

**REPORT OF THE PLANNING BOARD
For the Period July 1, 2007 to June 30, 2008**

Membership

On August 27, 2007 Jeffrey Kaplan resigned as Associate Member. On June 2, 2008, at a joint meeting of the Planning Board and Board of Selectmen, Stephanie Wasser was appointed as Associate Member to fill this vacancy. On March 4, 2008 Barbara Bourque (Lehmann) was elected to a five-year term and Chris Chan was elected to a three-year term. On May 12, 2008 the Board reorganized by electing Chris Chan as Chairman, Donald S. McCauley as Vice Chairman and Barbara Bourque as Secretary. On June 26, 2008 the Planning Board accepted with regret the resignation of Thomas Frisardi.

The Planning Board 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

In the previous Fiscal Year the Planning Board completed the 2007-2017 Comprehensive Plan Update. At a joint meeting of the Massachusetts Chapter of the American Planning Association (Mass APA) and the Massachusetts Association of Planning Directors held on December 14, 2007 the updated Wellesley Comprehensive Plan received the 2007 Outstanding Planning Award from Mass APA in the category of Comprehensive Planning.

The web site for the Comprehensive Plan Project is http://www.wellesleyma.gov/Pages/WellesleyMA_Planning/CompPlan

2007 November Special Town Meeting

LARGE HOUSE REVIEW

By an 80% margin the Special Town Meeting approved the Large House Review (LHR) Zoning Bylaw. LHR established a site plan review-like process for proposed houses or additions which bring a house over an established square footage of "Total Living Area plus Garage Space" (TLAG). TLAGS are determined by zoning district with increasingly higher thresholds for the larger-lot districts. TLAG includes all finished floor area above ground (as measured by the Board of Assessors), garage space and storage buildings in excess of 600 square feet, and the portion of basement area that is above ground. The LHR provisions became effective on January 1, 2008.

Proponents for such large house projects are now required to submit plans to the Planning Board and Design Review Board before applying for a building permit. The Design Review Board (DRB) and the Planning Board evaluate the plans with

regard to preservation of landscape and open space, the relationship of the proposed new/altered buildings to other structures in the neighborhood, building design and exterior lighting, changes in lot grading and storm drainage. This review process takes into account that the impact of some new houses on neighborhood character is often a matter of design rather than simply bulk or size.

Assisted by the DRB findings, the Planning Board approves, approves subject to conditions or plan modifications, or denies projects. Planning Board approval is required before a building permit can be issued.

It is important to understand that the thresholds are not “caps,” but merely triggers for review. Large houses will continue to be built in Wellesley, but as proposed they are now subject to conditions to ensure they integrate better into their surrounding neighborhoods.

The Planning Board has received ten LHR submissions of which two were withdrawn before being heard, four were heard and approved, one was waived for LHR, and three are pending. The Planning Department has added a staff position to assist in administering the new law. The cost of this position will be offset by LHR submission fees.

PROJECT APPROVAL

The Special Town Meeting approved a reorganization and rewrite of the Site Plan Approval section of the Zoning Bylaw. The rewritten section was renamed “Project Approval.” The changes included updating the Project of Significant Impact (PSI) process related to evaluating traffic impact. New measures were incorporated to reflect best and more current practices in evaluating traffic impact, such as “average daily traffic,” “design hourly volume,” “level of service,” and “peak-hour traffic.” In addition, the definition of “roadway impacted” was revised to provide the Town greater discretion in reviewing roadways for possible mitigation. A provision was added to require traffic monitoring reports following project completion and occupancy. These monitoring reports are to assess the accuracy of traffic projections and if necessary, require further action or mitigation.

STREET SETBACK IN COMMERCIAL AREAS

This article eliminated the separate setback requirement for construction of residences in commercial districts. Previously there were separate setback requirements in commercial districts for commercial buildings and for residential buildings. The required setback for a building containing commercial and residential uses was unclear.

The Town encourages mixed-use (commercial/residential) buildings to increase diversity of housing stock affording residents more housing options and helping to

maintain the health and vitality of the commercial villages. It was felt the muddled zoning for mixed-use buildings discouraged those projects. This has now been corrected.

2008 Annual Town Meeting

NEIGHBORHOOD CONSERVATION DISTRICT

Action by the 2007 Annual Town Meeting approved, within the Town Bylaw, Article 46A which authorized the establishment of NCD's, in accordance with a specifically defined process, in Town.

