

**ZONING BOARD OF APPEALS**

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July 17, 2018
7:30 pm
Juliani Meeting Room
Town Hall

Zoning Board of Appeals Members Present: Robert W. Levy, Acting Chairman
David G. Sheffield
Walter B. Adams

ZBA 2018-25, NORTHLAND RESIDENTIAL, 135 GREAT PLAIN AVENUE

Present at the public hearing on behalf of the Town of Wellesley were Tom Harrington, Town Counsel, and Michael Zehner, Planning Director.

Present on behalf of the Applicant were Peter Crabtree and Peter Tamm, Esq.

Mr. Tamm discussed working with Town Counsel, the Planning Director and a town team to address a number of issues identified by the Board and consultants at the previous hearings.

Jeremy Lake, Architect discussed the design and changes that were made since the previous hearing. He reviewed introductions to the design team that were discussed at the first hearing, the comp plan, empty nesters and town employees, affordable units, and approach to solving issues. He discussed environmental constraints on the site including wetlands along the lower portion of the site, setbacks and buffers. He discussed decisions that shaped the design of the project with 44 units, structured in three tiers. He displayed and described the site plan. He described the unit types on the different tiers, which were driven by grading conditions on the site.

Mr. Lake discussed issues that came up at the second hearing including traffic and construction, density, scale, density of surrounding pockets, transition, size of units, comparison to surrounding types, variety in design, and impact on abutters.

Mr. Lake discussed the latest considerations including discussions with Michael Zehner, Judi Barrett, 40B Consultant, Cliff Boehmer, Architect and Tom Harrington, Town Counsel regarding design within the tiers and open spaces. He discussed the current proposal that addresses issues raised for Tier 1 along Great Plain Avenue including parking, entry road, preference for duplexes, larger variety of building types and mass, larger side buffer and additional screening, shifting the entry road, and consideration of play area. He displayed revised plans. He discussed converting the triplex units in Tier 1 to duplexes, spacing between the

buildings and side yards, relocation of entry road off-center, and covered parking spaces. He discussed Tier 2, grade changes and parking. He discussed the carriage house units and displayed examples of designs and views from the street. He further discussed the duplex buildings, the buildings at Tier 2 and Tier 3, connecting the central green to the lower meadow, pushing some of the units further off of the roadway, shared street for vehicular and pedestrian use, hardscape plaza, and shifting units to open up views.

Mr. Lake discussed open space, the wetlands area, frontage along Great Plain Avenue, secondary sidewalk, central green, relocating the existing stone structure, shared street, the meadow, play area, and streetscapes that connect the areas.

Mr. Levy asked about the difference in lot coverage. Mr. Lake said that it will be comparable. Mr. Levy confirmed that the setback was pulled in five feet. He asked if additional waivers are needed with the revised design. Mr. Tamm said that the waivers are largely comparable. He said that increasing the side yard setback will exceed what is required by Zoning, so that can be eliminated from the Waiver List. He said that the plans that Mr. Lake displayed are preliminary and they want to confirm that expansion of some of the units does not intrude on the local wetland buffer zone. He said that the Town's team brought up valid points that the Applicant wanted to address.

Mr. Levy asked if there are any issues for emergency vehicles. Mr. Lake said that it will be comparable to the original design. Mr. Levy said that the Board would want the Fire Department to review the revised plans.

Mr. Levy asked if the affordability mix changed. Mr. Tamm said that they reviewed the unit mix with Ms. Barrett. He said that the issue is in the sole discretion of the Subsidizing Agent. He said that believe that it does comport with the guidelines. Mr. Crabtree said that they are proposing to have three of the carriage houses be affordable with one bedroom units, three three bedroom units, and five two bedroom units, for a total of 11 affordable units. Ms. Barrett said that they are required to provide a reasonable distribution, subject to approval by MassHousing. Mr. Tamm said that MassHousing wanted to be sure that there will be an affordable unit in the third tier. Mr. Zehner said that the amenities are more equitable in the revised plan with respect to garage space.

