

WELLESLEY PLANNING BOARD
REGULAR MEETING
MONDAY, JUNE 23, 2014, 7:30 PM
GREAT HALL - TOWN HALL

MINUTES

Planning Board Present: Jeanne Conroy, Sara Preston, Neal Glick, Deborah Carpenter, and Catherine Johnson

Staff Present: Michael Zehner, Ethan Parsons, and Erin Heacock

Also Present: Paul Beaulieu, Allen Lappus, Robert Hurgen, Larry Shind, Paul Creedon, Michael Kosmo, Elisa Romano, Bob Smart, and Ted Brovitz

1. Call to Order

Ms. Conroy called the meeting to order at 7:30 p.m.

2. Public Comments on Matters Not on the Agenda

Ms. Conroy invited comments from members of the public on any matters not on the agenda. Hearing no comments, Ms. Conroy moved to the next agenda item.

3. Continued Applications and/or Public Hearings

a. Consider Endorsement of PBC(ANR)14-02, 178 Cedar Street

Documents

- Memo from Michael Zehner to Planning Board, dated June 17, 2014;
- Staff photograph of Hayden Place, taken June 6, 2014;
- Planning Board Minutes of April 27, 1954, May 3, 1954, and May 24, 1954 pertaining to the subdivision of property along Hayden Place; photograph of approved 1954 subdivision plan for lots along Hayden Place;
- ANR Application, received May 28, 2014;
- ANR Plan for 178 Cedar Street, prepared by Field Resources, Inc., dated June 9, 2014;
- Letter for Larry Shind, dated June 13, 2014; summary of Hamilton v. Planning Board of Beverly attached;
- Summary of Richard v. Planning Board of Acushnet; and
- Memo from Tim Quirk re: Hayden Place, Wellesley, dated April 3, 2014

Mr. Zehner provided the Board with an update, noting that the applicant's representative, Larry Shind, has indicated that the ANR plan is entitled to endorsement because Hayden Place was a way shown on a plan previously approved and endorsed by the Planning Board under the Subdivision Control Law in 1954. Mr. Shind discussed the application, referencing case law decisions that had been provided to the Planning Board. Members of the Planning Board discussed the application and asked questions, with Mr. Glick indicating that he did not find the provided cases compelling and believed the access to

Hayden Place was illusory. Mr. Shind responded to statements and questions from the members.

Ms. Conroy asked for comments from the public. Hearing none, Ms. Conroy asked for a motion.

Mr. Glick made a motion to deny endorsement of the plan. Ms. Preston seconded the motion. Ms. Conroy called for a vote. The motion to deny the endorsement of the plan failed by a vote of 2-3 (Ms. Conroy, Ms. Johnson, and Ms. Carpenter opposed).

Ms. Johnson made a motion to endorse the plan. Ms. Carpenter seconded the motion. Ms. Conroy called for a vote. The motion to endorse the plan was approved by a vote of 3-2 (Mr. Glick and Ms. Preston opposed).

b. Consider Endorsement of PBC(ANR)14-03, 60 Cartwright Road

Documents

- Memo from Michael Zehner to Planning Board, dated June 17, 2014;
- Staff photographs of Cartwright Road, taken June 6, 2014;
- ANR Application, received May 28, 2014;
- Letter from Larry Shind, dated June 13, 2014;
- ANR Plan for 60 Cartwright Road, prepared by Field Resources, Inc., dated June 9, 2014;
- ANR plan from 1963 for lots on Cartwright Road and Subdivision Plan for “Cedarbrook;” and
- Memo from David Hickey, Town Engineer, to Michael Zehner, dated June 20, 2014

Mr. Zehner provided the Board with an update, indicating that he had received input from the Town Engineer, as requested by the Board, and provided hardcopies of the memo to the members. Mr. Shind discussed the application, referencing previously endorsed ANR plans and subdivisions along the road. Members of the Planning Board discussed the application and asked questions. Members questioned whether the Town Engineer’s memorandum provided any definitive opinion regarding the adequacy of Cartwright Road, and whether it would be appropriate to endorse the plan and require improvements later under Review of Adequacy.

Ms. Conroy asked for comments from the public. Hearing none, Ms. Conroy asked for a motion.

Ms. Johnson made a motion to endorse the plan. Ms. Carpenter seconded the motion. Ms. Conroy called for a vote. The motion to endorse the plan was approved by a vote of 3-2 (Mr. Glick and Ms. Preston opposed).

4. New Applications and/or Public Hearings

a. Consider Endorsement of PBC(ANR)14-04, 250 Cedar Street

Documents

- Memo from Michael Zehner to Planning Board, dated June 17, 2014;
- ANR Application, received June 16, 2014;
- Plan of Land for 250 Cedar Street, Sheets 1 and 2, prepared by Field Resources, Inc., dated March 26, 2014; and
- Letter from Robert Smart, Jr. to Wellesley Planning Board, dated June 23, 2014

Mr. Zehner introduced the plan to the Board, specifically noting that staff believed the plan could be endorsed as not requiring approval under the Subdivision Control Law because the portions of the lots in Wellesley would not be considered buildable lots, memorialized by a note on the plan sheets. Members of the Board asked questions to clarify the nature of the plan, since the property affected is in both the Town of Wellesley and the Town of Needham. Bob Smart, representative for the applicant, discussed the application, indicating that Mr. Zehner's explanation of the applicant's intent was correct.

