

## DENTON ROAD NEIGHBORHOOD CONSERVATION DISTRICT COMMISSION

Minutes of Called Meeting  
Tuesday, February 9, 2016, 5:00 PM.  
Great Hall, Town Hall

Members Present: Tucker Swan, Janet Giele, Eugene Cox  
Members Absent: Herbert Nolan, Helen Robertson, Joel Slocum  
Staff: Heather Lamplough

Mr. Swan called the meeting to order at 5:00pm.

### **Certificate of Compatibility Application – 16 Denton Road**

#### *Documents:*

1. Staff Report, dated 02/09/2016
2. Photos from site visit on 01/7/2016
3. Project Narrative, dated 12/28/2015
4. Site Plan showing locations of “Tree to Remove” and “Tree to Plant”
5. Quotation for new Tree from Weston Nurseries, dated 12/2/2015
6. Proposal for tree removal and stump grinding from Stumpy’s Tree Service, dated 11/10/2015

#### *Discussion:*

Miss Lamplough briefly introduced the certificate of compatibility application for 16 Denton Road which concerns removing an existing Kousa Dogwood tree eight feet from the front of the house, and the planting of a new Kousa Dogwood tree at the right-front corner of the property adjacent to the driveway. The applicants, Emily and Kevin Redmond further explained the need for the proposed alterations to the property. Mrs. Redmond explained that when they first purchased the property, the inspector informed them that the tree was too close to the house, and two professionals from local nurseries both stated that unfortunately it’s the wrong tree in the wrong spot. Ms. Redmond explained that the previous owners were having the tree trimmed annually, at a cost of \$800. She explained that she has looked into transplanting the tree and that she received a quote of about \$10,000 because of the power lines/gas/electric, and that they cannot guarantee that the tree will live after being transplanted. The inspector informed them that the tree could potentially damage the house’s foundation, or mess with National Grid’s power lines, and additionally that the tree was allowing access to the property’s roof (for squirrel and other vermin). Mrs. Denton explained that the house was built as a Dana Hall faculty house, and that when the tree is in bloom, you cannot even see the house behind it. The proposed location for the new tree is next to the driveway, basically in line with where it is now on the lot. They have been told that the tree would do extremely well in this location, because it would be getting the same light as it does in its current location. Ideally, they would like to have Stumpy’s come and cut down the tree and grind the stump during the winter months, while the tree is uninhabited; and then first thing in the spring, have Weston Nurseries come and plant the new tree in the new location. Mr. Redmond stated that they also considered transplanting the tree to the rear of the property, until they realized that there was no guarantee the tree would survive. *Mr. Swan made a motion to approve the application for Certificate of Compatibility as requested. Motion carried 3-0.*

Ms. Giele stated that she was contacted by a member of the Lexington Planning Board, stating that they were currently attempting to establish three neighborhood conservation districts for some neighborhoods built in the 1950s. He requested that she come speak about Wellesley’s experiences with the NCD. She stated that she thinks that Wellesley should establish more NCD’s as well as keep their

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own [Denton Road NCD] alive. Ms. Giele asked for clarification on the process of recruiting/appointing new members for the NCD Commission.

### **Bylaw and Design Review Guidelines**

#### *Documents:*

1. Memorandum, dated 02/02/2016
2. Draft of Denton Road Neighborhood Conservation District Design Guidelines

#### *Discussion:*

Miss Lamplough introduced the draft of the new design guidelines, which also contains the revised bylaw for the Denton Road Neighborhood Conservation District. She explains that the bylaw revisions just simply removed the redundancy that was within them. She explained how she spoke with Ivria from Town Counsel about how to amend the bylaw, because it doesn't specifically state anything about amending the bylaws, just about amending the guidelines. Usually guidelines are just recommendations [and are not binding], but how the bylaw is worded right now states that guidelines would have to go through the same tedious approval process as bylaw amendments usually do (NCD approves, Planning Board approves, Historical Commission approves, majority vote of the neighborhood approves, and then it is approved at Town Meeting). And at the same time, the bylaw currently doesn't mention how to amend the bylaw itself at all, just guidelines, governance, procedural changes, and geographical boundary changes. Ivria had mentioned that the Commission may want to consider just re-writing the bylaw instead of just amending it. Mr. Swan asked for clarifications on what exactly was being changed in the bylaw. Miss Lamplough explained that it was eliminating the redundancy, so because the bylaw states what is exempt from review, it does not also have to state what is subject to review by the Commission. Because under the current bylaw, guidelines are stated as to needing to follow this process, a study committee would also need to be formed in order to adopt design guidelines for the district. Town Council will also be looking into what constitutes a majority vote of the district, and legally how do those votes need to be collected (a neighborhood meeting, a public hearing, a mailing). Miss Lamplough explained how these draft design guidelines are that former small paragraph in the bylaw that has been expanded and put into a more user-friendly format, and translated into more of laymen's terms. Miss Lamplough asked if the Commission had any comments or concerns about the first draft, what sections they think should be expanded upon, etc. Ms. Giele states that she thinks that in general less is usually better. Mr. Cox offered a few spelling and grammatical corrections.

Mr. Cox and Mrs. Giele discussed how it may be time to re-approach those homeowners that had originally opted out of joining the NCD, and those home owners that are new to the district. The Commission discussed the questions regarding the number of properties that are included within the district and the number of properties that chose not to be included (4 properties), and how the numbers were not aligning with the map of the Denton NCD. Ms. Giele offered the conclusion that when the district was first formed, it only included the properties on the Eastern side of Denton Road, and then in 2009 an amendment was made to include 72, 60, and 56 Denton Road. So technically, the remaining properties on that side of Denton Road, which are not within the NCD, do not count against the percentage of the district. Mr. Swan that by defining the district boundaries by 10 Denton Road and 72 Denton Road, wouldn't that cause the NCD to fall below the 80% agreement. Ms. Giele said that she believes that you only needed the 80% to form the NCD, and then once it was established you could add on to it without consequence.

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Mr. Swan asked what the next steps for the bylaw revisions and the design guidelines are. Miss Lamplough stated that she is waiting to hear from Town Counsel to see how they believe it needs to be handled; and whether or not we need to start over with the bylaw instead of just revising.

**Next Meeting:** TBA

**Mr. Swan made a motion to adjourn at 5:45 PM.**

**Minutes Approved:** 4-12-2016

Heather Lamplough  
Planner