

TOWN OF WELLESLEY



**Town Hall
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Wellesley, Massachusetts 02482**

Chair
Margaret Ann Metzger

Vice Chair
Katy Gibson

REPORT OF THE ADVISORY COMMITTEE TO THE NOVEMBER 6, 2007 SPECIAL TOWN MEETING

TERM ENDS 2008

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Katy Gibson, Vice Chair
Margaret Ann Metzger, Chair
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TERM ENDS 2009

Steven Hansen
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TERM ENDS 2010

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Susan Lange
Stephen Sykes
Marc Taylor

October 12, 2007

To the Citizens of the Town of Wellesley:

The Special Town Meeting (STM) beginning November 6, 2007 will consider a series of proposed Planning Board amendments to the Zoning Bylaws concerning construction and development in Wellesley. In addition, the STM will consider other important matters, including (a) the acquisition of three properties on Seaver Street adjacent to Wellesley High School, (b) appropriation of funds to study the merits of accepting a conditional gift for development of a senior center on land or in a building provided by the Town, (c) personnel matters, and (d) approval of leases for space in the Branch libraries.

Planning Board: Amendments to the Zoning Bylaws

Background

The impetus for this STM was to create an opportunity for Town Meeting to thoughtfully consider the management of development in Wellesley. The Planning Board has been grappling with the issues related to development and the construction of large homes for many years and numerous Planning Board proposals have been rejected by Town Meeting. It takes a 2/3 vote of Town Meeting to approve amendments to the Zoning Bylaws so change requires a very high degree of consensus. In the meantime, increasingly large homes have been built in increasing numbers, many on small lots, and there is a high degree of concern about the changing character of our environment.

Last spring, the Planning Board decided to defer action on a number of motions that they had been preparing for the 2007 Annual Town Meeting related to large homes considered to be disproportionate to lot size, in order to have additional time to refine their proposals. The Planning Board has worked diligently since then and has created an opportunity for extensive public dialogue during the course of public meetings and hearings since last spring. Town Meeting will now vote on the proposals that have resulted from these efforts. The Advisory Committee commends the Planning Board for their continued efforts to address subjects of great importance to the Town.

Large House Review

Article 3 creates a large house review process. Of the five motions the Planning Board is expected to propose, Article 3 has been the focus of the most public attention. The proposal represents a new approach to zoning regulations in Wellesley that stands in contrast to past attempts to impose additional objective, measurable standards. Such efforts have tended to be rejected as too rigid and not flexible enough to apply comfortably to the varied situations within any given zoning district.

Instead, Article 3 would require that single-family construction projects which exceed (or which include additions of 300 square feet or more that cause the house to then exceed) certain threshold sizes must go through a review process with the Planning Board and Design Review Board. The threshold sizes vary depending on the zoning district in which the property is located and not on the size of the individual property. Exceeding the threshold would not preclude construction but would subject the plans to a review process that evaluates more qualitative standards such as: preservation of landscape by minimizing grade changes and removal of vegetation and soil; the relationship of the new or altered building to other structures in the neighborhood; building design and landscaping being in harmony with the prevailing character and scale of the neighborhood; preservation of open space; and safe and convenient circulation of walkways, drives and parking. The intent is to create sufficient flexibility to reflect the multitude of circumstances given varying lot sizes, topography, vegetation, location of neighbors and character of neighborhoods.

This proposal raises “hot-button” issues for many residents and requires careful consideration by Town Meeting. The outcome will affect the future look and feel of the Town, as well as property rights and, potentially, property values. The write-up for Article 3 explains the Advisory Committee’s rationale for endorsing this fundamentally new approach as well as the concerns raised by the minority who, while also commending the Planning Board for their efforts, believe that additional refinements are required before the proposal is ready for passage.

Other Proposed Amendments to the Zoning Bylaws

Advisory has endorsed the four other proposed amendments to the Zoning Bylaws that the Planning Board intends to move at the STM:

- Article 4 – Amend ZBL Section XVIA – Project Approval
- Article 6 – Amend ZBL Section XXI – Off-Street Parking
- Article 7 – Amend ZBL Section IA – Floor Area Ratio Definition
- Article 8 – Amend ZBL Section XIX – Yard Regulations in Commercial Districts

After discussion, the Planning Board has decided not to move Article 5 (to exempt affordable housing units from zoning density limitations) at this STM.

