

RIO Task Force Meeting #1 – Meeting Minutes

June 11, 2025, at 6:30PM – Wellesley Police Station, Kingsbury Room

Call to Order/Confirmation of Participants

The meeting was called to order at 6:38 PM. Tom Taylor, Chair, welcomed everyone to the first meeting of the RIO task force. He noted that the meeting was being held in a hybrid format, with participants both in-person and remote via Zoom.

Mr. Taylor confirmed the following participants:

- Planning staff: Brad Downey (Senior Planner) and Eric Arbeene (Planning Director)
- Task force members: Joe Hassell, Ed Chazen, Mary Prosnitz, Paul Criswell, Heather Sawitsky, Joan Minklei, Peter Welburn, Marc Charney, Tom Taylor, and Kenny Largess, Select Board liaison, and member Don Shepherd joining remotely

Swearing In of Task Force Members

KC Kato, Town Clerk, administered the oath of office to the task force members present. She asked everyone to stand and raise their right hand. The oath was as follows:

"Do you solemnly swear to faithfully and impartially uphold the duties of a Residential Incentive Overlay Task Force member for a term to expire with the dissolution of this committee?"

The members present responded affirmatively. Ms. Kato noted that Don Shepherd, who was joining remotely, would need to be sworn in person at the office at a later date.

Review of Open Meeting Law, Conflict of Interest Law, and Public Records Law

Ethan Dively from the Town Counsel's office provided an overview of three important laws: the open meeting law, the state ethics law, and the public records law.

Open Meeting Law

Mr. Dively explained that the main concern for the Task Force regarding the open meeting law was discussion. He emphasized that any time a quorum (simple majority) of the total membership of the body has a conversation about anything within their jurisdiction, it must be in a public setting at a properly noticed meeting.

Mr. Dively advised against using email for discussions among task force members, as it could inadvertently violate the open meeting law. He defined deliberation as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction."

He recommended avoiding email discussions altogether and reserving conversations for public meetings, as it may lead to serial communications may inadvertently violate Open Meeting Law. Mr. Dively briefly touched on hybrid and remote meeting rules, noting that votes should be done by roll call.

Mr. Arbeene noted that Task Force member Mary Kloppenberg joined the meeting remotely, and member Kara Reinhardt Block joined the meeting in person.

Conflict of Interest Law

Mr. Dively explained that the State Ethics Commission had determined that since this Task Force is an advisory-only group, the members are not considered municipal employees within the scope of the state's ethics law. However, he advised members to be aware of potential conflicts, such as owning property that might be affected by their discussions, though it is unlikely a conflict of interest will arise.

While not a strict legal requirement, Mr. Dively suggested filing a disclosure if members believe they have a potential conflict of interest. This creates a record of awareness and transparency.

Ms. Reinhardt Block asked whether Task Force members who are also Town Meeting members would be eligible to vote on any recommendations made to Town Meeting by the Task Force. Mr. Dively confirmed that, as an advisory group to the Planning Board, Task Force members would be able to participate in discussion and vote on any policy recommendations resulting from the work of the Task Force.

Public Records Law and Freedom of Information Act Requests

Mr. Dively emphasized that almost everything produced in written or paper form within the scope of the Task Force's work is considered a public record. He advised members not to destroy any records associated with the work of the Task Force, including emails and text messages, as they may need to be reviewed and produced if requested. Personal notes are not subject to Public Records Law.

To help manage public records, Mr. Dively recommended creating a separate email account solely for task force communications. He also advised against using personal or work email accounts for task force business to avoid potential conflicts.

Ms. Reinhardt Block asked whether it would be appropriate for Task Force members to share information with non-Task Force Town Meeting members who request information on the work of the Task Force. Mr. Dively advised limiting communications through email and suggested phone calls or in-person discussions with members of the community. He noted that these discussions would be Task Force members providing personal commentary on what the Task Force has been discussing but would not be considered to be the opinion of the Task Force as a whole.

Mr. Arbeene noted that meetings will be recorded and available to watch at a later time on Wellesley Media's website, and staff will be producing minutes to summarize meeting discussions.

Task Force Member Introductions

Mr. Taylor asked each member to introduce themselves, providing information such as their name, address, voting precinct, zoning district, profession, reason for joining the task force, and the subject of a hypothetical TED Talk they would like to present.