Mr. Adams asked if the intent is to fully sprinkler the project. Mr. Crabtree said that now that they are duplexes, they would not be required to do that. Mr. Adams asked if that was reviewed by the Fire Department. He said that there are other considerations such as density and the ability to gain access.

Mr. Sheffield said that the changes seem to be going in the right direction. He said that subtle changes have taken away some of the formality. He discussed the open space down to the meadow. He said that having the access off to the side does not encourage people to use the area. He said that if the access was most centrally located to the common, it would be much more inviting. He said that the stone house occupies a precious piece of the common area. Mr. Crabtree said that he took a video standing out on the loop road and from the green, and because of the topography, you do not see the meadow but see the trees. Mr. Sheffield said that his concern was seeing the way to it. Mr. Lake discussed the balance of opening the area up, proximity to neighbors and connection to the aqueduct. Mr. Tamm discussed connectivity through Tier 3, connection to the meadow, stormwater infrastructure and maintenance that is required for the system. He said that putting an access road between the units is not ideal and they are trying to maximize setbacks to neighbors. He said that the connection will function well.

Mr. Sheffield discussed the units above the four car garages. He asked about the demographics for the one bedroom units. Mr. Crabtree discussed a similar project in Duxbury and the lottery for the one bedroom units.

Mr. Adams asked about changes to square footage in the new versus the old approach. Mr. Tamm said that the proposed plans are concepts and if the Board finds them acceptable, they would further develop the plans to replace the plans of record. Mr. Lake said that the average unit will be 2,200 square feet, so the total for 44 units will be just under 100,000 square feet. He said that a change from four to three bedroom units will not make a significant change.

Mr. Adams said that the units will not have to be sprinklered under the Building Code. He said that the cost savings could be put into making this a better project. Mr. Tamm discussed working with the Building Inspector, the Director of Planning and addressing Fire Department issues. He said that they work would to develop the plans in the hope of coming back in September with final plans for the Board to review. Mr. Adams said that collaboration between the Developer and town departments has resulted in a better project.

Mr. Sheffield discussed how the sidewalks connect at the access to the meadow. He discussed shifting one of the units to create a node to identify the access to the meadow.

Mr. Boehmer discussed connectivity, shifting the buildings on the site, loss of private and gain of public areas, variety in the space and subtle moves that make a difference.

Mr. Levy asked if the changes to the plans will affect lighting. He asked if the plans have been shared with the neighbors. Mr. Crabtree discussed meeting with an abutter and reaching an agreement on fencing and planting on hers and the development site. He said that another abutter has seen the plans but they have not discussed them. Mr. Tamm said that they have been communicating with Tom Ahearn, who is a direct abutter.

Ms. Barrett said that she was pleased to see the shift in the unit mix. She discussed the need for one bedroom units. She said that she thought the changes to the plans were an improvement. She discussed the need for a play structure for children.

Mr. Zehner said that the Design Review and Planning Boards had not seen the revised plans. He said that his opinion is that the revised plans are a huge step forward. He said that the designers and Northland have been receptive to all of the comments. He said that pulling the units apart gives a good feeling of more like a community. He said that he was interested in continuing to work on that design. He discussed additional comments from BETA and estimated costs for mitigation.

Mr. Levy asked if there was any member of the public who wished to speak to the petition.

Rachel Cottone, 117 Great Plain Avenue, said that if the space is being marketed for children, it has to be conceded that the High School is within a quarter of a mile's walking distance and town is within a half mile's walking distance. She said that there has been no discussion about how Northland might support the town with a safe crosswalk across Great Plain Avenue. She discussed her home and her plans to stay in Wellesley. She said that her house is at the corner of the property and they have very little backyard. She said that because of the angle, her house will be close to the proposed project. She said that Mr. Crabtree has offered to work with them on landscaping.

Stanley Norkunas, Attorney, said that he represented Joan DiGiando, 113 Great Plain Avenue. He discussed the topography and the size of the buildings. He said that they have spoken with Mr. Crabtree about what can be done to preserve his client's privacy. He asked about sitting in on meetings when the developer meets with town departments. Mr. Harrington said those meetings are not posted and are not open to the public. He said that there is not a quorum of a public body attending those meetings. Mr. Tamm said that the developer does not intend to have further working sessions with the town because they believe what is currently presented is an alternate plan. He said that there is a buffer plan with respect to the DiGiando property that they will finalize and it will be reflected on the plan.

