

WELLESLEY PLANNING BOARD
REGULAR MEETING
MONDAY, MAY 4, 2015, 6:30 PM
TOWN HALL - GREAT HALL

MINUTES

Planning Board Present: Deborah Carpenter (serving as Chair), Catherine Johnson, Jeanne Conroy, and Harriet Warshaw (arrived at 6:53)

Staff Present: Michael Zehner, Imaikalani Aiu, and Chris Heep

Also Present: Dave Peak, Richard Harper, Laura Fragasso, Lauren Crowley, Andrew Crowley, Barbara Rowbotham, Frank Rowbotham, Mark Wolfson, Ann Jameson, Phil Jameson, Mary Rose, Robert Rose, Tim Barrett, Rose Mary Donahue, Gig Babson, Stanley Brooks, Tad Heuer, John Bazzari, Greg Young, Steve Fessler, and Roger Kane

1. Call to Order

Ms. Carpenter called the meeting to order at 6:30 p.m.

2. Old Business

- a. Discuss and Consider Litigation Pertaining to PBC-14-01 - ANR for 910 Washington Street As authorized by M.G.L. c. 30A, § 21 (a) 3., an executive session is contemplated to discuss strategy with respect to the litigation since discussion within an open meeting may have a detrimental effect on the litigating position of the Board.**

Documents

- Memo from Michael Zehner to the Planning Board titled “Litigation Pertaining to PBC-14-01 - ANR for 910 Washington Street,” dated April 29, 2015

Ms. Carpenter suggested that the Board should enter into executive session to discuss pending litigation with Chris Heep, from the Town Counsel’s office. Ms. Johnson made a motion to enter into executive session for the purpose of discussing pending litigation pertaining to PBC-14-01, and ANR plan for 910 Washington Street. Ms. Conroy seconded the motion. Ms. Carpenter called for a roll call vote: Ms. Johnson - yes, Ms. Carpenter - yes, Ms. Conroy - yes.

Ms. Carpenter indicated that the Board would now be entering executive session and would reconvene in open session once complete.

Executive Session Minutes to be maintained separately.

The Board reconvened in open session. Ms. Carpenter summarized the actions taken in executive session, indicating that the Board had directed Mr. Heep to take certain steps on behalf of the Board to bring resolution to the pending litigation.

- b. Presentation from 900 Worcester Street Study Committee on Project Status**

Documents

- Memo from Michael Zehner to the Planning Board titled “Presentation from 900 Worcester Street Study Committee on Project Status,” dated April 28, 2015;
- Letter from the Study Committee to RFI Respondents; attachments include *900 Worcester Street (St. James) Zoning Overview for Recreational Development* information sheet, a draft Timeline to *RFP Release for 900 Worcester*, and a *Summary of RFI Responses*;
- November 2014 Presentation to Special Town Meeting;
- Draft *900 Worcester Street - RFP Scoring Matrix*, dated April 26, 2015;
- *Wellesley Comprehensive Plan - 2007-2017 Update - Executive Summary* and the 10 key Comprehensive Plan recommendations that can shape Wellesley’s future;
- *Wellesley West Gateway Study - Recommendations* chapter (2008);
- *St. James the Great Alternative Land Use Study* - portion of Study on Conceptual Land Use Plan 1: Recreation (2010); and
- *Route 9 MetroWest Smart Growth Plan - Implementation: Design Criteria and Zoning Recommendations* chapter (2013);

Ms. Carpenter recognized Andy Wrobel with the 900 Worcester Street Committee. Mr. Wrobel provided the Board with an update. Ms. Conroy asked Mr. Wrobel to indicate the membership of the Committee. Mr. Wrobel went through the individuals serving on the Committee.

Ms. Carpenter explained the purpose of the presentation. (Ms. Warshaw arrived at 6:53) Mr. Wrobel reviewed the location and characteristics of the site, and existing access to Route 9. Ms. Johnson asked whether westbound traffic would first need to travel east, to Weston Road. Mr. Wrobel confirmed that absent a signalized intersection, that would likely be the case.

