

Advisory Meeting Minutes – February 26, 2020

Present: Todd Cook, Bill Maynard, Julie Bryan, Betsy Roberti, Deed McCollum, John Lanza, Lina Musayev, Paul Merry, Patti Quigley, Neal Goins, Jennifer Fallon, Mary Scanlon, Mary Gard, Rusty Kellogg.

Todd Cook called the meeting to order at 7:00pm

Citizen's Speak: citizen spoke supporting indigenous people's day as an Italian American. Not all Italian Americans want Columbus Day or want a combined holiday.

Presentation on citizen's petition re general residence district:

D. Himmelberger speaking on the citizen's petition to amend the zoning bylaw regarding the general residence district.

Background on what led to the petition (the background on the Dexter Road petition from ATM 2019)

Neither article will change the permissible number of units that can be built on a particular lot. All the current petition will do, is limit the size of new construction in a general residence district.

Advisory Question: Comments and concern last year about the people who bought in the general residence district had a right to get what they expected when they purchased the property. Can you address the fact that owners would not be able to build what they want?

- The Citizens petition would limit the buildings to 3600 sf. There isn't any zoning restriction that doesn't impact property owners.

Discussion regarding motion language for Article 41.

Advisory Question: About (1) appeal rights to ZBA and (2) difference between SRD and GRD?

- Rationale for differences between SRD and GRD: we were following how the Town zoning bylaws categorize properties by district, not by lot size. The GRD is entirely a 10,000sf district.

Advisory Question: Clarify whether you would withdraw the petition if planning board's warrant article (article 31) passed?

- We wouldn't withdraw it (can't withdraw it at this stage), but would choose not to make a motion if the Planning Board's article passes.

Advisory Question: LHR – does planning have authority to reduce the size of the buildings?

- They have a dialogue about the size of the building and a process for denying permits for projects that are excessive.

Further discussion about the differences between the two warrant articles.

Primary difference is that the citizen's petition asks for absolute prohibition against large buildings with hard caps; planning board applies LHR to the GRD.

Advisory Question: With those hard caps, could a homeowner appeal to the ZBA?

- No, but they could seek a variance.

Advisory Question: Is LHR review applicable to multifamily dwellings?

- Article 41 would include multifamily in the general residence districts.

Advisory Question: Single family houses on 10,000K has a 3600 threshold to trigger LHR, but has a sliding scale for larger districts. In article 31, why does no other size have a threshold?

- GRD is all in a 10,000 sf district; SRD is divided into multiple districts (10K, 15K, 20K, 25K). All GRD properties are in a 10K district, so all would be under the 3600 threshold. It's governed by the district you are in, not the lot size.

Advisory Question: If at the time of LHR, we had included the GRD, then we wouldn't be here today, correct?

- It wasn't oversight to exclude the GRD from the LHR process, but at the time, it was only brought up to address the large number of teardowns in single family homes, so it wasn't even thought of for GRD. But, yes, if it were included then, we wouldn't be here.

Advisory Question: Shouldn't we be treating a GRD differently, because it is different?

- Article 31 is meant to make uniform application of the LHR.

Advisory Question: Can planning board change article 31 to add different thresholds for larger lots?

- Yes, but Planning would not support a motion that would allow escalation based on lot size rather than district.

Only 46 lots that are conforming, and thus affected by this change; only 12 of those are 15000 or larger.

Presentation of Citizens Petition regarding indigenous peoples day and Columbus day

Presentation of the citizen's petition – discussion of history of Columbus Day and why it is important to preserve Columbus Day.

Advisory Question: Why isn't October as Italian American heritage month enough to recognize the accomplishments of Italian Americans?

- Columbus Day was the reason for acknowledging IA Heritage.

Advisory Question: Can we make Columbus Day more about the culture and not the man?

- This article is about inclusivity; including everyone and not excluding one group over the other.

Advisory Comment: I wonder if it might not be reasonable to look at some of the heroes of our past and reevaluate their actions.

Advisory Question: What does a compromise mean to those that were here first? How does compromise help recognize those people that were here first?

- A separate day for Indigenous Peoples day is very important, yes.
- We believe it is important that Indigenous Peoples day is a holiday, but not to replace Columbus day. It is too important for Italian Americans to preserve Columbus Day
- To take one away would be to pit two groups against each other.

Advisory Question: What happens if 42 passes and then 43 passes?

- Not sure.
- Town Counsel: If 42 is acted on and approved, then TM is instructing the Town that it has passed 42. If 43 is acted on and approved, then TM is instructing the Town that it has passed 43. Town Meeting cannot require the BOS or the Town to do anything. It is merely a request.

Fur Free Wellesley Citizens Petition

It has several exclusions, including second hand fur, fur used for religious purposes, fur used in native American tradition, and shearing. Also excludes leather.

Presentation with regard to the fur industry.

Advisory Question: Any idea how many animals like fisher cats we have in town?

- No.

Advisory Question: Is the motion close to the warrant article?

- Yes. There should be no conflict with the warrant article and the motion.

Advisory Question: Is there any other by-law where there is a criminal penalty?

- There will be a change in the language to make it a non-criminal disposition.

Advisory Question: This seems like a slow process to go town by town, is that your intent?

- Having municipalities ban fur is a building block for state legislatures to take action. So it is important to start a city-by-city effort.

Advisory Question: Is this going beyond just banning retail sales? And are you doing anything about internet sales?

- Wellesley only has to deal with the sales end because we don't have any fur farms and already ban trapping.

Discussion with Town Counsel regarding motions and voting on articles

Deed – liaison report

Patti – the energy citizens petition is coming back on the 4th

Discussion about upcoming agendas

Discussion regarding process for public hearing

Patti moved and Lina seconded a motion to adjourn, 13-0-0.