

*Minutes of the February 8, 2023
Regular Meeting of the Design Review Board*

WELLESLEY DESIGN REVIEW BOARD
WEDNESDAY, FEBRUARY 8, 2023, 6:30 PM
ONLINE REMOTE MEETING

Design Review Board Present: Chair Jose Soliva, Vice-Chair Juann Khoory, Sheila Dinsmoor, Iris Lin

Absent: Amir Kripper

Staff Present: Interim Senior Planner Emma Coates

Call to Order:

Mr. Soliva called the meeting to order at 6:30 PM. Roll Call was taken: Soliva-present, Khoory-present, Dinsmoor-present, Lin present.

Citizens Speak – Public Comment on Matters not on the agenda

No comments were brought before the Board.

New and/or Continued Applications

DRB-23-04 M - 55 Rice Street

Present: David Hickey, Engineer - Town of Wellesley; Linda Chow - Wellesley School Committee, Jay McHale - Natural Resources Committee

Mr. Soliva mentioned that many related written public comments were submitted to DRB, and are part of the application documentation.

Ms. Coates stated there are 117 pages of public comment regarding lighting, as proposed; she itemized various “pro” and “con” positions, as submitted:

“Con” Comments:

- Degradation of landscape
- Traffic/parking concerns
- Light pollution
- Proximity to existing homes
- Impacts on Fuller Brook Park
- Wildlife impacts
- Height of proposed lighting poles/fixtures
- Pollution and littering
- Commercialization of green space
- Noise concerns
- Climate concerns

- Private funding concerns
- Wetland/Flood Plain concerns
- Environmental impacts and costs
- Usage increase
- Public green space protection
- Peaceful enjoyment
- Lack of consideration of neighborhood concerns

“Pro” Comments:

- Approval status by Town
- Opposition indicating disregard for the democratic process
- Unnecessary costs related to additional studies
- Small number of nights with lighting
- Support for student athletes
- Marginal impact on the environment
- Town commissions/boards/committees have compromised
- Decisions should not be based on a small number of those opposed

Citizens Speak on Items on the Agenda

Resident and Town Meeting Member Jean Mayell, 27 Seaver Street, thanked DRB for their consideration; she asked the Board to apply the same application standards as would be considered for a private applicant. She stressed that Wellesley Town Meeting had not addressed the funding for the proposed project. She emphasized that in addition to environmental considerations, community character is a huge aspect of this project. Ms. Mayell stressed that passage of this proposal would not be just for the schools, as private clubs/teams would likely play 5 to 7 nights a week. She stressed such project approval would degrade a historic neighborhood.

Resident, Town Meeting Member, former 8-year NRC Commission Member Raini McManus, 2 Mulhern Lane, thanked DRB for the thoughtful consideration they are devoting to this project. Ms. McManus confirmed there are no other structures in Town as tall as the proposed light towers/poles, adding that no design can minimize the appearance of the poles. She stressed that the associated amplified sound would not be allowed on commercial and private properties in Wellesley. Ms. McManus detailed that in a time of climate emergency, the Town should be considering alternatives to this plan which would affect the fragile ecosystem. Ms. McManus noted the “let there be night” signs are all around Town, and many in Wellesley do not want this. She emphasized Bylaw 5.5, which considers such negative impacts on the Town, and strives to maintain the natural and esthetic qualities of the Town, and “to protect and preserve the historic and cultural heritage of the Town,” including the subject site, the neighborhood and Fuller Brook Park. Ms. McManus read Article 37 of the Massachusetts Constitution; “That the people shall have the right to breath clean air and water; freedom from excessive and unnecessary noise and the natural scenic, historic and aesthetic qualities of their environment.”

Resident Christie Kovacs, 20 Clifford Street, expressed her concern about the adverse impact on the neighborhood. She indicated that she particularly enjoys her evening walks around the High School track and saw that fireflies were out in numbers this past summer, along with bats and other wildlife which would be threatened by such proposed lighting and noise. Ms. Kovacs confirmed that she expended much

time and expense into the renovation of her historic neighborhood home within the wetlands, and feels that this project is not at all reflective of any of the same requirements, namely the 80' tall lighting poles.