Mr. Wrobel explained the history of the site and the project, next steps for the Committee, and the timeline. Mr. Wrobel reviewed the draft scoring matrix for the eventual RFP, reiterating its importance. Ms. Carpenter asked whether the draft scoring matrix is available online. Mr. Wrobel replied that it was, but that he will confirm.

Ms. Carpenter indicated that compliance with PSI standards would be important to the Planning Board. Mr. Wrobel noted that Mr. Zehner had provided a 3-page zoning analysis for the site that addresses many of the requirements for respondents. Mr. Wrobel noted that on-site parking, impacts on Route 9, and floodplain and wetlands impacts are of utmost importance. Mr. Wrobel noted that Gale Engineering was performing some preliminary stormwater and traffic studies for the development of the site. Ms. Conroy asked who the subconsultant was for the traffic study. Mr. Zehner indicated that it was Vanesse Associates.

Ms. Conroy asked Mr. Wrobel whether they lost Community Preservation Committee funds for the project. Mr. Wrobel indicated that funds were shifted to the North 40 project.

Ms. Conroy stated that she was skeptical about who was determining the amount of parking for the project, especially considering the results of the High School project. Mr. Wrobel described the benchmark parking analysis that was done by the Ad Hoc Committee. Mr. Wrobel also indicated that the Committee is looking at opportunities to use parking on the Haynes site. Mr. Wrobel stated that there must be proper planning for the site's operation and use.

Ms. Carpenter referenced the importance of the RFP scoring matrix. Ms. Warshaw agreed that the scoring matrix was helpful. Ms. Carpenter indicated that the Board should send and comments or recommendations on the matrix to Mr. Wrobel.

Ms. Johnson asked whether they were concerned that there was not swimming pool developer interest. Mr. Wrobel indicated that it is not that concerning, that the Committee always knew that a pool was the most difficult aspect of the project. Mr. Wrobel noted the value of the RFI response from the YMCA, and further indicated that the rink responses were a lot more varied.

Ms. Johnson asked Mr. Wrobel to clarify that there would not be off-site satellite parking. Mr. Wrobel indicated that this would not occur as a regular event.

Ms. Carpenter thanked Mr. Wrobel and noted the next meeting dates of the Committee.

c. Presentation from Town Government Study Committee on Land Use Recommendations

Documents

- Memo from Michael Zehner to the Planning Board titled "Presentation from Town Government Study Committee on Land Use Recommendations," dated April 29, 2015; and
- Land Use Recommendations brief from Town Government Study Committee

Ms. Carpenter welcomed the members of the Town Government Study Committee. Rose Mary Donahue introduced Gig Babson and Stanley Brooks. Ms. Donahue indicated that the members of the Committee wished to review the Land Use recommendations with the Board prior to the May 11 and May 12 meetings. Ms. Donahue indicated that a principal recommendation was to create a Land Use Division, which is recommended to include the Natural Resources Commission and department. Ms. Donahue discussed aspects of the recommendations related to communication, centralization of services, permit tracking, staffing, establishment of land use division director position and potential to utilize existing staff in this role, and enforcement of bylaw and permit conditions.

Mr. Brooks indicated that the creation of the land use division would not change function of boards and committees.

Ms. Conroy stated that she was a little confused, that she thought the land use division director would be a new position. Ms. Donahue stated that the intention would not be to

hire a new employee, but to appoint an existing staff person, in consultation with land use division member boards.

Ms. Donahue indicated that the Board is also looking at personnel practices and recommendations on a townwide basis.

Ms. Warshaw indicated that the Committee has done a great job. Ms. Warshaw asked whether the Committee had seen any examples on innovative models throughout the State, whether there are creative and forward-thinking examples, and whether the Committee's proposal is the most innovative approach. Ms. Donahue referenced comparison examples, indicating that no two are exactly the same.

