

WELLESLEY PLANNING BOARD

**NOTICE OF ZONING PUBLIC HEARING
ANNUAL TOWN MEETING**

**MONDAY, MARCH 7, 2022, 6:30 PM
REMOTE MEETING**

<https://www.wellesleymedia.org/live-streaming.html>

The online meeting will also be streaming live and will be telecast live on Comcast channel 9 and Verizon channel 39. The meeting will also be recorded and available for later viewing on Wellesley Media.

If you would like to participate on this topic, an agenda will be posted prior to the meeting with the remote information.

In accordance with M.G.L., Chapter 40A, Section 5, and Section 26 of the Zoning Bylaws of the Town of Wellesley, Massachusetts, notice is hereby provided that the Planning Board will hold a public hearing to begin at 6:30 p.m. on Monday, March 7, 2022, on the following proposed amendments to the Zoning Bylaw and Zoning Map proposed to be considered at the 2022 Annual Town Meeting:

ARTICLE 33: FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS

Amend Article 1B. DEFINITIONS and Article 14B. FLOOD PLAIN OR WATERSHED PROTECTION DISTRICTS to conform with FEMA Map updates and adopt, as appropriate, provisions of the Massachusetts 2020 Model Floodplain Bylaws.

ARTICLE 34: DEFINITION OF CHILD CARE FACILITY

Amend the definitions of Child Care Facility, Child Care Use, and Home Occupation in Sections 1B DEFINITIONS Section 14J SMART GROWTH OVERLAY DISTRICT and Section 14.J.1 WELLESLEY PARK SMART GROWTH OVERLAY DISTRICT to reference the terms used in G.L. c.15D Section 1A.

ARTICLE 35: TOWN HOUSE

1. Amend Section 1B DEFINITIONS, by amending or inserting the following definitions as follows:

Duplex – A building containing two Dwelling Units joined side by side [or front to back] sharing a common wall for all or substantially all of its height and depth; that is in which no part of one Dwelling Unit is over any other part of the other Dwelling Unit. A Duplex shall be considered as one building occupying one lot for the purposes of determining yard requirements.

Town House – A One-Unit Dwelling constructed in a group of three or more attached Dwelling Units in which each Dwelling Unit extends from foundation to roof and with a yard or public way on not less than two sides.

Townhouse Structure – a row of at least three One-Unit Dwellings whose sidewalls are separated from each other Dwelling Units by a fire separation wall or walls, and where each Dwelling Unit has its own at-grade access.

Two Unit Dwelling – A building, including a Duplex, containing two, and no more than two, Dwelling Units.

2. Amend Section 4 GENERAL RESIDENCE DISTRICTS to incorporate the revised definitions.

ARTICLE 36: GENERAL RESIDENCE DISTRICTS

1. Amend Section 4. GENERAL RESIDENCE DISTRICTS to provide for additional uses for any land with frontage on Washington Street or Worcester Street east of Cliff Road and west of Grantland Road Extension.

ARTICLE 37: ZONING MAP CHANGES

Amend the Zoning Map of the Town of Wellesley by rezoning 219 Washington Street (Parcel 63-1), and 229 Washington Street (Parcel 63-1-A) from the Single Residence District to the General Residence District.

ARTICLE 38: SUSTAINABILITY

1. Amend Section 1. GENERAL PROVISIONS by amending Section 1.C Purpose to add a new Section 1.C.12 as follows:
 12. To reduce emissions of greenhouse gases and to encourage the use of sustainable building and land use practices.
2. Amend Section 16A. PROJECT APPROVAL to include review of Greenhouse Gas Emissions by:
 - a. Amending Section 16A.C.3.a and Section 16A.C.3.b to read as follows:
 - a. The applicant shall submit to the Planning Board a Municipal Systems Impact Analysis (MSIA), prepared by professional engineers registered in the Commonwealth of Massachusetts, and identifying the impact of the Construction Project on water, sewer, storm drainage, electric, traffic, intersections, sidewalks and footways, building occupant life safety, refuse disposal and recycling, and greenhouse gas emissions. The water, sewer, and storm drainage portions of the MSIA shall be prepared by engineers having expertise in civil engineering; the electric portion shall be prepared by engineers having expertise in electrical engineering; the traffic and pedestrian safety and bicycle safety portions shall be prepared by engineers having expertise in traffic and transportation engineering; and the greenhouse gas emissions portion shall be prepared by engineers having expertise in energy performance and efficiency.
 - b. The intent of the analysis is to determine the impact on the Town's existing capital infrastructure in order to assess costs of providing or upgrading Town public facilities which will benefit a PSI and compatibility with the Town's greenhouse gas emissions reduction goals.
 - b. Amending Section 16A.C.3.c to add a new subsection vi as follows:
 - vi. Greenhouse Gas Emissions

identification of proposed energy consumption and emissions including analysis of measures taken to meet the Town’s greenhouse gas emissions reduction goals.

