

Minutes of the July 19, 2021 Meeting of the Planning Board

WELLESLEY PLANNING BOARD
MONDAY, JULY 19, 2021, 6:30 P.M.
ONLINE REMOTE MEETING AND PUBLIC HEARING

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, Jim Roberti, Tom Taylor

Absent: Associate Member Sheila Olson

Staff Present: Planning Director Donald McCauley, Planner Eric Arbeene

Advisory Member: John Lanza

Call to Order/Confirmation of Participants

Ms. Johnson called the meeting of the Planning Board to order at 6:30 P.M., acknowledging the presence of Board Members: Kathleen Woodward, Patricia Mallett, James Roberti, Thomas Taylor, Catherine Johnson,

Public comments on Matters Not on the Agenda

No public comments

Zoning Public Hearings – Fall Special Town Meeting

Ms. Johnson introduced the following matters for discussion

- Accessory Dwelling Units
- Sustainable Zoning Working Group Proposals
- Definitions of Town House and Two-Unit Dwelling
- Outdoor Seating for Restaurants
- FEMA Map Update
- Gun Shops
- Other

Ms. Johnson stated that the Gun Shop hearing was being continued from the June 7th hearing.

Accessory Dwelling Units (ADU)

Mr. McCauley detailed that a Town ADU website was created last week. More MA towns adopted the bylaw in its basic form “mother-in-law” unit, though such tenancy would extend to non-relatives. Mr. McCauley confirmed that an initial draft had been created, and would require a majority vote at Town Meeting.

Sustainable Zoning Working Group Proposals

Mr. McCauley explained that the Climate Action Committee was leading the charge with sustainability zoning efforts, and the mission to decrease of greenhouse gas emissions. He stressed that the Planning Board, the Design Review Board and other Town Boards/Committees are supporting the charge. He noted that Projects of Significant Impact (PSIs) would be subject to sustainability review and implementation.

Mr. McCauley added that Design Review Board sustainability standards need to be established.

Definitions of Town House and Two-Unit Dwelling

Mr. McCauley summarized that currently in the general residence district, anything less than a 3-unit town house development was not allowed, and development of a two-family structure must reflect a stacked-style dwelling.

Outdoor Seating for Restaurants

Mr. McCauley stated that COVID-emergency legislation allowed for such outdoor seating to extend until through April 2022. At that time the special permit requirements under the Zoning Bylaw will resume.. Mr. McCauley noted that the Town is now considering such outdoor seating, without requiring a special permit from the ZBA.

FEMA Map Update

Mr. McCauley detailed that FEMA (Federal Emergency Management Agency) updates flood plain maps every ten years or so, and such amendments need to be incorporated into the zoning bylaw/s. Mr. McCauley confirmed that the Planning Board would be working with Town Engineering and Town Counsel regarding such updates.

Gun Shops

Mr. McCauley noted that this issue is being considered because of a recently adopted bylaw being adopted in Newton, which now regulates where commercial gun shops can be located in that community. Many Wellesley residents are concerned, and have provided related input.

Mr. McCauley added that the Planning continues to receive resident input, and hopes to receive additional input from residents at the continued gun shop public hearing.

Accessory Dwelling Unit Comments

Ms. Johnson that an ADU draft with inclusion of Town Counsel comments had been distributed to the Select Board, Town Counsel, Building Inspector, and Zoning Board of Appeals.

Resident and Co-Chair of Building a Better Wellesley, Deed McCullum, 6 Pickerel Terrace, stated that Building a Better Wellesley has some 150 members and strongly supports the Accessory Dwelling Unit bylaw. She stressed that the mission was to create more affordable housing in Town, as well as allowing aging residents to stay in the Town.

Resident and member of Building a Better Wellesley, Andrew Mikula, maintained that passage of the Accessory Dwelling Bylaw would help the aging Wellesley population, young families, the disabled, and young professionals live in Town. He indicated that adoption of the bylaw would help with energy and infrastructure management, and would help to advance the most sustainable housing options.

Resident Sally Watts, 43 Atwood Street, supported the ADU bylaw and acknowledged that associated benefits included long-term housing for older residents, and allows existing homeowners to share a home with the next generation. Ms. Watts indicated that the ADU bylaw would regulate those non-permitted housing units in Town, further ensuring health and safety aspects. She mentioned that accessory units would not be intended for short-term rentals.