Resident Lara Crawford, 15 Rice Street, emphasized the importance of the DRB voice, adding that such artificial lights would negatively impact humans, wildlife and other associated impacts to the neighborhood, which the School Committee has “brushed aside.” Ms. Crawford maintained that such proposal passage, will ultimately destroy the character of Wellesley. She acknowledged that the NRC voted 3-2 in favor of the proposal, certainly not unanimous. She asked why should the Town rush to drill some 20 feet into the wetlands in order to construct 80' tall lighting? She mentioned the likely increase in the number of cars, noise, trash, police vehicles during and after proposed lighted games; within such fragile wetland area.

Resident Brent Willess, 41 Bellevue Road, stated that he supports the project, and highlighted the efforts of Linda Chow, Jay McHale, the School Committee, NRC, and many others in the community. He stressed that such planning has been going on for some two years in an open, collaborative process. Mr. Willess stressed that the scope of the project has decreased to 21 nights and 15 games, which is reasonable. He acknowledged that almost all related research confirmed there would be no impact on the environment, noting that he works in the area of climate technology.

Resident Marlene Allen, former Town Meeting Member, former Wellesley High School teacher, serving both as the Advisory Chair, and School Committee Member, 29 Rice Street, recognized that when the new High School was built there were many requests, including a pool, larger auditorium, added parking. She acknowledged that such proposals could not be accommodated due to the restricted site, and environmental State guidelines. She added that such restrictions would likely apply to this lighting proposal. Ms. Allen stressed factors of **1. Obstruction** – the path and desired outcome of the proposal were not actually brought forward as an educational issue, and the schools did not originate this idea, the Playing Fields Task Force brought forward the proposal for 100+ nights of sports – assumed unlimited use. She suggested that Wellesley could do what Brookline does, and rent an already-lit field. Ms. Allen detailed that the policy was brought forth over a year ago, without posting agendas or public access to the meetings; and without posted minutes. **2. Funding** – all privately funded, which is a critical difference because there are no public funds available. The proponents hired their own consultants and controlled the narrative, the project is not consistent with Town initiatives; private funding changes the use of public land, and is of detriment to a portion of the public, which has never been discussed and should be discussed. **3. Lost safeguards** – NRC, caretaker of the land, has disregarded its own criteria for project; the only protection for neighborhoods are those upheld by boards/commissions and committees, charged to carry out the bylaws, policies, rules and regulations of their organizations. This loss of safeguards presents a new threat to Wellesley's governing system, with the NRC voting 3-2 to totally disregard their policy; thereby there is no policy for change of use in place, nor zoning laws regarding 80' lights. **4. Skewed values** – these are not just houses less than 100 feet from the lights, but they are homes; which are sanctuaries, a place for peace and sustenance, a place for shelter from the world, especially at night.

Resident for 50 years and Town Meeting Member Judy Barr, 331 Linden Street, quoted from the January 25th DRB meeting - “this boils down to the neighborhood vs. the Town issue.” She commented that the situation being the proposal for four 80' poles with ten lights each, and amplified sound, which is not the neighborhood vs. the Town; rather it reflects elements of the Town against other elements of the Town. She stressed that the Hunnewell neighbors are the protectors of one of Wellesley's most valuable resources – the Brook Path, and its ecosystem within the wetlands, which reflect the beauty of Wellesley.

She acknowledged that the neighbors are questioning the quality of the studies used to justify the lighting proposal. Ms. Barr added that the Hunnewell neighbors are questioning the state of the related budget over the next five years, and questioning how 80' poles are in keeping with the aesthetics of Wellesley. She also mentioned the numerous hostile effects of the increased noise level for residents of the area, as well as the wildlife and wetlands. Ms. Barr confirmed that the Town spent millions of dollars to return Fuller Brook Path to the beauty of the "Green Necklace," a connected riparian network which runs through the middle of Town. The Brook Path provides peaceful, passive recreation for many Town residents, including 71 species of birds, mammals, amphibians, insects, bats, and fish, which live in this area. Ms. Barr added that bright, blue LED lights have hazardous effects on deciduous trees, which is why amber-type street lights are used throughout Town. She mentioned Mosco, the light distributor, its practices and considerations. Ms. Barr noted that related calculations were based on the High School use only, with no more than twenty games; though 100 games have been projected in light of the funding. She asked that DRB continue to protect the aesthetics and character of the Town and prevent harm to the environment and the neighborhood.