Other Matters

The STM also creates an opportunity to consider other matters that either cannot wait until the Annual Town Meeting or that the Town benefits from reviewing earlier. Given the compressed time frame to prepare for this STM, the Advisory Committee has focused on assuring that the Articles to be moved at the STM are truly ready for consideration – that they have been fully developed and thoroughly vetted. In addition, the Advisory Committee is mindful that it is still early in FY08 and that additional FY08 revenue has not been identified. As a result, absent extraordinary circumstances, we have discouraged motions for additional spending.

Acquisition of Three Properties on Seaver Street adjacent to Wellesley High School

Article 13, the proposed acquisition of three properties (53, 55 and 57 Seaver Street) adjacent to the High School, is a unique opportunity and we appreciate that the owners have agreed to sell their homes. The total proposed purchase price is \$3,609,500. Acquisition of these properties would significantly increase the usable area of the High School site. Expanding the site has numerous potential benefits. First, it significantly improves the design options for either a new or a renovated High School. At present, the design options for replacing or renovating the existing High School are greatly limited by the numerous restrictions on the site due to wetlands, floodplain, riverfront area, playground and parkland open space and building setbacks. Second, the acquisition creates the potential for significant construction savings regardless of whether the final decision is for renovation or replacement of the High School. Even absent a likely High School project, acquiring these properties for a reasonable price represents an opportunity for the Town to be forward-thinking and prepare for future use and expansion. The Advisory Committee endorses the proposed acquisition and more thoroughly explains both the facts and the Advisory rationale in the write-up for Article 13.

Senior Center

Article 16 enables the Board of Selectmen to request approval of an appropriation which would be used to continue to study the feasibility of accepting a conditional gift of \$825,000 under the terms of the Mary Esther (“Billie”) Tolles Charitable Foundation. The gift is conditioned on using the funds for the purpose of “founding, constructing and equipping a Senior Center in the Town of Wellesley, Massachusetts, on land or in a building provided for that purpose by the Town of Wellesley.” The final motion is still in development so we have included only background information in our write-up. Advisory will make its recommendations at the STM, or sooner, if possible.

Personnel Matters

Four non-school union contracts expired on June 30, 2007. One has settled and three are currently under negotiation. Article 10, to amend salary pay plans based on union negotiations that are ongoing, will be voted based on the status of the negotiations just prior to STM and the Advisory Committee will make its recommendation at the meeting.

Article 9 addresses the Town’s obligation under the Fair Labor Standards Act for firefighters’ overtime pay and appropriates \$41,175 to pay the additional amount due according to the adjusted calculation based on four prior years of overtime hours. The Town is in compliance for FY08.

Other Articles

Article 11 – The Town has entered into two short-term, partial (either part-time or part of the space) leases of the Branch libraries to the Wellesley Community Children’s Center and seeks approval to extend the leases for two additional years.

Article 12 – A transfer of funds from the Police Detail Account is required in order to complete a telephone upgrade for the Police Department.

No Motion

As this book goes to press, we expect no motion under:

- Article 5 – Amend ZBL Section XVIB – Inclusionary zoning exemption
- Article 14 – Appropriation for study/design for the Sprague Fields Athletic Complex
- Article 15 – Appropriation for modular classrooms at Wellesley High School
- Article 17 – Amend ZBL and Map at 65 Washington Street/1 Hillside Road

Fall Town Meeting as a Model?

In recent years, some have suggested that it might be advisable to split Wellesley's Annual Town Meeting agenda so that budget issues could be the focus of a spring meeting and zoning and non-budgetary matters could be the focus of a regularly scheduled fall meeting, thus allowing Town Meeting more time for thoughtful consideration. This is one of the many ideas the Town Bylaws Study Committee is reviewing. This STM can be considered a model for such an approach, and we look forward to participating in a review of both the challenges and the benefits.

Changes to the Advisory Report

As a practical matter, we have tried to improve this Advisory Report by responding to suggestions we received in the survey after the 2006 Annual Town Meeting. We hope our efforts are noticeable. Our cost-consciousness extended to contracting for thinner paper in order to reduce printing and postage costs.

Conclusion

We recognize and share the frustration that the Advisory Report does not include recommendations for every Article. To the extent possible, late-breaking recommendations will be posted on the Town's web site and sent to Town Meeting Members by e-mail prior to the evening they are to be considered at the STM.

As always, Town Meeting is an opportunity to examine important issues, to enter into dialogue and to vote as a community to best serve our Town and its citizens. I am honored to serve as Advisory Chair and look forward to engaging in this long-standing tradition. The STM starts on November 6, 2007 at 7:30 PM. We'll be back in the Wellesley Middle School auditorium.

All the best,



Margaret Ann Metzger
Chair