

*Minutes of the March 7, 2022, Meeting of the Planning Board*

WELLESLEY PLANNING BOARD  
MONDAY, MARCH 7, 2022, 6:30 PM  
ONLINE REMOTE MEETING

*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 Members Present:** Chair James Roberti, Vice-Chair Kathleen Woodward, Secretary Patricia Mallett, Tom Taylor, Marc Charney, Associate Member Sheila Olson

**Staff Present:** Planning Director Don McCauley, Senior Planner Eric Arbeene

**Advisory Liaison:** John Lanza

**Call to Order/Confirmation of Participants**

Ms. Woodward called the meeting of the Planning Board to order at 6:33 PM. She acknowledged the presence of Board Members: Kathleen Woodward, Jim Roberti, Patricia Mallett, Tom Taylor, Marc Charney

**Public Comments on Matters Not on the Agenda**

Mr. Lanza announced his resignation from the Advisory Committee, and his appointment to the Recreation Commission. After related discussion with Board Members expressing their appreciation, Mr. Lanza left the meeting at 6:45 PM.

**Committee Reports**

Ms. Woodward commented about the many planning contributions made by former Planning Board Chair Catherine Johnson. All Board Members acknowledged the numerous planning contributions made by Ms. Johnson, and her many years on the Planning Board.

**Planning Board Reorganization**

Ms. Woodward nominated Mr. Roberti for the position of Planning Board Chair. Ms. Mallett seconded the motion. It was on motion 5-0; Mallett-aye, Taylor-aye, Roberti-aye, Charney-aye, Woodward-aye

**Zoning Public Hearing – Annual Town Meeting Articles – ATM 22**

**Mr. Taylor motioned to open the Zoning Public Hearing for Annual Town Meeting 22 Articles, as proposed by the Planning Board. Ms. Mallett seconded the motion. It was on motion 5-0; Woodward-aye, Taylor-aye, Charney-aye, Mallett-aye, Roberti-aye.**

Article 33 - Flood Plain Districts

Mr. McCauley provided summary for Article 33. There were no comments from the public.

Article 34 - Definition of Child Care Facility

Mr. McCauley provided summary for Article 34. There were no comments from the public.

Article 35 - Town Houses

Mr. McCauley iterated the proposal of Article 35; to clarify that the Town will allow a 2-unit dwelling (side-by-side) as a duplex; and updates the definition of a Town House to be 3 or more units, consistent with State Building Code.

Comments from the Public:

Resident Attorney Stanley Brooks, 20 Walnut Street, stated the correction of the zoning bylaw was long-overdue.

Resident Attorney David Himmelberger, 387 Linden Street, stated the bylaw ambiguity was somewhat intentional, in the categorizing of 2-family homes similar to single-family homes. Mr. McCauley stated such change, applies only for structures in the general residence district, and would not introduce duplexes into single-family districts. Mr. Himmelberger inquired if pre-existing, non-conforming, 2 family-homes in general residence, were demolished, could they be rebuilt as a duplexes.

Article 36 - General Residence District

Mr. McCauley described the article. There were no comments from the public.

Article 37 - Rezoning 219-229 Washington Street

Mr. McCauley described the article. There were no comments from the public.

Article 38 - Sustainability

Mr. McCauley included the four different aspects/motions described in Article 38. The four motions included:

- Reduction of greenhouse gases/sustainable land-use practices
- PSI process to add standards regarding greenhouse gas emissions, infrastructure impacts
- Updating Design Review section of the bylaw (Article 22) to add criteria for design review sustainability inclusions regarding meeting greenhouse gas omission goals of the Town
- To create a limited exception to the set-back requirements for noise-emitting equipment, allowing heat pumps to be located within four feet of a home

Article 39 - Accessory Dwelling Units

Mr. McCauley described the article, consistent with State's Housing Choice Legislation. There were no comments from the public.

Article 40 - Commercial Gun Shops

Mr. McCauley described the article. There were no comments from the public.

Article 41 - Outdoor Lighting

Mr. McCauley described the article. There were no comments from the public.

Article 42 - Signs

Mr. McCauley described the article, adding a phrase – “whichever is less,” within the proposed sign bylaw. There were no comments from the public.