Resident Kayla Sheets, 27 Atwood Street, stated that she is the mother to an active 5-year-old ,who will likely play sports, and that she was opposed to the light project. Ms. Sheets stressed that such lighting would not be appropriate for the area, and lighted night games would bring noise and disruption to a quiet neighborhood. She stressed that proposed lights are particularly harmful to such an important wetland. She noted that pickleball was recently banned from the Sprague Field tennis courts due to noise, which is one more example of perceived inequality between neighborhoods in the Town. Ms. Sheets asked about the role of Jay McHale in tonight's discussion.

Resident of 40 years, Town Meeting Member and NRC Commissioner Laura Roberts, 10 Greenlawn Avenue, stated she has always advocated for the natural environment as a resident. She stressed that day and night are visual amenities and stressed the value of night, added that health and visual benefits when considering night and day are very important. Ms. Roberts opined that from a design perspective, taking night away from a football field wetland is no different than dropping the Edge Hockey Center on top of the field. She stressed that the current environment regarding Hunnewell Track & Field is an excellent example of the harmonious relationship among various elements of the built and natural environment. She stressed that by taking away that harmony, the natural environment will be lost. She requested that everyone consider a better solution.

Resident Jo Okum, 15 Cottonwood Road, stated the independent thinking from the members of different Wellesley boards and committees would ensure the best outcome for all. Ms. Okum stated that the project was problematic from the beginning and should have been more collaborative in its approach. She indicated that Town Counsel indicated that the NRC could impose its own land use policy. She stressed that DRB should be focusing on the criteria considered for any other project, and to preserve the character of Wellesley. Ms. Okum emphasized that this proposal is inappropriate from a historical, preservation and ecological (wildlife, riverfront, wetlands) point of view. She also mentioned that the project did not meet the Town's goals regarding sustainability. Ms. Okum suggested that DRB take the necessary time to review all aspects of the proposal. She stressed that the project had not gone before the wetlands, and had not received that commission's approval. Ms. Okum commented that if this project can pass in this area of Wellesley, then such projects can be approved in all parts of Town.

Resident of 31 years Nancy Cooper, 30 Amherst Road, expressed her concern about the project and indicated that the charm and village character of the Town would be negatively impacted by the 80-foot lighting. Ms. Cooper said the term "community character" was used in the DRB handbook, including

height of structures, signage, design materials, design characteristics to be considered. She read from the DRB handbook: “desirable elements which contribute to the Town’s character should be preserved...care must be taken that all new structures or alterations to existing structures, should not detract from a scale and character that the Town is committed to preserving.” Ms. Cooper stated that 80’ light poles would change the character of the Town, and acknowledged that there no existing 80’ structures in Wellesley, and approving this project would set a precedent. She emphasized that these lights are not a design element that the Town should be endorsing. Ms. Cooper mentioned the importance of Town boards, committees and commissions; and each such group should consider the mission of their group. She stressed that each Board has a right and responsibility to make its own decision, based on the criteria that govern their particular board, commission, committee. She asked the DRB to keep an open mind.

Resident Kiril Selverov, 27 Atwood Street, echoed comments made by other residents and affirmed his strong opposition to the lights and associated noise from the Hunnewell Track &Field after sunset. He stressed that the adjacent wetlands are a unique feature in Wellesley, and such lighting and noise would create permanent and irreversible damage, and would be “a nightmare for people close by.” Mr. Selverov questioned the validity of the NRC vote, as one of the Commissioners very ardently approved of the NRC vote, and given his personal, vested interest, he should have recused himself from voting. Mr. Selverov stated that this is a project advanced by private interests.

