

RIO Warrant Discussion Development Agreements

February 10, 2026

Summary of Warrant Article / Motion

Adjustments to RIO Bylaw and Process

1. Prohibit RIO applicability in certain zoning districts
 - Single Residence Districts
 - Select other districts
2. Add a Development Agreement requirement to the Project Approval section

Warrant Article / Motion Timing

- **RIO Task Force discussions since June**
 - 16 members (including 2 Planning Board members) plus Select Board liaison
 - 10 meetings
 - Deep dive into zoning and planning in Wellesley
- **December 2 Recommendations to Planning Board**
 - 10-2 vote
 - No RIO in Single Residence Districts
 - No RIO in a few other zoning districts
 - “Requirement” for a Development Agreement
- **December 15 Planning Board Warrant for ATM2026**
 - 3-1 vote

RIO Development Agreement (“RDA”)

- **Proposed Solution to a visible Chicken-and-Egg problem**
- **RDA Components**
 - 3 variables to be documented in RDA
 - Otherwise boiler-plate template of terms and conditions
- **What can and cannot be required**
 - Can require an RDA as a condition of getting RIO permit
 - Cannot require RDA as a condition for a zoning map change
 - Cannot require RDA to be signed prior to Town Meeting
 - Cannot force the Select Board to actually do an RDA

Motion Language: RIO Development Agreement:

Changes title of Section O

from: **O. Project Approval/Special Permits**

to: **O. Project Approval/Special Permits and Development Agreement**

Adds the following text at bottom of the section

Prior to making application for the special permit required under this Section 3.2.O, the applicant shall execute a development agreement with the Town of Wellesley Select Board. A special permit application made under this Section shall not be deemed complete unless it includes a fully executed copy of the required development agreement. The development agreement shall include such terms as are acceptable to the Select Board, provided, however, that in negotiating the terms of such agreement, the applicant and the Select Board shall consider the following:

1. Proposed project density;
2. Public or private amenities, including pedestrian, traffic, and landscaping improvements; and
3. Consistency of project designs with the applicant/owner's presentation to Town Meeting at the time of the zoning map change to include the project site in the RIO.

Decision Factors to Establish an RDA or Not

1. What's the risk of changing the plans to max density after TM?

- Unlikely scenario, but not a zero chance
- In past Town Meetings and at RIO Task force, the concern has been raised repeatedly

2. What are the options to resolve, and at what effort / cost?

a. Planning Board denies RIO permit

- No 'locked-in' certainty @ Town Meeting vote
- Higher chance of appeal if a Planning Board denies RIO permit

b. A Development Agreement

- A new kind of Development Agreement not done before
- Planning Board asking Select Board for assistance with a task that only the Select Board can do

SUMMARY: Is an RDA an easier approach to increase clarity or lower uncertainty at Town Meeting, or isn't it?

Request of the Select Board

- **Make a clear determination, either way, prior to ATM:**
 - *Select Board likes the idea of an RDA, or*
 - *Select Board doesn't like the idea of an RDA*

If the Select Board doesn't support and won't agree to doing an RDA, there is no sense pursuing at ATM