The members introduced themselves as follows:

- Joe Hassell: Mr. Hassell is a real estate developer and investor who has lived in Wellesley for 3-4 years. He wanted to join the task force due to his experience with RIO from various perspectives. If he were to give a TED talk, it would be about the future of special needs children.
- Ed Chazen: Mr. Chazen is a professor at Boston College, teaching real estate to undergraduates. He has been in the real estate business for 42 years and has lived in Wellesley for 37 years. He has been involved in town government in the past and joined the task force because he believes there's a demographic problem in Wellesley, with a declining school-age population and housing affordability issues. His TED talk would be about relating to college students.
- Mary Prosnitz: Ms. Prosnitz is a retired attorney. Her interest in preservation and development stems from her mother's work preserving her hometown's history. Ms. Prosnitz joined the task force to be part of the solution rather than complain about various problems. Her TED talk idea would be about encouraging people to become active participants in local government and society.
- Paul Criswell: Mr. Criswell is an attorney working with technology companies. He has extensive experience in town government, including 20 years as a town meeting member and various board positions. Mr. Criswell joined the task force because he believes it's an important issue for the town and wants to help address it. His TED talk would be on what it means to be an American patriot in current times.
- Heather Sawitsky: Ms. Sawitsky has been involved in town government since 2001, including roles on the advisory committee and as town moderator. She is an attorney with a master's degree in public health and has experience with retirement communities and the housing needs of an aging population. Ms. Sawitsky joined the task force because she sees RIOs as a potentially excellent creative tool to address housing issues. Her TED talk would be on rebuilding the Red Sox.
- Joan Minklei: Ms. Minklei is the executive director of Wellesley Neighbors, an organization helping older people age in place. She has lived in Wellesley for 26 years but grew up in Brooklyn, NY. Ms. Minklei joined the task force to learn from others and contribute her perspectives. Her TED talk would be about the importance of kids getting off screens and into nature, or how to properly prune hydrangeas.
- Kara Reinhart Block: Ms. Reinhart Block is a physician by training who chose to stay home with her children. She has been involved in various community roles, including as president of the Wellesley Free Library Foundation. She joined the task force due to constituent requests and her interest in being part of the housing solution. Her TED talk would be about the enduring stoicism of the British royal family.

- Peter Welburn: Mr. Welburn works for a software company in Waltham, handling mergers and acquisitions and investor relations. He sponsored Article 42, a Citizen's Petition to amend the Residential Incentive Overlay bylaw, at the last town meeting and wants to continue that work on the RIO Task Force to reach a consensus. Mr. Welburn is a lifelong resident of Wellesley and is excited about engaging with voters and constituents to make the town better.
- Kenny Largess: Mr. Largess is an attorney working at an investment firm in Boston and serves on the Select Board. He wanted to be the liaison to the Task Force because he believes housing is one of the biggest issues in town. His TED talk would be on the unfortunate monetization of youth sports.
- Mark Charney: Mr. Charney is on the Planning Board and works in real estate as a developer and broker. He has lived in Wellesley for 22 years and is particularly interested in senior housing. Mr. Charney suggested the Task Force as a way to rewrite the existing bylaws and make them work better for the town. His TED talk would be about senior living.
- Tom Taylor: Mr. Taylor is retired from a career in management consulting and working for startups. He has lived in Wellesley for 29 years and wanted to be on the Task Force because, as a Planning Board member, he recognized that the RIO bylaw needed work. His TED talk would be about the history and architecture of the University of Virginia, a UNESCO heritage site.
- Donald Shephard and Mary Kloppenberg, the two virtual attendees, provided brief introductions, which were challenging to hear due to technical difficulties. Mr. Taylor noted they would have an opportunity to provide introductions to the Task Force at the next meeting.

Overview of Task Force Goal, Timeline & Member Expectations

Mr. Taylor outlined the goals and purpose of the task force:

- To review the Residential Incentive Overlay section of the zoning bylaw and recommend adjustments to that section via a collated report delivered to the Planning Board.
- The Planning Board will then deliberate on the recommendations and may put forward the suggested changes for the warrant and deliberation at Town Meeting.

