

Minutes of the February 4, 2019 Regular Meeting of the Planning Board

WELLESLEY PLANNING BOARD

MONDAY, FEBRUARY 4, 2019, 6:30 P.M.

TOWN HALL – GREAT HALL

MINUTES

The Planning Board guides the Town of Wellesley in preserving and enhancing Wellesley's quality of life by fostering a diverse housing stock, multi-modal transportation options, valuable natural resources, resilient infrastructure, and a thriving local economy. The Planning Board achieves these goals through the creation and implementation of Zoning Bylaws, policies, long-term planning and by promoting citizen participation in the planning process.

Planning Board Present: Chair Catherine Johnson, Vice-Chair Jim Roberti, Secretary Kathleen Woodward, Patricia Mallett, Albert Berry, and Associate Member Sheila Olson.

Staff Present: Planning Director Michael Zehner, Senior Planner Victor Panak

1. **Call to Order**

Ms. Johnson called the meeting to order at 6:30 p.m.

2. **Public Comments on Matters Not on the Agenda**

There were no public comments on matters not on the agenda.

3. **New Applications and/or Public Hearings**

Materials distributed to, and considered by the Planning Board regarding this agenda item are retained with the official set of minutes available at the Planning Department Office.

At this time, Ms. Johnson opened the Public Hearing.

a. Public Hearing – Proposed Amendments to the Zoning Bylaw and Zoning Map for the 2019 Annual Town Meeting.

i. Article 29 – Zoning Bylaws Renumbering, Rearrangement and Correction

Mr. Zehner provided detail regarding Article 29 and stressed that the purpose of passage is to modernize, improve ease-of-use and organization of the Town's Zoning Bylaw.

ii. Article 30 – Section I, General Provisions

Mr. Zehner provided detail regarding Article 30 and stressed that the purpose of passage is to create a new section known as "General Provisions" section and

Articles 29 and 30 are the first steps in a multi-year modernization effort for the Town's Zoning Bylaw. The intent is not to change provisions, but clarify the bylaw.

iii. Article 31 – Off-Street Parking Bylaw

Mr. Panak stated that the amended version of the bylaw would not alter any of the existing parking requirements. He stated that the purpose of passage is to make the bylaw easier to administer for Town staff and boards, clearer for applicants, and lead to expected outcomes for the Town.

iv. Article 32 – Outdoor Lighting Bylaw

Mr. Zehner provided detail regarding Article 32 and stressed that passage seeks to create objective standards for lighting regulations, establishes a special permit process for deviations from those standards, provides technical standards and only applies to sign applications, sign permits for construction projects.

Ms. Johnson questioned maintenance of lights, including replacement of fallen poles. Mr. Zehner affirmed that maintenance applied to poles and fixtures that were approved within this bylaw.

v. Article 33 – Zoning Map Corrections, Phase 3

Mr. Panak detailed that Article 33 would amend the Zoning Map to resolve discrepancies in the map discovered by staff. He stated that the Zoning Map is a legal document and can only be amended by Town Meeting. He presented correction/options examples associated with 36 Pleasant Street.

Resident Mark Weinstein, 40 Pleasant Street, commented that his residence was classified as general residence at one time and with rezoning, it was determined that the property was a single residence, as was 36 Pleasant Street. He said that there are now 30-32 multiple residences on Pleasant Street, Westerly Road and Delanson Circle. He requested that the Planning Board take into consideration that 36 Pleasant Street has been a single residence since its construction and wants it to be classified as a single residence going forward.

Ms. Johnson stated that the general residence district in Wellesley is ill-defined with split lots in various parts of Town and one initiative for the next five years is to re-codify Wellesley's zoning bylaws and address the general residence district. She stated that at this time the Board is seeking to correct an inconsistency with the map and what was originally voted on at Town Meeting.

Mr. Weinstein said that the considerable multi-unit dwellings on Oak Street, and Linden Square should be taken into consideration.

Mr. Roberti commented that the Town is not changing the zoning, but just seeking to correct that status to what it was in 1925.

Ms. Johnson noted that within the general residence district, a single family home or a certain form of multi-family can be built.

Some additional comments were provided by Mr. Weinstein.

Mr. Panak presented the Winding River Road Properties Zoning Options.

Ms. Johnson inquired if staff contacted the Needham Conservation Commission regarding one of the Winding River Road properties. Mr. Panak replied that the Needham Conservation Commission (ConCom) indicated that they had no related issues.

