

WELLESLEY PLANNING BOARD
REGULAR MEETING
TUESDAY, APRIL 21, 2015, 7:00 PM
TOWN HALL - GREAT HALL

MINUTES

Planning Board Present: Sara Preston, Deborah Carpenter, Catherine Johnson, Jeanne Conroy, and Harriet Warshaw

Staff Present: Michael Zehner and Imaikalani Aiu

Also Present: Jen Stephens, Matthew Cunningham, Jill Purpura, Steve Purpura, and Patrick Brown

1. Call to Order

Ms. Preston called the meeting to order at 7:00 p.m.

2. Public Comments on Matters Not on the Agenda

Ms. Preston asked whether there were any comments from members of the public on matters not on the meeting agenda. No members of the public in attendance requested to speak.

Ms. Preston recognized Ms. Carpenter. Ms. Carpenter suggested that the Board start to plan for its annual retreat. Ms. Preston asked Mr. Zehner to remind the Board of the normal protocol for the retreat. Mr. Zehner indicated that the Board has normally conducted the retreat prior to a regularly scheduled meeting, usually before the last meeting in June. The Board generally agreed to hold the retreat prior to the last regularly scheduled meeting in June, and asked Mr. Zehner to send an email to the Board requesting that they check their schedules for any conflicts and availability.

3. Continued/Previous Applications and/or Public Hearings

a. Consideration of Major Revision - LHR-14-02 - 15 Croton Street

Documents

- Memo from Michael Zehner to the Planning Board titled “Major Revisions - LHR-14-02 - 15 Croton Street”, dated April 16, 2015;
- Neighborhood Map;
- Letter from Jen Stephens, dated April 14, 2015, along with attached emails between Jill Purpura, property owner, and neighbors;
- Emails between Patrick Brown, Meghan Jop, and Michael Grant, dated April 7, 2015 to April 10, 2015; and
- Photographs of 15 Croton Street, taken from 16 Pine Street, submitted by Patrick Brown (provided to the Board at the meeting).

Ms. Preston opened consideration of the major revision request for the previously approved Large House Review at 15 Croton Street, continued from the Board’s March 23, 2015 meeting. Ms. Preston recognized Mr. Zehner, who provided the Board with an update. Mr. Zehner indicated that Staff, as well as the applicant, had notified abutting

property owners of the request, and that the Board's packages included copies of the email responses received by the applicant.

Ms. Preston recognized Jen Stephens and Matthew Cunningham, with Matthew Cunningham Landscape Design, representing the property owners, Steve and Jill Purpura. Ms. Stephens reviewed the request, unchanged since presented to the Board at the March 23 meeting, and the communications with the neighbors. Ms. Stephens indicated that with the exception of the property owner of 16 Pine Street, the neighboring property owners were supportive of the request to increase the size of the sports court. Ms. Stephens noted that previously a full size tennis court had been located on the property.

Ms. Preston asked about the noise associated with the court. Ms. Stephens indicated that the court would be screened with Arborvitae, which would mitigate some of the noise, but that the court would be constructed of a dense plastic that should control the noise better than the asphalt originally approved. Mr. Cunningham noted that the court material was also pervious.

Ms. Preston asked for comments or questions from other members of the Board. Ms. Johnson asked whether the court was a full size basketball court. Ms. Stephens responded that the proposed court was not a full size basketball court, and presented a to-scale cutout of a full size court to overlay on the site plan presented to the Board. Ms. Stephens stated that a full size court has dimensions of 94' x 50', whereas the proposed court has dimensions of 50' x 35' (the originally approved court had dimensions of 32' x 26'). Ms. Johnson also asked Ms. Stephens to confirm that there was no lighting associated with the court. Ms. Stephens indicated that there would be no lighting for the court, and that they were not requesting revisions to any previously approved lighting.

Ms. Carpenter asked about screening of the court to abutting properties, especially the property to the right (Southeast). Ms. Stephens indicated that the property line along two sides of the court would be planted with Arborvitae, and the third side of the court, towards the home, would be screened by the barn and other landscaping.

Ms. Conroy asked Ms. Stephens to indicate where the tennis court had previously been located. Ms. Stephens showed the Board an original survey for the property that indicated the location of the tennis court, noting that it was on the southern portion of the property, rather than in the side yard setback as the proposed court is to be. Ms. Carpenter noted that the tennis court was not necessarily used often.