A Neighborhood Conservation District (NCD) was established for 17 properties on Denton Road. This action by Town Meeting culminated the considerable work effort by the Denton Road Neighborhood Steering Committee, the NCD Study Committee, the Wellesley Historical Commission and the Planning Board.

The Planning Board supported the NCD authorization. The concept was discussed and is recommended in the recently completed Comprehensive Plan as an approach to control of the negative aspects of "Mansionization" that allows the neighborhood residents to decide the type and extent of building limits and review to maintain neighborhood character. To date there have been no projects within the Denton Road NCD subject to review.

Projects of Significant Impact

The Project of Significant Impact (PSI) bylaw mandates an assessment of the development impact on the town's infrastructure. Under this provision, any new project, exceeding 10,000 square feet of floor area and building renovation exceeding 15,000 square feet for a change of use, requires approval of the Planning Board. The Planning Board is authorized to approve a project if it deems that there are adequate municipal services available. If the services are not adequate an applicant may propose off-site improvements (e.g. street and sidewalk improvements, new storm water drainage systems) to correct the inadequacy and/or to insure that the development does not overburden the roads and other municipal facilities. The cost of necessary mitigation is borne by the applicant.

The Planning Board reviewed and approved two PSI projects during the reporting period and reviewed a third project which is pending approval as follows:

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.

The site contains an approximately 60,000 square foot building and is otherwise almost 100% hot-topped. The existing zoning allowed the supermarket use. Area residents, concerned about traffic and the intensity of the use, strongly opposed the supermarket proposal. In 1995 Zoning Map and Zoning Bylaw amendments were proposed by area residents and the Town to block or further restrict the Stop and Shop project. Stop and Shop attempted to freeze the existing zoning by the filing of plans. Applications were made and denied by the Town prompting a series of court appeals which have lingered in court for many years.

In 1997 the Planning Board sponsored a land use study of the Lower Falls Area. The planning consulting firm Goody Clancy was retained to conduct this study. The Goody Clancy study recommended a mixed-use (residential/commercial/office) development on the site along with a comprehensive rezoning plan. The rezoning plan, also written by Goody Clancy along with sub-consultant John Connery, was adopted unanimously by the Wellesley Town Meeting in 1998. This rezoning established the Lower Falls Village Commercial District and the Residential Incentive Overlay District. The overlay district was designed to encourage multi-family residence uses along the Charles River.

In late summer 2007 the Town became aware of negotiations between Stop and Shop and National Development concerning the 27 Washington Street site. In September a public forum was held at the Town Hall to announce a new mixed-use (commercial/residential) development to the Town. This project would not include a Stop and Shop supermarket. The project was felt to meet the goals and design guidelines of the Goody Clancy/Connery land use and zoning plan. At the public forum the Selectmen characterized the project as “a tremendous victory” for the Town. On October 25, 2007, parties involved in the litigation with Stop and Shop, agreed to a schedule leading to the dismissal of the litigation.

On December 14, 2007, submission was made by NDNE Lower Falls LLC, to the Planning Board for approval of a Project of Significant Impact. The project consists of three buildings. The front (commercial) two-story building on Washington Street will have retail on the first floor and office above. Two apartment buildings behind the commercial building will contain 141 apartment units of which 30 are to be affordable. The bulk of the parking for the apartments is to be underground. The balance of the site is to be landscaped down to the Charles River.

The first session of the public hearing was held on January 28, 2008, and continued on February 4, 2008; February 25, 2008; March 10, 2008; April 10, 2008; May 5, 2008, May 12, 2008 and May 28, 2008. After comments were concluded on May 28, 2008, the Planning Board closed the Public Hearing. After deliberation the Planning Board voted to conditionally approve the project including a series of mitigation elements.

Temple Beth Elohim #10 Bethel Road

The project involved removal of the existing 24,000 square foot Temple building and construction of a new 42,184 square foot Temple building along with associated reconfiguration of the parking, walks and drives on the approximately 5.5 acre site.

A definitive submission was made on March 26, 2008, the public hearing was opened on May 28, 2008 and continued and closed on June 16, 2008. After deliberation the Board voted to approve the project based on the plans submitted.

Wellesley Motor Inn

The project involves the redevelopment of a 2.35 acre site at 978 Worcester Street. Until June 2008 there were 29,000 square feet of floor area on the site in two buildings, a motel with restaurant and a motel annex. In June 2008 the motel building was demolished and removed from the site. The project will involve clearing of the balance of the site and construction of a 36,000 square foot building at the rear of the lot for 36 residential condominiums and a 24,000 square foot two-story commercial building with retail on the first floor and office space on the second floor at the front of the site. There is no restaurant proposed.