Mr. McHale mentioned that Ms. Chow’s computer was experiencing technical difficulties, so he displayed related documentation on his screen.

Mr. Hickey acknowledged comments made by DRB at the January 25th meeting, and referred to this discussion points as included in the School Committee’s PowerPoint document – “Hunnewell Track & Field Lighting,” dated February 8, 2023

- Light impact and mitigation measures
- Sound impact and mitigation measures
- Summary of traffic, trash and noise impacts – mitigation steps
- Explanation of pole material options

Mr. Hickey confirmed per Advisory Committee’s discussion on February 1, 2023; the decision regarding Track and Field lighting was the decision of NRC, and the School Committee followed the process, as dictated by NRC and its process for such change in land use.

Ms. Chow mentioned that she and Mr. McHale participated in the Advisory meeting on February 1, 2023, which presented the opportunity to review the process and steps taken including the request from NRC that the Wellesley School Committee (WSC) present the priorities for further enhancement of Track and Field. She confirmed that those voted priorities included the field bathrooms, team rooms and sports lighting, and NRC voted to approve the light project on July 7, 2022. She noted that the bathrooms and team rooms had already been approved at Town Meeting; and the lighting priority was added two years ago. Ms. Chow confirmed she continues to be a member of the Playing Fields Task Force, and COVID issues slowed down certain aspects. Ms. Chow confirmed that the bathroom construction project is funded publicly by the Town. Ms. Chow acknowledged that an improved sound system, and concession stand was added to the proposal.

In respect to related citizen comments, Ms. Chow stated that the School Committee makes difficult decisions and citizen petitions do not alter priorities. She confirmed this was a very thoughtful and

deliberate process, with two boards making the decision. Ms. Chow requested that DRB make recommendations regarding the led lighting proposal.

In response to DRB questions as posed; Ms. Chow referred to the PowerPoint slide titled: “Impact on Natural Resources,” and “Impact on Neighborhood.” She detailed that regarding impact on Natural Resources, the International Dark-Sky Association (IDA) certified Musco’s Design that the Design met IDA’s criteria for Community-Friendly Outdoor Sports Lighting. Ms. Chow added that Epsilon Associates also conducted the “Study to Evaluate Potential Impact of T&F Lighting on Adjacent Wetland Wildlife Habitat” concluding that such environmental impacts would be “negligible.” Ms. Chow read from the PowerPoint slide: “School Committee is committed to installing lighting that will have minimal impact on the Town’s carbon emissions.

Regarding the queries about Impact on Neighborhood, Ms. Chow referenced the “Impact on Neighborhood,” including the findings from IDA certifying that proposed lighting would minimize local spill and glare, that the sound would utilize multiple speakers on lighting/grandstand poles that directs sound down. In consideration of traffic, Ms. Chow read that Vanasse & Associates provided a traffic study which included Wellesley Police agreeing to provide police detail at every football game in the first year. Ms. Chow stated that related policies are in place, and language was proposed to control the use of both the lighting and sound system.

Ms. Chow reviewed the PowerPoint slide – NRC’s Vote on Lighting at Track & Field (7/7/22)

Moved to approve SC’s proposal to install lights at Hunnewell Track & Field with the condition that the use of the lighting will be limited to yearly parameters (to be memorialized as part of NRC’s policies and included in the request to the ZBA to add to conditions):

- *For Wellesley High School only*
- *15-night games (not inclusive of playoff games)*
- *6-night practices*
- *On an as needed basis to complete shoulder season day games & practices*
- *Wellesley HS graduation*

Additional use, subject to NRC approval, shall be limited to:

- *Additional games if requested by both MIAA/Bay State Conference & WHS*
- *One-off usage as approved by the NRC*

Updated on 9/13/22

Ms. Chow added that the estimated amount of lighting in a year is estimated at less than 100 hours. She maintained that the tennis courts on Washington Street are lit for more than 1,000 hours per year, and the multi-purpose field on Washington Street is lit for 400 hours per year on average.

