

RIO Task Force Update

Planning Board

December 15, 2025

Executive Summary

- The RIO Task Force has voted on a limited set of recommended changes to the Planning Board
- Changes impact two of the issues perceived by many to be core issues with RIO bylaw:
 - Density in Single Residence districts
 - A way to “lock in” a developer’s plans / promises
- RIO Task Force feels these are straightforward enough to bring to ATM 2026
- RIO Task Force may continue to discuss additional recommendations for later Planning Board / Town Meeting consideration

RIO Task Force Members

1. Marc Charney	9. Mary Prosnitz
2. Ed Chazen	10. Erin Reilly
3. Paul Criswell	11. Kara Reinhardt Block
4. Amy Gottschalk	12. Odessa Sanchez
5. Joe Hassell	13. Heather Sawitsky
6. Sheri Kassirer	14. Donald Shepard
7. Mary Kloppenberg	15. Tom Taylor, <i>Chair</i>
8. Joan Minklei	16. Peter Welburn, <i>Co-Chair</i>

Kenny Largess, *Select Board Liaison*

RIO Task Force Work Since June

- Task Force chartered by the Planning Board
- 8 Task Force meetings starting June 11
 - All documents posted on website, all meetings broadcast live and recorded
 - Some, but not a lot, of citizen input
 - Only 2 (+1) Citizen Speak inputs
 - ~10 letters to the Task Force
- 11 updates at Planning Board meetings
 - 3 prior to first meeting
 - 8 updates on progress (including tonight)



REMINDER: Current RIO Bylaw Max Density Rules

Zoning District	Zoning Bylaw Section	Max Density ¹ As of Right (Units per Acre)	Max Density with RIO Overlay (Units per Acre)
Single Residence 10 (SR10)	2.1	4.4	24.2
Single Residence 15 (SR15)	2.1	2.9	24.2
Single Residence 20 (SR20)	2.1	2.2	24.2
Single Residence 30 (SR30)	2.1	1.5	24.2
Single Residence 40 (SR40)	2.1	1.1	24.2
Single Residence A (SRA)	2.1.1	1.1 - 4.4 ²	24.2
General Residence (GR) General Residence A (GRA)	2.2, 2.2.1	4.4 - 8.7 ³	24.2
Town House (TH)	2.3	7.3 - 10.9 ⁴	24.2
Multi-Unit Residence (MR)	2.4	14.5	24.2
Limited Residence (LtR)	2.5	17.4	24.2
Limited Apartment (Lt A)	2.6	24.2	24.2
Educational (Ed) Educational A (Ed A) Educational B (Ed B)	2.7, 2.7.1, 2.7.2	17.4	24.2
Planned Development ⁵	2.8	10.9 - 24.2	24.2
Administrative and Professional (Ad/P)	2.9	1.1 - 4.4 ⁶	24.2
Business (Bus) Business A (BusA)	2.10, 2.10.1	17.4	24.2
Lower Falls Village Commercial District (LFVCD)	2.11	17.4	24.2
Wellesley Square Commercial District (WSCD)	2.12	17.4	24.2
Industrial (Ind) Industrial A (IndA)	2.13, 2.13.1	17.4	24.2
Transportation (T)	2.14	0 ⁷	24.2
Parks, Recreation and Conservation (Con)	2.15	0 ⁷	24.2

NOTES

1. Density represented in Units per Acre. In the Zoning Bylaw, density is defined by the inverse of Units per Acre, or Square Feet per Unit
2. Single Residence A has all uses and rights of other Single Residence districts, plus open surface parking uses
3. Density in General Residence Districts depends on the type of allowed Structure. A 1-unit dwelling should have 10,000 square feet (or 4.4 per acre). 2-unit dwellings are allowed, which equates to double the density of 1-unit structures. Town House Units per Acre densities depend on level of affordable units: 100% affordable = 8.7, 25-100% affordable = 7.3, <25% affordable = 6.2.
4. Density in Town House District depends on Open Space of the parcel
5. The Planned Development district has never been used.
6. Administration & Professional district allows Single Residence density based on the closest SR District to the parcel.
7. Underlying districts do not allow housing.
8. In all districts, requirements like frontage, setbacks, and other rules may also impact or limit the buildable density.

Recommendation from December 2 Task Force Meeting

MOTION for Recommendation to Planning Board

- 1) Remove single residence zoning districts from RIO eligibility;
- 2) Remove the Parks, Recreation, & Conservation, Transportation, Planned Development, and Limited Apartment districts from the RIO; and
- 3) Require a development agreement for any RIO project.