A definitive submission was made on July 18, 2007. This initial submission included a residential component of 16 condominium units. This initial submission was withdrawn and a new submission was made with the 36 unit residential component. The public hearing was opened on April 10, 2008 on the initial project and continued on June 16, 2008 on the revised project. The hearing remained open at the end of the reporting period on June 30, 2008.

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 uses 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. Town officials have been assured by the Boston Archdiocese that sale or reuse of the property will be planned with full involvement of the community.

Rockland Street Bridge

Six bridges over the MBTA Commuter Rail have been rebuilt in recent years. Rockland Street Bridge is an original structure dating to 1921 and is in poor condition. The allowable weight limit has been reduced by Mass Highway 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.

3-13 Washington Street

On December 5, 2007 the Planning Board heard the request of Cosmo Ray Realty Trust to modify a special permit previously approved under the provisions of the Lower Falls Village Commercial District. The original project involved rehabilitation of the existing single-story building and addition of a second floor. The modification eliminated the proposed second floor and consisted of rehabilitation of the interior and exterior of the building with provision of a handicap ramp and accessible toilets at the rear of the building. The public hearing was continued until December 17, 2007 and at the conclusion of testimony on that evening the Planning Board voted to approve the project.

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 a ratio of affordable housing units based on the size of the proposed development.

The Planning Board administers the Inclusionary Zoning program with oversight by the Wellesley Housing Development Corporation. The Board has reviewed and approved permit requests in conjunction with four projects: Linden Square, Wellesley Inn, Wellesley Motor Inn (Route 9) and Arborpoint (27 Washington Street). As a result there are developer commitments to build 51 affordable housing units (seven in conjunction with the Linden Square, six in conjunction with the Wellesley Inn project, eight in conjunction with the Wellesley Motor Inn project, and 30 in conjunction with Arborpoint.)

Review of Unaccepted Streets

The Zoning Bylaw provides that prior to the issuance of building permits for new houses on unaccepted streets the Planning Board shall determine whether the street 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.

During the course of the year the Planning Board received two 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: Fenmere Avenue and Cottonwood Road.

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.

One scenic road application was filed and approved during the course of the year.

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 75 petitions during the year.

Subdivision Control

The Planning Board continued its administration of two active subdivisions which are in various stages of development, Polaris Circle and #15 - 27 Pembroke Road. No new subdivision plans were approved during the year.

The Planning Board reviewed and endorsed seven 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 \$387,401 in street construction surety bonds.

Project Review and Submission Fees

All building projects involving an exterior change are reviewed including single family houses exceeding the Large House Review thresholds and all exterior changes within Historic Districts. All expenses of these boards and reviews are funded from the Planning Department budget.

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 \$113,062.40 in submission fees in FY08 which was submitted to the Town Treasurer for deposit into the Town's general fund.

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 involving in-office visits.

Regional Liaison

Former Planning Board 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 Donald McCauley is the Planning Board representative to the Metro West Growth Management Committee. The Town's membership in MWGMC is vital to keep informed on state legislation and programs affecting our community and to participate collectively with neighboring communities in promoting our interests and needs before State agencies.

Planning Board members and staff periodically attend seminars and workshops conducted in the area concerning legislation and programs relative to town and regional planning.

Other Liaison Assignments

Member Chris Chan serves on the Green Ribbon Committee. Member Rose Mary Donahue coordinates planning activities and projects with the Board of Selectmen and other town boards and serves on the Community Preservation Committee.

Planning Staff

The Planning staff consists of a part-time secretary/technical assistant, a planner, an assistant director and a director. The Design Review Board, Historic District Commission, Housing Development Corporation and Fair Housing Committee receive professional and staff assistance from the Planning Department.

Meetings

During FY-08 (July 1, 2007 - June 30, 2008) the Planning Board held 32 regular meetings, 18 public hearings, three special meetings, three joint meetings with the Board of Selectmen, one public zoning meeting, and one public zoning hearing. One meeting was held jointly with the Natick Planning Board to discuss planning for the Route 9 commercial area.

The Town Development Review Team (TDRT) which consists of elected liaison board members, senior staff officials and Town Counsel, periodically met to discuss major Town developments. The purpose of these meetings is in large part informational so that all departments and boards involved in the review, approval or permitting will be able to conveniently consult with one another and with the applicant concerning proposed projects and that the same information will be shared by all.

Web Site

The Planning Board maintains a web site at the following address: wellesley.ma.gov
This web site includes updated information on the regular activities and special projects of the Planning Department.