Mr. Taylor emphasized that the Task Force's work is to provide recommendations, which the Planning Board will consider. If the Planning Board decides not to accept the recommendations, the recommendations made by the Task Force could potentially become part of a citizens' petition.

Mr. Taylor discussed the expectations for Task Force members:

- Attendance in person is preferred, but meetings will be hybrid to accommodate busy schedules.
- There will be homework between meetings for members to complete.
- Members are expected to have an open mind and problem-solving mentality.
- Compliance with open meeting law and conflict of interest guidelines is required.
- Meetings will be run similar to town meeting guidelines, with speakers being recognized by the chair.
- Members should be time-sensitive and keep comments focused and to the point.
- Members are encouraged to sit with different people at each meeting to promote diverse interactions.

Mr. Charney added that the goal is to complete the work efficiently and methodically, aiming to get it on the warrant for the 2026 spring town meeting. This means ideally wrapping up the Task Force's work by the end of November, with a recommendation before the Planning Board in December.

Mr. Taylor notes that all of the documents required for each meeting, for both Task Force members and the public, will be located on the RIO Task Force subpage on the Planning Department website.

Mr. Taylor notes that there will not be a public hearing to discuss the potential recommendations, but there is an intention to have public comment periods at future meetings for members of the public to provide input.

Mr. Taylor provides an overview of the Task Force's goals and a prospective timeline through the end of the year.

Ms. Sawitsky asked for some background on the original RIO bylaw, and whether other communities were studied while researching potential zoning solutions, and whether those communities had similar bylaws in place.

The group discussed the meeting schedule, tentatively agreeing on the second Wednesday of each month at 7:00 PM, with the next meeting scheduled for the following Wednesday at the Great Hall.

Mr. Welburn suggested holding a joint meeting between the Planning Board and the RIO Task Force at some point during the process to provide them an update on the Task Force's progress. Mr. Charney notes that he and Mr. Taylor will provide regular updates to the Planning Board.

Mr. Welburn also suggested the Task Force develop operating principles.

RIO Bylaw Overview

Mr. Taylor presented some data and context about zoning and RIO in Wellesley:

- Wellesley has 26 distinct zoning districts, including single residence, general residence, commercial, special use, and overlay districts.
- The RIO is one of several overlay districts in the town.
- Single residence districts make up the majority of the town's area (about 75%) and households (about 83%).
- There are 122 multi-unit parcels in SR-10 districts, despite this not being allowed in the bylaw, due to variances and historical factors.
- Multi-unit housing is present in various precincts, particularly those closer to the center of town and along major corridors.

Mr. Charney and Mr. Arbeene gave the group a brief overview of the MBTA Communities Act and how the Town complied with the requirement.

Mr. Arbeene notes that all changes to the zoning bylaw or zoning map require Town Meeting approval.

Mr. Largess asked if housing was allowed in non-residential districts, such as industrial districts. Mr. Arbeene confirmed that single family housing was allowed in non-residential districts.

Mr. Downey notes that a RIO requires the development site to be at least an acre in size, however, the development site could be composed of multiple smaller parcels totaling at least one acre. Additionally, some parcels are split between different zoning districts.

Mr. Welburn notes the importance of having Task Force members from all precincts across town. Mr. Taylor noted that an application came in from a resident of Precinct B after the deadline for applications. Mr. Taylor will discuss with the Planning Board the possibility of adding an additional Task Force member from Precinct B at their upcoming meeting.

Mr. Taylor shared data from a survey conducted as part of the strategic housing plan, which had over 1,200 respondents:

- Wellesley residents prefer to maintain the town's predominantly single-family character.
- There was some openness to smaller multi-family housing options, two-family houses, and condominiums.
- Residents were more skeptical about larger multi-family projects.
- There was strong support for converting non-residential buildings to housing.
- Residents were ambivalent about rezoning single residence areas to general residence or using non-conforming lots for affordable housing.

At the next meeting the Task Force will begin to review the RIO bylaw in detail and will begin to consider relevant highlights from the strategic housing plan. Mr. Welburn suggested discussing the operating principles at the next meeting.

Adjourn

The meeting was adjourned just after 8:30 PM. The next meeting was scheduled for the following Wednesday, June 18, at 7:00 PM in the Great Hall.