Needham Resident, Tracy Rubin, 42 Winding River Road, stated that she represents the other three Winding River Road property owners who could not attend the meeting. Her questions involved participation of Park & Recreation and Conservation Commissions.

Mr. Panak responded that the classification of the properties on the Wellesley side are predominately wetlands or river front. Mr. Zehner added that some of the comments in recent communications stated that rezoning into the Parks & Recreation and ConCom, may suggest public use. He emphasized that zoning would not dictate that. Ms. Rubin stated that the tax rate is unaffected. Ms. Johnson confirmed the statement. Mr. Zehner maintained that zoning does not dictate access or right to a property. Mr. Roberti noted that the assessment could change, depending on zoning. Related discussion continued.

vi. Article 34 – Rezoning of 999 Worcester Street.

Mr. Panak detailed that the property could be entirely in the business district and the property is currently split-zoned between the business and the single resident district. He added that the applied use variance is now obsolete and this article seeks to amend/rectify the uncertainty involved with the zoning of this property and to allow commercial use to continue.

Ms. Johnson closed the public hearing.

Board members agreed with Article 29.

Mr. Zehner noted that an official report could be drawn for each Article presented and a formal Board vote could be taken at the next meeting.

Board members agreed with Article 30.

Board members agreed with Article 31.

Board members agreed with Article 32.

There was discussion regarding Article 33 – Zoning Map Corrections, Phase 3.

Board members agreed with the single family designations of the zoning on Pleasant Street.

Mr. Roberti had no preference in regard to the Winding River Road options. Ms. Mallett chose to defer the determination to the property owners. Ms. Woodward also chose to defer the determination

to the property owners. Ms. Johnson suggested that the owners talk to the Planning staff during the week. Mr. Roberti suggested that the owners talk to the Wellesley Assessor, as well. Mr. Zehner stated that there was no question about the rezoning of the Needham Conservation Council's property.

Board members agreed with Article 34.

- b. Discuss Board Reports and Recommendations for 2019 Annual Town Meeting Zoning Articles (*including the above and Article 37 – Rezoning of Dexter Road/Wellesley Avenue Properties*)

Ms. Johnson provided narrative regarding the status of Article 37 including three properties on Wellesley Avenue.

Mr. Roberti stated that he was troubled about changing zoning, initially, but now supports the preservation of neighborhood character in Wellesley and related zoning changes. Ms. Johnson noted that currently, housing is not affordable for people who want to live in Town because they work in Town. Ms. Johnson agreed that the Citizen's Petition should go forward. Ms. Woodward stated that the Town is doing much to advance affordable housing but expanding two-family units would not constitute affordable housing. She maintained that she is in favor of preserving neighborhoods. Ms. Mallett agreed. Mr. Berry stated that he too was in favor of preserving neighborhoods.

- c. Consider LHR 18-18 – Large House Review for 17 Monadnock Road

Present: Architect Mike Tartamella, Patrick Ahern Architect; Landscape Architect Dan Gordan, Dan Gordan Landscape Architects; Civil Engineer Peter Gammie, Columbia Design Group, LLC; Landscape Architect Dan Dobra, Dan Gordan Landscape Architects; and Property owner Jason Gardner.

Mr. Panak provided detail about the project and stated that the proposed house would have a TLAG of 8,358 square feet, which exceeds the TLAG threshold for the district. He explained that the Engineering Department submitted a memo stating that Engineering was generally satisfied with the stormwater management system but had concerns about the possibility of breakout occurring with intense rain events.

Mr. Panak stated that his only concern is the considerable amount of tree removal but noted that the replanting schedule is robust with much variety of trees and shrubs. The Design Review Board did have some issues about the property line and grading. Mr. Panak felt that more significant changes could have been made in consideration of preserving more of the existing slope on that side of the house. Mr. Panak recommended that the hearing be continued to the next Planning Board meeting on February 19, which would provide additional time for the Engineering Department to respond.

Mr. Tartamella reviewed some of the modifications made on the plans, per recommendation of DRB; including window size changes and front columns. He added that some of the exterior lighting was modified. He detailed mass and scale considerations and noted that the existing home has a slightly less TLAG square footage than the proposed home and the proposed home is in keeping with the other homes in the neighborhood.