3. Amend Section 22. DESIGN REVIEW to expand the Design Review Standards to include review of sustainable design by adding a new Section 22.C.6 as follows:

6. Sustainable Design- Proposed development shall promote meeting the Town’s greenhouse gas emissions reduction goals.

4. Amend Section 1B DEFINITIONS by inserting the following definition:

Heat Pump – Means a Cold Climate Air-Source Heat Pump which is listed by the Massachusetts Clean Energy Center at https://goclean.masscec.com/wp-content/uploads/2021/01/MassCEC_ASHP_GUIDE.pdf or, if such listing is discontinued, a successor or comparable listing as confirmed by the Planning Department.

5. Amend Section 19 YARD REGULATIONS by amending the fourth sentence of the Section 19.B to read in its entirety as follows:

Heating, ventilation, air conditioning, swimming pool, electric generating, or other noise emitting equipment shall not be located in required setback areas except for Heat Pumps located in Side Yards or Rear Yards which are attached to and do not extend more than two feet from the wall of the building (but may not be attached to any part of bay windows) or are ground mounted and do not extend more than four feet from the foundation of the building, including any pad on which the Heat Pump is mounted. Plans and installation of sound reduction and/or visual screening may be required if, in the opinion of the Inspector of Buildings abutters may be affected.

PLANNING ARTICLE 39: ACCESSORY DWELLING UNITS

Add a new Section 16H. ACCESSORY DWELLING UNITS to allow the construction and operation of Accessory Dwelling Units in One-Unit Dwellings.

PLANNING ARTICLE 40: COMMERCIAL GUN SHOPS

1. Amend Section 1B DEFINITIONS by inserting the following definition:

Commercial Gun Shop – Any commercial establishment engaging in whole or in part in the business of a Gunsmith, or the manufacture, sale, or lease to the public of any Weapon, Machine Gun, Ammunition, Bump Stock, Large Capacity Feeding Device, Stun Gun, or Trigger Crank, as such terms are defined in G.L.c.140, § 121.

2. Amend Section 11. BUSINESS DISTRICTS by adding a new Section 11.A.13.I as follows:

I. Commercial Gun Shop

3. Amend Section 13. INDUSTRIAL DISTRICTS by adding a new Section 13.A.11.d as follows:

d. Commercial Gun Shop

4. Amend Section 25. SPECIAL PERMIT GRANTING AUTHORITY by inserting a new Section 25.B.7 to regulate the siting, design, placement, security, safety, monitoring, and modifications of Commercial Gun Shops within the Town to ensure that such uses are operated in a manner consistent with the overall health, welfare and safety of the Town and to minimize the adverse impacts of Commercial Gun Shops on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with said Commercial Gun Shops.

ARTICLE 41: OUTDOOR LIGHTING

1. Amend Section 16G.D to read in its entirety as follows:

D. Applicability

The provisions of this Section shall apply to the following project types:

1. Major Construction Projects and Minor Construction Projects; and
2. Externally Illuminated Signs requiring Design Review and/or a Special Permit, as required and defined by Section 22A.

Where the provisions of this Section 16G are more specific and/or more restrictive with respect to lighting associated with an applicable project type for which other standards may exist within the Zoning Bylaw, the regulations contained in this Section shall take precedence.

With respect to any building or structure which is constructed or renovated as part of a Major Construction Project or a Minor Construction Project, all exterior luminaires of such building or structure shall be brought into compliance with this Section 16G.

The provisions of this Section shall not apply to:

- (a) One-Unit or Two-Unit Dwellings or to structures or uses accessory to such dwellings.
- (b) the ordinary maintenance, repair, and/or replacement of luminaires not approved as part of and/or associated with the installation of Externally Illuminated Signs; and
- (c) the installation of new luminaires on properties not subject to one or more of the aforementioned project types following the effective date of this Section.

ARTICLE 42: SIGNS

Amend Section 22A. SIGNS as follows:

In Table 22A.1 insert the words “, whichever is less.” at the end of the text in the cell in such table for Wall Signs, Maximum Area, Commercial Districts Fronting Streets other than Worcester Street and Commercial Districts Fronting Worcester Street, so that the text in such cell shall read in its entirety as follows:

Additional signs allowed per additional public entrances and additional signs allowed for building occupied by more than 1 Business Establishment, shall not exceed 25 sq. ft. or 10% of the area of the wall to which attached, whichever is less.

ARTICLE 43: ZONING BYLAW REORGANIZATION

Amend the Zoning Bylaw to reorder and renumber existing sections to correct all section references therein to conform to the new section numbering.

The purpose of the hearing is to allow interested persons the opportunity to express their views and opinions on the proposed amendments; any person interested or wishing to be heard should appear at the time and place designated.

A copy of the text of the proposed amendments can be found online at <http://wellesleyma.gov>. Interested persons are encouraged to call the Planning Department/Planning Board Office (781-431-1019 ext. 2232, 2234) for more information.

Donald S. McCauley
Planning Director
(2/17/22 & 2/24/22)