Resident and member of the Sustainable Wellesley Commission, Mary Gard, 21 Laurel Avenue, stated that Sustainable Wellesley members supported the ADU Article, and use of such sustainable units would help preserve open space.

Resident, Select Board Member and Member of Building of Better Wellesley, Ann-Mara Lanza, 18 Oakland Street, indicated that the language used in the proposed ADU bylaw was effective in its simplicity, which focuses on use. In her opinion, she indicated it was better to have a process, and strengthen related regulations. Ms. Lanza stated that the ADU process would encourage diversity in Town, and was looking forward to moving forward with the bylaw.

Resident Michael Tobin, 45 Cottage Street, agreed with the ADU concept and inquired about unintended consequences. Ms. Johnson indicated that a better understanding of such consequences might become apparent as the process advances. She recommended that ADU regulations established in surrounding towns, be examined. Ms. Johnson acknowledged that towns with private sewer systems might be subject to different regulations.

Resident David Himmelberger, 387 Linden Street, opined that density should be considered, and the number of occupants must be regulated as well. He asked how trust properties might be regarded. Mr. Himmelberger suggested that a minimum term be greater than 30 days. He opined about affordability requirements.

Contractor Chris Chousa, of Franklin, MA; asked if accessory units were currently allowed by right. Mr. McCauley responded not. Mr. Chousa noted there were some accessory units in Wellesley at this time. Ms. Johnson responded that if such a unit exists today, it was likely grandfathered.

Resident and League of Women Voters Member Marguerite Chatelier, 11 Colburn Road, detailed that after a year of study, the League adopted a new membership guide/directory including an updated housing policy. Mr. McCauley asked that Ms. Chatelier send the updated policy to the Planning Department.

Resident Erin Reilly, 28 Bay View Road, stated that the ADU bylaw should go forward, and noted that she had also submitted written communication to the Board in support of the article.

Mr. Himmelberger commented that grandfathering of an existing accessory unit applies to the building, and not the use. He recommended that existing accessory units should be updated to ADU status, if the article passes.

Resident Caren Parker, 134 Abbott Road, agreed with the ADU concept, and suggested fine tuning the proposed unit size. She recommended that visuals be provided to the public, and that setbacks be considered. Mr. McCauley emphasized that 900 square feet would be the maximum square footage allowed under the bylaw, or 50% of the main house (excluding garages); and 250 square foot would be the allowed minimum.

Sustainable Zoning Comments

Ms. Gard, mentioned the reality of climate change, noting that some developers are endorsing amendment of fossil fuel usage in light of sustainability. Ms. Gard stated that Wellesley's sustainability proposals are modest compared to the progress made in other surrounding communities. She recommended that Large House Review be subject to sustainability measures, and approved at the next Annual Town Meeting.

Ms. Johnson stressed that everyone is very concerned about greenhouse gas emissions.

Resident Jacob Landau, 44 Tanglewood Rd, expressed his support concerning protecting the environment, and endorsed the sustainable bylaw measures, as proposed. He indicated that he and his classmates at Wellesley High School, appreciate the importance of adoption of initial steps to address climate change and sustainable energy.

Resident Peter Watson, 18 Grove Street, commented that he is terrified by climate change and endorses such amendments be brought to a Fall Town Meeting. He maintained that approval at Town Meeting will represent a first step, with more ambitious measures to follow.

Town Houses and Two-family buildings Comments

Mr. Himmelberger stated consideration about amending the general district bylaw might be preferable, emphasizing that the distinction between two-family homes and Town Homes was considerable. He stressed that residents did not want two-family townhouses inserted into single-family neighborhoods.

Mr. Himmelberger suggested removing the mandate of three or more units in a single-family area, and simply vote to amend the town house definition. Mr. McCauley noted that such option was being considered.

Outdoor Seating for Restaurants

There were no further comments.

FEMA Map Update

There were no further comments.

Gun Shops

There were no further comments.