Vote: 10-2 in favor

1) RIO in Single Residence Districts

RECOMMENDATION:

1) Remove single residence zoning districts from RIO eligibility

COMMENTS IN FAVOR (10 votes)

- Honors what 61% of TM members voted for (ATM2025 Citizen's Petition).
- Responsive to what we've heard from the Town.
- We are ready to agree to this recommendation - and it is necessary.
- Lots of other building options, no need to be too complicated on RIO in Single Residence.
- Putting on the warrant will create notice for Town debate that inevitably happens in Feb and Mar.
- Seeking exceptions like limits on density in SR or only near business: few parcels meet criteria. Not worth the complexity vs. simpler "NO RIO in SR".
- *IN MULTIPLE PRIOR DISCUSIONS:* RIO not needed - lots of other zoning approaches for housing

COMMENTS AGAINST (2 votes)

- Concern over Planning Board comments that one meeting is not enough time.
- Concern that extensive discussions have not yet been had with Planning Board and Select Board.
- Not sure we are at consensus on a complicated issue.

2) RIO in Four Unique Districts

RECOMMENDATION LANGUAGE:

2) Remove the Parks, Recreation, & Conservation, Transportation, Planned Development, and Limited Apartment districts from the RIO

- **2.15 Parks, Recreation and Conservation** (11.8% of Town Land)
 - Housing not allowed in underlying district.
- **2.14 Transportation** (0.9% of Town Land)
 - Train tracks through Wellesley, owned by the Town of Wellesley.
 - Originally an allowed RIO district in 1998 version of bylaw.
 - Housing not allowed in underlying district.
- **2.8 Planned Development District** (0% of Town Land)
 - Created many years ago, but never used.
- **2.6 Limited Apartment** (0.1% of Town Land)
 - Single parcel on Grove Street / Wellesley Green; 149 units created in 1970s.
 - Zoning allows 24 units per acre. (i.e., no need for RIO incentive bonus).

**Minimal Discussion on this part of the motion
*Considered a “no brainer”***

Summary Impact of Recommendations 1) and 2)

Zoning District	Zoning Bylaw Section	Changes Recommended / Voted by Task Force
Single Residence 10 (SR10)	2.1	Not allowed
Single Residence 15 (SR15)	2.1	Not allowed
Single Residence 20 (SR20)	2.1	Not allowed
Single Residence 30 (SR30)	2.1	Not allowed
Single Residence 40 (SR40)	2.1	Not allowed
Single Residence A (SRA)	2.1.1	Not allowed ¹
General Residence (GR) General Residence A (GRA)	2.2, 2.2.1	
Town House (TH)	2.3	
Multi-Unit Residence (MR)	2.4	
Limited Residence (LtR)	2.5	
Limited Apartment (Lt A)	2.6	Not allowed ²
Educational (Ed) Educational A (Ed A) Educational B (Ed B)	2.7, 2.7.1, 2.7.2	
Planned Development	2.8	Not allowed ²
Administrative and Professional (Ad/P)	2.9	
Business (Bus) Business A (BusA)	2.10, 2.10.1	
Lower Falls Village Commercial District (LFVCD)	2.11	
Wellesley Square Commercial District (WSCD)	2.12	
Industrial (Ind) Industrial A (IndA)	2.13, 2.13.1	
Transportation (T)	2.14	Not allowed ²
Parks, Recreation and Conservation (Con)	2.15	Not allowed ²

NOTES

1. The Task Force motion made was to eliminate RIO in Residential Districts. During the discussion of the motion, the scope of the vote was to point to a specific color of cell for the Single Residence districts in the Location/Density table presented. While the intent was for all SR districts, SRA was not shaded the same color as the other SR districts in the table. Likely resolved at Task Force meeting of December 16. Single Residence A has all uses and rights of other Single Residence districts, plus open surface parking uses
2. Four additional districts were felt not to be appropriate for the RIO overlay. The Limited Apartment district consists of a single parcel in Town and already has a density allowed by RIO. The Planned Development district was established many years ago but never used. The Transportation district (which consists of the rail tracks running through Town) does not allow housing as-of-right. The Parks, Recreation and Conservation district does not allow housing as-of-right.

c) Development Agreement (Context)

- **Task Force resoundingly favors a process to eliminate uncertainty and legally “lock in” key elements of a developer’s promise to the Town**
 - Many concerns voiced at Planning Board, Advisory, Town Meeting and other discussions of RIO proposals
 - Input from developers indicates they also want the certainty of a Development Agreement
- **Lack of an agreement presents a Chicken-and-Egg dilemma**
 - *The Chicken:* If not in a legal agreement, after zoning is approved a property owner has new “as of” rights that could potentially be asserted up to the maximum allowed in zoning (regardless of an earlier promise). Difficult for RIO/PSI permit hearings, nor Site Plan Review, to force zoning promises that are otherwise allowed in the bylaw
 - *The Egg:* How/why make a deal to lock in lesser zoning rights until those zoning rights have been approved
- **Requires the establishment of a template and the key variables, such as:**
 - Number of units
 - Passes to successor if development changes hands
 - Amenities and other special agreements made
 - Timing and distribution of inclusionary zoning units
- **Through many discussions, almost no commentary offered that doesn’t want to create greater certainty for a TM zoning map change.**

