

Minutes of the February 3, 2020 Regular Meeting of the Planning Board

WELLESLEY PLANNING BOARD
MONDAY, FEBRUARY 3, 2020 6:30 P.M.
TOWN HALL – GREAT HALL

MINUTES

The Planning Board guides the Town of Wellesley in preserving and enhancing Wellesley's quality of life by fostering a diverse housing stock, multi-modal transportation options, valuable natural resources, resilient infrastructure, and a thriving local economy. The Planning Board achieves these goals through the creation and implementation of Zoning Bylaws, policies, long-term planning and by promoting citizen participation in the planning process.

Planning Board Present: Chair Catherine Johnson, Jim Roberti, Kathleen Woodward, Patricia Mallett, Frank Pinto, Associate Member Sheila Olson

Staff Present: Planning Director Don McCauley

1. Ms. Johnson called the meeting to order at 6:30 p.m.
2. **Public Comments on Matters Not on the Agenda – Citizen Speak**

Resident Marc Shechtman, 41 Rice Street, stated that he was concerned about Wellesley maintaining its character and read from the Unified Plan. He indicated that the proposed changes to the Hunnewell Field area would not maintain the character of Wellesley in consideration of chain link fencing, excessive lighting and development as a sports complex.

3. **Public Hearings**

Materials distributed to, and considered by the Planning Board regarding this agenda item are retained with the official set of minutes available at the Planning Department Office.

Public Hearing – Proposed Amendments to the Zoning Bylaw for 2020 Annual Town Meeting

Present: Meghan Jop, Administrative Director/Town of Wellesley

Article 36 – Amend Section 16C, Drainage Review

Ms. Jop noted that Article 36 was recommended by Town Counsel in compliance with US EPA and MA EPA MS4 Permit. She explained the changes proposed for the MS4 Permit (the Municipal Separate Storm /Sewer Permit).

Article 37 – “Select Board” to replace “Board of Selectmen”

Ms. Jop noted that this title change is prevalent throughout the Commonwealth, with some 130 MA municipalities making the change to “Select Board.”

Article 34 – Delete Section 22E, Temporary Moratorium on Marijuana Establishments.

Mr. McCauley provided background regarding Town consideration of recreational marijuana establishments.

Article 35 – Amendment to Section 25, Special Permits, to update references to laws for Medical Marijuana.

Mr. McCauley explained the Town passed the bylaw which registers medical marijuana dispensaries.

Article 29 – 323 Washington Street Historic District

Ms. Johnson noted a separate public hearing for Article 29 would take place on March 4, 2020; per Massachusetts Historical Commission regulation.

Article 30 – Addition of Large-Scale Overlay District to List of Districts

Mr. McCauley noted that such Article inclusion reflected a housekeeping change.

Article 31 – Applying Large House Review to General Residence District

Ms. Johnson noted that Article 31 reflected a zoning change within the General Residence District in order to accommodate Large House Review, within Section 4. Ms. Johnson provided related considerations of particular housing on Brook Street and Dexter Road/Resident Petition.

Article 32 – Tree Protection & Preservation

Ms. Woodward provided detail regarding Article 32 and recognized Raina McManus and Laura Robert, members of the Natural Resources Commission, who worked in concert with the Planning Department. Ms. Woodward provided chronology and intent of the Tree Bylaw which was adopted by Town Meeting in 2011. She emphasized that further amendment of Bylaw is necessary in consideration of many trees being cut down in the context of construction.

Resident Nancy Westenberg, 50 Windsor Road, expressed her concerns with the proposed Tree Bylaw amendments in consideration of the hazardous tree determination and related mitigation planting. Ms. Woodward commented that the tree protection Bylaw would be applied only with instances of construction, demolition, retaining walls and expansion. Mr. McCauley provided detail regarding the Town tree fund.

Resident David Himmelberger, 387 Linden Street, applauded the Planning Board for including under story trees in the Bylaw and expressed concern about the one-to-one ratio regarding unhealthy trees. He suggested additional hazardous tree distinction/definition. Ms. Woodward responded that mitigation could include planting in the subject property, as well as planting in the neighbor's yard, or making contribution to the tree fund.

Article 33 – Natural Resource Protection (NRC) Development

Ms. Johnson stressed the Bylaw allows the Town to preserve as much open space as possible, if and when, a large parcel is considered for development. She pointed to the North 40, 135 Great Plain Avenue and 900 Worcester Street, as locations where the Bylaw could be or could have been applied to maintain significant open space (50%). She explained that it also could apply to small cluster development. She emphasized the importance of frontage and siting of a building as factors in achieving the goals of the Bylaw. Ms. Johnson referred to the Riverwalk housing development in West Concord, MA, as a preferred model.

Mr. Roberti motioned to close the Public Hearing on the Zoning Articles 30 to 37. Ms. Woodward seconded the motion. It was unanimously voted (5-0).

4. Discuss Board Reports and Recommendations for 2020 Annual Town Meeting Zoning Articles (including Articles 30-37 and Article 9 – Tree Bank Fund)

Ms. Johnson noted that such discussion would continue at the next Board Meeting.