Ms. Johnson commented that the house is classically beautiful and suggested a bit more width with the chimneys, because the front columns are now wider. Mr. Tartmella agreed to the widening of the chimneys.

Mr. Roberti questioned the slope/grading aspect. Mr. Gordon presented site photographs/plans depicting a steep ledge (eight to ten feet high) and commented that the house is being built primarily on the existing footprint.

Ms. Johnson asked if fill was being brought in. Mr. Gordon responded not and reiterated that most of the existing grades are being maintained.

Ms. Johnson commented about the cutting down of trees. Mr. Gordon stated that there were not many trees in that area and one tree is being taken down because it is a damaged/hazardous tree according to the arborist report. He affirmed that there were some other trees scheduled to be removed and many plantings are proposed to replace them and most of the trees being saved are along Monadnock Road.

Mr. Roberti queried about the walkway. Mr. Gordon explained that a steppingstone walkway would run from the main entry to the side of the house. Mr. Roberti commented that he did not see the benefit to this approach. Mr. Panak stressed that the steepness of the slope is a key piece when looking at the existing landscaping and is being pulled back in order to fit A.C. condensers and a walkway. He added that the DRB was suggesting that the walkway be restricted in a manner the follows the topography. Ms. Johnson questioned how the DRB walkway suggestion could affect the lighting. Mr. Gordon commented that all the proposed lighting is dark sky and low lights.

Ms. Johnson questioned the composition of the area around the parking court. Mr. Gordon responded that the material to be used was cobblestone. Mr. Gordon stressed that the size of the driveway was being reduced. Ms. Johnson questioned the lighting around the pool area. Mr. Gordon presented the lighting rendering around the pool area and noted that it was limited (only six lights). Ms. Johnson suggested that the pool parties end before midnight or so. She suggested inclusion of a landscape legend/key. Mr. Gordon said that the hedge was primarily evergreen with hydrangea bushes and yews and he would include a definite landscaping key.

Ms. Woodward asked about lot coverage data. Mr. Panak was not sure if lot coverage data was needed for large house review.

Ms. Johnson asked about the fencing of the yard. Mr. Gordon replied that the rear portion of the yard included pool enclosure fencing and added that most of the fencing would be screened by plantings.

Ms. Mallett questioned the drainage system. Mr. Gammie stated that because the site has a considerable amount of ledge, stone and perforated piping is being used to allow for natural water seepage into the ground.

Ms. Johnson asked if any blasting or chipping needed to be done due to ledge. Mr. Gammie indicated that there would be some blasting, but the extent of which is unknown at this time.

Ms. Johnson asked if the Engineering Department is now reviewing the drainage system. Mr. Gammie replied affirmatively and stated that a barrier was added to prevent breakout or water seepage.

Mr. Gardner stated that because of the steep slope on the side of the house, the basement is very dank and that is why the side of the proposed house would be changed.

Ms. Johnson stated that the inclusion of the tree key/legend on the landscape plan, lot coverage information, increased width of chimneys and the drainage aspect as reviewed by the Engineering Department, would be addressed at the next Planning Board meeting.

Mr. Roberti motioned that the LHR 18-18 – Large House Review for 17 Monadnock Road be continued to February 19, 2019. Ms. Woodward seconded the motion. The Board voted unanimously (5-0) to approve the motion.

4. Continued/Previous Applications and/or Public Hearings

Materials distributed to, and considered by the Planning Board regarding this agenda item are retained with the official set of minutes available at the Planning Department Office.

Mr. Roberti recused himself from the hearing at approximately 7:42 p.m.

- a. Consider LHR 18-16 Large House Review for 47 MacArthur Rd -*Continued from 1-22-19*

Present: Attorney David Himmelberger, Applicant Richard Juliani

Mr. Panak provided update regarding the project and explained that the applicant decreasing the overall scale of the project by reducing the ridge height and the hearing is being continued tonight in respect of Engineering comments. Mr. Panak recommended that the Board approve the application if they are satisfied with all other revisions of the project, with the condition that the applicant must have submitted revisions subject to Engineering Division approval of the final plans.

Mr. Himmelberger stated that the applicant agreed with Mr. Panak's proposal regarding conditional approval.

Mr. Panak commented that the nature of Engineering Department suggestion is likely to be a subject of plan clarification, rather than modification.