Ms. Chow reviewed the “Key Factors Behind T&F Lighting Design” PowerPoint slide:

Criteria for Lighting Design

- Safety
- Spill and Glare Control
- Site Constraints
- Controls

- Cost

Visualizing Lighting at Night

- Color-Coded Photometric Chart – See Legend
- Visualizing Lighting Poles on T&F by Day
- Lighting Pole Material Options

Ms. Chow presented the “Color-Coded Photometric Diagram” PowerPoint slide, with Zoom detail depicting related calculations.

Ms. Chow presented the “Visualizing Lighting Poles on T&F” PowerPoint slide. Mr. Hickey commented that in relation to the proposed 80’ high light poles, nearby mature trees could be 70’+ in height.

Ms. Chow presented the “Visualizing Lighting Poles on T&F (cont.) PowerPoint slide.

Ms. Khoory commented that she was asking for a street view, which would include pedestrians, with visualizations from the homes of neighbors. She stressed that aerials as presented do not detail information regarding scale. Ms. Khoory explained that applications as customarily presented to DRB include visualizations from the street in scale. Mr. McHale detailed that the one pole which would be most visual would be the pole in proximity to the concession stand, similar to the lights on the multi-purpose field and Reidy Field on Washington Street. He noted that the mature pine trees on the south side help to block the appearance of the poles, and confirmed that the height of those poles is 60.’

Mr. Hickey reiterated that the 80’ poles are proposed for the Field & Track to better control light spillage, and the 60’ height has added light spillage.

Ms. Chow presented the PowerPoint slide – “Lighting Pole Material Options:”

- Galvanized steel is default
- Significant cost to paint poles

Mr. Soliva inquired about the option that would be least visible. Mr. Hickey responded that the galvanized steel would blend in better. Mr. Hickey added that the Reidy Field poles are one of the few fields in the State that are painted.

Ms. Chow provided a “Conclusion” slide, adding that Wellesley should have a lighted field similar to those other fields in the Bay State Conference that have similarly-lighted fields. She added that such proposed lighting would provide gender equity for all Wellesley student-athletes.

Ms. Chow stressed the project reflects an opportunity to bring the community together, especially after emerging from COVID times, and celebrating the Wellesley athletes. She confirmed that this has been an active playing field since the 1930s, with lighting from the tennis courts, Reidy Field and Whole Foods. Ms. Chow stated that the neighborhood was built around the school, which is part of the neighborhood.

Ms. Chow stated that the sound proposal reflected a collaborative effort, and traffic and related trash would be mitigated to the highest level.

Comments presented by the Board:

Ms. Lin commented that with installation of proposed lighting, the site would become commercialized, and the field will increase in usage. She asked how those considerations including games/events would be addressed. Ms. Chow responded that events requiring night lighting would have to meet the

parameters which were put in place with the NRC vote. Ms. Chow detailed that the Athletic Director would have control of the lights, noting that controls are in place by NRC. Ms. Coates put up the associated slide – “NRC’s Vote on Lighting at Track & Field.”

Mr. McHale stressed that NRC is the steward of the land, and everything related would have to come before NRC. WSC will ask the ZBA to include this aspect as part of their approval. He added that anything beyond these parameters, would require a separate process for approval.

Ms. Lin commented that the NRC approval was vague (open-ended) and the itemized additional usage for additional games and one-off usage appeared to be without limitation. Ms. Chow responded that additional usage might occur late in the season when the sun sets at 4:30 PM and those practices might end at 5:45 PM. She mentioned the consideration of safety.

Mr. Soliva mentioned that the Epsilon environmental study was based on the limited amount of use, and setting bounds/limitations is critical. He asked if the 100 hour or less limitation could be definitive and monumentalized. In consideration of commercialized use, Mr. Soliva recommended included language reflecting “high school use/Town use only” verbiage and not inclusion of private clubs. Mr. McHale commented that he could take the recommendation back to the NRC; adding that design falls under the purview of the DRB, but usage falls under the purview of the NRC.

