

Minutes of the June 21, 2021 Meeting of the Planning Board

WELLESLEY PLANNING BOARD
MONDAY, JUNE 21, 2021, 6:30 P.M.
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 Catherine Johnson, Vice-Chair Kathleen Woodward, Secretary Patricia Mallett, James Roberti, Tom Taylor, Associate Member Sheila Olson

Staff Present: Planning Director Donald McCauley

Advisory Liaison: John Lanza

Call to Order/Confirmation of Participants

Ms. Johnson called the meeting of the Planning Board to order at 6:32 P.M. She acknowledged the presence of Board Members: Kathleen Woodward, Patricia Mallett, Jim Roberti, Tom Taylor, Catherine Johnson, Sheila Olson.

Public comments on Matters Not on the Agenda

There were no public comments

Approval Not Required Plan

PBC-21-03 – 32 Lantern Lane

Mr. McCauley stated the applicant was revising the plan and would present the plan to the Board at the July 6, 2021 meeting.

Mr. Roberti motioned to continue the Approval Not Required Plan for PBC-21-03 – 32 Lantern Lane to the July 6, 2021 Planning Board meeting. Ms. Woodward seconded the motion. The vote was unanimous 5-0; Woodward-aye, Mallett-aye, Roberti-aye, Taylor-aye, Johnson-aye

Large House Review

41 Chestnut Street – LHR Waiver Request

Mr. McCauley explained the applicant was requesting waiver for elevation plans and floor plans, and planned on demolishing the building.

Ms. Johnson acknowledged the special significance of the property, indicating the structure should not be torn down. She maintained that floor plans were necessary, and photographs of the interior of the home should be taken by the Historical Commission. Ms. Johnson provided a brief history of the property, noting that the Historical Commission deemed that the structure be preferably preserved. Ms. Woodward asked if there could be two lots on the site. Ms. Johnson responded in the affirmative.

Mr. Roberti motioned to deny the requested two waivers, as outlined in the letter from Thomas P. Catalano in regard to 41 Chestnut Street, dated June 15, 2021. Ms. Woodward seconded the motion. The vote was unanimous 5-0; Woodward-aye, Mallett-aye, Roberti-aye, Taylor-aye, Johnson-aye

Zoning Board of Appeals Cases

Mr. McCauley presented the ZBA cases:

26 Harris Avenue – ZBA-2021-42 (continued from 5/6/21)

Applicant Requested: Renewal of Special Permit for Dog Day Care.

Staff recommended approval of renewal of the special permit but not with extended overnight dog sitting services. The Board agreed.

68 Curve Street – ZBA-2021-52

Applicant Requested: Variance for expansion of garage into left side setback.

Staff recommended approval, with condition that described drainage improvements are included. Board agreed.

175 Walnut Street– ZBA-2021-53

Applicant Requested: Special Permit for addition to non-conforming house.

Staff recommended approval, with conditions for landscape screening be provided around the east and north lines of the property, and inclusion of additional stormwater treatment. The Board agreed.

12 Rice Street– ZBA-2021-54

Applicant Requested: Special Permit for construction of rear addition and deck, with installation of air conditioning condenser.

Staff recommended approval with conditions that stormwater infiltration be included, and noise prevention screening around the condenser be included, if condenser cannot be located in the backyard.

4 Mansfield Road – ZBA-2021-55

Applicant Requested: Special Permit for additions to the existing home.

Staff recommended that ZBA Refer the matter to the Planning Board for Large House Review, and if ZBA determines the property is non-conforming, then Staff recommends that ZBA deny the Special Permit.

Mr. McCauley indicated that the building might be conforming, and should be considered as LHR. Board members discussed the height of the proposed plan.

Board members discussed the case in consideration of Large House Review.

97 Russell Road– ZBA-2021-56

Applicant Requested: Variance for setbacks and/or Special Permit finding that new structures will not be substantially more detrimental.

Ms. Johnson expressed concern about the private way delineation.

Staff recommended approval of a Special Permit, subject to conditions that the proposed carport/garage structure not be built, that stormwater infiltration systems be installed to capture all runoff from the proposed structures and impervious areas; and that a construction management plan be provided and approved to prevent any impact to Morses Pond from the construction activities. Board members agreed with such conditioning.

72 Fairbanks Avenue– ZBA-2021-57

Applicant Requested: Overturn of Building Inspector's decision not to require removal of air conditioner condensers

Staff was not certain that the Planning Board should make recommendation on this issue, which is a matter of interpretation. Members agreed they should not provide opinion on this case.

Ms. Johnson asked why the complaint was being brought up at this time, as a considerable amount of time had passed.

7 Denton Road– ZBA-2021-58

Applicant Requested: Renewal of Special Permit allowing use as a two-family dwelling.

Staff recommended approval for a period of up to three years, with the same terms and conditions. The Board agreed.

10 Park Avenue – ZBA-2021-59

Applicant Requested: Special Permit to remove existing house for new home to be constructed.

Staff recommended approval, with condition that stormwater infiltration system/s be considered to address increased drainage. Board members agreed.

Other BusinessDiscussion Fall Special Town Meeting*Sustainable Zoning Working Group Proposals*

Present: Fred Bunger, CAAC

Ms. Woodward confirmed that the Sustainable Zoning Working Group had agreed on preliminary draft proposal, with primary focus on emissions. She detailed a recent Massachusetts Attorney General opinion held that municipalities cannot prohibit certain types of energy, specifically fossil fuels, at this time.