Members of the Board discussed the application further, with Mr. Glick indicating that he did not believe the note on the plan, to eventually be recorded, was enough to restrict the ability to build on the portion of the lots within Wellesley.

Ms. Conroy asked for comments from the public. Hearing none, Ms. Conroy asked for a motion.

Ms. Carpenter made a motion to endorse the plan. Ms. Johnson seconded the motion. Ms. Conroy called for a vote. The motion to endorse the plan was approved by a vote of 4-1 (Mr. Glick opposed).

b. Consider Large House Review Waiver Request - 50 Woodlawn Avenue

Documents

- Memo from Planning Department Staff to Planning Board, dated June 18, 2014;
- Letter from Paul and Maureen Creedon, dated June 5, 2014;
- Letter from Michael Kosmo, dated May 9, 2014;
- Plan of Land for 50 Woodlawn Avenue, dated April 8, 2014;
- Property photographs;
- Architectural elevations, dated May 9, 2014; and
- Letter from Lynne and Pat Polleino, dated June 18, 2014.

Ms. Heacock introduced the application, indicating that the applicant was requesting to waive strict compliance with certain LHR application requirements pertaining to the Landscape Plan, Grading Changes, Drainage Structures, and a Lighting/Photometric Plan. Mr. Creedon, the property owner and applicant, and Mr. Kosmo, the project engineering, discussed the basis for the waivers. The members of the Board discussed the request, generally indicating that they did not believe it was appropriate to waive submittal of certain plans entirely, such as the Landscape Plan, but that they applicant could document existing conditions with an indication that certain site features would not change.

Ms. Conroy asked for a motion. Mr. Glick made a motion to approve the waivers with the following conditions:

- 1. Submittal of a Landscape Plan: A plan shall be prepared that provides more detailed information about the existing landscape than what is shown on the plan titled "50 Woodlawn Avenue, Existing Conditions", prepared by Everett M. Brooks Co., dated April 8, 2014. Additional information shall include the types of plants and photographs. The plan shall note that no changes to the landscaping will occur. The plan does not need to be prepared by a Landscape Architect.*
- 2. Proposed Grading Changes: A note shall be added to the plan titled "50 Woodlawn Avenue, Existing Conditions", prepared by Everett M. Brooks Co., dated April 8, 2014, that indicates that no grading changes are required, and no grading changes will be made.*
- 3. Provide Drainage Structures: Mr. Michael Kosmo of Everett M. Brooks Co. shall document the existing drainage conditions up to and including the 100-year storm, and document that the proposed project will not exacerbate the existing conditions.*
- 4. Submittal of a Photometric (Lighting) Plan: An inventory of the outdoor lighting fixtures affixed to the existing structures and located elsewhere on the property shall be prepared. The inventory shall indicate which fixtures will be retained, removed, and replaced. Those fixtures that will be replaced shall include information on the replacement fixture.*

Ms. Johnson seconded the motion. Ms. Conroy called for a vote. The motion to approve the waivers with the conditions noted was unanimously approved, 5-0.

5. Old Business

a. Off-Street Parking Study - Consultant Presentation of Draft Report & Bylaw

Documents

- Memo from Michael Zehner to Planning Board, dated June 16, 2014; and
- Preliminary Draft - Parking Regulations Report, June 2014, prepared by Howard/Stein-Hudson Associates.

Ms. Conroy recognized Ted Brovitz, the project consultant with Howard/Stein-Hudson Associates. Mr. Brovitz presented the draft Report to the Board, generally concentrating on the draft Off-Street Parking Bylaw. The Board, staff, and Mr. Brovitz discussed the Report and the Bylaw. The Board suggested several edits to the Report and Bylaw, which Mr. Brovitz indicated would be in the final version.

b. Discuss Planning Board Contribution to North 40 Study Consultant Funds

Documents

- Memo from Michael Zehner to Planning Board, dated June 16, 2014.

Mr. Zehner updated the Board, indicating that the North 40 Study Committee has identified the immediate need to engage several consultants, including an environmental consultant for the preliminary inspection of the property. Mr. Zehner indicated that a preliminary proposal indicated this work to cost \$2,200, and that if the Board was inclined to contribute funds, an allocation not to exceed \$2,500 from FY14 professional services funds would be appropriate.

Ms. Conroy asked for a motion. Ms. Carpenter made a motion to approve an allocation for consultant funds to support the North 40 Study, not to exceed \$2,500. Ms. Johnson seconded the motion. The motion was unanimously approved, 5-0.

c. Discuss Sequence for Review of Previously Denied Special Permit Reapplications

Documents

- Memo from Michael Zehner to Planning Board, dated June 16, 2014, with attachments.

Ms. Conroy indicated that the Board had discussed this matter at their Retreat. Mr. Zehner confirmed that the Board has provided enough information to allow him to proceed.

6. New and Other Business

Ms. Conroy asked if there was any additional business that the Board wished to discuss. There were no comments from the members of the Board.

7. Adjourn

Hearing no other business, Ms. Conroy asked for a motion to adjourn. Ms. Preston made a motion to adjourn. Ms. Conroy called for a vote. The motion was approved unanimously, 5-0.

Meeting Adjourned: 9:40pm

Next Meeting: July 7, 2014

Minutes Approved: July 7, 2014

Notes: A recording of this meeting is available from the Planning Department.

Michael D. Zehner, AICP
Planning Director