Ms. Dinsmoor read aloud Section 5.5 of the Design Review Bylaw: “It is the intent of this Section to provide detailed review of uses and structures having substantial impact on the Town; to prevent blight, to enhance the natural and esthetic qualities of the Town; to conserve the value of land and buildings; and to protect and preserve the historic and cultural heritage of the Town.” Mr. Soliva stressed the first line of the proposed project: “For Wellesley High School only,” which should be committed to and monumentalized. Ms. Dinsmoor responded that such monumentalized language/commitment was not adequate for her, as well as many of the neighbors, with environmental impacts being excessively impactful. Mr. Soliva stressed that mitigation would be key. Ms. Dinsmoor indicated that mitigation would not solve the problem.

Mr. Soliva explained that if DRB votes yes, recommendations might be included, and if the applicant chooses to follow such recommendation/s, the ZBA would consider such recommendations. Potentially, the applicant would have to clarify to ZBA, why they cannot follow the recommendation/s of DRB. Mr. Soliva confirmed that a quorum “no” vote from DRB means no recommendation/s to ZRB. Ms. Coates detailed that technically there is not a “aye” or “no” vote (accept or deny), rather it is a motion to recommend or not recommend. Mr. Soliva confirmed DRB is an advisory board, and motions made are recommendations.

Ms. Khoory stated the impact of the proposed lights and sound on a site like this outweigh by far having student athletes play at night, given the Town has other opportunities to use other fields in Wellesley, such as Wellesley College or Babson College. She exemplified such use in Dedham with Brimmer and May School and Brookline has done. She reiterated that the impact on the environment, the neighborhood, and character of the area, with associated traffic, and trash outweighed the need for 21 nights of light. She added, that even if the DRB recommended limitations, we learned this week that boards can, as they changed members, change the rules/limitations now made. She opined that private funding would be better used to fund the bathrooms, concession stand and team room that are proposed, which are totally unsustainable and a poor example for the Town, the students and neighboring Towns.

Ms. Dinsmoor reiterated that the lights would have negative impact on the environment, the neighborhood and the Town, and votes no.

Ms. Lin noted that she has been on the Board for some five years and the Board has spent much time reviewing signage, lighting and antenna project compliance with the Design Guidelines and Town's design bylaws regarding aesthetics and sustainability. She stressed that mitigation measures could not reduce the negative impact from the proposed lighting, noise, increased traffic, and degradation of the neighborhood. She emphasized the DRB should also defend the quality of open space. For the many reasons listed, Ms. Lin could not approve the project. Ms. Lin stated that high school athletes have built their success by dedication to training and games while respecting their neighbors and the natural environments. It should continue to be this way. She stated the project should consider and respect the neighborhood's concerns and voices. Ms. Lin confirmed that this DRB position, should serve as a positive example to Wellesley and its students; and respect for the neighbors is needed.

Mr. Soliva confirmed that this project would change the character of the neighborhood and ZBA has to address this aspect. He commented that the proposed mitigation is likely the best mitigation that can be provided. He opined about the Board offering some suggestion/s via limitations, design recommendations, to help improve the scope of the project and direction to ZBA; which does not mean endorsement of the project.

Ms. Khoory motioned not to make a recommendation on the application. Ms. Lin seconded the motion. It was on motion 3-1; Dinsmoor-aye, Lin-aye, Khoory-aye, Soliva-no

Mr. Soliva hoped the project could be improved.

Ms. Dinsmoor hoped that ZBA reviews tonight's minutes and appreciates what was discussed at this meeting.

Minutes

Mr. Soliva tabled the review of minutes for: 8/11/21, 9/22/21, 10/13/21, 11/3/21, and 12/1/21, to the next meeting of the DRB on February 22, 2023.

Adjourn

Ms. Lin motioned to adjourn. Mr. Soliva seconded the motion. It was on motion 4-0; Khoory-aye, Dinsmoor-aye, Lin-aye, Soliva-aye.

The meeting was adjourned at 8:49 PM.

APPROVED – May 10, 2023