5. Consider LHR 19-13: Large House Review for 194 Pond Road – *Cont'd from 1/22/20*

Consider LHR 19-14: Large House Review for 196 Pond Road – *Cont'd from 1/22/20*

Present: Attorney Larry Shind, Joe Hassell, Marc Sullivan, Joseph Losanno.

Mr. Schind provided plan revision detail.

Mr. Hassell commented about the improved screening from Pond Road. Mr. Hassell mentioned that most of the vegetation in front of 194 Pond Road would be retained and 72 plantings would be added. He detailed some of the aspects of the proposed construction management plan, including chain link fencing for the duration of construction.

Mr. Sullivan explained 194 Pond Road reflected a craftsman-style design and spoke of amended design which diminished the massing aspect. Ms. Johnson asked about the height of the amended roofing. Mr. Sullivan responded 34 feet 2 inches, reflecting an approximate difference of one foot, when compared to the original design.

Mr. McCauley inquired about a revised site plan. Mr. Hassell referred to the revised site plan. Ms. Johnson asked about the clearing of the proposed leeching field.

Mr. Roberti inquired about the possible expansion of leeching area. Mr. Losanno stated that the soil was very good and he did not expect to increase the leeching field size.

Ms. Johnson noted the Engineering Division requested additional perk testing. Mr. Losanno stated that the perk testing had been completed and six additional tests were performed noting that the soils retained high perk rates with no ledge presented.

Ms. Johnson inquired about the deep basement being water-proofed. Mr. Losanno detailed the boring testing. Mr. Roberti inquired about the proposed basement depths. Mr. Hassell responded that the majority of the basement was approximately ten feet, with an additional five feet of sub-basement depth.

Ms. Mallett suggested that Mr. McCauley review the associated Planning Department staff report.

Ms. Johnson asked about a proposed well and possible easement. Mr. Hassell stated that the existing irrigation well would be removed and transferred to 200 Pond Road.

Mr. McCauley mentioned a project extension had been provided. He indicated that related Large House Review process helped to improve the direction of the projects, including improved massing and different home designs. He did note, however, that the newer plans included increased lighting, as well as, significant circulation impact. Mr. McCauley stated that the project showed much improvement and recognized that further modifications were needed.

Mr. Roberti asked if the two lots had been separated. Mr. Schind responded affirmatively.

Resident David Howe, 110 Pond Road, thanked Mr. Hassell for meeting with him. He stressed concerns about preservation of landscape, scale of the buildings and open space. He maintained that Pond Road was one of the most unique roads in Wellesley. Mr. Howe indicated that these two proposed homes would not fit into the neighborhood.

Resident Will Iselin, 100 Pond Road, thanked the construction team for the amended plans, but stated that his impression remained the same; the homes were too large for the lots. He read various ratio statistics regarding Pond Road lots in relation to house size. He felt that the proposed houses are too close to the road and did not maintain the character of other homes in the area. Mr. Iselin commented that the previous owner of the two lots is now selling his home and likely does not care about the implications of the proposed homes and the effect on the scenic road.

Resident Frank Hunnewell, 37 Pond Road, echoed the comments of his neighbors and thanked the developers for their willingness to listen. He stressed that the landscape is not natural and very little is being saved. He noted that the buildings were closer to each other than other homes on the road. He provided comment regarding excessive outdoor lighting and lack of open space.

Resident Nathaniel Katz, 150 Pond Road, informed the hall that he recently moved to Pond Road and could not see the benefit of the proposed homes, in light of the idyllic setting of Pond Road.

Resident Tom Roberts, 170 Pond Road, indicated that he had concerns about siting and could not comprehend how any houses built on these small lots could be acceptable. Mr. Roberts asked if an applicant could go forward on a lot that has not officially transferred yet. Mr. McCauley responded that the application was co-signed by the owner and the applicant is the developer. He stated that the approval goes with the land. Ms. Johnson added Large House Review does get recorded at the Registry and stays with the property.

Resident Walter Hunnewell, 30 Pond Road, stated that he was impressed by the developer's willingness to cooperate and share information and agreed with Mr. Iselin's comments, indicating that the proposed houses are out of scale.

Marianne Cooley of Wellesley College, stated that her remarks were not reflective of Wellesley College and felt that the lighting was not consistent with the area. She asked about the location of the leeching fields and possible extension of such fields.

Mr. Roberti asked about proximity of the septic system was to the road. Mr. Losanno responded that the system for 194 Pond Road was 34 and a half feet from the road and the reserve system was 11 feet from the road. He stressed that the reserve area did not need to be built. He noted that the other system was set back some.

Ms. Mallett stated that the number of trees being removed was very problematic regarding the removal of 39 trees at 194 Pond Road and 64 trees to be removed at 197 Pond Road. She referred to the planting plan and asserted that the submitted plan needed more detail, especially in regard to tree mitigation.

Ms. Woodward concurred with Ms. Mallett and said that the landscape design required far more detail and the plan as presented, was not acceptable. She reiterated the historical importance and character of Pond Road.

Ms. Mallett stressed the importance of addressing the existing Engineering comments, excessive lighting and the addition of a photometric/lighting plan.