Ms. Preston asked for comments from the public, recognizing Patrick Brown. Mr. Brown indicated that he is the principal for Residential Redevelopment of Wellesley, LLC, owner of the abutting property at 16 Pine Street. Mr. Brown stated that the increase in the size of the sports court would significantly affect the landscaping, and that his property would be affected by the noise and lack of screening. Mr. Brown distributed photographs to the Board, pictures of 15 Croton Street taken from 16 Pine Street. Ms. Preston asked Mr. Brown whether he had a recommendation or request. Mr. Brown stated that he would like the Board to delay approving the proposed revisions until the applicant submits a plan that provides more screening along their common property line. Mr. Brown indicated that he essentially does not want to hear or see activities on the court. Mr. Brown stated that the Board should also require the court to be screened from Croton Street. Ms. Preston asked

Mr. Brown to confirm that he would like the court visually screened from Croton Street, which Mr. Brown confirmed. Mr. Brown further described the lack of screening along the common property line.

Ms. Conroy asked Mr. Brown to clarify the pictures that he distributed, particularly the location where they were taken from. Mr. Brown stated that the pictures were taken from the second floor of the home at 16 Pine Street. Ms. Conroy asked Mr. Brown whether he had any plans for landscaping or screening on his property. Mr. Brown stated that there is proposed landscaping, but it is not yet installed.

Ms. Stephens indicated that several damaged trees had to be removed from the property, but they were able to preserve a large Oak between the two homes. Ms. Stephens indicated that they had met with Mr. Brown in the Fall of 2014 to discuss the Oak tree and other landscaping plans.

Mr. Brown indicated that he did not respond when permits were issued for the home because the previous owner had not notified him of the notice. Mr. Brown also indicated that the notice was flawed because it was not mailed to the previous owner's residence in Maine. Mr. Purpura stated that the intent of the current request is to expand the sports court and that the concerns originally expressed by Mr. Brown had nothing to do with the sports court, but rather concerned the size of the house and the landscaping. Ms. Preston stated that the Board could not renegotiate what has already been approved. Mr. Brown stated that he has no issues with the house or the AC units, his concerns are related specifically to the sports court.

Ms. Carpenter stated that the Board is not able to arbitrate issues between neighbors, and that there is not much more that can be done unless the issues are related to the sports court. Ms. Preston asked whether the Board members had any other recommendations. Ms. Johnson suggested a condition that there be no lighting for the sports court or any additional lighting on the barn.

Ms. Warshaw thanked Mr. Zehner and the property owners for reaching out to the neighbors. Ms. Preston noted that the sports court is clearly screened on two sides, and is screening on a third side by the physical structure of the barn. Ms. Conroy asked how close the sports court would be to the property line. Ms. Stephens indicated that the sports court would be within 9.5' of the property line. Ms. Conroy asked Mr. Zehner whether the sports court would be subject to setbacks, and Mr. Zehner responded that it would not be subject to setbacks since it is not a structure.

Ms. Preston asked for a motion. Ms. Carpenter made a motion to approve the major revisions as presented with a condition that there be no lighting for the sports court or any additional lighting on the barn. Ms. Johnson seconded the motion. Ms. Preston called for a vote. The motion was approved unanimously, 5-0.

Ms. Preston recognized Ms. Carpenter. Ms. Carpenter noted that the comment from the neighbor regarding snow storage was relevant to the Board's consideration of setbacks for residential driveways. Ms. Conroy asked Mr. Zehner how Meghan Jop, Deputy Executive Director, was involved with the 15 Croton Street application. Mr. Zehner explained that Mr. Brown had first discussed the matter with Mr. Aiu, then himself, then Michael Grant

in the Building Department, and finally Ms. Jop. Mr. Zehner indicated that he believes Ms. Jop became involved because the Executive Director's/Selectmen's Office supervises the Building Department, and Mr. Brown had concerns about the notification requirements.