3) Development Agreement

RECOMMENDATION LANGUAGE:

3) Require a development agreement for any RIO project

<u>COMMENTS IN FAVOR</u>	<u>COMMENTS AGAINST</u>
<ul style="list-style-type: none">• Development Agreement is necessary• The Task Force is at consensus on the need for an agreement to lock in.• Even though this is a recommendation, we should use the word “require” rather than “recommend” a development agreement.	

c) Development Agreements

LEGAL CONSIDERATIONS (Elaborations from Counsel after RIO discussion)

- Development Agreement cannot be required for a map change.
- Development Agreement can be required for a RIO permit application, if stated in the bylaw.
- Bylaw would need to be specific about the variables defined in the agreement.
 - Max number of units allowed
 - Agreement passes to successor if property is sold
 - Amenities and other special agreements promised to made with the Town
 - Timing and distribution of assisted units
 - etc.
- Select Board would have the ability to nix a project by not agreeing to the development agreement:
 - For reasons of a developer reneging on promises made prior to the zoning change, or
 - For any other reason the Select Board wanted to use

Summary of Recommendation to the Planning Board

10-2 vote on the following three recommendations for ATM 2026

- 1) No RIO in Single Family districts
- 2) No RIO in four other districts where RIO doesn't make sense
- 3) Establishment of a better agreement process that helps lower uncertainty

- Lots of discussion about a compromise options, including graduated densities or exceptions near commercial areas. Analysis of potential 'exception' parcels in Single Family districts indicated that the 'exceptions' would be "few and far between".
- Items 2 and 3 would likely have been unanimous if voted independently
- ARE WE READY?
 - A lot of thought and deliberation over 6 months, and belief by the Task Force that these 3 recommendations reflect where the Town is, and are not too complex nor too controversial to wait.
 - Concern Town Meeting expecting some action at ATM 2026
- Other topics can and should still be considered
 - A few "scrivner's"-like changes for this ATM2026 Warrant
 - Other key, and more complex, topics for future Town Meeting consideration

Other Potential Recommendations for ATM 2026

Planned Task Force discussions on Dec 16

- Re-confirmation of SRA district inclusion in the prohibition of RIO in Single Residence Districts
- 3 Technical / Clarifications changes suggested
 1. Change **3.2.D Permitted Uses** to reflect inclusionary zoning
 - FROM: **Conventional Multi-Unit Dwelling Units**
 - TO: **Conventional Multi-Unit Dwelling Units and associated Assisted Units required as per ZBL Section 5.7 Inclusionary Zoning**
 2. Change **3.2.D Permitted Uses** to reference the term defined in 1.3
 - FROM: **Assisted Elderly Living**
 - TO: **Assisted Elderly Housing**
 3. Change **3.2.E Minimum Lot or Building Site Area** to define 1 acre
 - FROM: **... lot or development site containing less than 45,000 square feet.**
 - TO: **... lot or development site containing less than 1 acre or 43,560 square feet.**

Potential Future Task Force Discussions

- RIO Amenities to the Town
 - Better clarify and delineate the type and level of Amenities
- RIO in ‘middle density’ districts
 - Small percentage of Town (x%) with zoning between Single Residence districts and Commercial districts.
- Senior Housing and the RIO bylaw
 - Potentially wait until the 888 Worcester Street proposal and deliberations progress to determine the proper path:
 - Change Senior Housing rules in RIO bylaw
 - Separate Senior Housing rules into a different, specific bylaw
- Planning Board role at Town Meeting for RIO-like proposals
 - Importance of sponsorship vs. viability of a Citizen’s Petition path by a developer
 - Concerns:
 - Planning Board put in an Adversarial role vs. Town Meeting, rather than as an advisor
 - Effort on the Planning Board to sell a developer’s proposal
 - In some other towns, Planning Board generally not a sponsor of most developer projects
 - Planning Board can still strongly support, and advocate for, any proposal

These topics wouldn’t be voted on at ATM 2026, but a progress report can be given to Town Meeting on these other matters for likely later Town Meeting action

APPENDIX: Task Force Operating Principles

- 1) We treat each other with respect
- 2) We hold ourselves and each other accountable
- 3) We start and end meetings on time (within two hours) with clear outcomes
- 4) We engage with other Town boards as appropriate
- 5) We seek broad consensus (2/3 approval)
- 6) We communicate proactively and directly
- 7) We hold our meetings in public
- 8) Include dissenting opinions in the final recommendation
- 9) Task Force must be present to vote on Final Recommendation