Ms. Johnson had a question regarding the right elevation and the presence of only one window located on the second floor. Mr. Juliani responded that additional windows were not included because of walk-in closets and bathrooms, but smaller awning windows could be included. Ms. Woodward agreed with the addition of second floor windows in this area.

Ms. Woodward motioned to approve LHR 18-16 – Large House Review for 47 MacArthur Road with conditions as listed in the staff report including all modifications as stipulated by Engineering of January 13, 2019 that two windows be added to the second floor right elevation and that any further Engineering changes be included. Ms. Mallett seconded the motion. The Board voted unanimously (4-0) to approve the motion.

- 3b. Review and Issue Recommendation for February 7, 2019 ZBA Cases**

91 Dover Road – Wellesley College

Mr. Panak stated that the request involves a proposed shed in the Educational District, which he recommended that ZBA approve.

Ms. Johnson commented that the shed had been built. Mr. Panak acknowledged that the shed would be rebuilt. Ms. Johnson stated that the shed was for the Nehodian Golf Club use.

28 Crescent Street

Mr. Panak stated that the modifications included the demolition of an existing attached garage and construction of a two-story garage and wing of a preexisting nonconforming structure. He recommended that ZBA approve the project.

Ms. Johnson mentioned that the back of the lot abuts the Cross-Town Trail. She indicated that the project was suitable, but would like to see more windows included in the plan. Mr. Panak agreed to add that suggestion.

183 Walnut Street

Mr. Panak explained that the petitioner is seeking a special permit for the modification of a pre-existing nonconforming structure which includes a partial demolition and the construction of a two-story addition. Mr. Panak stated that he did not find the proposed structure more detrimental than the existing structure.

Mr. Roberti joined the Board at approximately 8:30p.m.

Ms. Johnson commented that she felt that the proposed modification would be more detrimental to the neighborhood and knew the structure inside and out and the current addition should be demolished. She added that the addition as rendered, is not appropriate as the proposed addition does not fit with the existing structure. She emphasized that she was not sure that the proposed building could be constructed and pointed out the structural inconsistencies as depicted in the plans.

Mr. Roberti asked for recommendation. Ms. Johnson suggested that the petitioner withdraw without prejudice, hire an architect and come back before the Board. Ms. Johnson added that the project would also have to be presented to the Historical Commission.

30 Yarmouth Road

Mr. Panak stated that the petitioner was seeking renewal of a Special Permit to allow a portion of the premises to be used for a home occupation (pediatrician's office). He recommended that ZBA grant the renewal.

The Board agreed with the recommendation.

30 Mayo Road

Mr. Panak stated that the petitioners were seeking renewal of a Special Permit to allow a portion of the premises to be used for a home occupation (internet-based vacation rental business). He recommended that ZBA grant the renewal.

The Board agreed with the recommendation.

185 Linden Street

Mr. Panak stated that the petitioner was seeking renewal of a Special Permit to allow a portion of the premises be used as a two-lane drive-through facility. He recommended that ZBA grant the renewal.

The Board agreed with the recommendation.

14 Avon Road

Mr. Panak explained that the petitioners were seeking a variance for the installation of A.C. condensers within required setback areas. Mr. Panak recommended denial of the variance since there was no evidence of hardship based on soil conditions, lot shape or topography.

Ms. Johnson commented if there was another location on the lot that could accommodate the A.C. condenser units within the building envelope.

Mr. Roberti asked if the project was in construction currently. Mr. Panak thought that to be true. Ms. Johnson stated that the Board would encourage the petitioners to choose a spot on the lot which would comply.

The Board agreed that denial of the variance was appropriate.

9 Pickerel Road

Mr. Panak provided explanation regarding the request for a Special Permit for the modification of a pre-existing non-conforming structure to include the addition of a second story over the existing footprint. He recommended that ZBA approve the Special Permit.

The Board agreed with the recommendation.

17 Atwood Road

Mr. Panak explained that the petitioners were seeking a Special Permit for the modification of a pre-existing non-conforming structure to include the demolition of an existing sunroom and deck and construction of a new sunroom with a second-story addition and a new deck. He recommended that ZBA approve the Special Permit.

Ms. Johnson inquired about existence of wetlands/flood plain near the property. Ms. Woodward displayed that the property was not affected by wetlands or flood plains.

The Board agreed with the recommendation.

288 Washington Street

Mr. Panak explained the petitioner's request for Special Permit for a sign that will exceed the maximum area allowed for signage. He recommended that ZBA approve the Special Permit.