4. New Applications and/or Public Hearings

a. Review and Issue Recommendations for April 30, 2015 ZBA Cases (22 Pleasant Street Townhomes - Site Plan Review)

Documents

- Memo from Imaikalani Aiu to the Planning Board, titled "Planning Staff Recommendations - ZBA 2015 35 Site Plan Review", dated April 21, 2015;
- PSI-14-01 Decision;
- Design Review Board recommendation to ZBA (including minutes from 4/8/15 meeting); and
- Copies of Zoning Board of Appeals application 2015-35 (22 & 24 Pleasant Street)

Ms. Preston opened consideration of the single application for the Zoning Board of Appeals April 30, 2015 meeting, recognizing Mr. Aiu, who provided the Board with an overview of the Site Plan Review application for a 6-unit townhouse project at 22 Pleasant Street. Mr. Aiu noted that the Board had previously approved a Project of Significant Impact Special Permit for the project. Mr. Aiu indicated that the DRB had recommended favorable action on the application. Mr. Aiu stated that the project complied with the conditions contained in the PSI Decision, with the exception of showing the planned location of the required stop bar and stop sign. Therefore, Mr. Aiu indicated that Staff was recommending that the ZBA defer action on the Site Plan Approval until the applicant submits plans showing the planned location of a stop sign and stop bar. Once submitted, Staff would recommend approval of the project as submitted, conditioned upon compliance with the submitted plans and Department of Public Works approval of the same.

Ms. Preston asked if members of the Board had any other comments. Ms. Conroy indicated that it continues to be important that the site has adequate parking, particularly to accommodate visitors and maintenance workers visiting the finished units. Ms. Conroy stated that she hopes the number of parking spaces would not be reduced.

Based on their review and discussion, the Planning Board agreed with the Staff Report and recommendation, and recommended that the ZBA defer action on the Site Plan Approval until the applicant submits plans showing the planned location of a stop sign and stop bar per condition #5 of the PSI Decision. Once these requirements are shown on submitted plans, the Board would recommend approval of the project as submitted, conditioned upon compliance with the submitted plans and Department of Public Works approval of the same.

5. New and Other Business

a. Planning Director's Report

Documents

- Memo from Michael Zehner to the Planning Board titled “Planning Director’s Report,” dated April 16, 2015, with attached letter from Marian Stevens and Robert McConnell (8 Hill Top Road), dated April 15, 2015.

Mr. Zehner reviewed the Planning Director’s Report, including actions taken from the April 6, 2015 meeting and the Board’s upcoming meeting schedule. Ms. Warshaw requested that the Board receive information and materials prior to the May 4 meeting pertaining to the presentations from the 900 Worcester Street Study Committee and the Town Government Study Committee. Mr. Zehner indicated that a request had already been made to the Town Government Study Committee, and that he and Ms. Carpenter would discuss the same at the next meeting of the 900 Worcester Street Study Committee.

Mr. Zehner completed the review of the Planning Director’s Report with updates on the 2015 Annual Town Meeting actions, the Route 9 Enhancement Study & Plan, planning for a workshop on stormwater, and the anticipated submission of the subdivision application for 135 Great Plain Avenue. Mr. Zehner also mentioned the letter from Marian Stevens and Robert McConnell attached to his memo, regarding the ZBA application for 10 Hill Top Road. Ms. Preston asked Mr. Zehner to forward to the Board the email that he had sent to State Representative Alice Peisch, Board of Selectmen Chair Barbara Searle, and Board of Selectmen Member Ellen Gibbs requesting their support for the Board’s DLTA/PMTA application to MAPC for the Route 9 Enhancement Study & Plan.

6. Minutes

a. April 6, 2015 Regular Meeting Minutes

Documents

- Draft April 6, 2015 Regular Meeting Minutes

Ms. Preston asked if members had any edits to the draft minutes. Ms. Conroy, Ms. Johnson, and Ms. Preston suggested edits, which the Board supported.

Ms. Preston asked for a motion to approve the minutes. Ms. Carpenter made a motion to approve the minutes as amended. Ms. Warshaw seconded the motion. Ms. Preston called for a vote. The motion was approved unanimously, 5-0.

7. Adjourn

Prior to adjourning, Ms. Preston asked Mr. Zehner about the status of his meeting with staff and officials regarding the *Wellesley High School Traffic Monitoring Study*, submitted as required by the PSI Decision for the High School. Mr. Zehner indicated that he had sent an email to staff and/or representatives of the Permanent Building Committee, Executive Director’s/Board of Selectmen’s Office, School Department, Police Department, Department of Public Works, and Building Department indicating that he would like to coordinate a meeting to discuss the Study, the suggestions made in the Study, and the project’s overall

compliance with the PSI Decision conditions related to traffic and pedestrian circulation and safety. Mr. Zehner stated that he would continue to provide the Board with updates.

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

Meeting Adjourned: 7:54 p.m.

Next Meeting: May 4, 2015

Minutes Approved: May 4, 2015

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

Michael D. Zehner, AICP
Planning Director