Article 43 Zoning Bylaw Reorganization

Mr. McCauley described the article. There were no comments from the public.

**Mr. Taylor motioned to close the Public Hearing for 2022 Annual Town Meeting Zoning Articles, proposed by the Planning Board. Ms. Mallett seconded the motion. It was on motion 5-0; Woodward-aye, Charney-aye, Taylor-aye, Mallett-aye, Roberti-aye.**

Large House ReviewLHR-21-08 – 16 Wedgewood Road

Present: David Sharff, Architect

Mr. McCauley detailed that the application involves an addition to an existing house. Mr. Arbeene acknowledged the associated revisions to the plan, had been approved by the Town Engineer.

Mr. Sharff stated the only issue remaining, involves a test pit. Mr. Arbeene replied the requirement of a test pit can be added as a condition. Ms. Woodward noted the construction management plan was comprehensive.

Ms. Woodward inquired if a tree protection plan was included in the plans, and how such plan might affect the Oak Trees on the front of the property. Mr. McCauley explained the location of the fence is usually located on the plan, and not in a narrative form.

**Mr. Taylor motion to approve LHR-21-08 for 16 Wedgewood Road, subject to the general and specific conditions as stated in the staff report dated 1/21/22 and finalized with updated 3/4/22; and subject to the following condition of a test pit analysis to be done by the applicant, and supplied to the Town, and to add note that tree protection is defined as 6 feet; and the Chair of the Planning Board be authorized to execute the approval agreement on behalf of the Planning Board. Ms. Woodward seconded the motion. It was on motion 4-0; Woodward-aye, Taylor-aye, Mallett-aye, Roberti-aye.**

LHR-22-01 – 33/35 Pleasant Street

Present: David and Joseph Brossi, Developers/Contractors; Brian Nelson, Engineer; Chris Perretti, Landscape Architect; Stanley Brooks, Attorney for the Owner

Mr. Arbeene provided updates to the application, noting that the construction plan was waiting approval from the Police Department. Ms. Woodward inquired about the trees on the northern property line. Mr. Nelson replied there are two trees on the north property line.

Mr. Roberti inquired if the Police Department would be approving the parking aspect on the construction site as part of the Construction Management Plan.

Mr. Taylor inquired if the retaining wall removal aspect had been satisfied. Mr. Arbeene responded in the affirmative.

Ms. Woodward inquired about the protection of the trees on the northern property line. Mr. Nelson replied that there were two trees on the lot line which are located off-property, and the tree protection fencing extends to these trees.

Mr. Brooks asked if the condition about parking in front of the property could be modified. Mr. Roberti inquired about a parking condition. Mr. McCauley replied the condition was included by Staff. Ms. Woodward commented vehicles may swerve into the other lane to avoid construction vehicles.

Mr. Brooks stated the goal was to keep all construction vehicles on site.

**Mr. Taylor motioned to approve LHR-22-01 for 33/35 Pleasant Street, subject to the general and specific conditions as stated in the Staff Report dated 2/18/22, and revised on 3/4/22; subject to the following: deletion of condition #12 in red, the Chair of the Planning Board is authorized to execute the approval agreement on behalf of the Planning Board. Ms. Woodward seconded the motion. It was on motion 4-0; Mallett-aye, Taylor-aye, Woodward-aye, Roberti-aye.**

#### LHR-21-12 – 159 Dover Road – Major Modification

Present: Sam Soderholm, Developer/Contractor; Brian Nelson, Engineer; David Himmelberger, Attorney for the Owner

Mr. Roberti detailed that the applicant was not successful in buying a piece of land from the owner of the abutting property; therefore would be requesting an easement for a proposed driveway, which would satisfy the condition.

Mr. McCauley opined that Planning could confirm to the building inspector, that the condition has been met which; would allow the applicant to obtain a building permit.