Mr. Schind stated that the applicant would be responding to questions posed and noted that the submission sent to the Planning Department was not complete. He affirmed that the Board would be provided with full renderings from the street and photometric plans, as well.

Ms. Johnson commented that the objective was not to see the houses from the street, stressing the importance of open space, mass and scale.

Ms. Woodward mentioned the “institutional” look of the proposed homes, particularly 194 Pond Road.

Mr. Roberti commented that his primary objection concerned the homes being too close to the scenic roadway. He recommended that the structures be situated further back from the road, or build one house only.

Ms. Johnson said that the potential septic system overage was of concern and recommended that such aspect be disclosed. Related septic discussion took place.

Mr. Roberti motioned to continue LHR 19-13 – Large House Review Hearing for 194 Pond Road to March 16, 2020 and extend an action deadline to March 20, 2020. Ms. Woodward seconded the motion. It was unanimously voted (5-0).

Mr. Roberti motioned to continue LHR 19-14 – Large House Review Hearing for 196 Pond Road to March 16, 2020 and extend an action deadline to March 20, 2020. Ms. Woodward seconded the motion. It was unanimously voted (5-0).

Mr. McCauley stated that a signed communication from the applicant must be submitted to the Board to confirm such action detailed in the motions presented. Ms. Woodward confirmed the Scenic Road Hearing and the Large House Review Hearing would be held on March 16, 2020.

6. Review and Issue Recommendations for February 6, 2020 ZBA Cases

ZBA 2019-87 – 10 Rice Street (continued from 11/7/2019)

Mr. McCauley provided update and noted that Planning Board recommendation about easing of setbacks was implemented. He referenced the certified site plan dated 11/15/19.

ZBA 2020-06 – 46 Overbrook Drive

Mr. McCauley provided update regarding the demolition of an existing garage and replacing it with a two-story garage and a second story addition over the existing structure and a two-story addition at the rear of the house. Mr. McCauley noted the absence of drainage, TLAG, landscaping or lighting information. Ms. Johnson agreed that drainage information, in particular, should be provided.

ZBA – 2020-07 – 18 Jefferson Road

Mr. McCauley noted that the property was an undersized lot but consistent with the neighborhood, while maintaining setbacks. He recommended that lighting and tree protection/preservation information be provided with conditioned approval.

ZBA 2020-08 – 19 Francis Road

Mr. McCauley noted his concern regarding increased impervious surfacing without drainage specifications and inclusion of a stone patio within the Town right of way.

ZBA – 2020-09 – 97 Crest Road

Mr. McCauley stated that the case involved the inclusion of an addition with underground garage. He noted staff recommended ZBA request information regarding impervious area, drainage and lighting; and delay action on the special permit until such information is reviewed. Mr. McCauley stated that Planning did not agree with the Bellalta case decision in light of garage setbacks. Ms. Johnson agreed with Mr. McCauley’s assessment.

ZBA – 2020-10 – 8 Tennyson Road

Mr. McCauley explained the applicant proposed to expand the garage to the rear of the property and add a deck above the garage. Staff recommended the ZBA approve the Special Permit.

ZBA – 2020-11 – 276 Washington Street

Mr. McCauley explained the proposal for Special Permit for a sign with relief from the letter height provision. He noted that DRB unanimously approved the application with amendment. Staff recommended the ZBA approve the Special Permit with changes outlined by DRB.

Ms. Johnson questioned the necessity for a larger sign. Mr. Roberti agreed. Ms. Woodward commented about the space being challenging for merchants in the past. Mr. McCauley indicated that the current signage is rather small within the space allotted for lettering and the proposed lettering fits appropriately.

Mr. Pinto commented such effort might help preserve the success of the retail space in question. Ms. Johnson noted that the real challenge is the lack of available parking and hoped that such approval would not set precedent.

7. Other Business

Release Escrow Agreement Funds for 1 Ingleside Road

Mr. Roberti motioned to approve the release of the November 8, 2018 Escrow Agreement And Conditional Order To Pay in the letter to Mark Waldman from the Planning Board dated February 3, 2020 regarding escrow of \$19,504.00 for property at 1 Ingleside Road, Wellesley, MA. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

Planning Director's Report

Mr. McCauley said he had no additional comments.

Planning Board Chair Report

Ms. Johnson stated that she and Mr. McCauley had been invited to attend the next Selectmen's meeting to consider the Warrant for Town Meeting. She asked for any Board comment, especially in consideration of solar array and recreational marijuana. Mr. Roberti stated that he had no issues. Mr. Pinto had no issue. Ms. Woodward stated that the two articles would not take much time to present. A discussion regarding two-thirds voting took place.

8. Minutes – Approval of June 14, 2018 Planning Board Minutes

Ms. Johnson suggested clarification of "CA" language in the first paragraph and questioned the motion made by Mr. Roberti.

Mr. Roberti motioned to approve the June 14, 2018 Planning Board Minutes with corrections by Catherine Johnson. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

There being no further business, Ms. Johnson adjourned the meeting at 9:55 p.m.

Minutes Approved: Wednesday, March 4, 2020

Next Meeting: Tuesday, February 18, 2020

Don McCauley
Planning Director