Ms. Woodward explained that the state (in the next 18 months or so) may provide a net zero building code that municipalities will have the option to adopt. Mr. Bunger stated that the current energy stretch code is outdated and the plan is that municipalities could opt into the new stretch energy code provided by the state. Ms. Woodward stated that the Sustainable Zoning Work Group draft bylaw changes would be a good bridge to next steps when the state provides a new stretch code.

Mr. McCauley said that sustainability guidelines should be established. Ms. Johnson observed that the process is iterative.

Mr. Bunger confirmed that it's a dialogue and an iterative process. Mr. Bunger also said he had researched and spoken with representatives from a number of towns and found that initial dialogues with applicants resulted in favorable results and progress. Ms. Woodward suggested composing benchmark comparison sheet/s. Ms. Johnson suggested preparing a set of FAQs.

Board Members took part in an extensive discussion regarding promoting energy efficiency in relation to existing bylaws and building code. Ms. Woodward spoke of educating applicants re: potential cost savings. Ms. Woodward said the workgroup believes this will accomplish sustainability goals while also being legally defensible. Mr. McCauley said this is a measured approach that responds to the Town's goals. Ms. Woodward suggested that all comments and questions be directed to Mr. McCauley.

Accessory Dwelling Units

Present: Deed McCollum, Andrew Mikula

As a member of the Building a Better Wellesley, Ms. McCollum summarized that the group conducted eight listening sessions to review affordable housing choices in Wellesley. She commented about the diverse grouping involved in the sessions, and noted the commonality of housing themes and preferences. Ms. McCollum stressed that contractors are buying much of the available housing, and eliminating smaller home availability.

Mr. Roberti advocated for housing simplicity and suggested housing conversion options, without creating expansive units. He advocated for residents who want to remain in the Town, via renovation of existing homes, rather than new construction.

Mr. McCauley provided suggestions regarding a possible ADU application process, as alternative to a ZBA Special Permit process.

Ms. Mallett asked about "by right" aspects. Mr. Roberti confirmed that a particular ADU would still require building permits and would need to comply with other zoning requirements.

Ms. Johnson explained that the Town Building Department recommends that the particular ADU be granted by a ZBA Special Permit. She mentioned the concern regarding trigger of a Large House Review.

Ms. Johnson emphasized the benefit for review of ADU options/status in neighboring towns. She suggested that a roadmap-type document be drafted to include the towns that endorse ADUs, related bylaws, related definitions, and expense considerations.

Ms. Johnson recommended the Town establish a policy regarding Airbnb.

Mr. McCauley suggested review/revision of proposed ADU bylaw, including comments from Town Counsel and the Building Inspector; for presentation at a ZBA public hearing.

Mr. Lanza endorsed the idea of sending notice to town Meeting members regarding an ADU zoning public hearing, as well as, scheduling public hearings regarding changes to the sustainability bylaw. Mr. Lanza recommended keeping both public hearings open as long as possible, given the technical aspects of both bylaws.

Setbacks for heat-pumps

Ms. Johnson indicated that the heat-pump article would be presented at Annual Town Meeting.

Definitions of Town House and Two-Unit Dwelling Units

Ms. Johnson referenced the Article A. Town House/Two-Unit Dwelling Unit definition document, dated June 12, 2021.

Ms. Johnson recognized comments made by Attorney David Himmelberger, detailing that existing two-unit (over/under) structures in a single residence district, cannot be replaced with town houses. She stressed the importance of split-zoned properties, and the implications involved with rebuilding at those sites.

In reference to the drafted Town House/Two-Unit Dwelling definitions outlined; Mr. McCauley noted that a two-unit town house (side by side/duplex style units) could be constructed in the General Residence District. Mr. Taylor acknowledged the bylaw definition regarding town houses in minimum grouping of three, would have to be amended to accommodate the proposed bylaw. Mr. McCauley and Ms. Johnson confirmed that such changes would be necessary.

Outdoor Seating for Restaurants

Ms. Johnson confirmed she had sent a message to the Select Board recommending inclusion of this proposed article at Fall Town Meeting. She stated that the Planning Board would finalize the wording of this article.

FEMA Map Update

Ms. Johnson stated that the FEMA Map must be adopted, and noted that the amended map including Town Counsel recommendations, be forwarded from Ms. Jop to the Planning Board.

Planning Director's Report

Mr. McCauley noted that the Delanson ground-breaking ceremony would take place at 4:00 P.M. – June 23, 2021.

Advisory Comments:

Mr. Lanza suggested that Planning present to Advisory in August. Ms. Johnson mentioned inclusion of preliminary aspects regarding a proposed 5-year plan.

Update on Community Center

Ms. Johnson provided detail regarding initial study for repurposing of the Wellesley Community Center and Friendly Aid site. She noted that stakeholders were considering several possible uses; a performing arts center, a black box theatre, and Town office space. Ms. Johnson suggested that additional comments by Board members could be submitted to Mr. McCauley.

Chair Report

Ms. Johnson mentioned that 3-5 Linden Street development was being considered to include additional rental housing units.

Adjourn

Ms. Johnson adjourned the meeting at 10:12 P.M.

APPROVED: September 13, 2021

NEXT MEETING: July 6, 2021