Ms. Donahue stated that another thing the Committee is recommending is a strategic plan, noting that while the land use division would focus specifically on land use, a strategic plan would serve to establish townwide goals. Ms. Warshaw indicated that the issues are much broader than land use, and encouraged the Committee to look at "healthy community" initiatives and to be more dynamic. Ms. Babson responded that communities establish such divisions differently, depending on the concentration.

Ms. Carpenter stated that she agrees with Ms. Warshaw, and as a resident she would like to see processes streamlined. Ms. Carpenter indicated that she does not know whether consolidation will better integrate boards. Ms. Donahue stated that she believes integration will start at the staff level. Mr. Brooks stated that freeing up boards from administrative tasks would allow them more time to concentrate on policy.

Ms. Conroy asked about budget implications. Ms. Donahue stated that there may be incremental costs, but there would ultimately be savings.

Ms. Johnson stated that she was confused by the problem, and that everyone needs to be sure what the problem is that the Committee is attempting to solve.

The Board agreed that Ms. Carpenter would attend the May 11 meeting along with Mr. Zehner.

3. New Applications and/or Public Hearings

a. PBC-15-02 - ANR Plan for 638 Washington Street (PID 125-49)

Documents

- Staff Report, prepared 4/29/2015 for 5/4/2015 Planning Board Meeting;
- ANR Application, received April 21, 2015; and
- Plan of Land in Wellesley, Massachusetts, prepared by Vanasse Hangen Brustlin, Inc., dated March 16th, 2015

Ms. Carpenter recognized Mr. Aiu. Mr. Aiu provided an overview of the application. Ms. Carpenter recognized Greg Young with Northland Residential, the applicant. Mr. Young explained the background of the request. Ms. Johnson asked staff to confirm that two of the associated lots would be subject to the review of the Historic District Commission. Mr.

Zehner confirmed that would be the case, and described where the boundary line of the district is located.

Ms. Carpenter asked for a motion. Ms. Conroy made a motion to approve endorsement of the plan. Ms. Johnson seconded the motion. Ms. Carpenter called for a vote. The motion was approved unanimously, 4-0.

b. Public Hearing - Review of Adequacy Application for 24 Fenmere Avenue

Documents

- Staff Report, prepared 4/29/2015 for 5/4/2015 Planning Board Meeting;
- 24 Fenmere Avenue Vicinity Map;
- Request for Review of Adequacy Form;
- Plan titled “Site Improvement Plan/ 24 Fenmere Avenue”, prepared by Foresite Engineering., dated April 22, 2015;
- Drainage Calculations prepared by Foresite Engineering;
- Memo from Municipal Light Plant, dated April 9, 2015;
- Memo from Department of Public Works - Engineering Division, dated April 17, 2015;
- Memo from Fire Department, dated April 22, 2015;
- Photos from site visit on 4/23/15;
- Letter from Applicant in response to comments from the Engineering Division;
- Email from Judith Vessey dated April 16, 2015;
- Email from Jana Evans dated April 16, 2015; and
- Email from Dave Peak dated April 16, 2015

Ms. Carpenter recognized Mr. Aiu. Mr. Aiu explained the request. Mr. Zehner discussed comments received from neighboring property owners regarding gas and water service. Ms. Carpenter recognized Roger Kane, the applicant. Mr. Kane indicated that he would address any water line or pressure issues as required by the Department of Public Works.

Ms. Conroy asked about the requirement to pave the roadway, and neighbor comments regarding potential damage to the roadway. Ms. Carpenter recognized Dave Peak, the owner of 52 Manor Avenue. Mr. Peak expressed concern that the street will be damaged and suggested that the applicant be required to pave the entire street. Mr. Peak stated that construction trucks would tear up the street.

Ms. Conroy suggested that staff have DPW provide an estimate to repave the entire street, and provide information on the water pressure to homes along the street.