Mr. Adams asked about changing the grades on the east and west property lines. Mr. Crabtree described the topography of the site. He discussed reusing some of the stones on the site to make a loose piled wall to catch headlights. He said that they can build a berm behind the wall where they can plant eight to ten foot evergreens. He said that they placed the street lights on the inside of the loop road to keep them further away from neighbors. He said that if there is a problem with headlights and neighboring properties, they will come back and try to fix it. He said that they tried to be sensitive to the neighbors with placement of windows. Mr. Tamm said that the buffers will be shown on the revised plans and planting schedule. He said that the height of the buildings and the setbacks will meet or exceed Zoning requirements.

Mr. Levy asked if the off-site landscaping with neighbors will be by private agreement. Mr. Tamm said that it will be by private agreement.

Joan DiGiando, 113 Great Plain Avenue, said that she has been working with Mr. Crabtree but did not know about the berms and moving walls. She said that she is open to talking about it.

Dave Hickey, Town Engineer, said that he submitted a letter to the Board with his comments. He said that they focused a lot on stormwater and are comfortable with it. He said that they continue to ask that the developer consider a gravity sewer or a municipal grade pump station. He said that they started to review the Construction Management Plan. He said that they anticipate some dewatering during utility and foundation work and asked that it be addressed. He said that the cut and fill number is big. He asked that the developer look for opportunities throughout the project to less the amount of cut and fill. Mr. Adams asked about additional soil permeability testing. Mr. Hickey said testing showed that soil permeability varied across the site. He talked about digging a few holes and doing permeability testing because there is a new designer.

Mr. Sheffield discussed an on-site maintenance facility. He asked where backup power will go. Mr. Crabtree said that they will bring in a generator if it is needed. Mr. Levy said that issue will be turned over to the condominium association.

Mr. Crabtree discussed a gravity sewer. He said that they would need to go 20 to 30 feet deep down Great Plain Avenue to connect to the existing manhole, which would be expensive to do. He discussed the possibility of Tier 1 being gravity but Tiers 2 and 3 will have to be pumped up.

Mr. Levy asked if there will be a professional management company. Mr. Crabtree said that it will be professional third party.

Mr. Adams said that the developer made significant progress in responding to the neighbors and the town. Mr. Levy confirmed that the new program works for the developer. Mr. Tamm discussed working proactively with the Board to fully assess an ultimate decision that would approve the program with conditions that are acceptable. He said that they have been working with Mr. Zehner on the issues. He said

that they want to be sure that the adjustments that have been made do not raise new issues. He discussed finalizing the plans and providing the final waiver list. He discussed working with Town Counsel, Mr. Zehner and Ms. Barrett on the final form of a decision and coming back in September. Mr. Levy discussed continuing the petition to September. He confirmed that the Board members were comfortable with proceeding with the revised plans. Mr. Adams asked that the ultimate sewer system be identified and asked that serious consideration be given to improvements at the intersection of Brook Street and Great Plain Avenue that would help to mitigate the pedestrian traffic that it is expected to increase as a result of this development.

Mr. Sheffield discussed the hardscape in front of Tier 3.

Mr. Zehner discussed dates in September to continue the hearing to. Mr. Tamm said that the Applicant is amenable to granting an extension if it is needed. Mr. Levy discussed the Board's typical procedure to close a public hearing and hold a subsequent business meeting. Ms. Barrett discussed concerns about keeping the hearing open to discuss draft conditions.

The Board discussed continuing the hearing to September 13, 2018.

Mr. Tamm thanked the Board, consultants and staff.

Mr. Adams moved, Mr. Sheffield seconded the motion, and the Board voted unanimously to continue the hearing to September 13, 2018.

Respectfully submitted,

Lenore R. Mahoney
Executive Secretary

DRAFT