wellesley's Representative to the General Court State Representatives Alice Peisch and Board of Public Works to keep abreast of local and regional transportation issues and brainstorm and lobby for Wellesley's transportation planning interests.

Wellesley Planning Board members, joined Selectmen, Wellesley Engineering and DPW personnel, and State Representatives Alice Peisch, in meetings with the Boston MPO over the past two years requesting priority for state managed projects of importance to Wellesley. The Planning Board has worked to expedite four Transportation Improvement Program (TIP) projects of most importance to the Town of Wellesley. The Rockland Street Bridge, TIP Project #600776, Cedar Street Bridge, TIP Project # 604007, ST9 Worcester Street/ST 16 Washington Street Bridge, TIP Project # 94762, and RT9 Drainage, TIP Project # 125298. We consider all four TIP projects vital for public safety and mobility in our town and at our Route 9 gateway to Natick. We also provided the Boston MPO of the Town of Wellesley's Project Recommendations for the Regional Transportation Plan (RTP) and the Unified Planning Work Program (UPWP).

#### **Planning Staff**

The Planning staff consists of a part-time secretary/technical assistant, a full-time planner and a full-time planning director. The Design Review Board, Historic District Commission, Housing Development Corporation and Fair Housing Committee receive professional and staff assistance from the Planning Department. All building projects involving an exterior change are reviewed except single and two-family projects outside the historic district. All expenses of these boards are funded from the Planning Department budget.

During the year members of the planning staff successfully worked with other Town Hall staff members in converting the payroll system to the new "MUNIS" system and worked as well converting the Town's web site to the "Virtual Town Hall."

#### **Meetings**

During FY-06 (July 1, 2005 - June 30, 2006) the Planning Board held 63 regular meetings, 26 public hearings, nine meetings relative to the Comprehensive Plan project and four Inter-board meetings.

During the discussions of the Linden Square Development Town Counsel convened a group of elected and senior staff officials to discuss and negotiate mitigation measures on behalf of the Town. Termed Town Development Review Team or TDRT for short this body had frequent meetings concerning the Linden Square Development. TDRT meetings have been held concerning the Wellesley Inn project and the proposed "Taylor Block" project. Members of the planning staff have regularly attended and participated in these meetings.

In addition to the formal meetings of the full board, board and staff members attended 34 additional meetings with board and staff of other town departments and private developers as follows: Linden Square - nine; Chapter 40B Conversion Policy (Ardmore) - seven; Subcommittee for Financial Planning – six; Wellesley Inn - three, St. James Church – three; the Country Club – two; Taylor Block – two; and the MLP/DPW project – two.

#### **Web Site**

The Planning Board maintains a web site at the following address: This web site includes updated information on the regular activities and special projects of the Planning Department. The web site for the Comprehensive Plan Project is <http://www.wellesleyma.gov/pln/compplan/index.htm>.