The Board agreed to continue the public hearing to the May 18 meeting so that they may receive information on the water pressure and an estimate to repave the entire street.

c. Consider LHR-15-03 - Large House Review for 30/34 Wachusett Road

Documents

- Staff Report, prepared 4/29/2015 for 5/4/2015 Planning Board Meeting;
- Large House Review Application Form, submitted 4/6/15;
- Section XVID Review Affidavit, submitted 3/26/2015;
- Statement of Intent; and
- Plan Set
 - Cover Sheet
 - Site Photography
 - SP.01 – Abutting Property Photographs
 - SP.02 – Existing Conditions 30 Wachusett Road
 - SP.03 – Existing Conditions 34 Wachusett Road
 - Architectural
 - A100 – Basement Plan Main House
 - A100.1 – Basement Plan Garage
 - A101 – First Floor Plan Main House
 - A101.1 – First Floor Plan Garage
 - A102 – Second Floor Plan Main House
 - A102.1 – Second Floor Plan Garage
 - A103 – Attic Floor Plan
 - A200 – East Elevation
 - A201 – North Elevation
 - A202 – West Elevation
 - A204 – Pool – Greenhouse Plans & Elevations
 - Rendered East and West Elevations
 - Landscape Plans
 - L0.01 – Existing Conditions
 - L0.02 – Tree Protection and Tree Removal Plan
 - L0.03 – Tree Protection and Removal
 - L1.00 – Materials Key Plan
 - L1.01 – Materials Plan South
 - L1.02 – Materials Plan North
 - L2.00 – Grading Key Plan
 - L2.01 – Grading Plan South
 - L2.02 – Grading Plan North
 - L3.00 – Planting Key Plan
 - L3.01 – Planting Plan North
 - L3.02 – Planting Plan South
 - L4.00 – Lighting Key Plan
 - L4.01 – Lighting Plan North
 - L4.02 – Lighting Plan South
 - L4.03 – Lighting Details
 - L4.05 – Lighting Details
 - Civil Engineering
 - C100 – Site Development Plan
 - C200 – Detail Sheet
 - C300 – Construction Management Plan
 - Presentation Materials
 - Building Footprint Comparison
 - Trees to be Saved
 - Unhealthy/ Hazardous Trees

- Trees to be Removed
- Site Elevation Street and Rear
- Site Elevation South/ Pool

Ms. Carpenter recognized Mr. Aiu. Mr. Aiu provided the Board with an update on the status of the application, noting that the Design Review Board and Engineering Division had not yet completed their reviews. Mr. Zehner discussed comments received from the project abutters regarding construction management.

Ms. Carpenter suggested that the Board continue the item to allow the DRB and Engineering Division to complete their reviews. Ms. Conroy asked the applicant whether they had revised their plans. John MacDonald, architect for the project, indicated that they had and asked whether there is anything that they can do to address any comments from the Board. Ms. Conroy indicated that screening is always important, as is appropriate lighting.

Ms. Johnson wondered whether there was a Town easement on the property, and indicated that it is important to know the impact on the rear abutters. Ms. Carpenter stated that it is important to ensure that the applicant has heard from the neighbors. Ms. Carpenter further stated that it makes sense to have the project return to the Board with a full picture.

The Board agreed to continue consideration of the application to the May 18 meeting.

d. Review and Issue Recommendations for May 7, 2015 ZBA Cases

Documents

- Staff Report titled “Planning Staff Recommendations - May 7th ZBA Cases”; and
- Copies of Zoning Board of Appeals applications 2015-36 (100 Cedar Street), 2015-37 (951 Worcester Street), 2015-38 (37 Croton Street), 2015-39 (12 Rice Street), 2015-40 (11 Chestnut Street), 2015-41 (41 Howe Street), 2015-42 (44 Emerson Road), 2015-43 (410 Weston Road), 2015-44 (2 Boulder Brook Road), 2015-45 (11 Sagamore Road), 2015-46 (88 Audubon Road)

Ms. Carpenter recognized Mr. Aiu. Mr. Aiu reviewed the cases for the Board.

2015-36 (100 Cedar Street): The Planning Board recommended that the ZBA GRANT the Variance and Special Permit. While the Board realizes that there will be encroachments, the dwelling will either be largely consistent with existing conditions or be mitigated by the Town-owned parcel between the subject property and the road.