The Board agreed with the recommendation.

4b. PSI-14-02 & PSI-13-02 – Receive and Review Post Development Traffic Report for Tolles-Parson Center

Ms. Johnson detailed that prior to the construction of the Tolles-Parson Center, there was much concern that Washington Street traffic would escalate and cause traffic backups. The post-construction traffic study found that there was a decrease in traffic of approximately

11% and 0% crash data. She expressed confusion about certain aspects of the study and requested further clarification.

Ms. Woodward mentioned that counts were being performed throughout the day not during the rush hours or when school was being released. Mr. Panak commented that traffic was 11% less than forecasted. Ms. Woodward commented that perhaps the decrease in traffic was reflective of the fact that this is the first year of operation at Tolles-Parson.

Ms. Johnson commented that she would be interested in knowing why the traffic decreased and commented that maybe the Center is not being used as it should be used and therefore that nothing needed to be mitigated. She recommended that the traffic study consultant, Howard Stein Hudson, present findings at a future Board meeting and explain the results or have Beta review the study.

Mr. Roberti stated that he would support the consultant presenting before the Board but could not support Beta doing additional consulting review work. Ms. Woodward stated that the consultant might be able to provide the Board with answers. Mr. Panak commented that he would contact the consultant and arrange a presentation at the next Board meeting. Ms. Woodward was also in favor in having this.

Mr. Berry mentioned that the other PSI regarding school transportation is going well and making progress.

Ms. Johnson mentioned the Wellesley Club – Town Affairs Night will be held at the Wellesley Country Club on March 4, 2019 so an alternative Planning Board meeting date would have to be agreed upon by Members. There was discussion regarding a meeting date on February 19th.

Mr. Roberti reminded the Board that this is the last Board meeting with Mr. Zehner, the Planning Board Director.

5. New and Other Business

a. Project Status Report and 3-Year Work Plan

Mr. Berry stated that he, Mr. Zehner, Parks and the Trails Community and have been discussing the current Transportation topic in the Town of Wellesley. Some of the topics discussed by the transportation/mobility working group included:

- Effect of New Developments
- Wheel-Chair Access
- Trains
- Unused School Buses
- Prime Travel Times in Wellesley
- Ride-sharing Opportunities

Mr. Zehner agreed that the meeting went well, but the bike advocate was not present. Representatives from ADA Accessibility Community, Bike Community, Trails Committee, DPW Director, Wellesley Public Schools and several participants from the transportation profession. Ms. Johnson added that Mr. Zehner spoke at the Green Collaborative last week and focused on smart routes to school. She added that a

Representative from the Department of Transportation spoke about school buses. Ms. Johnson felt strongly that someone from the Schools be representative as stakeholder in consideration of swing space with Hunnewell School and traffic patterns to the proposed swing space sites with modules being best served at the Schofield School.

Mr. Zehner indicated that the Town of Wellesley should discourage so many parents driving their children to school and parents must be willing to find alternative methods. Ms. Johnson agreed that behavior modification is needed.

Ms. Olson stated that because her children are involved in sports, the bus schedule does not work for them, but discovered that the Uber method was cheaper, which is worse for mobility.

Mr. Berry advocated ride-sharing to school. Mr. Berry mentioned that Wellesley has a reputation for walkable schools, yet it seems that most students are driven to school. He mentioned that if Upham and Hardy become one school, it would mean that even less students would be walking to school; hence more traffic.

b. Review and Discuss Planning Director's Job Description

Ms. Johnson stated that Mr. Zehner provided his comments on the job description and the document will be posted by Human Resources.

The Board applauded Mr. Zehner for a job well done and thanked him for his efforts. Mr. Zehner thanked the Board and added that he enjoyed working with the Board.

Ms. Woodward motioned to appoint Victor Panak, Senior Planner as Wellesley's Interim Planning Director to serve from February 12, 2019 when the Planning Director, Michael Zehner finishes his last day in office; until the Board appoints a new Director and that Director shall start employment with the Town. The Interim Planning Director will have the full authority and responsibilities of the Planning Director during this period of time. Mr. Roberti seconded the motion. The Board voted unanimously (5-0) to approve the motion.

There being no other business, Ms. Johnson adjourned the meeting.

MINUTES APPROVED: JUNE 17, 2019

Catherine Johnson
Planning Board Chair