Mr. McCauley detailed that the Select Board, Town Moderator, and the Advisory Committee agreed today that Fall Town Meeting Warrant must be limited to the articles regarding Hardy and Hunnewell Elementary Schools, and the Outdoor Seating for Restaurants article.

Ms. Johnson suggested that the public hearing be continued to the August 16th Planning Board meeting.

Mr. Roberti expressed his disappointment, and suggested a December Town Meeting be scheduled to consider the ADU article, in consideration of tremendous interest by residents.

Resident and Member of the Climate Action Plan and the Mobility Committee, Martha Collins, 17 Rice Street, supported the incremental approach and endorsed an additional Fall Town Meeting.

Ms. Johnson suggested that Mr. McCauley communicate that a second Fall Town Meeting would be appreciated.

Ms. Woodward noted that given a bit more time, the Sustainability aspects and the Climate Action amendments could be strengthened.

Ms. Mallett commented that she was in favor of a more-incremental approach, which had proven to be effective in the past.

Mr. Arbeene stated that Town Administrator Meghan Jop mentioned that the Delta variant likely would have impact on the scheduling of an October Town Meeting.

Mr. Roberti motioned to continue the public hearing for Article F – Gun Shop to August 16, 2021 at 6:30 P.M., and that the Planning Board authorizes Director Don McCauley to speak with Meghan Jop, Town Administrator, and Marc Kaplan, Town Moderator; to further discuss Town Meeting logistics. Ms. Woodward seconded the motion. The vote was unanimous 5-0; Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye

Mr. Roberti motioned to continue the public hearing for the five articles, other than the gun shop article, to August 16, 2021, at 6:30 P.M., and that the Planning Board authorizes Director Don McCauley to speak with Meghan Jop, Town Administrator, and Marc Kaplan, Town Moderator; to further discuss Town Meeting logistics. Ms. Woodward seconded the motion. The vote was unanimous 5-0; Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye

Approval Not Required Plan

PBC-21-03 – 32 Lantern Lane – continued from 7/6/21

Present: Michael Tedoldi, Contractor

Mr. McCauley provided summary of the ANR Plan for Parcels A and B at 32 Lantern Lane.

Mr. Tedoldi stated that a utility easement would be included, in consideration of curb cut/s and utilities. He adding that he would be continuing related discussion with the building inspector.

Mr. Roberti motioned to endorse the ANR Plan for Parcel A/Parcel B at 32 Lantern Lane, as presented; and the ANR does not convey buildability, and easement to be worked out with the DPW. Ms. Woodward seconded the motion. The vote was unanimous 5-0; Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye

Review of Adequacy

26 Lantern Lane

Pres: Larry Shind, Attorney for the Applicant; Bob Bibbo, Engineer; George Saraceno, Town Engineer

Mr. Shind noted that the 26 Lantern Lane property adjacent to 32 Lantern Lane, is being considered for development. Mr. Shind added that comments provided by Town Engineer George Saraceno, had been addressed. He noted that those comments included replacement of a portion of the water main, adding that the owner was considering splitting the cost of such water main replacement with the owner of 32 Lantern Lane.

Mr. Roberti stated that such financial apportionment was difficult to arrange, especially if the other party does not go forward with development.

Mr. Saraceno confirmed that viable drainage calculations were submitted to Engineering, as well as a construction management plan, and landscaping plan with tree protections. Mr. Saraceno indicated that the street would require repaving.

Mr. Roberti motioned to continue the Review of Adequacy for 26 Lantern Lane from tonight's meeting, to August 2, 2021. Ms. Woodward seconded the motion. The vote was unanimous 5-0; Woodward-aye, Roberti-aye, Mallett-aye, Taylor-aye, Johnson-aye

Zoning Board of Appeals Cases

Ms. Johnson and Mr. McCauley concurred that the Zoning Board of Appeals cases could be reviewed at the next Planning Board meeting on August 2, 2021.

Other Business

Planning Director's Report

Mr. McCauley mentioned that Town webpages are being updated, and suggested that a Planning Board page be assigned as part of the Planning Department webpage.

Mr. McCauley suggested that the ZBA and the Building Department include Roman Numerals within the related text.

Adjourn

Ms. Johnson adjourned the meeting at 9:01 PM

APPROVED: October 18, 2021

NEXT MEETING: August 2, 2021