2015-37 (951 Worcester Street): Knowing of no issues or complaints associated with the continued operation of a drive-through window at the subject property, but also recognizing that the redeveloped site has been in operation for less than one (1) year, the Planning Board recommended that the ZBA GRANT the requested Special Permit renewal with a condition that the permit will expire after one year.

2015-38 (37 Croton Street): The Planning Board recommended that the ZBA GRANT the requested Special Permit.

2015-39 (12 Rice Street): The Planning Board recommended that the ZBA GRANT the requested Special Permit with the condition that the rooflines (eave and ridge) and plane of the addition match that of the existing structure, with the exception of the proposed dormers. Alternately, the ZBA could allow for the increased height but narrow the addition so it conforms to the existing setbacks.

2015-40 (11 Chestnut Street): Based on the lack of hardship due to soil conditions, shape or topography the Planning Board recommended that the ZBA DENY the variance.

2015-41 (41 Howe Street): The Planning Board recommended that ZBA GRANT the requested Variance and Special Permit.

2015-42 (44 Emerson Road): The Planning Board appreciated that the applicant proposed a project that meets the zoning regulation and recommended that the ZBA GRANT the requested Special Permit

2015-43 (410 Weston Road): The Planning Board recommended that the ZBA GRANT the requested Special Permit.

2015-44 (2 Boulder Brook Road): The Planning Board recommended that the ZBA GRANT the requested Special Permit.

2015-45 (11 Sagamore Road): Ms. Carpenter recognized abutters in attendance wishing to speak. Phil Jameson, Katie Brauner, Robert Rose, and Mary Rose all made comments regarding the application, expressing concerns regarding the accuracy of the submitted survey and the appropriateness of the proposed home. The Board discussed the concerns expressed and suggested that the abutters consult with a surveyor and possibly an attorney regarding the property line issues raised.

Given the size of the proposal relative to its surroundings and neighbor concerns, while also recognizing that the proposal meets development standards, the Planning Board was divided as to whether or not the structure was substantially more detrimental to the neighborhood, and whether it should therefore be granted. Ultimately, the Board voted 4 to 1 to recommend that the ZBA GRANT the requested Special Permit. It should also be noted that abutting property owners expressed concerns regarding the accuracy of the submitted survey; the Board suggested that abutting owners notify the applicant of their concerns.

2015-46 (88 Audubon Road): The Planning Board recommended that the ZBA GRANT the requested Special Permit with the condition that the applicant maximize screening and/or design strategies such as differentiation in massing to minimize the visual impact.

4. 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 29, 2015

Mr. Zehner reviewed the Planning Director’s Report for the Board. The Board asked Mr. Zehner to send a confirmation of the times for the May 11 and May 12 Town Government Study Committee meetings.

5. Minutes

a. April 21, 2015 Regular Meeting Minutes

Documents

- Draft April 21, 2015 Regular Meeting Minutes

Ms. Carpenter indicated that she had one correction to the minutes, to change “than” to “more that can” in the first sentence of the fifth paragraph. Ms. Carpenter asked if members had any additional edits.

Hearing no other comments, Ms. Carpenter asked for a motion to approve the minutes. Ms. Johnson made a motion to approve the minutes as amended. Ms. Conroy seconded the motion. Ms. Carpenter called for a vote. The motion was approved unanimously, 4-0.

6. Public Comments on Matters Not on the Agenda

Ms. Carpenter asked if members of the public had any comments on matters not on the agenda. No members of the public wished to speak.

7. Adjourn

Hearing no other business, Ms. Carpenter asked for a motion to adjourn. Ms. Johnson made a motion to adjourn. Ms. Conroy seconded the motion. Ms. Carpenter called for a vote. The motion was approved unanimously, 4-0.

Meeting Adjourned: 9:05 p.m.

Next Meeting: May 18, 2015

Minutes Approved: June 1, 2015

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

Michael D. Zehner, AICP
Planning Director