**Mr. Taylor motioned to approve modification to specific condition #3 of LHR approval agreement of LHR-12-12 for 159 Dover Road, with following conditions: Require applicant to obtain from the owner of 38 Livingston Road, an exclusive use-easement over a portion of 38 Livingston Road; sufficient to provide buffer for the rear parking area on 159 Dover Road, and that the easement plan be recorded at Norfolk County Registry of Deeds, prior to the issuance of a Building Permit; and such easement plan be approved by the Planning Director; the Chair of the Planning Board is authorized to execute any documents on behalf of the Planning Board. Ms. Woodward seconded the motion. It was on motion 5-0; Taylor-aye, Mallett-aye, Woodward-aye, Charney-aye, Roberti-aye.**

Ms. Olson left the meeting at 8:30 PM.

**LHR-21-16 – 20 Oakland Street – Continued from 2/22/22 – To be continued to April 6, 2022**

Mr. Taylor motioned to continue LHR-21-16 for 20 Oakland Street, to the Planning Board Meeting on 4/20/22, and move to continue the action deadline to 5/19/22. Ms. Mallett seconded the motion. It was on motion 5-0; Woodward-aye, Charney-aye, Mallett-aye, Taylor-aye, Roberti-aye

**LHR-21-17 – 365 Worcester Street – Continued from 2/22/22 – To be continued to April 6, 2022**

Mr. Taylor motioned to continue LHR-21-17 for 365 Worcester Street, to the Planning Board Meeting on 4/20/22 and to continue the action deadline to 5/19/22. Mr. Charney seconded the motion. It was on motion 5-0; Taylor-aye, Mallett-aye, Charney-aye, Woodward-aye, Roberti-aye

**Minutes**

Mr. Taylor motioned to approve minutes for 12/20/21, as edited. Ms. Woodward seconded the motion. It was on motion 5-0; Woodward-aye, Mallett-aye, Taylor-aye, Charney-aye, Roberti-aye

**Other Business**

Town Meeting Articles

**Article 33 - Flood Plain Districts**

Ms. Woodward stated that Article 33 would not be appropriate for inclusion on the Consent Agenda.

**Article 34 - Definition of Child Care Facility**

Mr. Roberti confirmed that Article 34 would be included on the Consent Agenda.

**Article 35 - Town Houses**

Mr. Roberti stated that Article 35 would not be appropriate for inclusion on the Consent Agenda.

**Article 36 - General Residence District**

Mr. Roberti acknowledged that Article 36 would likely receive some discussion at Town Meeting.

**Article 37 - Rezoning 219-229 Washington Street**

Board Members had no comments regarding Article 37

**Article 38 - Sustainability**

Ms. Woodward indicated that the current wording of the motions was acceptable, and acknowledged that Board Members advocated that the Climate Action Committee be part of the presentation at Town Meeting. Mr. Taylor inquired about failure of one of the four motions, and how that might affect the remaining three motions. Mr. McCauley replied that failure of one of the motions, would not affect the other motions. Ms. Mallett inquired about the timing of any changes proposed to the Warrant. Mr. McCauley replied changes can be included right up to Town Meeting.

Article 39 - Accessory Dwelling Units

Mr. Roberti stated he expected much discussion at Town Meeting regarding Article 39.

Article 40 - Commercial Gun Shops

Mr. Taylor stated the wording on the Article is fine, but the presentation needed to be further articulated.

Article 41 - Outdoor Lighting

Mr. McCauley stated the Town Moderator was not comfortable about including this Article on the Consent Agenda.

Article 42 - Signs

Additional comments were not presented by the Board.

Article 43 - Zoning Bylaw Reorganization

Additional comments were not presented by the Board.

**Mr. Taylor motioned that the Planning Board move to support Annual Town Meeting Articles: 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43; identified on the Warrant for the Annual Town Meeting, as approved by Select Board; and that the articles be moved with the language presented by the Planning Department Staff to the Planning Board. Ms. Woodward seconded the motion. It was on motion 5-0; Woodward-aye, Charney-aye, Mallet-aye, Taylor-aye, Roberti-aye.**

**Other Business**

Town Meeting Preparation

Mr. McCauley opined about various options regarding Zoom presentation of Town Meeting.

Mr. Roberti confirmed that Articles 34, 42, and 43 would be included on the Consent Agenda.

Planning Director's Report

Mr. McCauley announced the official hire of a new Planner.

**Adjourn**

Mr. Roberti adjourned the Planning Board Meeting at 9:30 PM.

MINUTES APPROVED – JUNE 21, 2022